

# AGENDA

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## **INNER WEST COUNCIL**

**COUNCIL MEETING**

**TUESDAY 28 MARCH 2017**

**6:30pm**



## **SUMMARY OF ITEMS**

The following provides a summary of the items to be considered at the meeting.

## **ADMINISTRATOR'S MINUTES**

Nil at the time of printing.

## **STAFF REPORTS**

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Reports appearing in this section of the Business Paper are confidential in their entirety or contain confidential information in attachments.

The confidential information has been circulated separately.

**Minutes of Ordinary Council Meeting  
held at Ashfield Service Centre on 28 February 2017**

**Meeting commenced at 6:30pm**

**Present:**

Richard Pearson	Administrator
Rik Hart	Interim General Manager
Peter Gainsford	Deputy General Manager Assets and Environment
John Warburton	Deputy General Manager Community and Engagement
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
Wal Petschler	Group Manager Footpaths, Roads, Traffic and Stormwater
Tanya Whitmarsh	Group Manager Governance
Gill Dawson	Acting Group Manager Strategic Planning
Popy Mourgelas	Manager Corporate Governance, Ashfield
Ian Naylor	Manager Governance & Administration, Leichhardt
Katerina Maros	Governance Officer, Leichhardt (Minute Taker)

**Public Speakers:** see last two pages of these minutes.

**1. Acknowledgement of Country by Chairperson**

- *"I acknowledge the Gadigal and Wangal people of the Eora nation on whose country we are meeting today, and their elders past and present."*

**2. Notice of Live Streaming of Council Meeting**

The Administrator advised that the Council meeting was being streamed live on Council's website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

**3. Disclosures of Interests**

The Administrator declared that he had no declarable interests in any matter listed on the business paper.

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**4. Confirmation of Minutes**

**The Administrator determined that** the Minutes of the Council Meeting held on Tuesday, 6 December 2016 be confirmed.

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**C0217 Item 17 Administrator's Minute: WestConnex Stage 3 (M4-M5 Link) construction dive-site options**

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**The Administrator determined that Council:**

1. Calls on the NSW Government not to proceed with any further consideration of either of the mid-tunnel construction dive sites under consideration at 7 Darley Road and 29 Derbyshire Road, Leichhardt;
2. Calls on the Government to discontinue the process of seeking to establish a dive site in the densely populated Leichhardt/Lilyfield area;
3. Requests Council officers to further consider the suitability of the site at the western end of the Rozelle Rail Yards as a possible mid-tunnel construction dive site and report back to Council;
4. Calls on the State Government to ensure that the community and Council is fully consulted on any further consideration of dive site options in the Leichhardt area by the State Government; and
5. Calls on Sydney Motorway Corporation to immediately release information regarding the proposed Camperdown dive site and conduct an immediate Community Consultation Campaign.

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**C0217 Item 1 WestConnex Update Report**

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**The Administrator determined that Council:**

1. Receives and notes the report;
2. Expresses concern about the demolition of Heritage Houses in Campbell Road (Bradfield Terrace listed on the State Heritage Register 2004) and 82 Campbell Street (Brickworker's Cottage State Heritage Listing 2009);
3. Acknowledges the considerable disruption to residents' lives by Sydney Motorway Corporation (SMC) works, road closures and use of local streets for parking and vehicle access; and
4. Informs local residents around Simpson Park about the future of the fig trees in Simpson Park which border onto the proposed Campbell Street widening.

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**C0217 Item 2 Post Exhibition Report: Marrickville Heritage Review**

**The Administrator determined that** Council defer report for further consideration of issues raised and report back to March 2017 Council Meeting.

**C0217 Item 3 Planning Proposal - 168 Norton Street, Leichhardt****The Administrator determined that:**

1. The attached Planning Proposal be forwarded to the Minister for Planning for a Gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*;
2. The Department of Planning and Environment be requested to delegate the plan making functions, in relation to the subject Planning Proposal, to Council;
3. Following receipt of a Gateway determination, and compliance with any conditions and following the required changes being made by the Proponent, the Planning Proposal and supporting documentation be placed on public exhibition for a minimum of 28 days and public authorities be consulted on the Planning Proposal in accordance with the Gateway determination; and
4. A report be presented to Council at the completion of the public exhibition period detailing submissions received and the outcome of consultation with public authorities.

**C0217 Item 4 Annandale Conservation Area Extension****The Administrator determined that:**

1. The attached Planning Proposal be forwarded to the Minister for Planning for a Gateway Determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*;
2. The Department of Planning and Environment be requested to delegate the plan making functions, in relation to the subject Planning Proposal, to Council;
3. Following receipt of a Gateway Determination, and compliance with any conditions, the Planning Proposal and supporting documentation be placed on public exhibition for a minimum of 28 days and public authorities be consulted on the Planning Proposal in accordance with the Gateway Determination; and
4. A report be presented to Council at the completion of the public exhibition period detailing submissions received and the outcome of consultation with public authorities.

**C0217 Item 5 Draft Marrickville Local Environmental Plan 2011 (Amendment No. X) - Change to the Land Use Table for the B7 Business Park Zone****The Administrator determined that:**

1. The report be received and noted;
2. Council resolves to prepare a Planning Proposal to amend MLEP 2011 to delete “shop top housing” as a permissible use within the B7 Business Park zone and nominate itself as the Relevant Planning Authority;
3. Council submits the draft Planning Proposal to the Department of Planning and Environment for Gateway determination; and
4. Council resolves to publicly exhibit the draft Planning Proposal.

**C0217 Item 6    Marrickville Golf Course Lands and Dibble Avenue Waterhole - Plan of Management**

**The Administrator determined that** the preparation of a Plan of Management for the Marrickville golf course lands and Dibble Avenue Waterhole be prioritised and brought forward to commence in 2017.

**C0217 Item 7    Minutes of the IAG Meeting held 9 February 2017 and LRAC Meeting held 14 February 2017**

**The Administrator determined that:**

1. The Minutes of the IAG Meeting held on 9 February 2017 be noted.
2. The Minutes of the LRAC Meeting held on 14 February 2017 be noted.

**C0217 Item 8    Local Traffic Committee Meeting held on 1 December 2016 and 2 February 2017**

**The Administrator determined that:**

1. The Minutes of the Local Traffic Committee Meeting held on 1 December 2016 be received and noted.
2. The Minutes of the Local Traffic Committee Meeting held on 2<sup>nd</sup> February, 2017 be received and noted.

**C0217 Item 9    ADDRESSING DOMESTIC AND FAMILY VIOLENCE IN THE INNER WEST**

**The Administrator determined that** Council defer report for further consideration of appropriate funding levels and report back to March 2017 Council Meeting.

**C0217 Item 10    Quarter 2 Progress Report - IWC Operational Plan**

**The Administrator determined that** the report be received and noted.

**C0217 Item 11    Flood Management Advisory Committee meeting held 1 February 2017**

**The Administrator determined that** the minutes of the Inner West Council Flood Management Advisory Committee held on 1 February 2017 be received and the recommendations be adopted.

**C0217 Item 12    Review of Planning Proposal Fees and Charges**

**The Administrator determined that:**

1. Under the provisions of the *Local Government Act*, Council amend the current Ashfield, Marrickville and Leichhardt fees for planning proposals and introduce an integrated Inner West Council planning proposal fee structure; and

2. Council exhibit the proposed fees and charges and receive a report on submissions received.

**Procedural Motion**

*The Administrator determined that Items 13 and 16 be considered in conjunction.*

**C0217 Item 13 Quarterly Budget Review Statement for the period ended 30 September 2016**

**The Administrator determined that:**

1. The report be received and noted; and
2. Council approves the budget adjustments required.

**C0217 Item 16 Quarterly Budget Review Statement for the period ended 31 December 2016**

**The Administrator determined that:**

1. The report be received and noted; and
2. Council approves the budget adjustments required.

**C0217 Item 14 Inner West Council Investments as for the periods ending 30 November 2016, 31 December 2016 and 31 January 2017**

**The Administrator determined that** the report be received and noted.

**C0217 Item 15 Disclosures of Interest by Designated Persons**

**The Administrator determined that** the report be received and noted.

**Meeting closed at 9:52pm.**

**Public Speakers**

<b>Item 1:</b>	Frank Breen, Leichhardt LRAC Frank Smith Chris Woods, Marrickville LRAC John Stamolis, Leichhardt LRAC Linda Kelly, Leichhardt LRAC	Balmain St Peters Marrickville Balmain Leichhardt
<b>Item 2:</b>	Joseph Bell Bruce Woolf Van Luan Nguyen Adam Sives Kevin Lam James Cartwright Victor Macri, Marrickville LRAC Peter Tanvakeras	Ashfield Sydney Tempe Marrickville St Peters Rhodes Marrickville Marrickville
<b>Item 3:</b>	Linda Kelly, Leichhardt LRAC Darcy Byrne, Leichhardt LRAC	Leichhardt Leichhardt
<b>Item 6:</b>	Mark Krupinski Justine Langford James Gilronan	Marrickville Marrickville Dulwich Hill
<b>Item 7:</b>	John Stamolis, Leichhardt LRAC	Balmain
<b>Item 8:</b>	John Caley Justin Hillis James Gilronan Alex Lofts, Ashfield LRAC Renee Holmes	Newtown Marrickville Dulwich Hill Summer Hill Ashfield
<b>Item 9</b>	Linda Kelly, Leichhardt LRAC John Stamolis, Leichhardt LRAC Darcy Byrne, Leichhardt LRAC	Leichhardt Balmain Leichhardt
<b>Item 11:</b>	Frank Breen, Leichhardt LRAC	Balmain
<b>Item 12:</b>	John Stamolis, Leichhardt LRAC	Balmain
<b>Item 13:</b>	Mark Drury, Ashfield LRAC Frank Breen, Leichhardt LRAC John Stamolis, Leichhardt LRAC Darcy Byrne, Leichhardt LRAC	Ashfield Balmain Balmain Leichhardt
<b>Item 14:</b>	Frank Breen, Leichhardt LRAC James Gilronan	Balmain Dulwich Hill
<b>Item 16:</b>	Mark Drury, Ashfield LRAC Frank Breen, Leichhardt LRAC John Stamolis, Leichhardt LRAC Darcy Byrne, Leichhardt LRAC	Ashfield Balmain Balmain Leichhardt



<b>Item 17:</b>	Catherine Gemmell	Leichhardt
	Christina Valentine	Leichhardt
	Ted Cassidy, Ashfield LRAC	Haberfield
	Alex Lofts, Ashfield LRAC	Summer Hill
	Lesley Treleavan	Camperdown
	Darcy Byrne, Leichhardt LRAC	Leichhardt
	John Lozano	Haberfield

**Item No:** C0317 Item 1**Subject:** WESTCONNEX STAGE 1 (M4 EAST) DRAFT ADDENDUM TO URBAN DESIGN & LANDSCAPE PLAN**File Ref:** 1517-01/22610.17**Prepared By:** Kendall Banfield - Manager WestConnex Unit**Authorised By:** John Warburton - Deputy General Manager Community and Engagement**SUMMARY**

WestConnex proponent Sydney Motorway Corporation (SMC) has placed a draft addendum to the *M4 East Urban Design and Landscape Plan* (UDLP) on public exhibition from 22 February to 22 March 2017. The draft addendum essentially adds design detail to the proposed ventilation facility and perimeter wall at the M4 East Parramatta Road / Walker Street construction compound. At the time of finalising this report, Council officers are preparing a submission, to be lodged with SMC by the due date. Key issues raised in Council's October 2016 submission on the initial draft M4 East UDLP are summarised in this report, as are key comments to be raised in the forthcoming submission on the draft addendum. This report recommends that and forwards to SMC any comments additional to those discussed in this report as a late addendum to Council's submission.

**RECOMMENDATION****THAT Council:**

1. **Receives and notes this report; and**
2. **Forwards to Sydney Motorway Corporation any comments additional to those discussed in this report as a late addendum to Council's submission.**

**BACKGROUND**

WestConnex proponent Sydney Motorway Corporation (SMC) - as delegate to Roads & Maritime Services (RMS) - has placed a draft addendum to the *M4 East Urban Design & Landscape Plan* (UDLP) on public exhibition from 22 February to 22 March 2017. The draft addendum is an update of Sections 5.3 *Ventilation Facility at Underwood Road* and 5.7 *Ventilation Facility at Parramatta Road* of the draft UDLP that was initially exhibited in September and October 2016. This report only considers the Section 5.7 Parramatta Road, as the Underwood Road section (5.3) relates to Homebush within the Strathfield Local Government Area. The M4 East UDLP has been prepared in accordance with Consent Condition B45, guided by an Urban Design Review Panel established according to Consent Condition B44. Council staff have participated in Urban Design Review Panel meetings late 2016 and early 2017. Staff have also participated in meetings for the related M4 East Legacy Projects during this time. The draft addendum is largely concerned with design details for the proposed ventilation facility and perimeter wall at the Parramatta Road / Walker Street construction compound at Haberfield. Photomontages of these proposed structures, taken from the draft addendum document, are at **ATTACHMENT 1**.

At its October 2016 meeting, Council had considered a report, with Council officers' submission attached, on the draft UDLP. Council resolved to receive and note the report and to forward to SMC an additional comment about lack of landscaped or other buffering against construction and operational traffic noise for dwellings at 14 to 24 Wattle Street, Haberfield. This comment was forwarded to SMC soon after the Council meeting, and the Wattle Street matter has been since raised by staff at project meetings. A summary of points raised in Council's October 2016 submission on the UDLP is as follows:

- residual open space along the WestConnex corridor should be designed to be place-based and include distinctive elements that relate to the historic character of Haberfield and Ashfield;
- in order to achieve an appropriate place-based design, it is necessary for SMC to seek input on designs from Council staff, consultants and community groups (such as the Haberfield Association) with expertise on Haberfield's historic character;
- there is a lack of design detail in the draft UDLP for the non-roadway parts of the M4 East;
- the UDLP does not outline how SMC has responded to landscape and urban design issues raised in former Ashfield Council's October 2015 submission on the M4 East Environmental Impact Statement (EIS);
- there is a lack of detail on how the prominent structures (mainly the wall and ventilation facility) will be visually integrated into the Haberfield urban fabric;
- there is no information about how salvaged materials can be integrated into public domain treatments;
- pedestrian crossing distances across Parramatta Road and Wattle Street are excessive and there is lack of information about integration of bus stops on Parramatta Road; and
- there is a need for an overall 'interpretation plan' and a further public exhibition of design details.

At the time of writing, Council officers are preparing a submission on the draft addendum to the M4 East UDLP, to be lodged with SMC by the due date. Draft advice from Council's Strategic Planner is at **ATTACHMENT 2**, with advice from Council's Heritage Advisor also to be included in the submission. At this stage, Council officers believe the design details in the draft addendum represent appropriate treatments that address most of the abovelisted issues raised in Council's October 2016 submission. Staff however remain concerned about the height, and consequently the visual impact, of the proposed perimeter wall and ventilation facility. Staff are also concerned that the issue raised previously about lack of landscaped or other buffering against construction and operational traffic noise for dwellings at 14 to 24 Wattle Street, Haberfield has not been resolved. These matters will be raised in Council's submission. A summary of Council's submission will be reported through the WestConnex Weekly Update Report and other information channels. Through these channels, Council has been encouraging community members to make a submission. The document and an online submission form are available at: [www.westconnex.com.au/provide-feedback-draft-addendum-m4-east-urban-design-and-landscape-plan](http://www.westconnex.com.au/provide-feedback-draft-addendum-m4-east-urban-design-and-landscape-plan)

#### **FINANCIAL IMPLICATIONS**

Nil

#### **OTHER STAFF COMMENTS**

Nil, but Council's Strategic Project Planner and Heritage Advisor are currently involved in the drafting of Council's submission, to be lodged by the 22 March 2017 deadline.

#### **PUBLIC CONSULTATION**

Nil. This report responds to public consultation undertaken by the WestConnex proponent. Council is an external stakeholder and there is no need or requirement for Council to undertake consultation additional to that undertaken by the proponent.

#### **ATTACHMENTS**

1. [↓](#) Photomontages from draft addendum to M4 East UDLP showing proposed Parramatta Road ventilation facility and perimeter wall, Haberfield
2. [↓](#) Draft comments on draft addendum to M4 East UDLP from Council's Strategic Planner



Figure 5-57 from draft addendum to M4 East UDLP - Parramatta Road Ventilation Facility - view looking east from Parramatta Road - artist's impression at 12–18 months of operation



Figure 5-61 from draft addendum to M4 East UDLP - Parramatta Road Ventilation Facility - view looking north from Parramatta Road - artist's impression at 12–18 months of operation

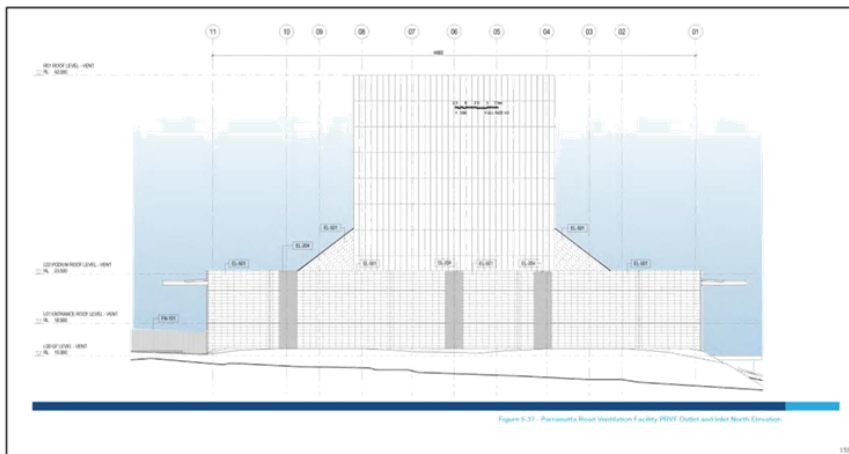


**Comments on: WestConnex M4 East- Urban Design and Landscape Plan (UDLP) –  
Updated parts of Sections 5.3 and 5.7 of the Urban Design and Landscape Plan  
exhibited March 2017**

The following comments pertain to Section 5.7 Ventilation Facility at the corner of Parramatta Road and Wattle Street. This is the place that contains the 26 metre high Ventilation Stacks structure, and surrounding ancillary buildings.

Council last considered a report on this place at its October 2016 meeting, and resolved to forward the Attachment to the report which dealt with several areas within the former Ashfield LGA, listed several concerns, and noted that considerably more design development was required.

The elevations for the Ventilation structure and its surrounds in the 2016 version is shown below.

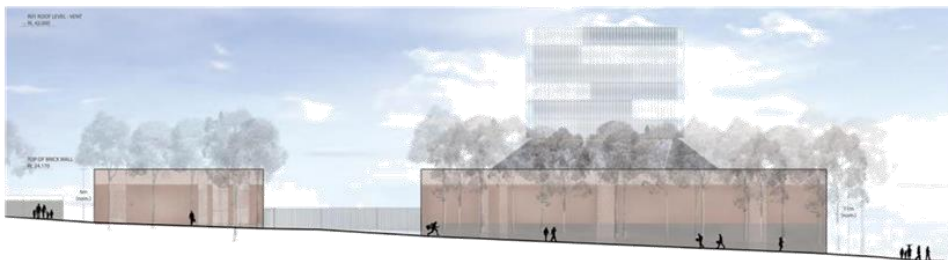


The 2017 exhibited documents show there has been further design development and extracts and impressions of the facility are shown below.





Image from page 172



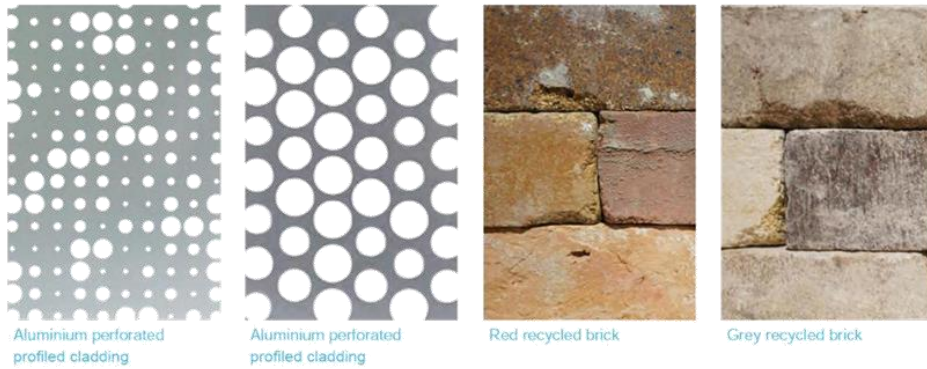
Elevation to Wattle Street- page 158

Based on briefings given to Council officers in late 2016, and examination of the latest elevations 2017 version, the design can be described as follows:

Perimeter brick walls, including along Parramatta Road, Wattle Street and Walker Avenue, and based on interpretation of the elevations on Pages 158-159 (but not stated in the document), the design of the walls presumably intend to establish a dialogue with the adjacent Haberfield Conservation Area. This is achieved by using a tripartite composition (eg darker brickwork at the base), complementary brickwork colours, and planar modelling of the walls using various patterns and contrasting colours. The walls along Parramatta road are quite high, varying between 10-11 metres. They reduce in height as they go toward the Haberfield residential area down to around 3-4 metres in Walker Avenue. The latest design is a step forward in terms of establishing a dialogue and recognising the adjacent Haberfield Conservation Area. There is also an intention to have “reused” and rough brickwork (see picture below), although it is not clear whether this “historic symbolism” is “aesthetically advantageous”.

Around the foreground of the walls dense tree planting is proposed, and “transparent” tubular fencing, as was previously exhibited in 2016. It is understood that as part of a separate “Legacy Project” for the landscape design for the entire motorway, that there will be Landscape Architects who will be examining whether this area should further embellished, and it is considered that this exercise should be pursued.

The actual Ventilation structure will be a concrete one (based on the text), but with the key benefit of a decorative perforated metal panels and a “banded” appearance (see perspective above), with a rear walking access deck (not actually shown on the drawings) which will take back lighting which will illuminate the perforations (described in the documents and see below), to produce a “light display”.



Ventilation tower and perimeter wall finishes sample from page 156.

It is understood that there will be a further briefing scheduled in the near future by SMC involving the Government Architect, Office of Heritage and Council staff.

**Item No:** C0317 Item 2

**Subject:** MINUTES OF THE IAG MEETING HELD 9 MARCH 2017 AND MINUTES OF THE LRAC MEETING HELD 14 MARCH 2017

**File Ref:** 17/4718/27903.17

**Prepared By:** Katerina Maros - Governance Officer

**Authorised By:** Tanya Whitmarsh - Group Manager Governance

### **SUMMARY**

To present the Minutes of the IAG Meeting held on 9 March 2017 and the LRAC meeting held 14 March 2017.

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### **RECOMMENDATION**

#### **THAT:**

1. The Minutes of the IAG Meeting held on 9 March 2017 be noted.
  2. The Minutes of the LRAC Meeting held on 14 March 2017 be noted.
- 

### **BACKGROUND**

The Implementation Advisory Group Meeting was held on 9 March 2017. The minutes of the meeting are shown as Attachment 1.

The Local Representation Advisory Committee Meeting was held on 14 March 2017. The minutes of the meeting are shown as Attachment 2.

### **FINANCIAL IMPLICATIONS**

Nil.

### **OTHER STAFF COMMENTS**

Nil.

### **PUBLIC CONSULTATION**

Nil.

### **CONCLUSION**

Nil.

### **ATTACHMENTS**

1. [↓](#) IAG Minutes - 9 March 2017
2. [↓](#) LRAC Minutes - 14 March 2017



**Minutes of Implementation Advisory Group Meeting  
held at Leichhardt Service Centre on Thursday 9 March 2017**

The meeting commenced at 6.35pm.

**Members:**

- |                         |                          |
|-------------------------|--------------------------|
| • Lucille McKenna OAM   | • Alex Lofts             |
| • Darcy Byrne (apology) | • Vera-Ann Hannaford     |
| • Sam Iskandar          | • Rosana Tyler (apology) |

**Other Attendees:**

- Richard Pearson , Administrator
- Rik Hart, Interim General Manager
- Peter Gainsford, Deputy General Manager Assets and Environment
- John Warburton, Deputy General Manager Community and Engagement
- Michael Tzimoulas, Deputy General Manager Chief Financial and Administration Officer
- Nellette Kettle, Group Manager Integration, Customer Service and Business Excellence
- Elizabeth Richardson, Group Manager Development Assessment and Regulatory Services
- Kate Walsh, Media and Communications Coordinator
- Katerina Maros, Governance Officer (Minute Taker)

- 1. Welcome by Administrator**
- 2. Acknowledgement of Country**
- 3. Apologies:** Iskandar/ Hannaford

That apologies be accepted for the absence of Rosana Tyler and Darcy Byrne.

- 4. Disclosures of Interest:** Nil
- 5. Election of Chairperson:** Sam Iskandar was appointed as Chairperson for this meeting.
- 6. Confirmation of Minutes:** Iskandar / Lofts

That the Minutes of the Implementation Advisory Group held on Thursday, 9 February 2017 be confirmed.

**CARRIED UNANIMOUSLY**

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**IAG0317 Item 1 - Integration and Innovation Plan - Monthly Update**

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Recommendation Iskandar/ Hannaford

THAT the report be received and noted.

CARRIED UNANIMOUSLY

Iskandar / Hannaford

That Item 4 Development Assessment Policy be brought forward.

CARRIED UNANIMOUSLY

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**IAG0317 Item 4 Development Assessment Policy - Verbal Update**

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**Recommendation Iskandar/ Lofts**

That the verbal report be received and noted.

CARRIED UNANIMOUSLY

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**IAG0317 Item 2 2017/18 Budget Update - Verbal Report**

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**Recommendation Iskandar / Lofts**

That the verbal report be received and noted.

CARRIED UNANIMOUSLY

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**IAG0317 - Item 3 Green Living Centre - Verbal Update**

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**Recommendation Iskandar / Hannaford**

That the verbal report be received and noted.

CARRIED UNANIMOUSLY

Meeting closed at 9.02 pm.

**Minutes of Local Representation Advisory Committee Meeting  
held at Petersham Service Centre on Tuesday 14 March 2017**

**Meeting commenced at 6.34pm**

- 1. Welcome by Administrator**
- 2. Election of Chairperson:** Simon Emsley
- 3. Acknowledgement of Country**

*We meet tonight on the traditional land of the Cadigal people of the Eora nation. I acknowledge the terrible wrongs committed against the Aboriginal peoples of this country and their care of the land over many generations. I celebrate their ongoing survival and achievements in today's society.*

**Members Present:**

Frank Breen	Morris Hanna OAM	Victor Macri	Rosana Tyler
Melissa Brooks	Vera-Ann Hannaford	Morris Mansour	Jeanette (Mei) Wang
Darcy Byrne	Linda Kelly	Adriano Raiola	Monica Wangmann
Ted Cassidy PSM	Alex Lofts	Max Raiola	
Tony Costantino	Lucille McKenna OAM	John Stamolis	
Simon Emsley	Michele McKenzie	Caroline Stott	

**Other Attendees:**

Richard Pearson	Administrator
Rik Hart	Interim General Manager
Peter Gainsford	Deputy General Manager Assets and Environment
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
John Warburton	Deputy General Manager Community and Engagement
Jon Atkins	Affordable Housing Officer
Kendall Banfield	Manager WestConnex Unit
Lawrence Hennessey	Manager Corporate Strategy and Communications
Simon Manoski	Group Manager Strategic Planning
Brooke Martin	Group Manager Properties, Major Building Projects
Elizabeth Richardson	Group Manager Development Assessment and Regulatory Services
Erla Ronan	Group Manager, Community Services and Culture
Tanya Whitmarsh	Group Manager Governance
Rad Miladinovic	Coordinator Governance and Administration (Minute Taker)

- 4. Apologies:** Mark Drury, Sam Iskandar, John Jobling, Max Phillips, Vittoria Raciti, and Chris Woods
- 5. Disclosures of Interest (Section 451 of the Local Government Act and Council's Code of Conduct)**

Morris Hanna and Morris Mansour disclosed an interest in *L0317 Item 6 - Sydenham Green, Former Church – Heritage Considerations* as they are members of the Coptic Church. They left the meeting during this item.

Melissa Brooks disclosed an interest in *L0317 Item 4 - Draft Affordable Housing Policy and Best Practice in Value Capture - Update* as she works for a registered community housing provider. She remained in the meeting.

- 6. Minutes of Previous Meeting held on 14 February 2017**  
**Stamolis / Breen:** CARRIED UNANIMOUSLY

**7. Sydney Metro (Sydenham to Bankstown) Briefing**

LRAC members received a briefing from representatives of Sydney Metro.

**8. Items for discussion****L0317 Item 1 WestConnex Stage 3 (M4-M5 Link) construction dive-site options****Recommendation: Stamolis / Byrne**

THAT the Local Representation Advisory Committee (LRAC) resolves to oppose both the 29 Derbyshire Road and the 7 Darley Road dive sites. Both will have unacceptable impacts on Leichhardt as evidenced by the report of the consultant civil engineer engaged by the Council.

For recommendation: Breen, Brooks, Byrne, Costantino, Emsley, Hanna, Hannaford, Kelly, Lofts, McKenna, McKenzie, Macri, Mansour, Adriano Raiola, Max Raiola, Stamolis, Stott, Tyler, Wang and Wangmann

Against recommendation: Cassidy

**L0317 Item 2 Council response to Draft Central District Plan****Recommendation: Breen / Stamolis**

Council's response to the Draft Central District Plan:

1. be informed by the positions adopted by the former Leichhardt, Ashfield and Marrickville Councils in respect of the Parramatta Road Urban Transformation Strategy and the Bays Precinct urban renewal; and
2. refer to Sydney's beautiful and natural resources and assets ie refer to our harbour, heritage, waterways, parks, greenspace and industries that haven't been referred to.

CARRIED UNANIMOUSLY

**L0317 Item 3 Statement of Vision and Priorities****Recommendation: McKenna / Lofts**

THAT the report be received and noted.

CARRIED UNANIMOUSLY

**L0317 Item 4 Draft Affordable Housing Policy and Best Practice in Value Capture - Update****Recommendation: Brooks / Tyler**

THAT:

1. the report be received and noted;
2. Council confers with Unions NSW and incorporates into the policy the correct terminology to define key workers;

**Local Representation Advisory Committee Meeting  
14 March 2017**

3. officer reports post public exhibition periods tabled at Council or Committee Meetings refrain from referring to submissions as “criticisms”; and
4. officer reports post public exhibition periods tabled at Council or Committee Meetings include actual submissions received.

CARRIED UNANIMOUSLY

**L0317 Item 5 Proposed name of the new Marrickville Library site**

**Recommendation:** Lofts / Brooks

THAT the report be received and noted.

CARRIED UNANIMOUSLY

**L0317 Item 6 Sydenham Green, Former Church – Heritage Considerations**

**Recommendation:** Tyler /Brooks

*Hanna and Mansour left the room for this item only – declared interest.*

THAT LRAC:

1. receive and note the report; and
2. endorses the Coptic Church demolition, landscaping and memorial project to continue as resolved by the former Marrickville Council in August 2015.

For recommendation: Breen, Brooks, Byrne, Cassidy, Costantino, Emsley, Hannaford, Kelly, McKenzie, Macri, Adriano Raiola, Max Raiola, Stamolis and Tyler

Against recommendation: Wangmann, Stott and Wang

Abstained: Lofts and McKenna

Absent: Hanna and Mansour

**L0317 Item 7 Green Living Centre - Verbal Update**

LRAC members received a verbal update from Peter Gainsford, Deputy General Manager Assets and Environment.

**L0317 Item 8 Development Assessment Policy - Verbal Update**

LRAC members received a verbal update from Elizabeth Richardson, Group Manager Development Assessment and Regulatory Services.

Question on Notice item lapsed due to loss of meeting quorum.

The meeting closed at 9.22pm after loss of quorum.



**Item No:** C0317 Item 3**Subject:** **ADOPTION OF AFFORDABLE HOUSING POLICY FOLLOWING PUBLIC EXHIBITION****File Ref:** 16/5981/27554.17**Prepared By:** Jon Atkins - Affordable Housing Officer**Authorised By:** Erla Ronan - Group Manager Community Services and Culture**SUMMARY**

It is now widely recognised that there is a major shortfall of affordable housing in most cities and many regional and rural communities across Australia. The Inner West Council local government area (LGA) is no exception in this regard. It is also suffering from a shortfall of affordable housing. Research commissioned by Council reveals a large, disproportionate and growing number of local people in housing stress. This research shows that the market is not providing affordable housing for the vast majority of very low, low and moderate income households in the LGA. Nor is the market replacing existing housing stock lost through gentrification and redevelopment that is affordable to these groups.

These findings provide clear justification for the Inner West Council to actively seek to increase the supply of affordable housing through its planning instruments and policies. Not only is this in keeping with Council's legislative obligations e.g. Object 5(a)(viii) of the Environmental Planning and Assessment Act 1979 (NSW) relating to 'the maintenance and provision of affordable housing', but it is also in accordance with the former councils' affordable housing policies and strategies. In order to contribute to the goal of achieving an increase in affordability for the target groups identified in the Policy, the strategy recommends stronger intervention through the planning system in the form of mechanisms to capture an equitable share of land value uplift, together with mandatory contributions or inclusionary zoning in larger development sites within the LGA and in major State redevelopment projects.

This report presents the feedback and submissions received by Council during the public exhibition period and recommends that Council adopts the *Affordable Housing Policy* and the *Position Paper: Best Practice in Value Capture* as provided in **ATTACHMENT 1** and **ATTACHMENT 2**.

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**RECOMMENDATION****THAT Council:**

1. **Adopts the *Affordable Housing Policy* and the *Position Paper: Best Practice in Value Capture*; and**
  2. **Submits the following recommended notice of motion to the National General Assembly (NGA) of Local Government (18-21 June 2017) to be held in Canberra, namely that the Federal Government give urgent consideration to measures to improve housing affordability in areas effected by high levels of housing stress such as Sydney's Inner West, including taxation and other non-supply side mechanisms that are currently inadequately utilised in initiatives to improve housing affordability.**
- 

**BACKGROUND**

In early 2016 it was evident that State urban renewal projects, together with major planning proposals within the Inner West LGA, had the capacity to generate affordable housing on a reasonably significant scale through inclusionary zoning measures. Given the development pipeline, combined with the imperative for Council to lobby (a) the State government with respect to proposed urban renewal projects and (b) the Greater Sydney Commission during its preparation of the draft District Plans at the time, it was considered urgent to develop an affordable housing policy based upon a credible evidence base.

Consequently Judith Stubbs and Associates were commissioned to prepare an Affordable Housing Policy for Inner West Council. A Background Paper (**ATTACHMENT 3**) and a Position Paper on Best Practice in Value Capture were produced to provide a land value capture model and evidence base for the Policy. While originally focused on the former LGA of Marrickville, following the amalgamation on 12 May 2016, the research was extended to include data and modelling from the former LGAs of Ashfield and Leichhardt.

## **DISCUSSION**

Key findings of the research underpinning the Policy include the following:

- The Inner West LGA has experienced some of the most rapid real increases in housing prices (rental and purchase) over the past decade, with accelerating trends in recent years. Even the lowest priced strata dwellings are no longer affordable to very low and low income households, and are generally affordable only to the upper end of the moderate income band.
- This is leading to serious impacts on the social and economic fabric of the local community:
  - A large, disproportionate and growing number of local people are in housing stress, and sacrificing basic necessities to pay for their housing costs;
  - There is a considerable displacement of historical populations through ongoing gentrification and non-replacement of affordable and lower cost housing; and
  - There are very high current and projected levels of unmet need for affordable housing for low income emergency and service sector workers, as well as for more vulnerable groups such as aged pensioners and people with a disability.

The socio-economic research strongly indicates that virtually no new housing constructed in the future will be affordable to any very low or low income households, or to moderate income families, without strong intervention through the planning system to capture a reasonable share of land value uplift. Importantly, the economic modelling indicates that there will be significant land value uplift associated with rezoning across the LGA, particularly in larger brownfield sites and State urban renewal projects. Capturing a share of land value uplift before rezoning occurs is reasonable and feasible. It is important to stress that this is not a tax. Rather, it is a mechanism for capturing a reasonable share of the unearned increment in land value uplift created through the planning actions of councils and the State government.

The Policy contends that such value can be captured through voluntary planning agreements negotiated prior to rezoning (voluntary contributions) or through State Government allowing Council to be included under the provisions of State Environmental Policy No 70 (Affordable Housing) (mandatory contributions). Each of these mechanisms is addressed in the Policy. Feasible levels of benefit capture in relation to variations to height and floor space ratio (FSR) are also included in the Policy. The Policy also acknowledges that proposals to amend or exceed planning controls under a planning agreement will need to demonstrate that they have merit in their own right, prior to considering any contribution for a public purpose including affordable housing. As well, the evidence base for the Policy indicates that the implementation of value capture through the method of calculation recommended will not adversely impact on development feasibility and takes into account normal development profit margins.

## **AFFORDABLE HOUSING TARGETS**

It is important to emphasise that a primary objective of the Policy is to determine feasible affordable housing contributions in relation to redevelopment costs across the local government area. Recommending certain density levels by postcode was not part of the Policy's purpose. Rather it is Council's existing LEPs associated with the former councils of Ashfield, Marrickville and Leichhardt that set out both the aims of local environmental planning provisions for land as well as the kinds of redevelopment and densities permitted within the

LGA. In addition, variations to existing planning controls is a matter for Council to determine in keeping with local environmental planning provisions and identified local heritage values.

In keeping with this primary objective, the Policy establishes that Mandatory Affordable Housing Contributions will apply in the case of a proposed rezoning or amendment to planning controls that Council determines will allow for additional density within a site or precinct. Mandatory contributions will apply to all new release areas, brownfield and infill sites, and major private and public redevelopments, including on State government land and in State urban renewal precincts, including zones within the Parramatta Road Urban Transformation Strategy and the Sydenham to Bankstown Urban Renewal Corridor that fall within Council's boundaries. With respect to Mandatory Affordable Housing Contributions, Council's share of land value uplift will be taken as 15% of Gross Floor Area, both residential and commercial, of the development for development projects with a Gross Floor Area of 1,700sqm or greater, or where a development results in 20 or more dwellings. The rate of contributions reflects the relatively high land value uplift associated with inner city renewal areas amid rapid gentrification.

In addition, Council has determined that the Bays Precinct will be subject to a 30% Affordable Housing Contribution, subject to further feasibility analysis. (Refer to pages 11, 12, 17 and 18 of the Policy).

#### **EXHIBITION PERIOD AND PUBLIC SUBMISSIONS**

The exhibition period for the Affordable Housing Policy started on 11 December 2016 and ended on 13 February 2017. A total of 29 submissions were received during the exhibition period. An additional four submissions were received up until 14 March 2017. Of all 33 submissions received, 79% supported the Policy while 21% did not support the Policy.

Council thanks all individuals, groups and stakeholders who lodged submissions on the Policy. A wide range of constructive views, queries and recommendations were received and these have been considered during the preparation of the Policy's final draft.

#### **RESPONSES TO PUBLIC SUBMISSIONS**

The document *Report on Public Submissions* (**ATTACHMENT 4**) provides responses to observations, concerns and recommendations contained in the 33 submissions. Separate submissions and attachments submitted to Council are at **ATTACHMENT 5**. Below is a sample of these key observations, concerns and recommendations:



<b>Supportive of the Policy (79%)</b>	<b>Not Supportive of the Policy (21%)</b>
"This is an essential policy for Council."	"There needs to be a clearer definition and evidence of hardship"
"There is a need for diversity in a healthy, ethical and vibrant community."	By "mentioning 6 and 14 storeys ... in the Haberfield, it is an acknowledgement that such (developments) might be permitted".
The Policy "is highly relevant for the rapid price escalations taking place in both the housing purchase and rental markets across the inner west."	"The real issue is declining home ownership rates which this policy fails to address."
"I support the affordable housing targets but would like to see them even higher."	"The council's proposed affordable housing targets should be reduced and not exceed the recommended 5-10 percent target."
"Council needs a commitment to provide affordable housing. Notably to single parents who work in the local area."	The Policy "considers Redfern-type 14-storey towers for places like Dulwich Hill which is entirely out of character and inappropriate."
The policy "is too narrow in that adopts no position on the taxation system" e.g "capital gains taxation and the removal of subsidies such as negative gearing."	"If Council is to truly represent the views of residents, consultation on issues of such importance must be authentic."
"(W)ell designed affordable housing and plenty of green space is essential if our community is to thrive."	"Council should be lobbying the State and Federal governments to undertake other measures to ensure affordable housing and discourage the speculative property investment which is leading to unchecked population growth."
The Policy contributes "to a socially richer and more diverse community, as well as maintaining housing opportunities for vulnerable groups and workers in essential/community sectors."	"If the 15% target is adopted, then by the council's own words, there is only one known urban form outcome for the suburb - 14 storey towers in current low density streets. We consider any affordable housing benefits gained from this outcome to be significantly outweighed by the permanent destruction of the area's history, character and community."
The Policy "should apply for medium and small developments also."	"(T)he council could lobby government to extend its powers and the scope of this policy in regard to existing housing."
"I support, but am also conscious of young families like my own, who desire to remain in the area, but not in a unit, rather a home."	"Overall, the draft policy adopts only supply-side policies to support housing affordability, but not policies to reduce demand or change broader policy settings."
"We need options and affordable decent places to keep this area vibrant and liveable and retain sense of community."	The "policy will be counterproductive in the supply of affordable housing. It will be a burden on developers and land owners for the reasons stated and will inevitably lead to a loss of employment generating land."
The Policy requires "a clearer outline of its affordable housing targets."	
"The Federation is pleased to see that the IWC focus on measures to increase the supply of affordable rental housing, have recognised the need to include essential workers on moderate incomes in the households who should be assisted and have underpinned their policy by sound research."	

## **SUPPLEMENTARY STRATEGIES AND ACTIONS**

On 6 December 2016, Council passed a resolution endorsing the draft Affordable Housing Policy and the Position Paper: Best Practice in Value Capture. Item 7 of this resolution commits Council to preparing a “5-10 year housing action plan to implement the Affordable Housing Policy (AHP) based on the Policy’s background data and Best Practice in Value Capture position paper, and drawing on existing Council research and plans.” Leichhardt Council’s *Housing Action Plan 2016 -2025* forms an essential part of existing research and plans. **ATTACHMENT 6** *Supplementary Strategies and Actions* provides an assessment of all actions contained in former Leichhardt Council’s *Housing Action Plan*.

## **FINANCIAL IMPLICATIONS**

- (1) The current Affordable Housing Officer (AHO) was employed on a temporary basis by Marrickville Council for two days a week for a two year period. The amalgamation has resulted in a considerable expansion of this officer’s workload as the position’s responsibilities for policy and program development related to affordable housing, boarding houses, management of Council’s affordable housing units and homelessness now covers the Inner West Council LGA. Likewise the proposed 5-10 year Housing Action Plan will require extra resources to implement. The AHO is responsible for the management of Council’s Affordable Rental Housing Program, which will expand in the future.
- (2) On 6 December, 2016 Council adopted the following resolution (item 11):  
That Council “allocates funds to undertake an integrated communication strategy to promote the Affordable Housing Policy, including the organisation of a community forum in 2017”. The allocation of funds for this strategy has yet to be determined.

## **OTHER STAFF COMMENTS**

The development of this Policy has involved ongoing consultation and input from a range of staff across the Inner West Council.

## **PUBLIC CONSULTATION**

The public were invited to make submissions on the Policy via Council’s online submissions form during the public exhibition period. Along with this form, access to the three documents comprising the Policy as well as an outline of the Policy’s rationale were made available on Council’s ‘Have Your Say’ webpage. During the exhibition period, the webpage received a total of 676 visits while document downloads totalled 300. A media release about the Policy being on public exhibition was issued on 16 December 2016. Council also advertised the exhibition period in its eNews editions between December 2016 and February 2017. A presentation on the Policy was made by consultant, Dr Judith Stubbs, to a Joint Local Representation Advisory Committee (LRAC) meeting on 20 September 2016. Various inquiries about the Policy from residents, developers and stakeholders were also responded to by the Affordable Housing Officer and Council’s Consultant during and after the public exhibition period.

## **CONCLUSION**

As indicated above, the substantial evidence showing a growing number of local people in housing stress together with current and projected levels of unmet need for affordable housing, provides a significant evidence base to justify Council actively seeking an increase in the supply of affordable housing. The Affordable Housing Policy’s support for stronger interventions in the form of value capture, inclusionary zoning and development partnerships, offers Council the best means of increasing housing affordability for very low to moderate income households in the community.

## **ATTACHMENTS**

1. [Attachment 1 Inner West Council Affordable Housing Policy 16032017](#)
2. [Attachment 2 Best Practice in Value Capture 20161125](#)
3. [Attachment 3 Background Paper Affordable Housing Policy 20161125](#)
4. [Attachment 4 Report on Public Submissions](#)

**Item 3**

- 5. [↓](#) Attachment 5 Attachments to Public Submissions Received
- 6. [↓](#) Attachment 6 Supplementary Strategies and Actions

# Affordable Housing Policy

March 2017

Prepared for Inner West Council by Judith Stubbs and Associates

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# 1 PART A: Rationale for Use of Strong Planning Intervention to Create Affordable Housing

## 1.1 Overview

Part A of this document sets out background information that provides a context to Council's *Affordable Housing Policy*, set out in Part B below. It sets out a definition and benchmarks for affordable housing in accordance with relevant legislation, and summarises research and analysis from JSA's (2016) *Affordable Housing Background Paper*, which provide a clear rationale for this policy. The reader is also referred to JSA's (2016) *Position Paper: Best Practice in Value Capture* for further rationale. The Policy is also informed by the former Marrickville Council's (2015) *Marrickville Housing Profile*, and the former Leichhardt Council's (2011) *Affordable Housing Strategy*, and *Strategic Action Plan*.

The evidence indicates that there is clear justification for Inner West Council to actively seek to increase the supply of affordable housing through its planning instruments and policies. This is related to the large, disproportionate and growing number of local people in housing stress; the displacement of historical populations through ongoing gentrification and non-replacement of affordable housing lost; current and projected levels of unmet need for affordable housing including for key workers and more vulnerable groups; and the amount of unearned land increment (land value uplift) created through the operation of Council's planning and approvals processes, some of which may reasonably be contributed to affordable housing as key infrastructure or a public purpose under a voluntary planning agreement or other legal mechanism.

Due to the failure of the market to provide affordable housing for very low and low income households, and for many moderate income households, this Policy principally focuses on **strong interventions through the planning system and the direct creation of affordable housing on public land through development and management partnerships** as these are virtually the only way to create affordable housing in most areas of Inner West Council area.

Council notes that proposals to amend or exceed planning controls under a planning agreement will need to demonstrate that they have merit in their own right, prior to considering any contribution for a public purpose including affordable housing.

## 1.2 What is Affordable Housing?

Housing is generally considered to be 'affordable' when households that are renting or purchasing are able to meet their housing costs and still have sufficient income to pay for other basic needs such as food, clothing, transport, medical care and education.

‘Affordable housing’ has a statutory definition under the *NSW Environmental Planning and Assessment Act 1979 (NSW)*, being housing for very low, low or moderate income households, where ‘very low-income’ households as those on less than 50% of median household income; ‘low-income’ households as those on 50-80% of median household income, and ‘moderate-income’ households as those on 80-120% of median household income for Sydney SD.<sup>1</sup>

As a commonly used rule of thumb, housing is considered to be affordable where households pay no more than 30% of their gross household income on their rent or mortgage payments. This is often regarded as the point at which such households are at risk of having insufficient income to meet other living costs, and deemed to be in ‘housing stress’. Those paying more than 50% of gross income are regarded as being in ‘severe housing stress’.

The following table provides benchmarks that are used in this policy when referring to ‘affordable housing’, in 2016 dollars, and are consistent with relevant NSW legislation. These vales should be indexed quarterly.

• Table 1.1: Affordable Housing Income and Cost Benchmarks

	<b>Very low-income household</b>	<b>Low-income household</b>	<b>Moderate-income household</b>
Income Benchmark	<50% of Gross Median H/H Income for Greater Sydney	50-80% of Gross Median H/H Income for Greater Sydney	80%-120% of Gross Median H/H Income for Greater Sydney
Income Range (2)	<\$783 per week	\$784-\$1,253 per week	\$1,253-\$1,879 per week
Affordable Rental Benchmarks (3)	<\$235 per week	\$236-\$376 per week	\$377-\$564 per week
Affordable Purchase Benchmarks (4)	<\$228,000	\$228,001-\$364,000	\$364,001-\$545,000

Source: JSA 2016, based on data from ABS (2011) Census indexed to March Quarter 2016 dollars

- (1) All values reported are in March Quarter 2016 dollars
- (2) Total weekly household income
- (3) Calculated as 30% of total household income
- (4) Calculated using ANZ Loan Repayment Calculator, using 4 January 2016 interest rate (5.37%) and assuming a 20% deposit for a 30 year ANZ Standard Variable Home Loan and 30% of total household income as repayments.

## 1.3 Why does affordable housing matter?

There is a common misconception that ‘affordable housing’ refers only to social (public or community) housing. However, many current and future residents facing affordability problems in the Inner West Council area are likely to fall outside the eligibility criteria for such housing.

<sup>1</sup> As defined in *State Environmental Planning Policy No 70 (Affordable Housing)*



This includes a young person seeking to live near where they grew up, a recently separated or divorced person with children for whom conventional home ownership may no longer be economically viable, households dependent on one (or even two) low or median waged, key worker jobs, or an older person on a reduced retirement income.

Lack of affordable housing not only affects the quality of life of individual families, who may be sacrificing basic necessities to pay for their housing. It also has a serious impact on employment growth and economic development. The loss of young families and workers in lower paid essential service jobs can adversely affect local economies, and is contributing to labour shortages in some areas of metropolitan Sydney.

This can contribute to a lack of labour supply among 'key workers' who are essential to various services including childcare, aged services, health care, tourism, hospitality and emergency services, but whose wage increasingly does not allow them to access rental or purchase housing close to where they work. Affordably priced housing is thus an important form of community infrastructure that supports community wellbeing and social and economic sustainability, including a diverse labour market and economy, and strong and inclusive communities. Despite this, the most compelling need for affordable housing remains with very and low income renters.

Finally, the location of affordable housing is a key issue in terms of social equity and sustainability. Providing for a mix of affordable housing for different target groups in well-located areas provides for social mix and reduces the potential stigma that can be associated with such accommodation. Locating such housing close to transport and services also provides for the needs of key groups including those with a disability and the frail aged, reduces car dependency and the cost of transport, which can be a significant impost on very low, low and moderate income households<sup>2</sup> and on the environment.

## 1.4 Gentrification and Social Exclusion

The ongoing loss and non-replacement of affordable housing through gentrification and redevelopment, and the current and projected degree of unmet housing need in the Inner West Council area provides a strong rationale for intervention in the housing market through the planning system.

The analysis of key socio-economic indicators provides clear evidence of significant demographic change, rapid gentrification and displacement and exclusion of more disadvantaged and vulnerable people from the Inner West Council area over at least the past decade in the former Marrickville and Ashfield LGAs, and for at least two decades in the case of Leichhardt LGA; and the failure of the market to provide for the needs of very low, low and moderate income key workers and other more vulnerable groups in an increasingly expensive housing market.

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<sup>2</sup> See for example Gleeson, B. and Randolph, B. (2002) 'Social disadvantage and planning in the Sydney Context', in *Urban Policy and Research Vol. 20(1) pp101-107*; and Kellett, J. Morrissey, J. and Karuppannan, S. 2012. 'The Impact of Location on Housing Affordability', *Presentation to 6th Australasian Housing Researchers Conference*, 8-10 February 2012, Adelaide, South Australia.

The more recent gentrification of areas like Sydenham-Tempe-St Peters, Ashfield and Dulwich Hill-Lewisham, and the longer-term displacement of more disadvantaged people from areas like Newtown, Petersham and Balmain, are particularly evident from the research that supports this Policy. The loss of very low income households in the Inner West LGA was four times greater than that for Greater Sydney from 2001-11, with the former Leichhardt LGA experiencing the greatest proportional losses of lower income households. Overall, the former Marrickville LGA has experienced the most rapid gentrification in recent years, although the former Leichhardt is the most 'gentrified' in terms of income, education and occupational status of its residents, having experienced major social change over a far longer timeframe. The ongoing loss of lower income and younger key workers is an issue across the LGA.

The very high rate of housing stress among very low and low income households is also a key consideration, in particular the increasing rates of housing stress over the past decade among low and moderate income households in suburbs that were once more affordable. Together with mobility data, which shows the movement of lower income households and lower status workers out of the LGA in search of more affordable housing, the high rate of homelessness and the relatively low rate of social housing (3.5% in the Inner West LGA compared with 5% for Greater Sydney), provides a compelling rationale for intervening in the market to create affordable housing through the planning system.

## 1.5 Current Lack of Affordable Housing

The market is not providing affordable housing for the vast majority of very low, low and moderate income households who need it in the Inner West Council area, and is not replacing existing stock of housing that is affordable to these groups as it lost through gentrification and redevelopment.

Virtually no strata products (the lowest cost form of accommodation) are affordable for **purchase** through the market for very low, low and moderate income households anywhere in the LGA. At best, some small strata products in cheaper areas *may* be affordable to the very top of the moderate income band. No houses or two or three bedroom strata dwellings are affordable to any very low, low or moderate income households, so that families with children are entirely excluded from affordable purchase in the LGA.

The vast majority of households needing **affordable rental housing** in the LGA are also excluded from affordable rental through the market. The only affordable option for very low income households are lower amenity boarding house rooms in a few suburbs; while low income renters can only affordably rent a studio or one bedroom apartment in a few suburbs. Moderate income renters can affordably rent a two bedroom apartment in *some* suburbs, and so are somewhat better catered for, but again family households with children are excluded from larger housing options.

Given that the cost of new build products are likely to reflect the third quartile of existing products, and that there have been significant increases in housing cost in real terms in recent years, it is likely that housing will become even more unaffordable in the LGA in the future.

The evidence indicates that the vast majority of those needing affordable purchase and rental housing in the LGA are unlikely to have their needs met through the market without strong planning intervention to create affordable housing.

## 1.6 Likely Future Lack of Housing Affordability

Section 3.3 of Council's *Affordable Housing Background Report* (JSA 2016) provides an analysis of how likely it is that the market *could* provide affordable housing in the future, and what planning interventions through the market would most likely be effective in this regard.

Importantly, the analysis indicates that it is unlikely that any separate house will be affordable in the Inner West Council area in the future, and in any case, there are limited development opportunities for such products, with the best predictor of the price of strata dwellings being the strata area from the linear regression analysis (see Table 3.2 in Council's *Affordable Housing Background Report* (JSA 2016) for detailed analysis).

However, even under more optimistic scenarios (in particular, reduced strata area, parking and one bathroom), modelling indicates that, even with planning intervention to encourage or mandate such dwellings, all **very low income and low income households** are likely to be excluded from affordable purchase in the Inner West LGA in the future. Given recent real increases in rents, and the relationship between rates of return on purchase costs and rents charged, the situation for very low, low and moderate income renters is expected to worsen in the future.

**Moderate income households** would have somewhat more choice in relation to the affordability of studio and smaller one bedroom apartments, and boarding house accommodation, but again most of this income group including moderate income families would be excluded from affordable purchase in the future.

Nonetheless, **specifying a proportion of minimum sized studio, one bedroom and two bedroom apartments without parking in multi dwelling housing and apartment developments** is likely to provide affordable purchase accommodation in some suburbs, and will provide lower cost purchase accommodation in other areas. As around 60% of privately occupied apartments enter the private rental market,<sup>3</sup> such stock is likely to add to the stock of affordable and lower cost rental accommodation.

**Stronger intervention through the planning system in the form of mechanisms to capture an equitable share of land value uplift, as well as the direct creation of affordable housing on public land through development partnerships, is likely to be required to achieve affordability for the vast majority of relevant target groups, in particular all very low and low income households, and moderate income family households.**

<sup>3</sup> ABS census 2011 and JSA calculation.

## 1.7 Rationale for Capturing Land Value Increment through Relevant Planning Mechanisms

As noted, there is clear justification for Council to actively seek to increase the supply of affordable housing through its planning powers based on housing need, loss and non-replacement of affordable housing, and the failure of the market to provide such housing in the local housing market context.

Increased competition for land and housing resources through household formation, demographic change and in-migration of wealthier groups will continue to exacerbate affordable housing need in the future. As with the need for other infrastructure and public amenities and services arising from re/development, continued pressure will lead to increased housing stress and displacement of very low, low and moderate income workers and residents in the future.

An opportunity to create affordable housing exists through the proper use of Council's planning powers under the *NSW Environmental Planning and Assessment Act 1979* (the Act). In particular, the capture of a reasonable and equitable share of land value uplift created through the planning and development approval process is justified in the local housing market context.

A relevant definition of land value capture is provided by Taylor (2016) in the NSW planning context, that is,

In the broadest terms, [land] value capture in relation to urban land development involves a planning authority, such as local council in NSW, capturing for the community benefit some of the land value increase accruing to a parcel of land from planning activities of the authority which increase the development potential of the land and hence its value.<sup>4</sup>

Two broad approaches to land value capture are relevant to this policy, these being, 'approaches intended to **recover the cost of infrastructure investments** and broader approaches intended to capture some **share of the unearned increment** in private land values [emphasis added], with the first exemplified by s94 approaches that seek to internalise the costs or impacts of the development; and the second found in mechanisms such as voluntary planning agreements under s93F of the Act, and variations to controls under clause 4.6 applications, which seek to capture a reasonable share of uplift.

It is important to note that land value capture arising from government planning actions, and in the way in which it is implemented in this policy, is not a form of taxation. Rather, the fundamental purpose of value capture is to *clawback*, or to gain a reasonable share, of the increased land value on the basis of a legitimate claim by the planning authority to share the '*unearned increment*' of land value uplift that results from its planning actions for use by the

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<sup>4</sup> Taylor, L. 2016. 'Value Capture through Voluntary Planning Agreements Part 1, in *In Focus*, Lindsay Taylor Lawyers.

community as a public purpose.<sup>5</sup> Depending on the relative scarcity of land, and considerations of amenity around the land rezoned, the increase in value may be greater or lesser.

While, in a free market, economics would predict that the profit would be a 'normal profit' (generally considered as 10%<sup>6</sup>), the supply of residential land does not operate within a free market. Supply is essentially rationed, firstly, by the planning process, and secondly, by the timed release of land by developers to maximise profit. As a result, the actual profit may be well in excess of normal levels of profit or private benefit, and must be calculated within each local market or submarket context.

## 1.8 Key Considerations in Land Value Capture

Key considerations for implementing value capture schemes, which could be considered as best practice in the development of this policy,<sup>7</sup> include the following:

- **Justification** – where the planning authority has or will increase the value of land through its actions, and the community is entitled to a share of the resulting uplift;
- **Entitlement** – the proper objective of which is to identifying the *unearned increment* in land value uplift resulting from any planning proposal and to decide the community's legitimate claim to a share of it;
- **Calculation** - how the land value increase should be calculated for value capture purposes, noting that a residual land value analysis should generally apply;
- **Development feasibility** – that the implementation of value capture should not adversely impact on development feasibility by denying the developer a reasonable share of development profit;
- **Timing** - in consideration of reasonableness and equity, the value capture requirement should apply to land acquired for redevelopment after a nominated date related to the implementation of the policy.

<sup>5</sup> Taylor, L. 2016. 'Value Capture through Voluntary Planning Agreements Part 1, in *In Focus*, Lindsay Taylor Lawyers.

<sup>6</sup> JSA has taken 'normal profit' as 10%, with this based on *ABS 5676.0 Business Indicators, Australia, Table 22: Business gross operating profits/sales ratio, Current prices*. This table shows average profit for Construction over the last five years as 9%. By way of further comparison, the 2015 annual report for Mirvac, a property development company, shows profit of \$628 million (after interest and before taxation) for a total asset base of \$6,462 million, a return on investment of 9.7%. They have thus based their calculation on likely average profit in the construction industry, whereas 15-20% may be a desired profit margin, or may include additional contingencies, perhaps including some of the contingencies that JSA had included in the build rate, which is quite conservative. The proposed 50/50 split of residual land value would appear to be more than enough to allow for such developer risk and contingencies.

<sup>7</sup> Taylor, L. 2016. 'Value Capture through Voluntary Planning Agreements Part 2, in *In Focus*, Lindsay Taylor Lawyers.



## 1.9 Council's Obligations, Opportunities and Constraints under Relevant Legislation

**Appendix A** of Council's *Best Practice in Value Capture Position Paper* (JSA 2016) sets out a review of the legislative obligations, opportunities and constraints for local government in the creation of affordable housing through the planning system.

As noted, Council has an obligation to actively engage with affordable housing, including in accordance with Object 5(a)(viii) of the *Environmental Planning and Assessment Act 1979 (NSW)* – 'the maintenance and provision of affordable housing.'

There are two main mechanisms that can legitimately be used to capture a reasonable proportion of uplift from planning actions in the NSW planning context.

- Council can legally enter into **voluntary planning agreements** that include the dedication of land free of cost, the payment of a monetary contribution, or provision of any other material public benefit, or any combination of these, to be used for or applied towards a public purpose, including 'affordable housing' under s93F of the Act, noting that nexus requirements do not apply. Such planning agreements can be made, for example, with respect to the capture of a reasonable share of additional land value that has resulted from a proposal to rezone or otherwise vary planning controls that would normally apply to a site or within a precinct under planning proposals and applications for clause 4.6 variations.

The use of this mechanism would require a transparent policy including method of calculation, areas to which it applies, collection and accountability mechanisms, etc, and would also likely need to be set out in detail in amendments to Council's existing Planning Agreements Policy, noting that such proposals would need to demonstrate merit in their own right;

- Alternately, or in addition, Council can seek State Government approval for Council (or the State Government) to levy a contribution toward affordable housing under s94F of the Act where there is a major up-zoning or rezoning under the LEP, given the demonstrated need for affordable housing in the LGA. The use of this mechanism would require ministerial approval for either:
  - An amendment to SEPP 70 (Affordable Housing), as well as relevant amendments to Council's LEP, which would need to set out the geographic areas of inclusion, the quantum and basis of calculations, etc, like those in City of Sydney and Willoughby LEPs (noting that this has now been supported in the GSC's *Central District Plan*); or
  - The development of a special contributions plan by the State Government like that developed in relation to the *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006*. This would require legislative support, noting that such support is provided in the case of Redfern Waterloo under s30 of the *Redfern-*



*Waterloo Authority Act 2004* (see Appendix A of *Council's Affordable Housing Background Report* (JSA 2016) for detail).

## 1.10 Reasonableness and Feasibility of Mechanisms

The evidence provided in background reports to this Policy indicates that Council is justified in seeking to capture a share of unearned land value uplift arising from the planning and development approvals process in the LGA; and that it is reasonable to do so due to the nature and severity of unmet affordable housing need arising from ongoing gentrification and redevelopment, and the failure of the market to replace such housing or to provide for the needs of most very low, low and moderate income households.

Evidence reported in Section 4 of the *Affordable Housing Background Paper* (JSA 2016), and Section 7 of the *Position Paper: Best Practice in Value Capture* (JSA 2016) also indicates that the implementation of value capture through the method of calculation described in this policy will not adversely impact on development feasibility, and takes into account normal development profit.

The modelling provides evidence of significant value uplift associated with redevelopment of existing industrial land and housing for higher density development throughout the LGA, including value uplift associated with up-zoning of the three relevant precincts within the Sydenham to Bankstown Urban Renewal Corridor and precincts within the Parramatta Road Urban Transformation Area. It also provides evidence of significant uplift associated with variations to planning controls within a number of areas of the LGA.

As such, the Policy provides for a 15% Affordable Housing Contribution within new release areas, brownfield and infill sites, and major private and public redevelopments, including on State Government land and in State urban renewal projects, including precincts within the Parramatta Rd Urban Transformation Area and the Sydenham to Bankstown Urban Renewal Corridor that are within the Inner West Council area. The Policy will apply to such land that is subject to rezoning or amendment to planning controls that provide for increased density. Further, the Policy will apply to proposed developments comprised of 20 or more dwellings or that have a Gross Floor Area of 1,700m<sup>2</sup> or greater across the LGA.

Modelling and research indicates that the most likely areas that will experience redevelopment will be older industrial areas and areas of lower quality commercial development, and that developments will generally be able to sustain a 15% levy without adversely affecting redevelopment. However, economic modelling also shows that some types of redevelopment may be adversely affected by a 15% levy, for example, mid-rise development on smaller lots. Therefore, a threshold of 20 units, or 1,700m<sup>2</sup> Gross Floor Area<sup>8</sup> has been selected as a development that is of sufficient scale to generally avoid such development disincentives.<sup>9</sup>

<sup>8</sup> 20 average size units would equate to around 1,700m<sup>2</sup> Gross Floor Area.

<sup>9</sup> See Table 7.1 and Section 8 of JSA (2016) Value Capture Position Paper, Inner West Council.

Further, although a minority of precincts modelled may face redevelopment constraints currently, the rapid increase in land values in recent years indicates that areas that are not as feasible are likely to become so within a reasonable timeframe.

**These findings provide a strong justification for value capture associated with incentive-based or voluntary planning agreement approaches in association with redevelopment, as well as for mandatory contributions or inclusionary zoning across the LGA, including in urban renewal precincts. Further analysis provided at Section 8 of *Position Paper: Best Practice in Value Capture* (JSA 2016) and Section 5 of the *Background Paper* (JSA 2016) also indicates that development feasibility will generally not be affected by the implementation of this Policy.**

2

## PART B: HOUSING POLICY

### 2.1 Housing Goal

The overarching goal of Council's Affordable Housing Policy is:

*To facilitate the provision of affordable housing options within the Inner West Council area to meet the needs of very low, low and moderate income households so as to promote diversity, equity, liveability and sustainability.*

### 2.2 Affordable Housing Definition

In accordance with the statutory definition under the *NSW Environmental Planning and Assessment Act 1979 (NSW)*, Table 2-1 provides benchmarks that are used in this policy when referring to 'affordable housing'. These will be indexed quarterly and as Census data becomes available.

- Table 2.1: Affordable Housing Income and Cost Benchmarks

	<b>Very low-income household</b>	<b>Low-income household</b>	<b>Moderate-income household</b>
Income Benchmark	<50% of Gross Median H/H Income for Greater Sydney	50-80% of Gross Median H/H Income for Greater Sydney	80%-120% of Gross Median H/H Income for Greater Sydney
Income Range (2)	<\$783 per week	\$784-\$1,253 per week	\$1,253-\$1,879 per week
Affordable Rental Benchmarks (3)	<\$235 per week	\$236-\$376 per week	\$377-\$564 per week
Affordable Purchase Benchmarks (4)	<\$228,000	\$228,001-\$364,000	\$364,001-\$545,000

Source: JSA 2016, based on data from ABS (2011) Census indexed to March Quarter 2016 dollars

- (1) All values reported are in March Quarter 2016 dollars
- (2) Total weekly household income
- (3) Calculated as 30% of total household income
- (4) Calculated using ANZ Loan Repayment Calculator, using 4 January 2016 interest rate (5.37%) and assuming a 20% deposit for a 30 year ANZ Standard Variable Home Loan and 30% of total household income as repayments.

## 2.3 Target Groups

Council is committed to protecting and increasing the supply of housing stock that can be affordably rented or purchased by very low, low, and moderate income households, including target groups identified as having particular housing needs in the Inner West Council area. These include:

- Very low and low income renting households;
- Very low, low and moderate income key workers;
- Asset poor older people, including long-term residents of the LGA;
- Young people, including those with a social or economic association with the LGA;
- Lower income families including sole parent families and those totally priced out of the housing market;
- People with special housing or access needs, including people with a disability, frail aged people, those at risk of homelessness, Aboriginal and Torres Strait Islanders and people from culturally and linguistically diverse communities.

## 2.4 Priority Strategies

Constituent councils of Inner West Council have set out a range of affordable housing priority strategies to ensure that the LGA provides affordable housing options to meet the needs of the community.<sup>10</sup> Broadly, these include:

- 1. To research and develop strategies to increase affordable housing supply;**
- 2. To encourage the provision of affordable, adaptable and diverse housing for very low, low and moderate income households, including those with special housing and access needs;**
- 3. To pursue planning controls that support existing and new supplies of affordable housing;**
- 4. To advocate for, and build partnerships to increase, affordable and liveable housing;**
5. To resist the loss of affordable housing and encourage the retention of existing affordable housing to maintain the socio-economic diversity within the LGA;
6. To support people living in residential care and boarding houses and ensure boarding houses provide clean and healthy living environments;
7. To raise awareness of affordable housing needs and issues to facilitate action.

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<sup>10</sup> Based on a range of strategies from constituent councils including (the former) *Marrickville Council's Community Strategic Plan*; and Part 4 of - (the former) *Leichhardt Council's Affordable Housing Strategy Action Plan 2008*.

Although each of these priority strategies is important, the focus of this Policy is on Priority **Strategies 1 to 4** due to evidence that suggests that these will be by far the most effective strategies in the local housing market context.

## 2.5 Pursue Planning Controls that Support Existing and New Supplies of Affordable Housing

### 2.5.1 Market Delivery of Affordable Housing

Noting the evidence that the strata area of apartments is a relevant factor in cost, and in affordability for *some* of the target groups, for developments of ten or more apartments, Council will require 5% of apartments to be delivered as studio apartments with total strata area (including parking) less than 36 square metres, 5% of apartments to be delivered as one bedroom apartments with total strata area (including parking) less than 51 square metres, and 5% of apartments to be delivered as two bedroom apartments with total strata area (including parking) less than 71 square metres, with calculated numbers of apartments rounded up to the nearest whole number.<sup>11</sup>

Council will also facilitate the provision of lower cost and more affordable dwellings through ensuring that its planning controls do not unreasonably constrain the supply of genuinely affordable housing, including through provisions that encourage the development of larger, higher cost dwellings, constraints on lower cost housing types such as appropriately located secondary dwellings and other dwellings that can make a demonstrated contribution to affordable housing.

### 2.5.2 Sharing Land Value Uplift for Affordable Rental Housing

#### Achieving an Equitable Share of Land Value Uplift

Noting the evidence from the research that very little affordable housing will, in reality, be provided through the market in most areas of the LGA, Council will seek to gain an equitable share of the land value uplift resulting from its planning actions, including major development applications, rezonings and variations to planning controls that would otherwise apply to a site or precinct, for the benefit of the community as Affordable Rental Housing.

Council will use mechanisms available to it, including voluntary planning agreements under s93F of the *Environmental Planning and Assessment Act 1979 (NSW)*.

In accordance with key directions in the Greater Sydney Commission's *Central District Plan*, Council will seek amendments to *SEPP 70 — Affordable Housing (Revised Schemes)*, and make

<sup>11</sup> NOTE: These sizes will preclude provision of car parking as part of the strata area and limit apartments to one bathroom.

relevant amendments to its LEP, to enable the levying of Mandatory Development Contributions to create Affordable Rental Housing in perpetuity.<sup>12</sup>

Regardless of the mechanism used, Council will seek to apply equitable, reasonable, transparent and feasible contributions to affordable housing within the local housing market context.

In entering into such land value uplift sharing arrangements, Council will apply the following principles:

- **Justification** – where the planning authority has or will increased the value of land through its actions, and the community is entitled to a share of the resulting uplift;
- **Entitlement** – the proper objective of which is to identifying the *unearned increment* in land value uplift resulting from any planning proposal and to decide the community's legitimate claim to a share of it;
- **Calculation** - how the land value increase should be calculated for value capture purposes, noting that a residual land value analysis should generally apply;
- **Development feasibility** – that the implementation of value capture should not adversely impact on development feasibility by denying the developer a reasonable share of development profit;
- **Timing** - in consideration of reasonableness and equity, the value capture requirement should apply to land acquired for redevelopment after a nominated date related to the implementation of the policy.

## Voluntary Planning Agreements under 93F of the Act

### Proposals to which this Provision Applies

When considering planning actions that result in an increase in residential and/or commercial floor area, Council will seek an equitable share of the land value uplift through a planning agreement under s93F of the Act.

Planning agreements will be classified as either:

- **Marginal Planning Agreements**, that is, a planning agreement made in relation to variations to existing controls, for example, a proposal for additional height or FSR under clause 4.6 of the LEP or 'density bonus' schemes; or
- **Major Planning Agreements**, that is, a planning agreement made in the case of a proposed rezoning or amendment to planning controls that will allow for additional density within a site or precinct. Mandatory Contributions will apply to all new release areas, brownfield and infill sites, and major private and public redevelopments, including on State Government land and in State urban renewal projects, including precincts

<sup>12</sup> See Greater Sydney Commission (2016) *Central District Plan*, p 103, which states that, 'In relevant areas, we will support councils and the Department of Planning and Environment in amending SEPP 70 — Affordable Housing (Revised Schemes). The application of the target identified in this draft District Plan should not prejudice negotiations to secure affordable housing in other locations where this target is not applicable'.



within the Parramatta Rd Urban Transformation Area and the Sydenham to Bankstown Urban Renewal Corridor that are within the Inner West Council area. The Policy will apply to proposed developments comprised of 20 or more dwellings or that have a Gross Floor Area of 1,700m<sup>2</sup> or greater.

### Method of Calculation

#### Marginal Planning Agreements

In the case of Marginal Planning Agreements, marginal gross floor area will be taken as the additional gross floor area available to the developer as a result of the planning action, compared to the area available without the planning action. Land is excluded from the calculation as the land value is assumed to be amortised within the existing planning controls.

The Council share of land value uplift will be taken as a share of the marginal gross floor area as shown as LVC% in Table A1 of Appendix A of this *Study* for the appropriate postcode area (see also Sections 7.2.2 and 8 of Council's *Value Capture Position Paper*, and Sections 4.2, 4.3 and 5 of Council's *Affordable Housing Policy: Background Paper* for method of calculation and underlying assumptions).

Generally, where a Marginal Planning Agreement results in an increase in saleable floor area, land value capture of 21% to 34% of the **additional** saleable floor area obtained as a result of the Planning Agreement is warranted with regard to the evidence in the supporting studies.

#### Major Planning Agreements

In the interest of consistency and transparency, Council will apply a consistent share of land value uplift across the Inner West LGA to create Affordable Rental Housing in perpetuity.

In the case of Major Planning Agreements, the Council share of land value uplift will be taken as 15% of Gross Floor Area of the development for developments with a Gross Floor Area of 1,700m<sup>2</sup> or greater, or where a development results in 20 or more dwellings. The rate of contributions reflects the relatively high land value uplift associated with inner city renewal areas amid rapid gentrification.

The rationale for this share of land value uplift is set out in Appendix B to this *Policy*, supported by assumptions and calculations set out in Section 7.2.2 and Table 7.1 of Council's *Value Capture Position Paper*, and Section 4.2 and Table 4.1 of Council's *Affordable Housing Policy Background Paper*.

An assessment of likely impact on development feasibility on a precinct by precinct basis is also provided at Section 8 of the *Value Capture Paper*, and Section 5 of the *Background Paper*.

#### Mandatory Affordable Housing Contributions

In accordance with key directions in the Greater Sydney Commission's *Central District Plan*, Council will seek amendments to *SEPP 70 — Affordable Housing (Revised Schemes)*, and make

relevant amendments to its LEP, to enable the levying of Mandatory Affordable Housing Contributions to create Affordable Rental Housing in perpetuity.<sup>13</sup>

Mandatory Affordable Housing Contributions will apply in the case of a proposed rezoning or amendment to planning controls that will allow for additional density within a site or precinct. Mandatory Contributions will apply to all new release areas, brownfield and infill sites, and major private and public redevelopments, including on State Government land and in State urban renewal projects, including precincts within the Parramatta Rd Urban Transformation Area and the Sydenham to Bankstown Urban Renewal Corridor that are within the Inner West Council area.

For the Mandatory Affordable Housing Contributions, Council's share of land value uplift will be taken as 15% of Gross Floor Area of the development for developments with a Gross Floor Area of 1,700m<sup>2</sup> or greater, or where a development results in 20 or more dwellings. The rate of contributions reflects the relatively high land value uplift associated with inner city renewal areas amid rapid gentrification.

The rationale for this share of land value uplift is set out in Appendix B to this *Policy*, supported by assumptions and calculations set out in Section 7.2.2 and Table 7.1 of Council's *Value Capture Position Paper*, and Section 4.2 and Table 4.1 of Council's *Affordable Housing Policy Background Paper*, and summarised in Section 1.10 above.

An assessment of likely impact on development feasibility on a precinct by precinct basis is also provided at Section 8 of the *Value Capture Paper*, and Section 5 of the *Affordable Housing Policy Background Paper*.

In addition, Council has determined that The Bays urban renewal precinct will be subject to a 30% Affordable Housing Contribution, subject to further feasibility analysis.

## Form of contributions

Contributions made under a Planning Agreement or as a Mandatory Affordable Housing Levy may be made in the form of apartments or a cash contributions, or a combination of the two. Council will determine the form of the contribution to be made.

Where the share of land value uplift is provided as apartments, Council will determine the size and number of bedrooms in accordance with its strategic priorities, and seek a mix of dwellings sizes and bedroom numbers. Title to apartments will be transferred to Council in perpetuity.

Where the share of land value uplift is provided as a cash contribution, Council will based the quantum of the contribution on the assessed market value of the floor area using recent sales data or as assessed by a property valuer designated by Council.

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<sup>13</sup> See Greater Sydney Commission (2016) *Central District Plan*, p 103, which states that, 'In relevant areas, we will support councils and the Department of Planning and Environment in amending SEPP 70 — Affordable Housing (Revised Schemes). The application of the target identified in this draft District Plan should not prejudice negotiations to secure affordable housing in other locations where this target is not applicable'.

The contribution will be used to create Affordable Rental Housing in perpetuity, with the principal target groups being very low and low income renting households whose needs cannot be met through the market.

### Review process

Council will review the outcomes of its Affordable Rental Housing mechanisms regularly, with the first review to be undertaken within two years of the Policy's adoption.

### Management

Affordable Rental Housing created will be managed by a registered Community Housing Provider.

## 2.6 Partnerships to Increase Affordable Housing

Council will seek to enter into affordable housing development and management partnerships with a relevant Community Housing Providers and/or the private sector to ensure:

- The most effective and efficient use of resources created through planning mechanisms noted above;
- Opportunities for the efficient use of any resources redeployed by Council (e.g. lots or housing dedicated to affordable housing from Council owned or other public land);
- Protection of stock in perpetuity for affordable rental housing to meet the needs of the local community, and in particular those identified as primary target groups for affordable housing in Council's studies.

Council will ensure the proper management of affordable housing resources created through entering into an MOU or other legal agreement with an appropriate Community Housing Provider (CHP).

## 2.7 SEPP Affordable Rental Housing

Council will support appropriate applications for infill affordable housing, secondary dwellings and boarding houses under *SEPP (Affordable Rental Housing) 2009*.

With regard to the character test in the SEPP, Council will advise applicants on relevant locational and design considerations to inform appropriate developments so as to facilitate locationally appropriate developments.

Council will develop guidelines to support the development of well-designed, affordable and appropriately designed boarding houses, including related to security of tenure, affordable rents, high quality management and design, and inclusive communities.

Council will rigorously apply the provisions of the SEPP that seek to protect the remaining supply of affordable housing in the LGA, and implement a social impact assessment process that supports such retention.

## 2.8 Research and Monitoring

Inner West Council is committed to ongoing research into housing needs and issues in its local community, which will continue to form the basis of local housing policy formulation and implementation.

Council understands the need for ongoing monitoring and evaluation of the effects of its policies on local housing needs and issues, and is committed to ongoing monitoring and evaluation against the KPIs set out below.

Council will regularly update the research that provides the evidence base for this Policy.

## 2.9 Key Performance Indicators

Council has identified indicators and targets with respect to Affordable Housing in the Inner West Council Area. These are set out in the table below.

- Table 2.2: Affordable Housing Indicators and Targets

Indicator	Target	Data Source
Households in the lowest 40% of income distribution <sup>14</sup> in housing stress <sup>15</sup> as a proportion of all households in the lowest 40% of income distribution	10% maximum by 2031	ABS Census data
Rental housing stock that is affordable to very low, low and moderate income households as a proportion of all housing stock in the Inner West Council area	7.5% by 2031	NSW Centre for Affordable Housing. Local Government Housing Kit Database
Purchase housing stock that is affordable to very low, low and moderate income households as a proportion of all housing stock in the Inner West Council area	7.5% by 2031	NSW Centre for Affordable Housing. Local Government Housing Kit Database
Median house rental price	For monitoring	NSW Rent and Sales Report
Median apartment rental price	For monitoring	NSW Rent and Sales Report
Median house purchase price	For monitoring	NSW Rent and Sales Report
Median apartment purchase price	For monitoring	NSW Rent and Sales Report

<sup>14</sup> Gross household income

<sup>15</sup> Paying more than 30% of gross household income on housing

Indicator	Target	Data Source
The supply of social housing stock (public, community, co-operative and Aboriginal housing) as a proportion of all housing stock in the Inner West Council area	7.5% by 2031	NSW Centre for Affordable Housing Local Government Housing Kit Database
Retention of affordable housing stock through implementation of SEPPARH and SIA Policy	Successful actions to retain stock	Council records
The supply of dwellings in the Inner West Council's affordable housing portfolio	Part of the 7.5% affordable housing target	Council data
Increase in the number of people living in boarding houses in the Inner West Council area	Part of the 7.5% affordable housing target	ABS Census data
Monitoring of the outcomes of the statutory review of the NSW Residential Tenancies Act 2010	Ongoing	NSW Tenants' Union
Boarding house residents have the same tenure and rights as tenants have under the NSW Residential Tenancies Act 2010	2019	
Boarding house tenants have adequate standard of accommodation and support	To be determined	
Decrease in the number of households experiencing homelessness	Nil by 2031	ABS Census data

Source: Derived from (the former) Marrickville Council (2015) *Marrickville Housing Profile*

## 2.10 Administration

Council will set up a Trust Fund for the purpose of transparent and accountable management of public benefits captured, and will report annually. The Trust Fund will clearly differentiate funds or resources held for Affordable Housing, and account separately for these funds.

Council will develop a Program of Works including priorities for use of resources generated for Affordable Housing Dedications. This will be publicly available, and will also be reported upon annually as part of Council's reporting requirements.

## Appendix A: Marginal Uplift from Increased Height and/or Density

### Overview

In many cases, developers will offer to enter into a voluntary planning agreement that allows for additional saleable Gross Floor Area through LEP clause 4.6 variations related to height or FSR. Where such variations are found to have merit in their own right, and so warrant approval, Council may wish to capture some of the associated value uplift. Assessment may be made on a case by case with value uplift estimated by land valuers and quantity surveyors or can be assessed on a proportional basis using averages. An assessment on a proportional basis using averages is set out below.

The analysis is conducted on a marginal basis, that is only the additional costs and additional value are considered. As such the purchase cost of the land, site costs and the like are ignored.

Where a Voluntary Planning Agreement results in an increase in saleable floor area, land value capture of 21% to 34% of the **additional** saleable floor area obtained as a result of the Voluntary Planning Agreement is warranted.

### Modelling (Additional Saleable Floor Area)

The modelling below assesses the marginal value uplift and hence value capture from additional saleable floor area as a proportion of floor area, represented as apartments where value uplift in excess of a normal profit of 10% is shared 50:50 with the developer and a public purpose. The land value capture is shown as a proportion of saleable floor area to allow for universal application.

The modelling uses assumptions as set out in Section 7.2.2 of Council's *Value Capture Position Paper* and Section 4.2 of Council's *Affordable Housing Policy Background Paper*.



**Table A1: Potential Marginal uplift for Selected Post Codes**
**Marginal uplift (\$ ',000,000)**

	Suburb	Construction cost per floor	sale price	Uplift	Uplift %	LVC %
	2042 (Enmore/Newtown)	\$1.67m	\$3.18m	\$1.50m	90%	21%
	2044 (St Peters/ Sydenham/ Tempe)	\$1.67m	\$3.48m	\$1.81m	108%	24%
	2048 (Stanmore)	\$1.67m	\$3.15m	\$1.47m	88%	21%
	2049 (Lewisham/Petersham)	\$1.67m	\$3.53m	\$1.85m	111%	24%
	2050 (Camperdown)	\$1.67m	\$3.59m	\$1.92m	115%	24%
	2203 (Dulwich Hill)	\$1.67m	\$3.30m	\$1.63m	98%	22%
	2204 (Marrickville)	\$1.67m	\$3.20m	\$1.53m	92%	21%
	2038 (Annandale)	\$1.67m	\$3.20m	\$1.53m	92%	21%
	2131 (Ashfield)	\$1.67m	\$3.66m	\$1.99m	119%	25%
	2041 (Balmain, Balmain East, Birchgrove)	\$1.67m	\$3.40m	\$1.73m	104%	23%
	2132 (Croydon)	\$1.67m	\$2.99m	\$1.32m	79%	19%
	2045 (Haberfield)	\$1.67m	\$3.96m	\$2.29m	137%	27%
	2040 (Leichhardt, Lilyfield)	\$1.67m	\$4.29m	\$2.62m	157%	29%
	2039 (Rozelle)	\$1.67m	\$5.58m	\$3.90m	234%	34%
	2130 (Summer Hill)	\$1.67m	\$3.58m	\$1.90m	114%	24%

Source: JSA (2016) derived from sources set out in Section 7 of JSA (2016) *Position Paper: Best Practice in Value Capture*, Inner West Council

# **Position Paper: Best Practice in Value Capture**

**November 2016**

Prepared for Inner West Council by Judith Stubbs and Associates

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# 1 Purpose of Position Paper

This *Position Paper: Best Practice in Land Value Capture* has been developed to support the development of an evidence-based policy by Inner West Council toward the application of value capture approaches related to redevelopment in existing urban areas, or within the six major urban renewal precincts in the Sydenham to Bankstown Urban Renewal Corridor and in the Parramatta Road Transformation Corridor.

In particular, it seeks to explore the issue of land value capture with a practical focus on mechanisms that would be most applicable to the LGA in the NSW planning context.

The *Paper* first provides a definition of and framework within which to consider land value capture relevant to the NSW planning context, and outlines relevant approaches and a range of local and international examples of the way in which land value mechanisms have been implemented.

Drawing on this framework, as well as the review of relevant NSW legislation in *Appendix A*, the *Paper* then provides an overview of mechanisms most relevant in the Inner West development context. This is followed by examples of broad methods of calculation by other inner city and regional NSW Councils, and sets out JSA's preferred method of calculation with reference to best practice considerations.

Finally, this approach and method of calculation is applied to precincts or areas within Inner West LGA, with this section reproduced from the *Affordable Housing Policy Background Paper* (JSA 2016).

This *Position Paper* should be read in conjunction with Council's *Affordable Housing Policy: Background Report* (JSA 2016 c), and the former Marrickville Council's (2015) *Housing Profile*.

## 1.1 Summary of Findings

### 1.1.1 What is Land Value Capture

Land value capture is talked about in various ways by different authors in various jurisdictions.

In the NSW planning context, Taylor (2016) provides a useful working definition, noting that,

In the broadest terms, value capture in relation to urban land development involves a planning authority, such as local council in NSW, capturing for the community benefit some of the land value increase accruing to a parcel of land from planning activities of the authority which increase the development potential of the land and hence its value.<sup>16</sup>

Walters usefully identifies two broad approaches to LVC, these being, 'approaches intended to **recover the cost of infrastructure investments** and broader approaches intended to capture some

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<sup>16</sup> Taylor, L. 2016. 'Value Capture through Voluntary Planning Agreements Part 1, in *In Focus*, Lindsay Taylor Lawyers.



**share of the unearned increment** in private land values [emphasis added], with the first exemplified by s94 approaches that seek to internalise the costs or impacts of the development; and the second found in mechanisms such as voluntary planning agreements under s93F of the Act.

Taylor (2016) goes on to distinguish land value capture arising from government planning actions from taxation in the following way:

In contrast, the fundamental purpose of value capture is not internalisation or taxation but rather ‘*clawback*’, that is, to capture increased land value for the community on the basis of a legitimate claim by the planning authority to share what is commonly referred to as ‘*unearned increment*’ of land value uplift.<sup>17</sup>

### 1.1.2 Key Considerations in Land Value Capture

Taylor (2016) also sets out some key considerations when implementing value capture schemes, which could be considered as best practice in the development of related policy.<sup>18</sup> These include the following:

- **Justification** – where the planning authority has or will increased the value of land through its actions, and the community is entitled to a share of the resulting uplift;
- **Entitlement** – the proper objective of which is to identifying the *unearned increment* in land value uplift resulting from any planning proposal and to decide the community’s legitimate claim to a share of it;
- **Calculation** - how the land value increase should be calculated for value capture purposes, noting that a residual land value analysis should generally apply;
- **Development feasibility** – that the implementation of value capture should not adversely impact on development feasibility by denying the developer a reasonable share of development profit;
- **Timing** - in consideration of reasonableness and equity, the value capture requirement should apply to land acquired for redevelopment after a nominated date related to the implementation of the policy.

## 1.2 Council’s Obligations, Opportunities and Constraints under Relevant Legislation

**Appendix A** sets out a review of the legislative obligations, opportunities and constraints for local government in the creation of affordable housing through the planning system, with a particular focus on land value capture mechanisms that either seek ‘cost recovery or internalisation of costs’

<sup>17</sup> Taylor, L. 2016. ‘Value Capture through Voluntary Planning Agreements Part 1, in *In Focus*, Lindsay Taylor Lawyers.

<sup>18</sup> Taylor, L. 2016. ‘Value Capture through Voluntary Planning Agreements Part 2, in *In Focus*, Lindsay Taylor Lawyers.

(principally under s94 of the Act), or through ‘capturing or sharing a reasonable proportion of unearned increment’ of uplift created through the planning system (principally under s93F, and also through s94F).

In accordance with the review of NSW legislation and policy set out in Appendix A to this *Paper*, there are two main mechanisms through which Council can legitimately capture a reasonable proportion of uplift from planning actions, with these most likely to apply to large redevelopment sites, including those precincts within the Sydenham to Bankstown Urban Renewal Corridor and Parramatta Road Urban Transformation Area.

- Council has the **opportunity** to enter into voluntary planning agreements that include the dedication of land free of cost, the payment of a monetary contribution, or provision of any other material public benefit, or any combination of them, to be used for or applied towards a public purpose, including ‘affordable housing’ under s93F of the Act, noting that nexus requirements do not apply;
- As an alternative to the use of planning agreements, Council *could* levy for a contribution toward affordable housing under s94F of the Act where there is a demonstrated need for affordable housing and another requirement of the section is met, including where the development is likely to reduce availability of affordable housing, create a need for affordable housing, etc.

However, Councils is currently constrained in the use of this provision as it is not included within SEPP 70. An **opportunity** exists to advocate to State Government for inclusion within this provision, given the level of need and nexus described in the *Background Paper* (JSA 2016) and *Housing Profile* (Marrickville Council 2015). This also would involve relevant amendments to the LEP, which would need to set out areas of inclusion, the quantum and basis of calculations, etc, like those in City of Sydney and Willoughby.

- Alternately, a separate contributions plan *could* be developed and/or approved by the State Government in relation to a major redevelopment precinct under s94F of the Act, most likely within the Sydenham to Bankstown Urban Renewal Corridor or Parramatta Road Urban Transformation Area, like that developed in relation to the *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006*. However, this would require legislative support like that which supported the *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006* (s30 of the *Redfern-Waterloo Authority Act 2004* (see Appendix A for detail)).

## 1.3 Estimating Land Value Uplift

### 1.3.1 Relevant methods

The contributions plans made under s94F of the *Environmental Planning and Assessment Act 1979* and s30 of the *Redfern Waterloo Authority Act 2004* **do not appear to be explicit with regard to the rationale or calculations used** as a basis for the contributions levied. Also, the levies are quite low by the standards in other inter-state and overseas jurisdictions.

Likewise, many voluntary planning agreements made under s93F of the Act are quite general with regard to contributions that may be required, and do not appear to set out a consistent method of calculation, or are unclear with regard to their rationale or other best practice considerations. Where such calculations are explicit in examples provided, JSA's method of calculation is reasonably consistent and also builds in best practice considerations including those set out by Taylor above.

### 1.3.2 JSA's method of calculation

The JSA value capture model estimates the likely value of a planning change to a land owner based on changes in property values as a result of the development, taking into consideration the costs of development and a normal level of profit to the developer, and assumes that value uplift is shared equally with the community and with the landowner or developer.

The JSA model also embeds best practice considerations from Taylor (2016) above, including justification or entitlement regarding the creation of an unearned land increment through planning actions, a residual land value analysis,<sup>19</sup> equity and impacts upon development feasibility.

The model estimates the value uplift as:

- The value of the developed land, estimated using likely yield in apartments for the land multiplied by the market price of apartments based on recent sales data; less
- The cost of construction of the apartments, estimated using cost planning data from Rawlinson's Australian Construction Handbook; less
- The cost of purchase of the land, estimated using recent sales data; less
- A normal profit or return on investment of 10%.

Expressed another way, residual land value = value of completed development *less* development costs *less* [normal] profit; whilst uplift (or unearned land increment) = the difference between the residual land value and the market price of the land under the existing planning regime.

This is described in more detail in **Section 6.3** below.

<sup>19</sup> That is, residual land value = value of completed development *less* development costs *less* [normal] profit; noting that uplift (or unearned land increment) = the difference between the residual land value and the market price of the land under the existing planning regime.

\$ Value of **Developed Re-Zoned**  
(land+dwelling)

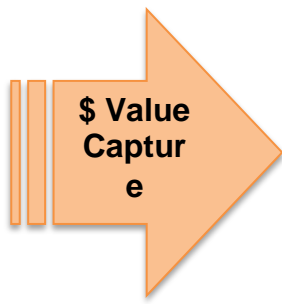
Council Meeting  
\$25.6 million  
8 Storey Apartments on 1,000m<sup>2</sup>



\$ Value of **Costs**

Land re-zoning finalised

\$ Value of **Uplift**



\$ Value of **Current Zoning**



\$13.37m  
Costs

Land re-zoning finalised

\$8.74m  
Uplift



\$1.96m at **Current Zoning**

## 1.4 The Model Applied to Inner West LGA

Section 7 of this *Paper* provides an economic analysis of the likely value uplift associated with redevelopment in various areas within the LGA, and with rezoning in key urban renewal precincts; and with additional Gross Floor Area that may be negotiated through Voluntary Planning Agreements. This provides a rationale for strong intervention through the planning system.

The findings provide evidence for significant value uplift associated with redevelopment of existing industrial land and housing for higher density development throughout the LGA, including value uplift associated with up-zoning of the three relevant precincts within the Sydenham to Bankstown Urban Renewal Corridor and within Parramatta Road Urban Transformation Area.

Land Value Capture as a proportion of saleable floor area is shown in Table 7-1. Values are calculated for each of the fifteen post codes within Inner West LGA; for up-zoned land consisting of separate houses, three storey walk-up apartments and industrial land; and for height and FSR allowing three, six, eight and 14 storey construction. Land Value Capture varies markedly across these variables, ranging from Nil to 23% depending on the particular scenario.

Similarly, there is significant value uplift associated with increases in Gross Floor Area that may be negotiated through Voluntary Planning Agreements.

Land Value Capture as a proportion of additional saleable floor area is shown in Table 7-2; varying between 19% and 29% of additional saleable floor area.

**These findings provide a strong justification for value capture associated with incentive-based or voluntary planning agreement approaches in association with redevelopment, as well as for mandatory contributions or inclusionary zoning within the Urban Renewal Corridor and the Parramatta Road Urban Transformation Area.**

The *Background Paper* (JSA 2016) and Council's *Housing Profile* also provide a strong rationale related to affordable housing need and nexus related to the capture of unearned land increment arising from planning actions if mechanisms through s94F are pursued.

## 2 Housing Affordability Context

It is widely acknowledged that there is a major shortfall in affordable housing in most cities and many regional and rural communities across Australia.<sup>20</sup> The most severe and lasting impacts are experienced by very low and low income households in unaffordable private rental accommodation, who do not gain the benefits that accrue to home purchasers, including long-term capital gains and a decreasing debt to household income ratio over time,<sup>21</sup> and for whom social rental is increasingly inaccessible.<sup>22</sup>

The *Affordable Housing Background Paper* (JSA 2016) indicates that there are particularly serious and worsening affordability issues for key target groups in Inner West LGA, including significant gentrification, displacement of lower income historical populations and an inability to accommodate low income key workers.

Some people achieve 'affordable' purchase or rental through moving to outer suburbs far from employment, or to an increasingly remote urban fringe or regional areas, but such locations can increase costs to households, socially or economically, through increased travel time, transport costs,<sup>23</sup> and decreased access to services and employment.<sup>24</sup> However, even these areas are increasingly unaffordable, particularly with regard to rent for key target groups.<sup>25</sup>

Amid increasing housing costs, decreasing affordability and stagnating expenditure on social housing, addressing the growing need for affordable housing through the planning system becomes increasingly important. In particular, there is an increasing focus on land value capture as a way of meeting the growing need for affordable housing in an increasingly expensive housing market where gentrification and ongoing displacement of lower income households and workers is occurring.

The following section sets out a working definition and key considerations of land value capture, with a particular focus on its relevance to NSW. This is followed by a review of the NSW planning context and the legal opportunities currently available in this jurisdiction.

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<sup>20</sup> Darcy, M. and Stubbs, J. 2005. 'Housing and Contemporary Social Work Practice', in Alston, M. & McKinnon, J. (eds) *Social Work Fields of Practice*, Oxford University Press, UK.

<sup>21</sup> Burke, T. and Hulse, K. 2010. 'The Institutional Structure of Housing and the Sub-prime Crisis: An Australian Case Study', in *Housing Studies*, Vol. 2. No. 6, 821-838, November 2010.

<sup>22</sup> NSW Government (2016) Future Directions for Social Housing in NSW, accessed online: <http://www.socialhousing.nsw.gov.au/>

<sup>23</sup> Kellett, J. Morrissey, J. and Karuppannan, S. 2012. 'The Impact of Location on Housing Affordability', *Presentation to 6th Australasian Housing Researchers Conference*, 8-10 February 2012, Adelaide, South Australia.

<sup>24</sup> Burnley, I. and Murphy, P. 2004. *Sea Change: Movement from Metropolitan to Arcadian Australia*, UNSW Press, Sydney; Burke, T. and Hulse, K. 2010. 'The Institutional Structure of Housing and the Sub-prime Crisis: An Australian Case Study', in *Housing Studies*, Vol. 2. No. 6, 821-838, November 2010.

<sup>25</sup> See for example, JSA (2013) *Background Paper: Housing Affordability*, Wyong Shire Council.



## 3 Overview of Land Value Capture

### 3.1 What is Land Value Capture?

Land value capture is talked about in various ways by different authors in various jurisdictions. This section focuses on the definitions and considerations put forward by several authors that appear to be more relevant to the NSW planning context, described later.

Looking first at some relevant definitions or frameworks within which to consider land value capture in the NSW context, Walters notes that,

In the fields of urban public finance and international development, the concept of land value capture (LVC) has become a standard argument for implementing or reforming taxes based on land. Often the value of privately held land increases as a result of public investments in infrastructure, publicly approved changes in land use, or broader changes in the community such as population growth. Proponents of LVC argue that governments should use taxes and fees to collect some share of this increase in value for public purposes, including funding infrastructure and service improvements.<sup>26</sup>

Walters then goes on to identify two approaches to LVC. These are:

...approaches intended to **recover the cost of infrastructure investments** and broader approaches intended to capture some **share of the unearned increment** in private land values [emphasis added].

Reflecting on the latter (unearned increment in private land values), Johnston (2014) reflects that the idea of value capture is a 'simple one', that is,

... if the value of a piece of land increases as a result of an action initiated by someone other than the landowner, then the value of that increase should not necessarily all go to the landowner. In urban policy, examples given are along the lines of: if a railway station is built near your land or if the development controls are changed to allow for denser development on it, or if marginal farming land on the city fringe is rezoned to residential, all these changes being initiated or implemented by government, then some of the increase in value of the land should be shared between the landowner (who can sell their land at a higher price) and the government (whose action enabled the increased value).<sup>27</sup>

Johnston notes that this sort of argument 'has a consistent history in classical economics, as developed in the eighteenth and nineteenth centuries in Europe and America'.<sup>28</sup>

<sup>26</sup> Walters, L (2013) Land Value Capture in Policy and Practice, *Journal of Property Tax Assessment & Administration* 10.2 : 5-21, page 5.

<sup>27</sup> Johnston, C. 2014. Capital Value Uplift and Affordable Housing, *Shelter Updates*, p 1.

<sup>28</sup> Johnston, C. 2014. Capital Value Uplift and Affordable Housing, *Shelter Updates*, p 1.

In this way, the author notes that, rather than conceptualising the mechanisms that seek a proportion of the uplift created through the provision of infrastructure or the rezoning of land to higher uses as ‘capture’, it can be more reasonably be thought of as a ‘share’ of the increased land value arising from government actions between the developer and the community. This also helps to distinguish between the ‘tax like’ connotations of such mechanisms and what is more accurately considered as being ‘mutually beneficial’.<sup>29</sup> As discussed later, considerations of ‘nexus’ (links between, or direct and indirect costs arising from, a development) also support such a distinction.

Aspects of Walters’ ‘cost recovery’ aspect of value capture (or share) is also evident, noting that the provision of infrastructure adds value, as well as being part of a cost recovery or recoupment regime.

In the NSW planning context, Taylor (2016) notes that,

In the broadest terms, value capture in relation to urban land development involves a planning authority, such as local council in NSW, capturing for the community benefit some of the land value increase accruing to a parcel of land from planning activities of the authority which increase the development potential of the land and hence its value.<sup>30</sup>

He notes that value capture contributions need are typically used to fund public infrastructure and other community benefits, but need to be ‘distinguished conceptually’ from other the more traditional forms of developer contributions under s94 and s94A (fixed development consent levies) under the *Environmental Planning and Assessment Act 1979 (NSW)*.

In contrast to Walters, cited above, Taylor distinguishes the ‘cost internalisation’ mechanism of s94 (ensuring that the cost of infrastructure, for example, is not borne by the community at large) from the ‘claw back’ mechanism that underpins value capture mechanism enacted under s93F of the Act (voluntary planning agreements). He further distinguishes s94 as being more ‘akin to a development tax’ with the purpose again being to ensure that costs are properly ascribed (similar to the Community Infrastructure Levy that is used in the UK).

Taylor goes on to distinguish land value capture in the following way:

In contrast, the fundamental purpose of value capture is not internalisation or taxation but rather ‘clawback’, that is, to capture increased land value for the community on the basis of a legitimate claim by the planning authority to share what is commonly referred to as ‘unearned increment’ of land value uplift.<sup>31</sup>

Clarifying the legal basis or legitimacy of this approach amid the general presumption of property rights in western democratic systems, Taylor notes,

<sup>29</sup> Johnston, C. 2014. Capital Value Uplift and Affordable Housing, *Shelter Updates*, p2-3.

<sup>30</sup> Taylor, L. 2016. ‘Value Capture through Voluntary Planning Agreements Part 1, in *In Focus*, Lindsay Taylor Lawyers.

<sup>31</sup> Taylor, L. 2016. ‘Value Capture through Voluntary Planning Agreements Part 1, in *In Focus*, Lindsay Taylor Lawyers.

...the legislation of the EPA Act involves confiscation of the development rights of landowners under the general law and the reallocation of such rights, usually conditionally, under and in accordance with the applicable legislation...<sup>32</sup>

Taylor notes that the reallocation aspect of is important as ‘planning legislation typically re-orders development rights to achieve maximum community welfare’ and thus creates ‘distributional inequities’ - significantly decreasingly the value of land for some, and creating ‘windfall profits’ for others. As such,

Where land values increase through planning activities (as districts from the enterprise of landowners), a land value subsidy in the form of unearned increment can be said to exist and it is this which provides the focus for value capture.<sup>33</sup>

The author notes that, in NSW, value capture typically occurs through voluntary planning agreements under s93F of the Act in association with planning proposals, where a land owner seeks to vary the planning controls applying to a particular lot or precinct, thus increasing its development potential. If approved, the Minister will generally make a local environmental plan varying the planning controls. As discussed later, no specific nexus is required for agreements made under this section of the Act.

## 3.2 Key Considerations in Land Value Capture

A second paper by Taylor is useful in setting out some key considerations when implementing value capture schemes.<sup>34</sup>

The first consideration relates to **justification**. Reflecting the above discussion, he notes that the basic justification for value capture is that the planning authority has or will increase the value of land through its actions, and the community is entitled to a share of the resulting uplift. This is reflected in the NSW Department of Infrastructure, Planning and Natural Resources (2005) *Practice Note on Planning Agreements*, which states that,

The provision of planning benefits to the wider community through planning agreements necessarily involves capturing part of the development profit for that purpose. The value of the planning benefit should always be restricted to a reasonable share of development profit.<sup>35</sup>

A second consideration in that of **entitlement**. This relates to the extent of the planning authority’s value capture in any particular case, and fundamentally, the proper objective of ‘identifying the **unearned increment** in land value uplift resulting from any planning proposal

<sup>32</sup> Taylor, L. 2016. ‘Value Capture through Voluntary Planning Agreements Part 1, in *In Focus*, Lindsay Taylor Lawyers.

<sup>33</sup> Taylor, L. 2016. ‘Value Capture through Voluntary Planning Agreements Part 1, in *In Focus*, Lindsay Taylor Lawyers.

<sup>34</sup> Taylor, L. 2016. ‘Value Capture through Voluntary Planning Agreements Part 2, in *In Focus*, Lindsay Taylor Lawyers.

<sup>35</sup> Infrastructure, Planning and Natural Resources. 2005. *Practice Note on Planning Agreements*, DIPNR.

and to decide the community's legitimate claim to a share of it' [emphasis added].<sup>36</sup> Related considerations include property market conditions, land values, existing and future proposed planning controls, and the redevelopment scheme proposed.

A third consideration relates to **calculation**, that is, how the land value increase should be calculated for value capture purposes, noting the author's view that 'a residual land value analysis should generally apply'.<sup>37</sup> Such an analysis is generally performed prior to rezoning to understand the implications of land use regulation and/or development potential. Clearly, for re/development to occur, the residual land value under a redevelopment scheme will be higher than the market value of land in its current state.

A fourth consideration is that of **development feasibility**. As noted by Taylor, 'the implementation of value capture should not adversely impact on development feasibility by denying the developer a reasonable share of development profit. In other words, the policy should be 'fair and reasonable' in the individual circumstances. As such, any value capture policy should 'make provision for testing development feasibility'.<sup>38</sup>

A final consideration is that of **timing**. In terms of reasonableness and equity, a satisfactory policy approach is for the value capture requirement to apply to land acquired for redevelopment after a nominated date related to the implementation of the policy.<sup>39</sup>

Taylor reviews a number of planning agreement policies currently in force in NSW, and finds them lacking with regard to several of these elements that he regards as best practice.

### 3.3 Implications for Council's Policy

JSA's approach to the development of relevant value capture policy seeks to ensure legality within the NSW legislative framework, discussed below and in more detail at Appendix A, as well as engage with best practice issues related to justification, entitlement, calculation and development feasibility, outlined above.

This is discussed further later in this paper.

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<sup>36</sup> Taylor, L. 2016. 'Value Capture through Voluntary Planning Agreements Part 2, in *In Focus*, Lindsay Taylor Lawyers.

<sup>37</sup> That is, residual land value = value of completed development *less* development costs *less* [normal] profit.

<sup>38</sup> Taylor, L. 2016. 'Value Capture through Voluntary Planning Agreements Part 2, in *In Focus*, Lindsay Taylor Lawyers.

<sup>39</sup> Taylor, L. 2016. 'Value Capture through Voluntary Planning Agreements Part 2, in *In Focus*, Lindsay Taylor Lawyers.

## 4 Approaches to Land Value Capture

### 4.1 Overview

In accordance with the definitions and conceptual framework set out above, this section first provides examples of approaches to land value capture in general terms. It then provides a range of examples of land value capture mechanisms used in NSW, with a particular focus on affordable housing.

### 4.2 General Review of Approaches to LVC

#### 4.2.1 'Cost Recovery' Approaches in the NSW Context

The first approach related to **cost recovery** is commonly seen in NSW in **s94 contribution plans**, whereby local government provides a range of public amenities or public services and recovers that cost from developers, who in turn offset the cost through improvements in the value of the land; or where developers provide required services or amenities in lieu of contributions. As noted, the concept of 'nexus' is a key consideration in the application of such cost recovery mechanisms, with the direct cost and cost apportionment related to the need or demand likely to be generated by a development factored into the s94 levy payable for a wide range of services and amenities.

Importantly, the broad provisions of s94 does not provide for affordable housing contributions, although this has been addressed in subsequently amendments. In relation to **s94F**, under which three NSW councils are permitted to levy specifically for affordable housing, such nexus considerations include that the development is likely to reduce availability of affordable housing, or to create a need for affordable housing.<sup>40</sup>

Whilst the *direct cost* of the need generated is thus considered, implicitly these considerations also include *externalities* associated with the loss and non-replacement and/or failure to provide affordable housing, or the *indirect costs* to the whole of the community. As such, contributions under s94F may also be considered as an offset to such externalities, for example, the cost to the whole community of homelessness or economic loss associated with inability to house key workers, including in an incremental or cumulative sense from the non-replacement of lower cost housing in a gentrifying housing market.

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<sup>40</sup> Environmental Planning and Assessment Act 1979, c94F(1).

## 4.2.2 Capturing a Share of 'Unearned Land Increment' in the NSW Context

### Overview

The second approach, which seeks to **capture a share of the unearned increase in the value of land created through rezoning or other planning actions**, is reflected in both market (optional) and non-market (or mandatory) approaches in the NSW context.

### Market Approaches

Market approaches allow for negotiation between the consent authority and a developer. The advantage of such approaches is that they are economically efficient and they are discretionary, with the developer deciding whether to opt in or opt out.

There are a number of mechanisms used worldwide for market approaches to land value capture. For example, in some South American jurisdictions, **development rights are auctioned** as a way of capturing land value uplift. Such approaches are said to be quite successful, with some mixed results.<sup>41</sup>

In NSW, as noted, there are a number of planning mechanisms available for market approaches to land value capture.

Division 1 of **SEPP (Affordable Rental Housing)** provides a mechanism for a developer to obtain additional floor space ratio in selected areas in return for providing a proportion of the development as affordable housing (as defined in the SEPP) for a period of ten years.

The market approach is also reflected in NSW in the development of **voluntary planning agreements** under s93F of the Act, where a developer offers a cash or in-kind contribution for use as a public purpose, which can include affordable housing, in exchange for something of value (increased development rights through up-zoning, variations to planning controls, density bonuses, etc). When combined with **SEPP 1 Development Standards**, there is an opportunity for developers and planning authorities to negotiate an outcome acceptable to both parties.

As noted above, this is a legal mechanism in NSW for all councils, *without* the need to demonstrate nexus.

### Non-Market (or Mandatory) Approaches

A non-market or mandatory approach to the capture of land value uplift has been operationalised in NSW under **s94F of the Act using SEPP 70 and individual contributions schemes** such as that relating to Redfern Waterloo, described above and in Appendix A. In NSW this is generally supported by a requirement to demonstrate the need for affordable housing in an area, and nexus between a development and a reduction in the availability of affordable housing or creation of a need for affordable housing within the area,<sup>42</sup> including in a cumulative sense.

<sup>41</sup> Walters *op cit*, page 10.

<sup>42</sup> See Environmental Planning and Assessment Act 1979, c94F(1)(a) and (b).



Other Australian and overseas jurisdictions also refer to such approaches as 'inclusionary zoning',<sup>43</sup> with some authors citing gentrification and displacement of low income households as a rationale for inclusionary zoning.<sup>44</sup> Again, economically, displacement can be seen as an externality of gentrification, and inclusionary zoning can be seen as a way of internalising that externality to the development itself, thus creating a nexus between this mechanism and affordable housing created.

Authors such as Padilla<sup>45</sup> also identify a number of arguments in support of land value capture as a funding strategy for affordable housing including equity, viability, reduced commuting, preservation of a component of affordable housing in an area, and other social outcomes. Many of the costs identified are thus related to externalities created by the development, and again seek to offset or internalise these real costs to the community.

Examples of the way in which approaches have been implemented in NSW and other jurisdictions is discussed below.

## 4.3 Examples of Land Value Capture in Practice in NSW and Other Jurisdictions

### 4.3.1 Overview

This section applies the above framework for considering ways of capturing an increase in land values or uplift, either through cost recovery mechanisms or through capturing a share of unearned land value increment or uplift.

### 4.3.2 Examples of Cost Recovery Mechanisms

All NSW councils have a s94 Contributions Plan which levies development for a range of services and facilities. Marrickville Council Section 94 Contributions Plan 2004 levies contributions for Open Space, Park Infrastructure and Sports Facilities, Public Libraries and Community Recreation Facilities, Traffic Management, Road Works and Plan Administration.

Western Sydney Growth areas have a contribution plan under s94ED collecting contributions for a range of services and facilities including Roads, Bus, Education, Health, Emergency, Open Space and Conservation and Planning and Delivery<sup>46</sup>

<sup>43</sup> Inclusionary zoning is a planning mechanism that seeks to ensure affordable housing is not excluded from a particular location because of environmental-planning controls or market forces (dwelling costs). It does this by requiring contributions from land developers as a condition of development consent, with the contributions being either units of affordable housing or an equivalent monetary amount (<http://www.sheltersnsw.org.au/publications-new/factsheets-new/urban-policy-factsheets/423-what-is-inclusionary-housing-longer-discussion/file> accessed 26 May 2016).

<sup>44</sup> See for example Williams, P. (2000) 'Inclusionary zoning and affordable housing in Sydney' in *Urban Policy and Research*, Vol. 18, Issue. 3, 2000.

<sup>45</sup> Padilla, L. (1995) Reflections on Inclusionary Zoning and a Renewed Look at its Viability, *Hofstra Law Review*. Vol. 23: Iss.3, Article 1, pp 26 ff.

<sup>46</sup>

[http://growthcentres.planning.nsw.gov.au/Portals/0/docs/Regional Infrastructure Determination Schedules.pdf](http://growthcentres.planning.nsw.gov.au/Portals/0/docs/Regional_Infrastructure_Determination_Schedules.pdf) accessed 8 June 2016.



### 4.3.3 Capturing a Share of Uplift in the NSW Context

#### Examples of Market (Opt In-Opt Out) Mechanisms

As noted above, market approaches to the provision of affordable housing (or any other public purpose) allow for negotiation between the consent authority and a developer.

In NSW, **voluntary planning agreements** under s93F of the Act are a common mechanism for capturing an agreed proportion of land value uplift, where a developer offers a cash or in-kind contribution for use as a public purpose in exchange for something of value to them, generally in the form of increased development rights through up-zoning, variations to planning controls, density bonuses, etc. The establishment of nexus is not necessary.

Just under half of the 27 NSW councils reviewed by Johnstone (2014) included 'affordable housing' as a public purpose for which a contribution may be sought in their voluntary planning agreement. However, a minority had actually entered into an agreement that included affordable housing. Examples include:

- **Waverley Council** operated a 'density bonus' scheme from the mid-1980s, where additional FSR was provided in exchange for a contribution toward affordable housing in perpetuity which is understood to have yielded around 150 dwellings of affordable housing over this period. Waverley Council currently has a planning agreement policy under s93F of the Act, with the contribution determined via a valuation of the marginal uplift in value from the additional floor space granted.
- **Canada Bay Council** reported 5 such agreements and a total of 24 dwellings offered (data to 18 April 2013).
- **Marrickville Council** currently uses such approaches, with a recent example being a development consent for 78-90 Old Canterbury Road Lewisham where the voluntary planning agreement delivered a range of public purposes including four affordable housing units and bicycle and pedestrian connectivity. Other items were also delivered under the VPA but as an offset to s94 contributions.

Johnstone (2014) notes a number of reasons why local government planning agreements have often not involved affordable housing contributions, including that:

- the mechanism is more suited to large developments;
- the mechanism was introduced at a time when State Government was more hostile to councils taking local action on affordable housing (in marked contrast to the late 1990s);
- there was a period from mid-2009 to mid-2011 when the *State Environmental Planning Policy (Affordable Rental Housing) 2009* provided an alternative mechanism for developers to obtain development concessions for housing developments; and
- local councils have generally given a higher priority to economic infrastructure in such agreements.<sup>47</sup>

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<sup>47</sup> Johnstone (2014) *op cit* p. 19.

The State Government has also been involved in a number of voluntary planning agreements that have an affordable housing contribution as a component, although many have been made with respect to a range of other public purposes.<sup>48</sup> These are all in Sydney, including at:

- **Barangaroo:** 2.3% of the residential developable gross floor area in the South Precinct is to be provided as 'key worker' housing;
- The former **Carlton United Brewery site**, Chippendale: a monetary contribution equivalent to 2.7–3.1% of total project costs (valued at about \$32 million) is to be given for affordable rental housing provided offsite;
- **Rouse Hill:** 3% of residential lots (about 39) will be given for the purposes of development of affordable housing;
- **Sydney Olympic Park:** 3% of dwelling units will be given to the Land and Housing Corporation;
- **The former ADI site, St Marys:** 3% of residential lots (about 150) will be given for the purposes of development of affordable rental housing.

State Environmental Planning Policy (Affordable Rental Housing) and State Environmental Planning Policy (Housing for Seniors or People with a Disability) both provide mechanisms whereby variations to planning controls are available for the provision of particular types of housing or provision of housing to particular groups such as older people or lower income households.

## Examples of Non Market (Mandatory) Mechanisms

### NSW Examples

As noted, in NSW there is an opportunity for a consent authority to impose a mandatory levy for affordable housing under s94F of the Act, or under s94ED of the Act.

In the case of the former, there are four mandatory contributions schemes in NSW. Three local authorities are permitted to impose an affordable housing levy under s94F of the Act and in accordance with SEPP 70. Each of the three local councils has operationalised this mechanism in different ways.

- City of Sydney (incorporating the former South Sydney LGA) identifies three areas in c7.13 of *Sydney LEP 2012*. Contributions are 3% of residential area and 1% of non-residential area for land in Green Square and southern employment land; and 0.8% of residential area and 1.1% of non-residential area in Ultimo-Pyrmont.
- *Willoughby LEP 2012* c6.8 requires a contribution of 4% of total floor space for development in designated areas, with the exception of boarding houses, public housing, community housing, group home and hostels.

<sup>48</sup> Reported on Johnstone (2014) p. 19.

- *Leichhardt LEP 2013* does not contain affordable housing provisions.

The fourth scheme was imposed under the *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006*, supported by s30 of the *Redfern Waterloo Authority Act 2004* rather than a SEPP (SEPP 70), as discussed earlier. The contributions plan provides for a contribution equivalent to 1.25% of total gross floor area of development in Redfern Waterloo Operational Area. The contribution rate is paid at \$68.00 per m<sup>2</sup> in 2010 dollars.

The *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006* sets out a broad nexus statement, noting that, since the 1980s, the Operational Area has ‘experienced rapid gentrification which has a polarising effect on the community and has led to the creation of pockets of disadvantage and advantage. This has resulted in the loss of low cost private housing as rents and house prices have increased’. Related objectives seek to address these issues.<sup>49</sup>

As discussed later, there is often no explicit calculation related to how the share of land value uplift was determined in relation to the required affordable housing levy.

In the case of the latter, mandatory contributions under s94ED of the Act, applicable areas listed in Schedule 5A are large new growth areas within the LGAs of Liverpool, Camden, Blacktown, The Hills, Hawkesbury and Wyong. To date, there does not appear to be a contributions plan related to affordable housing in these areas, and the *Special Infrastructure Contribution Practice Note (Growth Centres Commission 2008)* does not include a contribution to affordable housing.

### Examples from Other Jurisdictions

Although mandatory mechanisms to capture a proportion of land value uplift are relatively minor and used in only a few areas of NSW, many jurisdictions have inclusionary zoning requirements or mandatory contributions schemes that are relatively well developed and more robust. Requirements are typically of the order of 15%, although again we have not been able to find an explicit rationale for this figure in any jurisdiction.

Within Australia, South Australia has an affordable housing target of 15% to be provided through the planning system.<sup>50</sup> The Urban Development Authority of Queensland has a minimum target of 15% of dwellings across designated urban development areas.<sup>51</sup> The intent to secure 15% affordable housing was also announced in 2008 by the Minister for Land and Housing in the Northern Territory.<sup>52</sup>

Internationally, Massachusetts set a goal for 10% of housing to be affordable, and where the target has not been met through other mechanisms such as the market or direct funding; local zoning laws may be by-passed to provide affordable housing.<sup>53</sup> The City of Boston required 15%

<sup>49</sup> *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006*, p 9.

<sup>50</sup> Milligan, V., Gurran, N., Lawson, J., Phibbs, P. and Phillips, R. (2009) *Innovation in affordable housing in Australia: bringing policy and practice for not-for-profit housing organisations together*, AHURI, p. 47.

<sup>51</sup> Milligan, V., Gurran, N., Lawson, J., Phibbs, P. and Phillips, R. (2009) *Innovation in affordable housing in Australia: bringing policy and practice for not-for-profit housing organisations together*, AHURI, p. 50.

<sup>52</sup> Milligan, V., Gurran, N., Lawson, J., Phibbs, P. and Phillips, R. (2009) *Innovation in affordable housing in Australia: bringing policy and practice for not-for-profit housing organisations together*, AHURI, p. 47.

<sup>53</sup> Gurran, N., Milligan, V., Baker, D., Bugg, L. and Christensen, S.. (2008) *New directions in planning for affordable housing: Australian and international evidence and implications*, AHURI, p. 66.

of market rate units to be set aside for affordable housing.<sup>54</sup> San Francisco similarly required 15% of units to be affordable, and 20% if constructed off-site.<sup>55</sup> Targets for affordable housing were 50% of new housing in London, increasing from previous levels of inclusionary zoning of 25%.<sup>56</sup> Galway specified 20% to be transferred for affordable housing.<sup>57</sup>

Such requirements may be supported by planning bonuses, tax incentives and government funding to provide an offset to some of the contribution to affordable housing with wide variations across jurisdictions.<sup>58</sup>

Similar approaches in California USA have established a nexus by estimating the number of jobs required to supply the demand created from the new households in a development, then estimating the number of workers in those jobs who are in very low, low and moderate income households, estimate the shortfall in housing affordability for those households and levy for affordable housing accordingly.<sup>59</sup>

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<sup>54</sup> Gurran, N., Milligan, V., Baker, D., Bugg, L. and Christensen, S.. (2008) *New directions in planning for affordable housing: Australian and international evidence and implications*, AHURI, p. 69.

<sup>55</sup> Gurran, N., Milligan, V., Baker, D., Bugg, L. and Christensen, S.. (2008) *New directions in planning for affordable housing: Australian and international evidence and implications*, AHURI, p. 71.

<sup>56</sup> Gurran, N., Milligan, V., Baker, D., Bugg, L. and Christensen, S.. (2008) *New directions in planning for affordable housing: Australian and international evidence and implications*, AHURI, p. 87.

<sup>57</sup> Gurran, N., Milligan, V., Baker, D., Bugg, L. and Christensen, S.. (2008) *New directions in planning for affordable housing: Australian and international evidence and implications*, AHURI, p. 90.

<sup>58</sup> AHURI Research and Policy Bulletin, Issue 105 July 2008, p. 2.

<sup>59</sup> Faber, A. (2014) *Inclusionary Housing Requirements: Still Possible?* Paper presented to 2014 League of California Cities Annual Conference.

## 5 Overview of Council's Obligations, Opportunities and Constraints under Relevant Legislation

**Appendix A** sets out a review of the legislative obligations, opportunities and constraints for local government in the creation of affordable housing through the planning system, with a particular focus on land value capture mechanisms that either seek 'cost recovery or internalisation of costs' (principally under s94 of the Act), or through 'capturing or sharing a reasonable proportion of unearned increment' of uplift created through the planning system (principally under s93F, and also through s94F).

In summary, the following is noted as relevant to the development of policy.

- Council has an **obligation** to engage with the issue of affordable housing in accordance with Object 5(a)(viii) as a matter in the public interest under s79C(1)(e) of the Act, and under the head of consideration provided under s79C(1)(b) of the Act;
- Council has an **opportunity** to enter into voluntary planning agreements that include the dedication of land free of cost, the payment of a monetary contribution, or provision of any other material public benefit, or any combination of them, to be used for or applied towards a public purpose, including 'affordable housing' under s93F of the Act;
- Council also has the **opportunity**, in consideration of Object 5(a)(viii) and s94F(5) of the Act to impose a development consent making any other conditions relating to the provision, maintenance or retention of affordable housing; and to seek to increase the supply of affordable housing through the planning and development process (e.g. incentive based schemes, requirements for lower cost or affordable housing types as part of multi-unit developments, etc), with the most likely areas being large redevelopment sites including the three precincts within the Sydenham to Bankstown Urban Renewal Corridor, as well as high value precincts where density bonus type-schemes could be viable.
- Council *could* levy for a contribution toward affordable housing under s94F where there is a demonstrated need for affordable housing and another requirement of the section is met (e.g. where the development is likely to reduce availability of affordable housing, create a need for affordable housing, etc), but is **currently constrained** in the use of this provision as it is not included within SEPP 70. An **opportunity** thus exists to advocate to State Government for inclusion within this provision, given the level of need and nexus described in the *Background Paper* (JSA 2016) and *Housing Profile* (former Marrickville

Council 2015), with the most likely areas being large redevelopment sites including the six precincts within the Sydenham to Bankstown Urban Renewal Corridor and the Parramatta Road Urban Transformation Area. This also would involve relevant amendments to the LEP, which would need to set out areas of inclusion, the quantum and basis of calculations, etc, like those in City of Sydney and Willoughby.

- A separate contributions plan *could* be developed and/or approved by the State Government in relation to a major redevelopment precinct under s94F of the Act, most likely within the Sydenham to Bankstown Urban Renewal Corridor and the Parramatta Road Urban Transformation Area, like that developed in relation to the *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006*. However, this would require legislative support like that which supported the *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006* (s30 of the *Redfern-Waterloo Authority Act 2004* (see Appendix A for detail)).

The reader is referred to Appendix A of this paper for more detail.



## 6 Estimating Land Value Uplift

### 6.1 Overview

The contributions plans made under s94F of the *Environmental Planning and Assessment Act 1979* and s30 of the *Redfern Waterloo Authority Act 2004* **do not appear to be explicit with regard to the rationale or calculations used** as a basis for the contributions levied. The levies are quite low by the standards in other jurisdictions, as discussed above.

Likewise, many voluntary planning agreements made under s93F of the Act are quite general with regard to contributions that may be required, and do not appear to set out a consistent method of calculation, or are unclear with regard to their rationale or other best practice considerations as set out in Section 3.2 above.

In some cases, however, these calculations are explicit, and have the ability to be applied consistently and transparently. The following provides some examples of planning agreements or policies that have more explicit methods from Johnstone (2014) and other information reviewed by JSA. This is followed by JSA's preferred method of calculation, which contains some elements of those below.

### 6.2 Methods Used in Calculations

#### 6.2.1 Waverley Case Study

Under Waverley Council Planning Agreement Policy 2014, Appendix 1, marginal value uplift is estimated on a case by case basis and shared equally between the council and the developer. The marginal value is taken as the sale price of the additional floor area arising from the planning variation, less the construction cost of the additional floor area. The sale price is to be estimated by a valuer, while the construction cost is to be estimated by a quantity surveyor. The approach taken is similar in principle to that taken by JSA.

#### 6.2.2 Parramatta City Council Case Study

Parramatta City Council has published a document titled *Parramatta CBD Planning Strategy* (2015), which expresses the Council's value capture policy in the following terms:

A4.2.1 Value Uplift Sharing – That additional higher FSR controls than those proposed in this Strategy can only be achieved by sharing the value of the uplift. That is any additional new FSR is to be purchased by landowners based on 50% of the nominated dollar value per sqm of GFA. The dollar value is to be scheduled to provide certainty and reviewed annually. Such a system would apply for residential uses only, not employment uses. Further, the system would operate in addition to any section 94A contributions payable.



### 6.2.3 Leichhardt Council Case Study

The former Leichhardt Council produced a *Voluntary Planning Agreements Policy* (2015) which contains an explicit value capture policy in the following terms:

36.10 Generally, in negotiating a voluntary planning agreement the Council will seek to value the uplift in value of the applicant's land based upon a valuation of the land at the current zoning or pre VPA standard; and compare this with the valuation of the land in the event that the post VPA change in instrument or planning control is allowed, less any additional costs the applicant may incur in realising the increased value. This exercise will be carried out by a valuer who meets the criteria specified in clause 16 of this Policy.

36.11 The same before and after comparison will apply whether the applicant seeks a value uplift derived from a floor space increase; an increase in a height limitation; or a zoning change which increases the land's value.

36.12 Council on behalf of the community will generally seek 50% of the uplift value derived in that manner.

### 6.2.4 Byron Shire Council Case Study

Byron Shire Council's policy on planning agreements, 'Planning Agreements Policy' (March 2009) (prepared by JSA), indicates that planning agreements may be negotiated for the provision of affordable housing, and identifies affordable housing as one of the purposes for which it would be 'most likely' to negotiate an agreement.

In most councils' planning agreement where affordable housing is mentioned, it is mentioned as one of a number of community benefits that could be negotiated; while Byron council's does this too, it elaborates how the affordable housing contribution could be delivered, in some detail.

The policy states that in existing areas the Council would accept an offer of a dedication of affordable housing in return for a request for additional floor space ratio ('density bonus'). The dedication would be 50% of the additional private benefit gained by the developer in getting additional floor space.

In greenfield sites and brownfield sites under investigation for rezoning or where a rezoning is proposed by a developer, the contribution could take the form of one plot of land for each 10 plots created within each subdivision stage with the area of the plot being no less than 95% of the average area of plots within the subdivision stage, and with a sale price of at least the median for plots within the subdivision stage; or it could take the form of an equivalent monetary contribution; or it could take the form of dedicated dwellings units assessed as of equivalent market value.

At large sites, already zoned for urban purposes, the contribution could be one plot for each 20 plots or part thereof created within each subdivision stage, with the area of the plot being no less than 95% of the average area of plots within the subdivision stage, and with a sale price of at least the median for plots within the subdivision stage; or it could take the form of an equivalent

monetary contribution; or it could take the form of dedicated dwellings units assessed as of equivalent market value.

At large sites with a yield of 20 or more dwellings or an area of at least 4,000 m<sup>2</sup>, that are already zoned for urban purposes, or are located in zones where multi-unit housing is permitted, negotiations could commence during pre-lodgement meetings for development applications.

In greenfield sites and brownfield sites under investigation for rezoning or where a rezoning is proposed by a developer, and at larger sites, the council would accept an offer of a dedication of affordable housing in return for a request for additional floor space ratio ('density bonus'). The dedication would be 50% of the additional private benefit gained by the developer in getting additional floor space.

## 6.3 The JSA Value Capture Model

One of the central difficulties with LCV approaches is the assessment of the change in value. As stated by Walters:<sup>60</sup>

LVC assumes that land values increase as a result of some community change. Unless land markets function reasonably well, it is not clear whether such changes will be reflected in higher land prices. Further, even when land prices increase as a result of public action, if tax officials lack the information and expertise to accurately identify such price changes and incorporate them into taxable value, LVC cannot succeed.

The JSA value capture model estimates the likely value of a planning change to a land owner based on changes in property values as a result of the development, taking into consideration the costs of development and a normal level of profit to the developer, and assumes that value uplift is shared equally with the community and with the landowner or developer.

The JSA model also embeds best practice considerations from Taylor (2016) above, including justification or entitlement regarding the creation of an unearned land increment through planning actions, a residual land value analysis,<sup>61</sup> equity and impacts upon development feasibility.

The model estimates the value uplift as:

- The value of the developed land, estimated using likely yield in apartments for the land multiplied by the market price of apartments based on recent sales data; less
- The cost of construction of the apartments, estimated using cost planning data from Rawlinson's Australian Construction Handbook; less
- The cost of purchase of the land, estimated using recent sales data; less

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<sup>60</sup> Walters *op cit*, page 19.

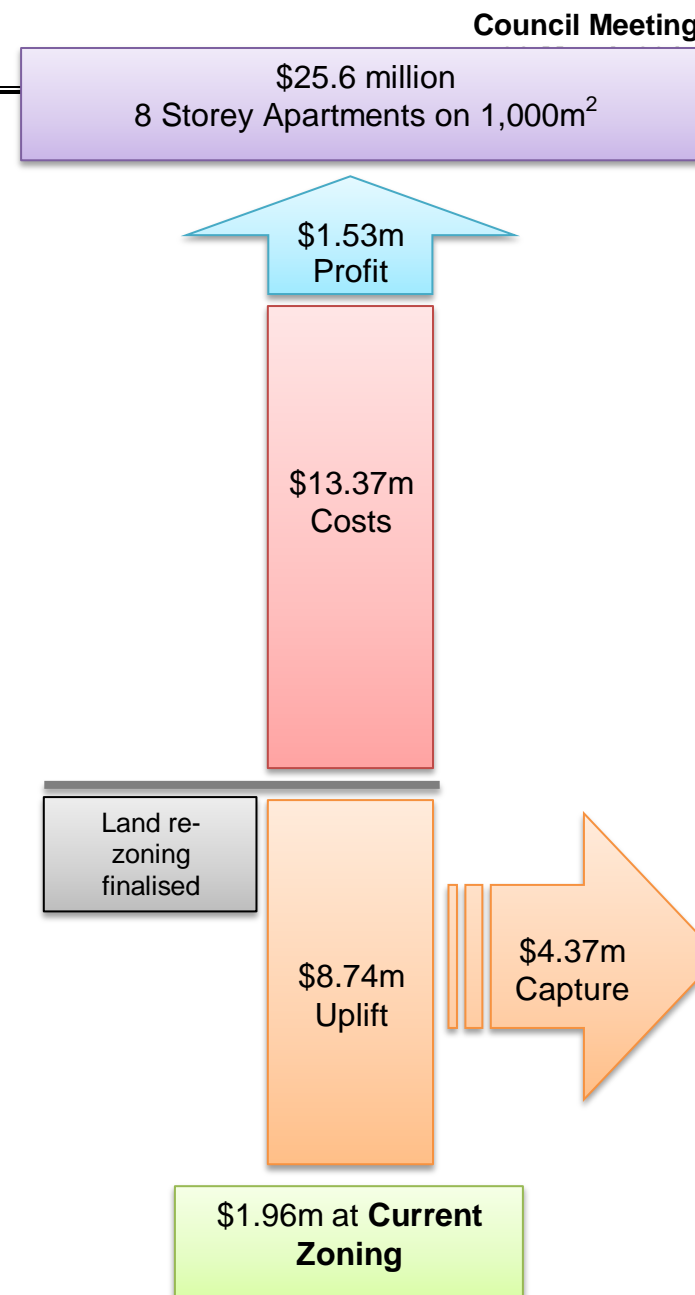
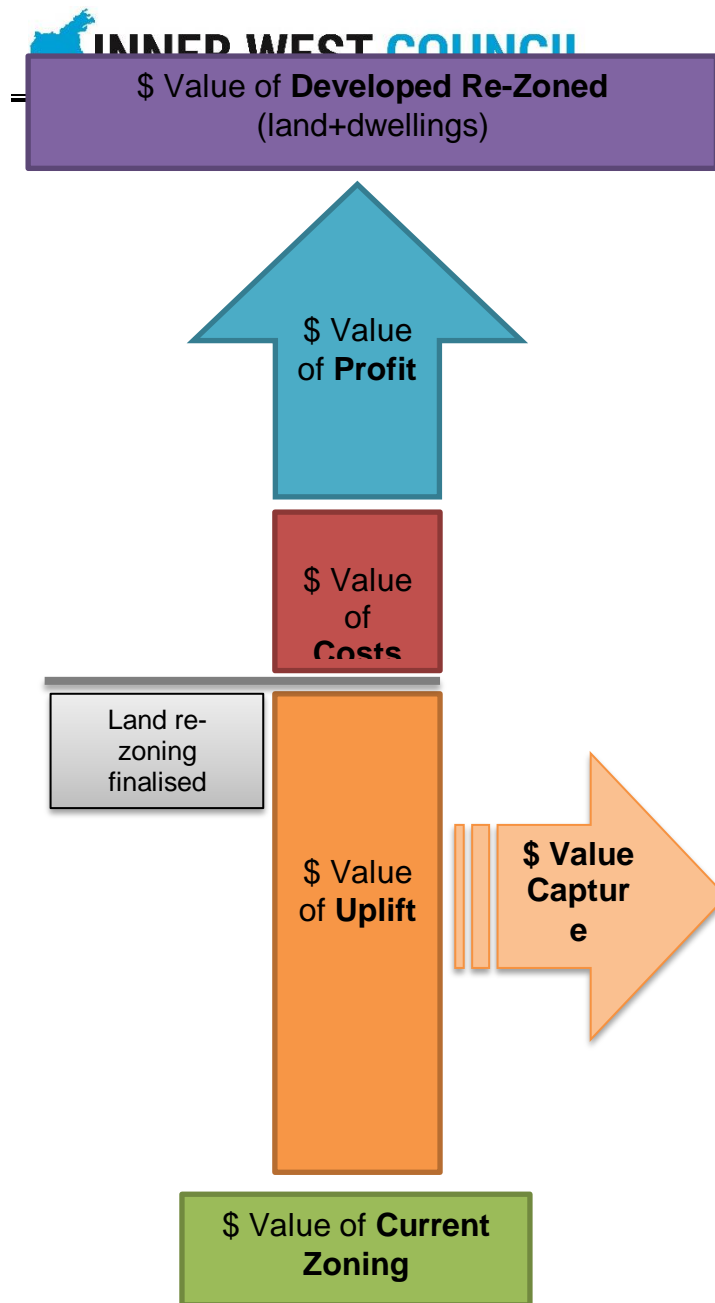
<sup>61</sup> That is, residual land value = value of completed development *less* development costs *less* [normal] profit; noting that uplift (or unearned land increment) = the difference between the residual land value and the market price of the land under the existing planning regime.

- A normal profit or return on investment of 10%.

Expressed another way, residual land value = value of completed development *less* development costs *less* [normal] profit; whilst uplift (or unearned land increment) = the difference between the residual land value and the market price of the land under the existing planning regime.

The model is shown graphically in the diagram below along with an example of the estimation of value uplift and value capture for a 1,000 square metre block of industrial land which has been rezoned to allow for eight storey apartments.

The approach can be used on a universal basis by using area averages and known construction costs to estimate value uplift as a proportion of dwellings in the final development, or can be used on a case by case basis with input from valuers and quantity surveyors as is currently the policy in Waverley Council.



The underlying assumption is that once planning changes take place, developers will bid up the price of property to a point where they can just make a normal profit.

The strength of the approach is that it relies on data from areas where strong markets exist, including construction and sales of property, giving a high degree of certainty regarding the assessment of value uplift.

The value of the developed land as apartments can be estimated to a high degree of certainty, with hedonic price analysis of strata dwellings<sup>62</sup> incorporating strata area and postcode accounting for 85% of the variation in price in suburbs in the former Marrickville LGA. More accurate pricing for a specific development can be obtained through recourse to land valuers.

Similarly the cost of construction can be estimated with a high degree of certainty, with the major area of assumption being the apartment size and yield in the absence of preliminary architectural drawings, and with published construction rates available such as Rawlinsons Australian Construction Handbook. More accurate costing can be obtained through preparation of preliminary architectural drawings and recourse to quantity surveyors.

The value of the undeveloped land can also be estimated to a high degree of certainty, with hedonic price analysis of separate houses incorporating number of bedrooms, bathrooms, parking, land area and post code accounting much of the variation in price and hedonic price analysis of industrial land incorporating land area accounting for two thirds of the variation in price. More accurate pricing can be obtained through recourse to land valuers.

Normal profit is taken as 10%, with this based on *ABS 5676.0 Business Indicators, Australia, Table 22: Business gross operating profits/sales ratio, Current prices*. This table shows average profit for Construction over the last five years as 9%. By way of further comparison, the 2015 annual report for Mirvac, a property development company, shows profit of \$628 million (after interest and before taxation) for a total asset base of \$6,462 million, a return on investment of 9.7%.

The alternative approach is to estimate the difference between the value of the land prior to the planning changes and after the planning changes. This is likely to be difficult to establish, as there would need to be a number of sales of land in a particular area, followed by sales of land following the rezoning, where the land has not be redeveloped.

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<sup>62</sup> Refer analysis in Affordable Housing Policy: Background Paper, section 3.4.

# Assessment of Value Uplift and Land Value Capture in Inner West LGA

## 7.1 Overview

This section is reproduced from the Affordable Housing Background Report (JSA 2016), and applies JSA's preferred methodology to the calculation of land value uplift and potential land value capture to selected areas within Inner West LGA.

## 7.2 Change of planning controls related to permissibility, height and FSR

### 7.2.1 Overview

Much of the land in the former Marrickville LGA is zoned R2, IN1 and IN2. Residential land in the LGA typically has FSR 0.60 and height of 9.5 metres with some areas of greater height in and around town centres. Industrial land typically has FSR 0.95 with no height restriction. Most of this industrial land is in Marrickville and St Peters.<sup>63</sup>

Land in the former Ashfield LGA is mostly zoned R2, R3 and B4. Residential land typically has FSR 0.50-0.70 and height of 8.5-12.0 metres with some areas of greater height in and around town centres and along Parramatta Road.

Land in the former Leichhardt LGA is mostly zoned R1 and B2. Residential land typically has FSR 0.50-0.60. Heights are generally not controlled, but are likely to be limited by FSR.

Preliminary modelling has been carried out to understand the economics of redevelopment in Inner West LGA using current sales data and construction cost data, so as to understand the likely land value uplift associated with changes to planning controls and to assess a reasonable land value capture for council to use for a public purpose. Land value uplift has been calculated as the value of developed land less the cost of existing land, construction costs and a normal level of profit and we have assumed council would capture 50% of the land value uplift for a public purpose. The land value capture has been calculated as a proportion of gross floor area to facilitate universal application, however should council wish to negotiate to receive some of the land value capture in cash or in kind other than apartments, the proportion can be converted into cash through using the estimated sale price of apartments in the development. It would be a matter for council to decide the proportion of the land value capture to use for affordable housing, compared to other public purposes council may wish to progress.

Detailed results of modelling are shown in Table 4-1 below.

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<sup>63</sup> Marrickville Local Environment Plan 2011, inspection of maps.

The most favourable economics, and hence opportunities for land value capture, relate to the rezoning of industrial land to allow construction of residential flat buildings, to redevelopment of separate housing for residential flat buildings in the former Ashfield and Leichhardt LGAs and to redevelopment of existing three storey walk-ups in Postcodes 2041 (Balmain, Balmain East, Birchgrove), 2040 (Leichhardt, Lilyfield) and 2039 (Rozelle).

Modelled profitability for industrial land ranges from 15-50% for three storey redevelopment to 80-90% for 14 storey development, suggesting that there will be a significant uplift in land value as a result of such zoning changes. Many of the lots are quite large and in single ownership, facilitating redevelopment. Estimated land value capture ranges from 2% for three storey redevelopment in Post Code 2038, to 21% for 14 storey redevelopment in Post Code 2044.

Levels of profitability are generally lower for redevelopment of existing separate houses for residential flat buildings and vary across suburbs. Three storey construction is likely to be profitable and with opportunities for value capture in Post Codes 2131 (Ashfield), 2045 (Haberfield), 2040 (Leichhardt, Lilyfield), 2039 (Rozelle) and 2130 (Summer Hill). Six storey construction is likely to be profitable and with opportunities for value capture in Post Codes 2044 (St Peters/Sydenham/Tempe), 2049 (Lewisham/Petersham), 2203 (Dulwich Hill), 2204 Marrickville, 2038 (Annandale), 2041 (Balmain, Balmain East, Birchgrove) and 2132 (Croydon). Eight storey construction is likely to be profitable and with opportunities for value capture in Post Codes 2048 (Stanmore) and 2050 (Camperdown); while Post Code 2042 will require 14 stories to be profitable. Lot sizes are generally quite small (averaging 250 m<sup>2</sup> but 470 m<sup>2</sup> in Ashfield and 650 m<sup>2</sup> in Haberfield) and so redevelopment will require consolidation of land which is likely to reduce opportunities. Estimated land value capture ranges from 1% for six storey redevelopment in Post Code 2050, to 28% for 14 storey redevelopment in Post Code 2039.

The economics of redevelopment of existing three storey residential flat buildings are generally less favourable although some areas show good profitability. Modelled profitability ranges from 4-31% for six storey construction up to 37-100% for 14 storey construction. Existing residential flat buildings are likely to be on larger lots, again facilitating redevelopment however purchase will be required from individual strata owners, making consolidation difficult. Estimated land value capture ranges from 1% for six storey redevelopment in Post Code 2045, to 23% for 14 storey redevelopment in Post Code 2039.

There are three proposed redevelopment areas under the *Sydenham to Bankstown – draft Urban Renewal Corridor Strategy*. These are discussed below.

Proposed changes in **Sydenham** include shop top housing and medium to high rise housing in areas currently zoned B5, B7, IN2 and IN1. Existing FSRs and height are 0.95 in the industrial zoning with no height restriction and 1.75 in the business zoning with height of 14.0 metres (four stories). Existing development is 2-3 storey factories and showrooms.<sup>64</sup> The economics of redevelopment appear quite favourable and there is likely to be considerable opportunity for value capture in this precinct, in line with modelling related to the rezoning of industrial land.

<sup>64</sup> Using Google Street View.



Proposed changes in **Marrickville** include medium to high rise housing (including the Carrington Road Precinct) in areas currently zoned R1, R2, IN2 and IN1. Existing FSRs and height are 0.95 in the industrial zoning with no height restriction and 0.60 in the residential zoning with height of 9.5 metres (two stories) with some pockets of greater height and density.

Existing development is 2-3 storey factories in the industrial areas and generally single storey separate housing in the residential areas. Existing residential flat buildings are typically three storey walk-ups.<sup>65</sup> The economics of redevelopment of the industrial land are likely to be quite favourable, with considerable opportunity for value capture. The economics of redevelopment of existing separate housing is less favourable, and is likely to require quite liberal controls allowing six storey construction or higher for redevelopment to occur. Opportunities for value capture range from 7% for six stories to 15% for 14 stories. The economics of redevelopment of existing flat buildings will also require quite liberal controls, with redevelopment likely to require a minimum of eight stories to be viable, and opportunities for value capture ranging from 1% for eight stories to 10% for 14 stories.

Proposed changes in **Dulwich Hill** include medium to high rise housing and shop top housing in areas currently zoned R1, R2, R3, R4, B2 and B4. Existing FSRs and height are 2.2 and 14-17 metres (4-5 stories) in the business zoning and 0.60 in the residential zoning with height of 9.5 metres (two stories) with some pockets of greater height and density.

Existing development is two storey shopfronts in the business zoned areas and generally single storey separate housing in the residential areas with some residential flat buildings. Existing residential flat buildings are typically three storey walk-ups.<sup>66</sup>

There is insufficient data available to assess the redevelopment of existing commercial areas, but values are likely to reflect those for existing separate housing. The economics of redevelopment of existing separate housing is relatively favourable, but is likely to require quite liberal controls allowing six storey construction or higher for redevelopment to occur. Opportunities for value capture range from 10% for six stories to 17% for 14 stories. The economics of redevelopment of existing flat buildings will also require quite liberal controls, with redevelopment likely to require a minimum of eight stories to be viable, and opportunities for value capture ranging from 3% for eight stories to 11% for 14 stories.

There are four proposed redevelopment areas under the *Parramatta Road Urban Transformation Strategy*. These are part of the **Kings Bay Precinct** at Croydon, currently zoned B6 (Enterprise Corridor) and R2 (Low Density residential); **Taverners Hill Precinct**, currently zoned a mixture B2 (Business Centre), R2 (Low Density Residential), R1 (General Residential); **Leichhardt Precinct** currently zoned B2 (Business Centre) and R1 (General Residential); and the **Camperdown Precinct** currently zoned B2 (Business Centre), R2 (Low Density Residential), R1 (General Residential), and IN2 (Light Industrial). The exhibited draft Parramatta Road Urban Transformation Strategy, which is currently under review by Urban Growth NSW, included development scenarios for these four precincts that envisaged residential flat buildings ranging from three/four stories up twelve stories in height.

<sup>65</sup> Using Google Street View.

<sup>66</sup> Using Google Street View.

Based on our modelling, and depending on the final details of planning controls, construction of residential flat buildings of three storeys and over are likely to be profitable in Camperdown, as are construction of six storeys in Leichhardt in B2 zoning and construction of three stories in Leichhardt in areas of separate housing. Consequently, opportunities for value capture would be expected, ranging from 2% to 20% for Camperdown, 3% to 18% in areas of Leichhardt currently zoned B2 (Leichhardt Precinct) and 3% to 23% in areas of Leichhardt currently zoned R1 (Taverners Hill Precinct).

## 7.2.2 Modelling (Redevelopment)

### Overview

The modelling assumes the development of a block of land of 1,000 m<sup>2</sup>, assumed to be 25 metres wide by 40 metres deep. Based on the setbacks of 6.0 metres in the apartment design guide, the developable area is 28 metres by 13 metres, or 364 m<sup>2</sup>.

Three scenarios have been considered for the land purchase, that is the value of the land prior to the uplift in land values as a result of changes to planning controls.

In the first, it is assumed that separate housing consisting of a median priced house on a median sized block of land is amalgamated to achieve the developable block, and that a median price is paid, that is existing housing is purchased and demolished to enable high density residential flat development. The purchase price is calculated as:

$$\text{Median house price} \times 1,000 / \text{median lot size}$$

In the second scenario, it is assumed that existing three storey residential flat buildings are demolished to enable high density residential flat development and that the purchase price is the median for two bedroom strata for the area. A footprint of 0.33 of the lot is assumed, giving around 4.5 70 m<sup>2</sup> two bedroom apartments per floor, or 14 apartments in total. The purchase price is calculated as:

$$\text{Median two bedroom strata price} \times 14$$

In the third scenario, the land cost is taken as an average price for an industrial zoned lot of 1,000 m<sup>2</sup> in Marrickville LGA as estimated using recent sales data;<sup>67</sup> and an average price per square metre for recent sales of industrial land in Camperdown.<sup>68</sup>

The cost of construction has been estimated using rates from *Rawlinsons Australian Construction Handbook 2012*, multiplied by 1.5 to allow for GST, professional costs, inflation and financing costs. The estimate assumes five 70m<sup>2</sup> apartments per floor, based on the developable area of 364 m<sup>2</sup>, and 1.2 underground car spaces per unit. The rates used were for underground parking and for lifted multi storey medium standard apartments.

Profit has been estimated as Sales price less land purchase and construction cost, and has been estimated as a percentage of land purchase and construction cost.

<sup>67</sup> Linear Regression Analysis for industrial zoned land for Marrickville LGA for the last year,  $R^2 = 0.64$ , Price = \$1,087,800 + \$870 x area (m<sup>2</sup>)

<sup>68</sup> 102/1179398 23/9/14 \$3,293/m<sup>2</sup>; 1/53921 1/12/15 \$4,764/m<sup>2</sup>; 1/169441, 1/655185, 43/792615, 4/9/14 \$4,975/m<sup>2</sup>.

Profit in excess of a normal profit percentage of 10% has been treated as a windfall profit and hence the likely land value uplift, and a land value capture contribution has been calculated based on a 50:50 split of the land value uplift between the developer and/or landowner and a contribution for a public purpose. The land value capture contribution has been shown as a proportion of gross floor area and is shown as LVC% in the table. While this has been shown as a proportion of GFA (or its equivalent in dwellings), all or some proportion of this could be taken in cash rather than as apartments, if council wished to redirect a proportion of the value capture to another public purpose.

Modelling has been carried out for three stories (FSR 1.1, height 12.0 metres), six stories (FSR 2.2, height 21.0 metres), eight stories (FSR 2.9, height 27.0 metres) and fourteen stories (FSR 5.1, height 45.0 metres).

The results of the modelling are shown in the table below.

**Table 7-1: Potential Redevelopment Scenarios for Selected Post Codes**
**Scenario 1 (\$ ' 000,000)**

Suburb	Land purchase Scenario 1	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2042 (Enmore/Newtown)	\$8.75m	\$5.01m	\$9.53m	-\$4.23m	-31%	Nil	\$10.02m	\$19.05m	\$0.28m	2%	Nil
2044 (St Peters/ Sydenham/ Tempe)	\$4.55m	\$5.01m	\$10.45m	\$0.88m	9%	Nil	\$10.02m	\$20.90m	\$6.32m	43%	12%
2048 (Stanmore)	\$6.48m	\$5.01m	\$9.44m	-\$2.06m	-18%	Nil	\$10.02m	\$18.87m	\$2.36m	14%	2%
2049 (Lewisham/Petersham)	\$5.73m	\$5.01m	\$10.58m	-\$0.17m	-2%	Nil	\$10.02m	\$21.15m	\$5.39m	34%	9%
2050 (Camperdown)	\$9.22m	\$5.01m	\$10.78m	-\$3.46m	-24%	Nil	\$10.02m	\$21.56m	\$2.31m	12%	1%
2203 (Dulwich Hill)	\$4.23m	\$5.01m	\$9.90m	\$0.66m	7%	Nil	\$10.02m	\$19.80m	\$5.55m	39%	10%
2204 (Marrickville)	\$5.02m	\$5.01m	\$9.60m	-\$0.43m	-4%	Nil	\$10.02m	\$19.20m	\$4.16m	28%	7%

Suburb	Land purchase Scenario 1	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2042 (Enmore/Newtown)	\$8.75m	\$13.37m	\$25.40m	\$3.29m	15%	2%	\$23.39m	\$44.45m	\$12.31m	38%	10%
2044 (St Peters/ Sydenham/ Tempe)	\$4.55m	\$13.37m	\$27.86m	\$9.94m	56%	15%	\$23.39m	\$48.76m	\$20.81m	75%	18%
2048 (Stanmore)	\$6.48m	\$13.37m	\$25.16m	\$5.31m	27%	7%	\$23.39m	\$44.03m	\$14.15m	47%	13%
2049 (Lewisham/Petersham)	\$5.73m	\$13.37m	\$28.20m	\$9.10m	48%	13%	\$23.39m	\$49.35m	\$20.23m	70%	18%
2050 (Camperdown)	\$9.22m	\$13.37m	\$28.74m	\$6.15m	27%	7%	\$23.39m	\$50.30m	\$17.68m	54%	14%
2203 (Dulwich Hill)	\$4.23m	\$13.37m	\$26.40m	\$8.81m	50%	13%	\$23.39m	\$46.20m	\$18.58m	67%	17%
2204 (Marrickville)	\$5.02m	\$13.37m	\$25.60m	\$7.21m	39%	10%	\$23.39m	\$44.80m	\$16.39m	58%	15%

Suburb	Land purchase Scenario 1	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2038 (Annandale)	\$7.66m	\$5.01m	\$10.99m	-\$1.69m	-13%	Nil	\$10.02m	\$21.98m	\$4.29m	24%	6%
2131 (Ashfield)	\$3.31m	\$5.01m	\$10.20m	\$1.87m	23%	5%	\$10.02m	\$20.40m	\$7.06m	53%	14%
2041 (Balmain, Balmain East, Birchgrove)	\$10.46m	\$5.01m	\$14.81m	-\$0.66m	-4%	Nil	\$10.02m	\$29.63m	\$9.14m	45%	12%
2132 (Croydon)	\$3.57m	\$5.01m	\$8.97m	\$0.39m	5%	Nil	\$10.02m	\$17.94m	\$4.34m	32%	8%
2045 (Haberfield)	\$3.05m	\$5.01m	\$11.88m	\$3.82m	47%	13%	\$10.02m	\$23.76m	\$10.69m	82%	20%
2040 (Leichhardt, Lilyfield)	\$5.94m	\$5.01m	\$12.87m	\$1.91m	18%	3%	\$10.02m	\$25.74m	\$9.77m	61%	16%
2039 (Rozelle)	\$7.97m	\$5.01m	\$16.73m	\$3.74m	29%	7%	\$10.02m	\$33.45m	\$15.45m	86%	20%
2130 (Summer Hill)	\$4.29m	\$5.01m	\$10.73m	\$1.42m	15%	2%	\$10.02m	\$21.45m	\$7.14m	50%	13%

Suburb	Land purchase Scenario 1	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2038 (Annandale)	\$7.66m	\$13.37m	\$29.30m	\$8.27m	39%	11%	\$23.39m	\$51.28m	\$20.22m	65%	17%
2131 (Ashfield)	\$3.31m	\$13.37m	\$27.20m	\$10.52m	63%	16%	\$23.39m	\$47.60m	\$20.90m	78%	19%
2041 (Balmain, Balmain East, Birchgrove)	\$10.46m	\$13.37m	\$39.50m	\$15.67m	66%	17%	\$23.39m	\$69.13m	\$35.27m	104%	23%
2132 (Croydon)	\$3.57m	\$13.37m	\$23.92m	\$6.98m	41%	11%	\$23.39m	\$41.86m	\$14.90m	55%	15%
2045 (Haberfield)	\$3.05m	\$13.37m	\$31.68m	\$15.27m	93%	22%	\$23.39m	\$55.44m	\$29.00m	110%	24%
2040 (Leichhardt, Lilyfield)	\$5.94m	\$13.37m	\$34.32m	\$15.01m	78%	19%	\$23.39m	\$60.06m	\$30.73m	105%	23%
2039 (Rozelle)	\$7.97m	\$13.37m	\$44.60m	\$23.27m	109%	24%	\$23.39m	\$78.05m	\$46.69m	149%	28%
2130 (Summer Hill)	\$4.29m	\$13.37m	\$28.60m	\$10.94m	62%	16%	\$23.39m	\$50.05m	\$22.37m	81%	20%

**Scenario 2 (\$ ' 000,000)**

Suburb	Land purchase Scenario 2	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2042 (Enmore/Newtown)	\$8.89m	\$5.01m	\$9.53m	-\$4.38m	-32%	Nil	\$10.02m	\$19.05m	\$0.14m	1%	Nil
2044 (St Peters/ Sydenham/ Tempe)	\$9.75m	\$5.01m	\$10.45m	-\$4.32m	-29%	Nil	\$10.02m	\$20.90m	\$1.12m	6%	Nil
2048 (Stanmore)	\$8.81m	\$5.01m	\$9.44m	-\$4.38m	-32%	Nil	\$10.02m	\$18.87m	\$0.04m	0%	Nil
2049 (Lewisham/Petersham)	\$9.87m	\$5.01m	\$10.58m	-\$4.31m	-29%	Nil	\$10.02m	\$21.15m	\$1.26m	6%	Nil
2050 (Camperdown)	\$10.06m	\$5.01m	\$10.78m	-\$4.29m	-29%	Nil	\$10.02m	\$21.56m	\$1.47m	7%	Nil
2203 (Dulwich Hill)	\$9.24m	\$5.01m	\$9.90m	-\$4.35m	-31%	Nil	\$10.02m	\$19.80m	\$0.54m	3%	Nil
2204 (Marrickville)	\$8.96m	\$5.01m	\$9.60m	-\$4.37m	-31%	Nil	\$10.02m	\$19.20m	\$0.22m	1%	Nil

Suburb	Land purchase Scenario 2	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2042 (Enmore/Newtown)	\$8.89m	\$13.37m	\$25.40m	\$3.14m	14%	2%	\$23.39m	\$44.45m	\$12.17m	38%	10%
2044 (St Peters/ Sydenham/ Tempe)	\$9.75m	\$13.37m	\$27.86m	\$4.74m	21%	4%	\$23.39m	\$48.76m	\$15.61m	47%	13%
2048 (Stanmore)	\$8.81m	\$13.37m	\$25.16m	\$2.99m	14%	2%	\$23.39m	\$44.03m	\$11.83m	37%	10%
2049 (Lewisham/Petersham)	\$9.87m	\$13.37m	\$28.20m	\$4.96m	21%	5%	\$23.39m	\$49.35m	\$16.09m	48%	13%
2050 (Camperdown)	\$10.06m	\$13.37m	\$28.74m	\$5.31m	23%	5%	\$23.39m	\$50.30m	\$16.84m	50%	13%
2203 (Dulwich Hill)	\$9.24m	\$13.37m	\$26.40m	\$3.79m	17%	3%	\$23.39m	\$46.20m	\$13.57m	42%	11%
2204 (Marrickville)	\$8.96m	\$13.37m	\$25.60m	\$3.27m	15%	2%	\$23.39m	\$44.80m	\$12.45m	39%	10%

Suburb	Land purchase Scenario 2	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2038 (Annandale)	\$10.26m	\$5.01m	\$10.99m	-\$4.28m	-28%	Nil	\$10.02m	\$21.98m	\$16.95m	8%	Nil
2131 (Ashfield)	\$9.52m	\$5.01m	\$10.20m	-\$4.33m	-30%	Nil	\$10.02m	\$20.40m	\$8.55m	4%	Nil
2041 (Balmain, Balmain East, Birchgrove)	\$13.83m	\$5.01m	\$14.81m	-\$4.02m	-21%	Nil	\$10.02m	\$29.63m	\$5.78m	24%	6%
2132 (Croydon)	\$8.37m	\$5.01m	\$8.97m	-\$4.41m	-33%	Nil	\$10.02m	\$17.94m	-\$0.46m	-3%	Nil
2045 (Haberfield)	\$11.09m	\$5.01m	\$11.88m	-\$4.22m	-26%	Nil	\$10.02m	\$23.76m	\$2.65m	13%	1%
2040 (Leichhardt, Lilyfield)	\$12.01m	\$5.01m	\$12.87m	-\$4.15m	-24%	Nil	\$10.02m	\$25.74m	\$3.70m	17%	3%
2039 (Rozelle)	\$15.61m	\$5.01m	\$16.73m	-\$3.90m	-19%	Nil	\$10.02m	\$33.45m	\$7.82m	31%	8%
2130 (Summer Hill)	\$10.01m	\$5.01m	\$10.73m	-\$4.30m	-29%	Nil	\$10.02m	\$21.45m	\$1.42m	7%	Nil

Suburb	Land purchase Scenario 2	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2038 (Annandale)	\$10.26m	\$13.37m	\$29.30m	\$5.68m	24%	6%	\$23.39m	\$51.28m	\$17.63m	52%	14%
2131 (Ashfield)	\$9.52m	\$13.37m	\$27.20m	\$4.31m	19%	4%	\$23.39m	\$47.60m	\$14.69m	45%	12%
2041 (Balmain, Balmain East, Birchgrove)	\$13.83m	\$13.37m	\$39.50m	\$12.31m	45%	12%	\$23.39m	\$69.13m	\$31.91m	86%	20%
2132 (Croydon)	\$8.37m	\$13.37m	\$23.92m	\$2.18m	10%	Nil	\$23.39m	\$41.86m	\$10.10m	32%	8%
2045 (Haberfield)	\$11.09m	\$13.37m	\$31.68m	\$7.23m	30%	8%	\$23.39m	\$55.44m	\$20.96m	61%	16%
2040 (Leichhardt, Lilyfield)	\$12.01m	\$13.37m	\$34.32m	\$8.94m	35%	9%	\$23.39m	\$60.06m	\$24.66m	70%	18%
2039 (Rozelle)	\$15.61m	\$13.37m	\$44.60m	\$15.62m	54%	14%	\$23.39m	\$78.05m	\$39.05m	100%	23%
2130 (Summer Hill)	\$10.01m	\$13.37m	\$28.60m	\$5.22m	22%	5%	\$23.39m	\$50.05m	\$16.65m	50%	13%



**Scenario 3 (\$ ' 000,000)**

Suburb	Land purchase Scenario 2	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2044 (St Peters/ Sydenham/ Tempe)	\$1.96m	\$5.01m	\$10.45m	\$3.48m	50%	13%	\$10.02m	\$20.90m	\$8.91m	74%	18%
2204 (Marrickville)	\$1.96m	\$5.01m	\$9.60m	\$2.63m	38%	10%	\$10.02m	\$19.20m	\$7.22m	60%	16%
2038 (Camperdown)	\$4.50m	\$5.01m	\$10.99m	\$1.48m	16%	2%	\$10.02m	\$21.98m	\$7.45m	51%	14%

Suburb	Land purchase Scenario 2	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2044 (St Peters/ Sydenham/ Tempe)	\$1.96m	\$13.37m	\$27.86m	\$12.54m	82%	20%	\$23.39m	\$48.76m	\$23.41m	92%	21%
2204 (Marrickville)	\$1.96m	\$13.37m	\$25.60m	\$10.28m	67%	17%	\$23.39m	\$44.80m	\$19.45m	77%	19%
2038 (Camperdown)	\$4.50m	\$13.37m	\$29.30m	\$11.43m	64%	16%	\$23.39m	\$51.28m	\$23.38m	84%	20%

## Limitations of modelling

The modelling is necessarily general in nature using median prices and broad estimates, and outcomes for a particular site will depend on the details of the site and the details of the proposed development. The modelling assumes that the economics of redevelopment of low rise commercial sites will be similar to redevelopment of existing residential flat buildings, as there is little data available for commercial sites and commercial sites vary widely in size.

Assumptions have been made with regard to development controls and dwelling yield, and preliminary architectural design would be required to confirm these assumptions. Similarly, cost estimates on preliminary architectural design would be required to confirm estimates of construction cost.

The economics are likely to be much better for redevelopment of brownfield sites, and likely worse for relatively new two storey commercial premises, although as noted, consideration would need to be given to any remediation required for industrial sites.

Nonetheless, the modelling gives insight into likely sensitivities of development and broad insight into likely profit associated with uplift, and where such strategies are most likely to be effective in the context of housing markets within Inner West LGA.

## 7.3 Marginal uplift from increased height and/or density

### 7.3.1 Overview

In many cases, developers will offer to enter into a voluntary planning agreement that allows for additional saleable Gross Floor Area through LEP clause 4.6 variations related to height or FSR. Where such variations are found to have merit in their own right, and so warrant approval, Council may wish to capture some of the associated value uplift. Assessment may be made on a case by case with value uplift estimated by land valuers and quantity surveyors or can be assessed on a proportional basis using averages. An assessment on a proportional basis using averages is set out below.

The analysis is conducted on a marginal basis, that is only the additional costs and additional value are considered. As such the purchase cost of the land, site costs and the like are ignored.

Where a Voluntary Planning Agreement results in an increase in saleable floor area, land value capture of 21% to 34% of the *additional* saleable floor area obtained as a result of the Voluntary Planning Agreement is warranted.

### 7.3.2 Modelling (Additional Saleable Floor Area)

The modelling below assesses the marginal value uplift and hence value capture from additional saleable floor area as a proportion of floor area, represented as apartments where value uplift in excess of a normal profit of 10% is shared 50:50 with the developer and a public purpose. The

land value capture is shown as a proportion of saleable floor area to allow for universal application.

The modelling uses assumptions as set out above in section 7.2.2.

Table 7-2: Potential Marginal uplift for Selected Post Codes

**Marginal uplift (\$ ' 000,000)**

Suburb	Construction cost per floor	sale price	Uplift	Uplift %	LVC %
2042 (Enmore/Newtown)	\$1.67m	\$3.18m	\$1.50m	90%	21%
2044 (St Peters/ Sydenham/ Tempe)	\$1.67m	\$3.48m	\$1.81m	108%	24%
2048 (Stanmore)	\$1.67m	\$3.15m	\$1.47m	88%	21%
2049 (Lewisham/Petersham)	\$1.67m	\$3.53m	\$1.85m	111%	24%
2050 (Camperdown)	\$1.67m	\$3.59m	\$1.92m	115%	24%
2203 (Dulwich Hill)	\$1.67m	\$3.30m	\$1.63m	98%	22%
2204 (Marrickville)	\$1.67m	\$3.20m	\$1.53m	92%	21%
2038 (Annandale)	\$1.67m	\$3.20m	\$1.53m	92%	21%
2131 (Ashfield)	\$1.67m	\$3.66m	\$1.99m	119%	25%
2041 (Balmain, Balmain East, Birchgrove)	\$1.67m	\$3.40m	\$1.73m	104%	23%
2132 (Croydon)	\$1.67m	\$2.99m	\$1.32m	79%	19%
2045 (Haberfield)	\$1.67m	\$3.96m	\$2.29m	137%	27%
2040 (Leichhardt, Lilyfield)	\$1.67m	\$4.29m	\$2.62m	157%	29%
2039 (Rozelle)	\$1.67m	\$5.58m	\$3.90m	234%	34%
2130 (Summer Hill)	\$1.67m	\$3.58m	\$1.90m	114%	24%

## 8 Testing the Feasibility of Contribution Rates

### 8.1 Rationale and considerations in setting a contribution rate

The purpose of this discussion paper is to provide a rationale for a contribution rate that will deliver appropriate levels of affordable housing but will not be so high as to stifle development. With regard to the latter, it should be noted that there are likely to be other brakes on development. These are most likely to be the need for lot consolidation and the quality of existing development (e.g. demolition of older timber housing is likely to be more favoured than demolition of good quality offices).

It should be noted that the modelling is general and based on medians and averages. Larger lots and lots with greater heights and density would be expected to support higher levies.

There is no clear pattern for differentiating the proposed levy using broader geographical areas. If a differentiated levy was proposed a calculator approach would be best, with the inputs to the calculator being the post code, the previous zoning and the likely height.

### 8.2 Effect of levy on viability

#### 8.2.1 Overview of Findings

The tables below show the impact of Affordable Housing levies of 15% and 5% on development viability in terms of existing zoning, post code and height.

The impact of a 15% levy compared to a 5% levy is most marked in the case of existing units and better value commercial property. There is some impact on the redevelopment of separate housing at lower densities, but with reduced impact at higher densities. There is little predicted impact for industrial land and poorer value commercial property, except at densities likely to be much lower than expected planning controls.

While separate housing could be rezoned to allow higher densities, viability will be affected by the need to consolidate property, and this may be difficult given the generally small lots sizes across the LGA. The most likely areas where this type of redevelopment could take place are Haberfield, Rozelle and Ashfield, all with typically larger lots.

Due to lot size and the need for consolidation, redevelopment in areas of separate housing is likely to be smaller developments, and this could be exempted from the levy through having a threshold such as 10 or 20 dwellings.

A similar argument can be put forward for redevelopment of existing low rise residential flat buildings, and in any case quite high densities would be required to support redevelopment.

The highest profits are associated with rezoning of industrial land, and a 15% levy is generally supportable across these areas.

Considering recent development in inner Sydney, most redevelopment is taking place on rezoned industrial land, due to its lower value as industrial land and the larger lot sizes available.

The other major area of development is mixed use developments in commercial zonings. We have not modelled commercial zoning due to the wide range in prices depending on the nature of existing development, however in similar work done previously in the Arncliffe area there were two broad prices for commercial land, a higher price similar to Scenario 2 (redevelopment of existing low rise residential flat buildings) for better value properties such as 2-3 storey offices; and a lower price similar to our Scenario 3 (redevelopment of industrial land) for lower value properties such as car yards and older smaller single storey premises with areas of undeveloped land such as car parks and hard stand.

## 8.2.2 Likely impact on development of 15% target

- Table 8-1: Redevelopment of separate housing:

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3	2042, 2048, 2049, 2050, 2204, 2038, 2041	2044, 2203, 2131, 2132, 2045, 2040, 2039, 2130	
6		2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2130	2045, 2040, 2039
8		2042, 2048, 2049, 2050, 2203, 2204, 2038, 2132	2044, 2131, 2041, 2045, 2040, 2039, 2130
14		2042, 2048, 2050	2044, 2049, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130

- Table 8-2: Redevelopment of existing units (also likely to be similar for better value commercial property such as office buildings)

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3	2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130		
6	2132	2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2045, 2040, 2039, 2130	
8		2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130	
14		2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2132, 2130	2041, 2045, 2040, 2039

- Table 8-3: Redevelopment of industrial land (also likely to be similar for poorer value commercial property such as car yards)

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3		2044, 2204, 2038	
6		2038 (viable at 14%)	2044, 2204
8			2044, 2204, 2038
14			2044, 2204, 2038



### 8.2.3 Likely impact on development of 5% target

- Table 8-4: Redevelopment of separate housing:

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3	2042, 2048, 2049, 2050, 2204, 2038, 2041	2040, 2130	2044, 2203, 2131, 2045, 2039
6		2042, 2048, 2050	2044, 2049, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130
8		2042	2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130
14			2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130

- Table 8-5: Redevelopment of existing units (also likely to be similar for better value commercial property such as office buildings)

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3	2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130		
6	2132	2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2045, 2040, 2130	2041, 2039
8		2042, 2044, 2048, 2203, 2204, 2038, 2131, 2132	2049, 2050, 2038, 2041, 2045, 2040, 2039, 2130
14			2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130

- Table 8-6: Redevelopment of industrial land (also likely to be similar for poorer value commercial property such as car yards)

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3		2038	2044, 2204
6			2044, 2204, 2038
8			2044, 2204, 2038
14			2044, 2204, 2038

## 8.3 Conclusion

Redevelopment is most likely to take place in older industrial areas and areas of low quality commercial development. Our modelling suggests that a levy of 15% is likely to be sustainable for developments of six stories and above in such areas, particularly given the order of accuracy of the modelling and the relatively conservative assumptions used.

Development in areas of separate housing is likely to be limited due to small lot sizes and the need to assemble land. High densities are likely to be necessary to support such redevelopment and a 15% levy is generally sustainable for 8-14 storey development, again within the accuracy of the modelling. Three storey development, avoiding the separation requirements of the Apartment Design Guide, is generally not likely to be viable, and where it is viable would probably result in smaller developments due to smaller lot sizes. For example a three storey development on a double block in Ashfield would be expected to yield ten dwellings. The viability of smaller developments is most likely to be affected by a levy, and setting a minimum sized development to attract the levy is one way of addressing this. This can be done either as a minimum number of dwellings or as a minimum GFA. The latter is preferred, as a criterion based on number of dwellings could lead to construction of larger dwellings within the development envelope in order to avoid the levy. Appropriate thresholds could be 20 dwellings or GFA of 1,700 m<sup>2</sup>.<sup>69</sup>

Similarly, redevelopment of existing low rise residential flat buildings and better quality commercial is unlikely to occur due to the quite high densities required to ensure viability, and where it does occur will probably be on larger lots with development economics more favourable than those modelled, and hence able to support the levy.

<sup>69</sup> 20\*70 m<sup>2</sup> (two bedroom apartment minimum size)\*1.2 (allowance for corridors etc) = 1,680 m<sup>2</sup>.

## Appendix A: Opportunities and Constraints of Principal Legislation and Related Policies

In NSW, objects and a range of related provisions have been progressively included in the *Environmental Planning and Assessment Act 1979 (NSW)* since 1999, including **section 5(a)(viii)** which provides that an objective of the Act is the ‘maintenance and provision of affordable housing’.<sup>70</sup> There are likewise definitions and benchmarks related to ‘affordable housing’ in core legislation and related policy, though there are practical differences in affordable housing outcomes due to differences in affordable housing definitions in different instruments.<sup>71</sup>

Importantly, it is a requirement of the Act that a consent authority take into account the *social and economic impacts* of a development application as part of a merits assessment under s79C(1)(b). This has obvious applicability to development applications that may result in the loss of affordable or low cost housing, such as low cost flats, Boarding Houses and caravan parks, as well as the assessment of the benefits of an application involving the creation of affordable housing, particularly where this is balanced against other factors as part of the merits assessment. The ability to seek mitigation for loss of affordable housing as part of conditions of consent is also possible under this head of consideration. A growing body of case law in the NSW Land and Environment Court related to social impacts is also relevant.

Likewise, a consent authority is required to consider whether a proposed development is in the *public interest* under s 79C(1)(e), and a growing body of case law has likewise determined that it is in the public interest to give effect to the objectives of relevant legislation. It is relevant in this regard that the Act has as an objective ‘the maintenance and provision of affordable housing’ (s5(a)(viii)).

As such, on the face of it, local government has a role and indeed a statutory **obligation** to seek to preserve and create affordable housing through the planning and assessment process. However, there are also limitations to local government’s power under the Act, particularly in relation to the levying of mandatory contributions for affordable housing, though arguably its

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<sup>70</sup> In December 1999, the Act was amended to make the provision of affordable housing a specific objective of the Act; add a definition of affordable housing; and make explicit that environmental planning instruments could include provisions to provide for, maintain and regulate matters relating to affordable housing.

<sup>71</sup> *State Environmental Planning Policy No 70 (Affordable Housing)* and *State Environmental Planning Policy (Affordable Rental Housing) 2009* each have different benchmarks and definitions which lead to quite different practical outcomes for ‘affordable housing’. *SEPP 70* defines ‘very low-income’ households as those on less than 50% of median household income; ‘low-income’ households as those on 50-80% of median household income, and ‘moderate-income’ households as those on 80-120% of median household income for Sydney SD. Under *SEPP ARH*, affordable housing is defined as housing that is rented to very low, low and moderate income households for no more than 30% of their gross income; or as housing that complies with rents and eligibility criteria under the National Rental Affordability Scheme (NRAS), with the latter based on discount market rents and income eligibility limits. In some markets, the second criterion can result in households paying more than 30% of gross household income in rent (and sometimes substantially more) so that, while the housing must be rented to relevant target groups, it will not be ‘affordable’.

constraints are not as great as some would perceive, and there are examples of schemes where this has occurred.

Dealing first with **mandatory contributions**, in June 2000, further amendments were made to the Act in relation to affordable housing to provide consent authorities with the specific power to require, as a condition of consent, the dedication of land free of charge or the payment of a monetary contribution for affordable housing in certain circumstances. *Sections 94F and 94G* were introduced<sup>72</sup> to provide consent authorities with the express power to impose such conditions 'if a State Environmental Planning Policy (SEPP) identifies that there is a need for affordable housing within an area' and certain other conditions are met.<sup>73</sup>

The relevant SEPP for this purpose is *SEPP 70 Affordable Housing (Revised Schemes) (SEPP 70)*, which amends relevant local and regional environmental planning instruments to enable the levying of development contributions to provide for affordable housing. *SEPP 70* provides guidance regarding the requirements for assessing housing need, setting contribution levels, apportionment, administration and accountability, and specifies relevant income and rental criteria.<sup>74</sup>

<sup>72</sup> The 2000 amendment to the EP&A Act was gazetted in direct response to the effective invalidation of Amendment 6 of South Sydney Council's LEP (on Green Square). Significantly, this had resulted from a successful challenge to Council's affordable housing provisions by Meriton Apartments in the NSW Land and Environment Court. The action was taken in relation to Green Square, a 'brownfields' redevelopment site on the old ACI Glass Factory site at Waterloo-Zetland. Green Square lies within the boundaries of South Sydney Council (SSC), and is affected by the SSC Local Environmental Plan 1998 (Amendment No. 2) – Green Square. The subject site was also affected by the Green Square Affordable Housing Development Control Plan (DCP), under which SSC aimed to include a component of housing affordable for low and very low incomes earners, who had traditionally lived in SSC area and were being rapidly displaced by gentrification. Despite the fact that the DCP provided for only 3% of residential and 1% of commercial floor space (equivalent) to be dedicated to affordable housing as defined in the DCP. Meriton mounted and was successful in having upheld, a Land and Environment Court (LEC) challenge that rendered the provision of the DCP invalid (*Meriton Apartments v Minister for Urban Affairs and Planning* (2000) NSW LEC 20 – Decision 18 February 2000). The decision of Justice Cowdry in this matter (*Meriton Apartments v Minister for Urban Affairs and Planning* (2000), NSW LEC 2000) relied partly on an inconsistency between South Sydney Council's Local Environmental Plan (LEP) and DCP, and partly because it represented a 'fundamental interference with property rights' at common law (p.383). The NSW LEC decision on Green Square referred to had the effect of potentially invalidating all local government Development Control Plans (DCPs) that provided for the inclusion of affordable housing, including those who were attempting to deal with increasing gentrification through capturing some public benefit from the rezoning and redevelopment of existing sites, and had far reaching effects for other local planning schemes.

<sup>73</sup> Councils may only use these provisions if a SEPP identifies that there is a need for affordable housing within its area, and a Regional Environmental Plan (REP) or a local environmental plan (LEP) has been made in accordance with the relevant requirements for affordable housing provision set out in the SEPP, and if the Council has a developer contributions scheme set out or adopted in such a plan. The consent authority must be satisfied that that the development in respect of which the contribution is required will result in a reduction of affordable housing, will increase the need for affordable housing, or is in accordance with relevant regulations or zoning.

<sup>74</sup> *SEPP 70* defines 'very low-income' households as those on less than 50% of median household income; 'low-income' households as those on 50-80% of median household income, and 'moderate-income' households as those on 80-120% of median household income for Sydney SD.

On the face of it, this gives effect to what a number of Councils had been doing for some time under the pre-2000 provisions of s94 (development contributions including for community facilities). However, the provisions of s94F and s94G are operationalised and limited in practice by *SEPP 70*, which applies to a very limited number of housing schemes including Ultimo-Pymont, Willoughby and Green Square, and to only three Council areas – Sydney, Leichhardt and Willoughby Councils. This would appear to preclude other Councils from imposing a mandatory levy, at least under s94F and s94G, although some Councils have done so unchallenged.<sup>75</sup> Despite lobbying from Councils throughout NSW where affordable housing is increasingly a serious issue,<sup>76</sup> the State Government has to date maintained the limited application of s94F and 94G of the Act.

This mechanism is supported by provisions of the relevant local environmental plans.

- In the case of City of Sydney, c7.13 of the Sydney Local Environmental Plan 2012 sets out affordable housing contributions. These are 3% of residential floor area and 1% of other floor area for development in Green Square or on southern employment land; and 0.8% of residential floor area and 1.1% of other floor area for development in Ultimo-Pymont.
- In the case of Willoughby Council, c6.8 of the Willoughby Local Environmental Plan 2012 sets out affordable housing contributions amongst other considerations. These are 4% total floor space of areas identified as Area 3 on the Special Provisions Map.

There have also been other areas that have been subject to specific contributions plans, for example, *Redfern Waterloo Authority Affordable Housing Contributions Plan 2006*, where affordable housing contributions were collected by the NSW State Government under S94F of the Act, with a Regulation supporting the development of a contributions plan for this State Significant Development. The *Contributions Plan* is required by s32 of the *Redfern-Waterloo Authority Act 2004* to authorise relevant conditions of consent or contributions. Such contributions may be imposed by virtue of s30 of the *Redfern-Waterloo Authority Act 2004*, which removes the requirements under s93F(1) and s93F(3)(b) of the *Environmental Planning and Assessment Act 1979* included in a SEPP (noting that other schemes where such contributions apply come under SEPP 70).

Other express provisions are also contained within the Act to further its affordable housing object.

<sup>75</sup> For example, Wollongong and North Sydney Councils levied for a contribution to affordable housing to offset the loss of low cost flats, units and Boarding Houses from around 1987 under s94 of the Act on a per bedspace basis as well as using the provisions of the then SEPP 10 - Retention of Low Cost Rental. Wollongong discontinued its policy from around 1992, although North Sydney Council has continued to use s94 to levy for the loss of low cost accommodation until recently. The lack of LEC challenge was likely due to the relatively low levy per bedspace lost compared with the profit from strata subdivision or redevelopment.

<sup>76</sup> Thorpe, D., Miers, S., Stubbs, J., Richardson, R. and Berryman, C. 2004, *Enhancing the Role of Local Government in Affordable Housing: Options for Improving Our Planning System*, Affordable Housing Network, Shelter NSW.



**S93F** of the *Act* provides for the making of a **voluntary planning agreement** in relation to a proposed amendment to a planning instrument or development application. Under such a planning agreement, the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose. ‘Affordable housing’ as defined in the Act is one of the listed ‘public purposes’.

A planning agreement is generally advertised in conjunction with the development or rezoning application to which it relates, and forms part of the conditions of consent. A planning agreement is registered and runs with the title to the land, and is binding on, and enforceable against, the owner of the land from time to time as if each owner for the time being had entered into the agreement. The provisions also provide for administrative, reporting, review and other accountability requirements like other forms of development contributions, and may be used in place of or as well as levies with respect to other infrastructure under normal development contributions provisions of the Act. Importantly, a planning agreement does not have to demonstrate nexus between the development and the public purpose for which it was made.

Other powers in relation to levying for affordable housing are provided for the NSW State Government in amendments to the Act in relation to ‘**Special Infrastructure Contributions**’, which expressly include ‘affordable housing’ as a form of special infrastructure. This includes the provision, extension and augmentation of (or the recoupment of the cost of providing, extending or augmenting) public amenities or public services, **affordable housing** and transport or other infrastructure relating to land [emphasis added]; and the funding of recurrent expenditure in relation to the above, or any studies or other support required (*s94ED*).

Special Contributions Areas are set out in Schedule 5A to the Act, and currently include areas within Wyong, Liverpool, Camden, Blacktown, The Hills and Hawkesbury LGAs. Such contributions are not limited to the provision of infrastructure within a ‘special contributions area’, although such contributions are not to be required unless the provision of infrastructure ‘arises as a result of the development or class of development of which the development forms part’ (*s94EE(2)(c)*) (for example, in relation to district level infrastructure).

Reasonable discretion appears to be provided for under *s94EE(3)*, which states that, despite the limitations of other provisions, ‘the Minister may...determine the level and nature of development contributions in the form of a levy of a percentage of the proposed cost of carrying out development or any class of development’. Further, the Minister will determine what part (if any) a development contribution will be ‘for the provision of infrastructure by a Council’ (*s94EE(3A)*). It is noted that, in determining the level and nature of contributions, the Minister will, as far as practicable make the contribution ‘reasonable with regard to the cost’ of infrastructure in relation to the development (*s94EE(2)(a)*).

Finally, it is noted that Councils often assume greater limitations to their powers than necessary since the gazettal of the 2000 amendments.<sup>77</sup> However, *s94F(5)* makes it clear that ‘nothing in

<sup>77</sup> See for example, Stubbs, J. 2003. *Battle for the Right to the City*, Faculty of the Constructed Environment, RMIT (PhD thesis).



this section prevents the imposition on a development consent or other conditions relating to the provision, maintenance or retention of affordable housing'. This, and s5(a)(viii) and other relevant provisions discussed above, appear to provide sufficient latitude for Councils to engage in, for example, negotiating agreements with developers, identifying circumstances in which it is appropriate to provide for planning incentives through relevant EPIs, mandating diversity or affordability through developing performance criteria or targets in relevant plans (e.g. Masterplan DCPs), requiring social impact assessments to mitigate the loss of affordable housing, or other planning or procedural mechanisms apparently available to further the objects of the Act. A range of more active Councils are engaged in some or all of these activities at present, and these types of activities appear to be legal.

The gazettal of *State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPPARH)* aimed to provide a consistent planning regime to encourage and enable the provision of different types of affordable housing to various target groups. In particular, the SEPP aims to facilitate the provision of affordable housing through zone liberalisation, the provision of incentives for delivery of new affordable rental housing including close to places of work, facilitating the retention and mitigation of the loss of existing affordable rental housing, and the development of housing for special needs groups including social housing, Boarding Houses and supportive accommodation.

# **Affordable Housing Policy Background Paper**

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## Appendices

### **Appendix A:** Socio-Economic Changes Over Time

# 1 Overview of Background Report

This Background Report provides the context and rationale for Inner West Council's Affordable Housing Policy, which sets out Council's strategic priorities and approach to the maintenance and provision of affordable housing in the LGA.

The Report first sets out data and analysis on key issues facing Inner West LGA relevant to the need to create affordable housing.

The analysis of key indicators of socio-economic change in **Appendix A** provides clear evidence of significant demographic change, rapid gentrification and displacement of more disadvantaged and vulnerable people from Inner West LGA over at least the past decade, and inability to accommodate low and moderate income key workers in an increasingly expensive housing market. The more recent gentrification of areas like Sydenham-Tempe-St Peters in recent years, and longer-term displacement of more disadvantaged people from areas like Newtown, are particularly evident. It provides a compelling rationale for intervening in the market to create affordable housing.

The Report then sets out an analysis of historical changes in housing cost, and of current and likely future affordability of purchase and rental housing in different areas of the LGA.

In particular, the findings suggest that virtually no new-build strata products would be affordable for **purchase** through the market for very low, low and moderate income households, or may be affordable to the very top of the moderate income band at best. All family households with children would be excluded from affordable purchase.

The vast majority of households needing **affordable rental housing** in Inner West LGA are also excluded from affordable rental through the market, and will be in the future without strong planning intervention.

The findings indicate that the vast majority of those needing affordable purchase housing in Inner West LGA unlikely to have their needs met through the market without planning intervention.

The Report then sets out an analysis of how likely it is that the market could provide affordable housing in the future, and what planning interventions through the market would most likely be effective in this regard. Again, the findings suggest that there is limited opportunity for the market to provide affordable housing, with very low and low income households excluded, as are larger moderate income households.

Finally, an economic analysis of the likely value uplift associated with redevelopment in various areas, and with rezoning in key urban renewal precincts, is provided as a further rationale for Council's policy position. The findings provide evidence for significant profit associated with redevelopment for higher density development throughout the LGA, as well as considerable value uplift associated with up-zoning of the three relevant precincts within the Sydenham to Bankstown Urban Renewal Corridor and precincts within the Parramatta Road Urban Transformation Area. These findings provide a strong justification for value capture associated with incentive-based or voluntary planning agreement approaches in association with



redevelopment, as well as mandatory contributions or inclusionary zoning within the Urban Renewal Corridor.

## 2 Gentrification and Displacement within Inner West Council Area

### 2.1 Indicators of Socio-Economic Change

The analysis of key indicators of socio-economic change in **Appendix A** provides clear evidence of significant demographic change, rapid gentrification and displacement of more disadvantaged and vulnerable people from the Inner West LGA over at least the past decade. The more rapid gentrification of many areas of the former Marrickville LGA in recent years contrasts with the longer-term displacement of more disadvantaged people from areas within the former Leichhardt LGA, which has the most advantaged profile overall.

- Although the Inner West LGA saw a similar increase in weekly households income similar to Greater Sydney, the former LGAs of Marrickville and Leichhardt that constitute a significant proportion of the Inner West LGA saw dramatic increases in median weekly household income in real terms (25% and 32%, respectively compared with 10% for Greater Sydney);
- The loss of very low income households in the Inner West was four times the average rate (2.7 p.p. decrease compared with 0.7 p.p. decrease for Greater Sydney), with a particularly high rate of loss in the former Leichhardt LGA;
- There was a decline in the proportion of low income households (-1.0 p.p.) compared with an increase in Greater Sydney (+0.6 p.p.), particularly in the former Marrickville (1.9 p.p. decline) and Leichhardt (1.3 p.p. decline) LGAs;
- Although the percentage increase for median rental for the Inner West LGA is in line with Greater Sydney (27% each), the former Marrickville LGA experienced a substantially greater proportional increase to median rent compared to Greater Sydney (32% compared with 27%). Comparatively high increases in median rent were also seen in the SA2s of Dulwich Hill Lewisham (35%) and Petersham-Stanmore (32%), although starting from a lower base rent;
- There was a higher percentage point change in the proportion of persons aged 15 years and over with a tertiary qualification (+10.4 p.p. compared with +8.1 p.p. in Greater Sydney). Particularly large increases were seen in the SA2s of Sydenham-Tempe-St Peters (+13.3 p.p.) and Dulwich Hill-Lewisham (+13.1 p.p.), as well as the former Marrickville LGA overall (+12.1 p.p.);

- There was also a significantly higher increase in residents aged 15 years and over with a Bachelor Degree or higher qualification in the Inner West compared with Greater Sydney;
- In terms of occupational profile, the Inner West experienced almost twice the rate of increase of Managers and Professionals compared with Greater Sydney (+7.2 p.p. compared with 4.0 p.p., respectively);
- The decline in unemployed people was around 3 times the average rate of decline, noting that this is more likely to be due to the exit of unemployed people in a gentrifying housing market rather than a real decrease in unemployment *per se*;
- Finally, there was a much greater than average improvement in the SEIFA Index of Relative Socio-economic Disadvantage and SEIFA Index of Education and Occupation as aggregate measures of area vulnerability, with particularly strong improvement Lewisham, St Peters and Enmore in the case of the former, and in Sydenham, Tempe, Marrickville and St Peters in the case of the latter Index;
- It is also noted that, despite a slight proportional increase in social housing in the past 10 years, the Inner West LGA has a much lower than average proportion of such accommodation (3.5% compared with 5% for Greater Sydney).

The high and growing degree of gentrification and increasing exclusion of diverse income and occupational groups evident from the analysis provides a compelling rationale for intervening in the market to create affordable housing for groups currently being displaced from the Inner West LGA, and for diverse groups who can no longer afford to live there. (See Appendix A for more detail).

## 2.2 Housing Stress

A very high proportion of households in the key target groups are in housing stress (paying more than their gross household weekly income on housing costs), and thus at risk of having insufficient income to pay for other necessities such as healthy food, education, transport and health care.

In 2011, 81% of very low income, 69% of low income and 26% of moderate income households were in housing stress in the Inner West LGA, with rates trending upwards for low and moderate income renting and purchasing households.

## 3 Affordable Housing

### 3.1 What is Affordable Housing?

Housing is generally considered to be 'affordable' when households that are renting or purchasing are able to meet their housing costs and still have sufficient income to pay for other basic needs such as food, clothing, transport, medical care and education.

'Affordable housing' also has a statutory definition under the *NSW Environmental Planning and Assessment Act 1979 (NSW)*, being housing for very low, low or moderate income households. *SEPP 70* defines 'very low-income' households as those on less than 50% of median household income; 'low-income' households as those on 50-80% of median household income, and 'moderate-income' households as those on 80-120% of median household income for Sydney SD.

As a commonly used rule of thumb, affordable housing is taken to be housing where households pay less than 30% of their gross household income on housing costs. This is often regarded as the point at which such households are at risk of having insufficient income to meet other living costs, and deemed to be in 'housing stress'. Those paying more than 50% of gross income are regarded as being in 'severe housing stress'.

'Low cost' housing is often, though not always, 'affordable'. For example, in a premium (high amenity) location, even a small, lower amenity strata dwelling may be 'unaffordable' to a very low-, low- or moderate-income household.

The following table provides benchmarks that are used in this study when referring to 'affordable housing', in 2015 dollars, and are consistent with relevant NSW legislation.

1. Table 3-1: Relevant Affordable Housing Income and Cost Benchmarks

	<b>Very low-income household</b>	<b>Low-income household</b>	<b>Moderate-income household</b>
Income Benchmark	<50% of Gross Median H/H Income for Greater Sydney	50-80% of Gross Median H/H Income for Greater Sydney	80%-120% of Gross Median H/H Income for Greater Sydney
Income Range (2)	<\$783 per week	\$784-\$1,253 per week	\$1,253-\$1,879 per week
Affordable Rental Benchmarks (3)	<\$235 per week	\$236-\$376 per week	\$377-\$564 per week
Affordable Purchase Benchmarks (4)	<\$228,000	\$228,001-\$364,000	\$364,001-\$545,000

Source: JSA 2016, based on data from ABS (2011) Census indexed to March Quarter 2016 dollars

(1) All values reported are in March Quarter 2016 dollars

(2) Total weekly household income

- (3) Calculated as 30% of total household income
- (4) Calculated using ANZ Loan Repayment Calculator, using 4 January 2016 interest rate (5.37%) and assuming a 20% deposit for a 30 year ANZ Standard Variable Home Loan and 30% of total household income as repayments.

## 3.2 Change in Housing Cost Over Time

### 3.2.1 Overview

Rental and purchase prices have increased significantly within the Inner West LGA in real terms over the two decades or so, with some temporal variation. Overall, a steep increase in purchase prices (particularly in the former Marrickville LGA), and to a lesser extent rental costs, is contributing to an affordability crisis for very low, low and many moderate income households in recent years, as described later.

In real terms (adjusted for inflation) for the Inner West LGA, comprising of the former Ashfield, Leichhardt and Marrickville LGAs:

- the median price of separate houses increased 4.5 times in Ashfield, 4.0 time in Leichhardt and 6.4 times in Marrickville since 1991;
- the median price of strata dwellings increased 3.0 times in Ashfield, 3.2 times in Leichhardt and 3.4 times in Marrickville since 1991;
- the median rent for separate houses increased 1.8 times in Ashfield, 1.8 times in Leichhardt and 2.0 times in Marrickville since 1991; and
- the median rent for flats and units increased 1.5 times in Ashfield, 2.0 times in Leichhardt and 1.8 times in Marrickville since 1991.

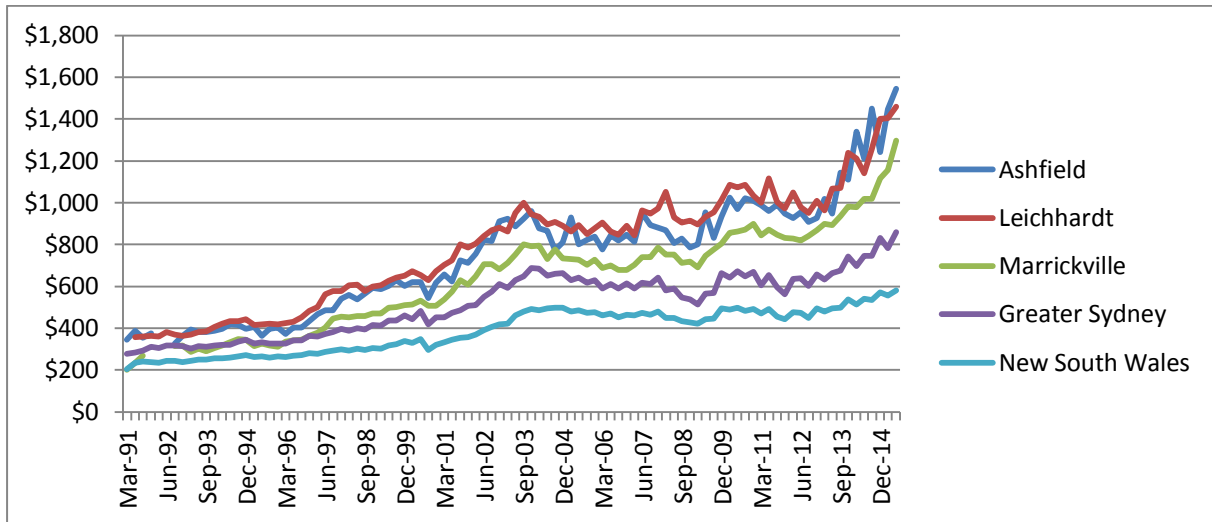
### 3.2.2 Median Purchase Price Growth

#### Separate houses

Median purchase prices for separate houses in Marrickville LGA tracked those in Greater Sydney up until around 1996, after which they diverged. The divergence became greater from 2007 to 2008, and in 2014 median purchase prices for Marrickville increased rapidly to around \$1.3 million, leaving Greater Sydney purchase prices behind at around \$800,000.

In real terms, Marrickville house prices doubled between 1997 and 2003, and have almost doubled again since 2003.

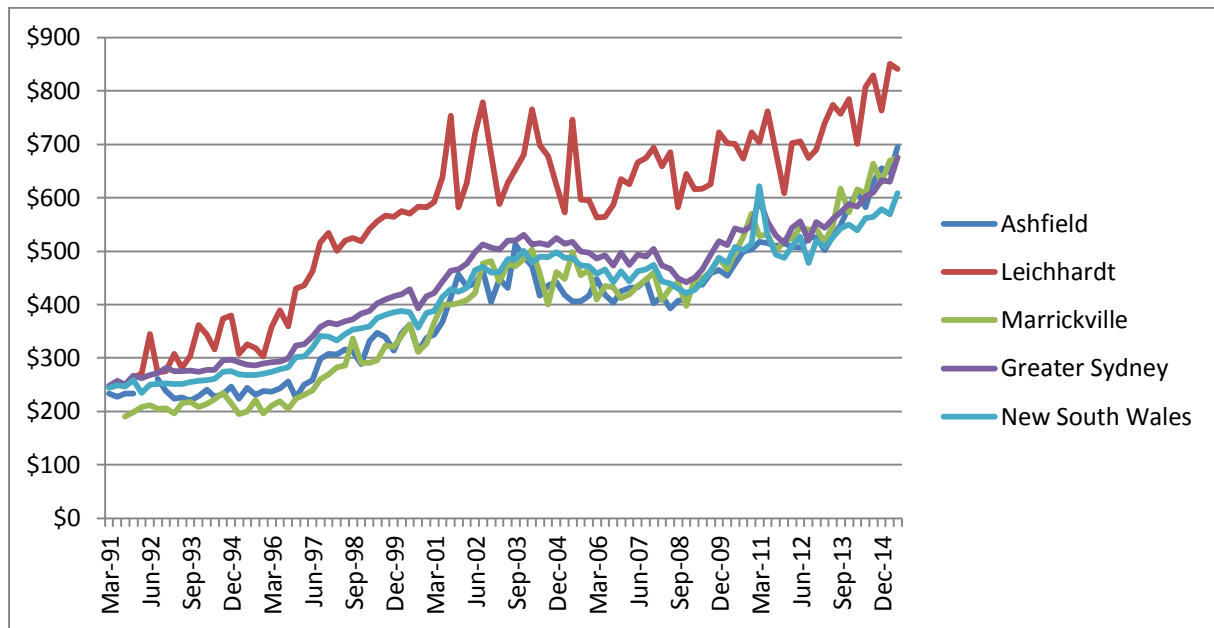
Former Ashfield and Leichhardt LGAs began with higher median purchase prices, at just under \$400,000 in 1991, and generally maintained similar growth patterns up until 2014. However, between 2007 and 2012 median purchase prices for separate houses in Leichhardt LGA tended peaked slightly higher than the Ashfield LGA, but merged again in 2013 with both peaking at approximately \$1.5 million in 2015.



2. Figure 3-1: Median Purchase Price, Separate Houses, March Quarter 1991 to June Quarter 2015, Adjusted for Inflation (March Quarter 2016 Dollars)

### Strata dwellings

Median purchase prices for strata dwellings in Marrickville and Ashfield LGAs have tracked prices for Greater Sydney since around 2010 after having previously been slightly lower than both Greater Sydney and New South Wales. Strata Dwelling Purchase prices peaked at around \$675,000-\$700,000 in 2015 for these former LGAs and Greater Sydney. Purchase prices from strata dwellings in Leichhardt LGA, while starting at a similar point to Greater Sydney at approximately \$250, 000 saw steeper increases from 1996 to 2001 and a high amount of variability between 2001 and 2005, spiking between around \$800,000 and \$600,000. From 2006 purchase prices for strata dwellings in Leichhardt followed similar growth patterns to Greater Sydney, peaking at approximately \$850,000 in 2015.



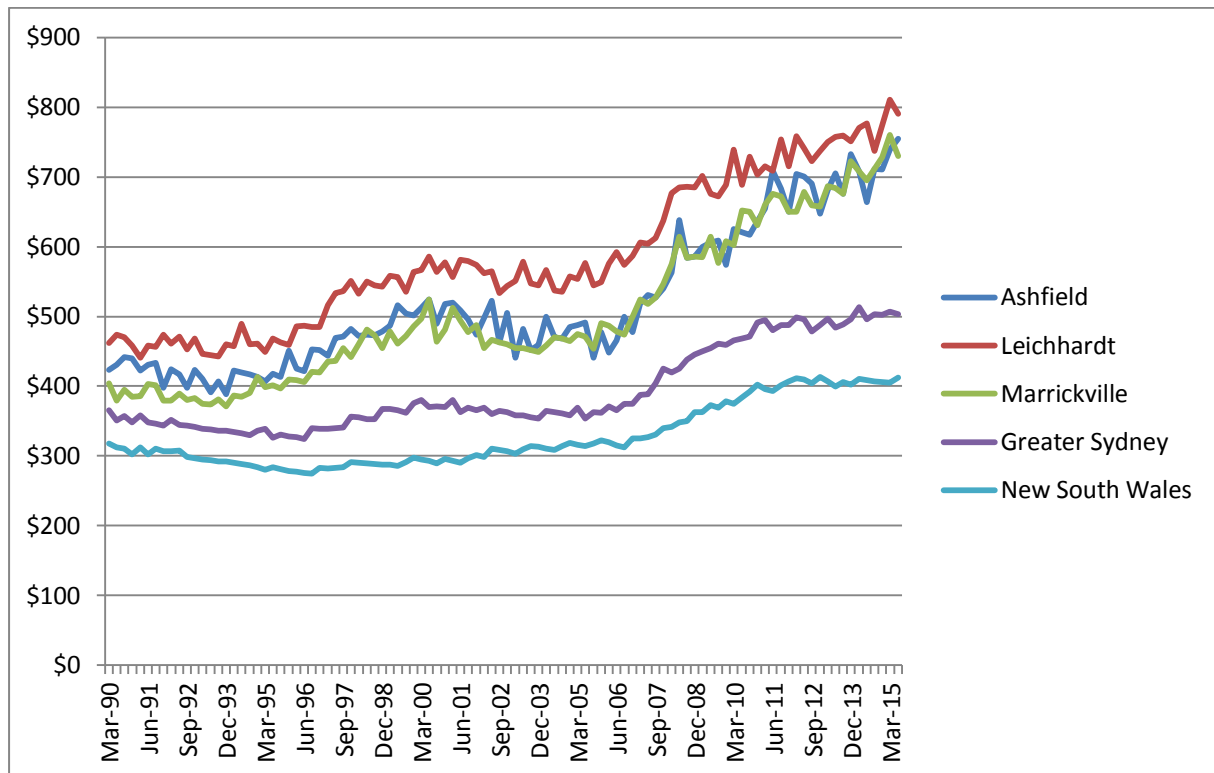
3. Figure 3-2: Median Purchase Price, Strata Dwellings, March Quarter 1991 to June Quarter 2015, Adjusted for Inflation (March Quarter 2016 Dollars)

### 3.2.3 Median Rental Price Growth

#### Separate houses

Median rental costs for separate houses in the former Marrickville, Leichhardt and Ashfield LGAs have remained higher than those for Greater Sydney and New South Wales for the duration of the time series. While each of the LGAs follows a similar trend over the time period, the rental costs for separate houses in Leichhardt remain higher than those in Ashfield and Marrickville LGAs, starting at around \$450 in 1990 and peaking at around \$800 in 2015. The Marrickville and Ashfield LGAs track closely over the time period, both beginning at just over \$400 in 1990 and peaking at approximately \$750 in 2015. Generally these LGAs experienced increases between 1996 and 2001 before prices stagnated from 2001 to 2007, sitting between \$450-\$500 for Marrickville and Ashfield and \$550 and \$600 for Leichhardt. Prices began increasing again from 2001 to 20015

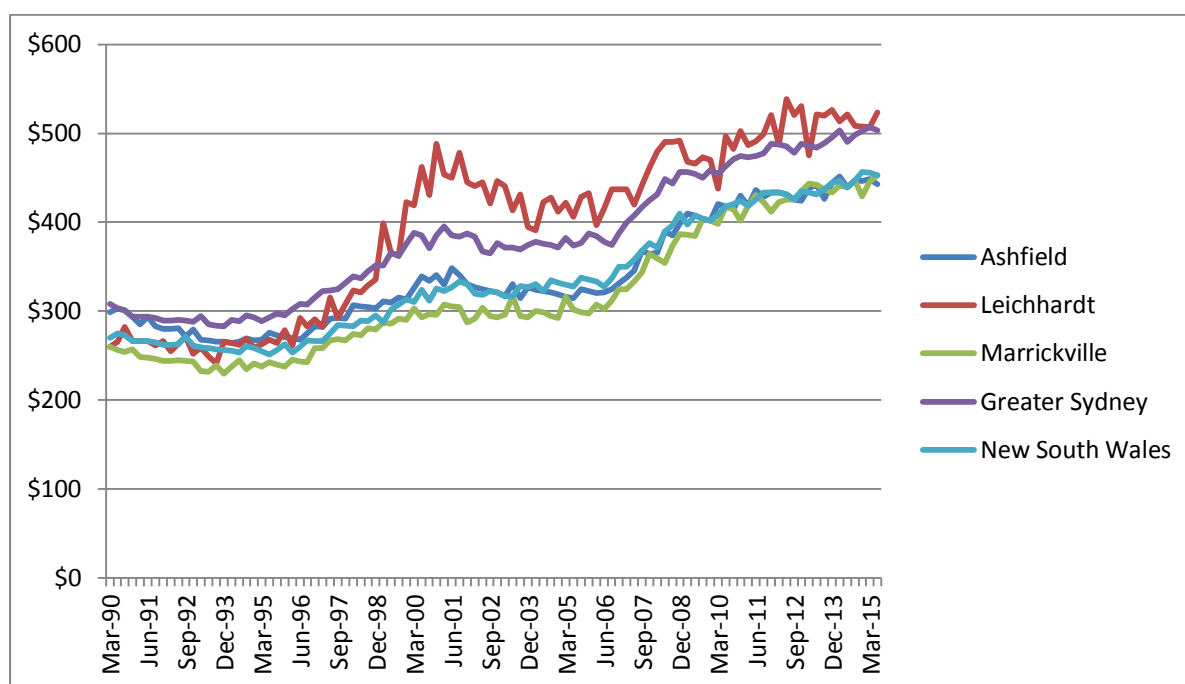




4. Figure 3-3: Median Rental Price, Separate Houses, March Quarter 1990 to June Quarter 2015, Adjusted for Inflation (March Quarter 2016 Dollars)

### Strata dwellings

Median rents for strata dwellings in Marrickville and Ashfield LGAs have been consistently lower than those in Greater Sydney for the duration of the time series. The difference has been around \$25-\$50 per week lower for most of the time series, but expanding out to a maximum of \$100 per week lower for a brief period in 2001 for Marrickville. While rents for strata dwellings in the Leichhardt LGA began lower than Greater Sydney, they increased, converging with Greater Sydney in 1998 at around \$350. From 1998 to 2015, median strata rents for Leichhardt were generally higher than Greater Sydney; however they converged for brief periods in 2010 at around \$450 and 2012 at around \$480 per week.



5. Figure 3-4: Median Rental Price, Strata Dwellings, March Quarter 1990 to June Quarter 2015, Adjusted for Inflation (March Quarter 2016 Dollars)

## 3.3 Market Delivery of Affordable Housing

### 3.3.1 Overview

#### Affordable Purchase

Affordable purchase in the former Marrickville LGA is limited to households in the upper half of the moderate income band and to first quartile strata properties in the suburbs of Enmore, Newtown and Tempe. Such properties comprise only 4% of dwellings sold during the period. Analysis by bedroom shows that these dwellings are likely to be studio and one bedroom apartments, which means that affordable purchase is not available for larger and family households in any income band.

There was no affordable purchase in the former Ashfield and Leichhardt LGAs.

**It is therefore unlikely that *any* new build strata products would be affordable through the market as these would equate to at least the median (and more likely the third quartile) sale price, or would be available to only the top of the moderate income band at best. All family households with children would be excluded from affordable purchase.**

**The findings also indicate that the vast majority of those needing affordable purchase housing in the study area are unlikely to have their needs met through the market without planning intervention.**

## Affordable Rental

Affordability is somewhat better for rental, however, availability is restricted with affordable rental not available for larger and family very low and low income households and very limited stock affordable to very low income households.

Very low income households at the upper end of the band can affordably rent a boarding house room in Enmore/Newtown, Lewisham/Petersham, Marrickville, Ashfield and Summer Hill noting that such rooms are about 2% of stock advertised.

Low income households can affordably rent a boarding house room within Inner West LGA, and can affordably rent a median studio/one bedroom apartment in Dulwich Hill and Croydon, noting that these products comprise around 4% of stock advertised.

Moderate income households can generally affordably rent boarding house rooms and median studio/one bedroom apartments and two bedroom apartments in some suburbs. These products comprise around 62% of stock advertised, with two bedroom dwellings comprising around 26% of stock.

**As such, the vast majority of households needing affordable rental housing in Marrickville LGA are excluded from affordable rental through the market, and will continue to be excluded in the future without strong planning intervention.**

### 3.3.2 Affordable Purchase in Study Areas

#### Overview

There are few opportunities for affordable purchase within the former Marrickville LGA. Affordable purchase is limited to those in the upper half of the moderate income household band and to the purchase of first quartile strata properties in the suburbs of Enmore, Newtown and Tempe. A number of suburbs have no affordable first quartile products including Marrickville, Petersham, St Peters, Stanmore and Sydenham while Lewisham and Dulwich Hill are only affordable to those in the very top of the band.

When data is analysed by bedroom, affordable purchase is limited to studio and one bedroom apartments and for moderate income households in the upper half of the income band for the suburbs of Enmore, Lewisham and Newtown and for those in the upper quarter of the income band in Petersham and St Peters.

There is no affordable purchase in the former Ashfield and Leichhardt LGAs apart from a median one bedroom in Haberfield, however only one such apartment was sold and so the finding is not reliable.

#### Affordability analysis

##### Affordability by quartiles

The table below indicates that there were no housing products in the first, second or third quartiles that would have been affordable for purchase by very low or low income purchasers in suburbs within the Inner West LGA in the year ending April 2016.

No separate houses at the first quartile were affordable to any of the target groups in any of the suburbs studied.

First quartile strata dwellings were affordable to the top 50% of moderate income households in Enmore and Newtown, the top 25% of moderate income households in Tempe, and only the very top few percent of moderate income households in Dulwich Hill and Lewisham.

No first quartile affordable purchase is available to any group in Camperdown, Marrickville, Petersham, St Peters, Stanmore, Sydenham, Annandale, Ashfield, Balmain, Balmain East, Birchgrove, Croydon, Haberfield, Leichhardt, Lilyfield, Rozelle or Summer Hill.

6. Table 3-2: Sales prices for separate houses and strata dwellings by quartile for selected areas

Suburb	Separate house				Strata			
	N	Q1	Q2	Q3	N	Q1	Q2	Q3
Camperdown	38	\$1,207,000	\$1,387,500	\$1,737,500	18	\$665,000	\$740,000	\$958,125
Dulwich Hill	62	\$1,212,500	\$1,400,000	\$1,668,500	227	\$545,000	\$640,000	\$750,000
Enmore	53	\$1,150,000	\$1,290,000	\$1,435,000	15	\$472,500	\$640,000	\$726,250
Lewisham	43	\$1,136,000	\$1,402,500	\$1,787,500	96	\$540,000	\$600,000	\$735,000
Marrickville	174	\$1,050,000	\$1,240,000	\$1,405,750	212	\$562,750	\$640,000	\$770,000
Newtown	121	\$1,040,000	\$1,210,000	\$1,375,000	40	\$447,875	\$655,500	\$846,250
Petersham	64	\$1,132,500	\$1,346,000	\$1,546,250	68	\$546,500	\$686,980	\$826,250
St Peters	68	\$961,500	\$1,156,430	\$1,417,911	36	\$612,500	\$742,500	\$1,069,000
Stanmore	89	\$1,260,000	\$1,440,000	\$1,675,000	63	\$579,750	\$720,000	\$984,000
Sydenham	15	\$850,000	\$975,000	\$1,147,500	0			
Tempe	54	\$912,500	\$1,030,000	\$1,152,250	9	\$505,000	\$1,090,000	\$1,100,000

Affordability	
Very Low Income	
Low Income	
Moderate Income	

Source: JSA 2016 using sales data from EAC RedSquare for the year ending April 2016

7. Table 3-3: Sales prices for separate houses and strata dwellings by quartile for selected areas

Suburb	Separate house				Strata			
	N	Q1	Q2	Q3	N	Q1	Q2	Q3
Annandale	139	\$1,250,000	\$1,425,000	\$1,888,500	72	\$598,125	\$732,500	\$941,250
Ashfield	145	\$1,388,000	\$1,570,000	\$1,996,321	340	\$596,500	\$680,000	\$752,000
Balmain	184	\$1,410,125	\$1,851,000	\$2,281,250	80	\$694,750	\$966,750	\$1,364,000
Balmain East	35	\$1,694,500	\$2,300,000	\$3,220,000	12	\$769,250	\$1,081,750	\$1,273,750
Birchgrove	44	\$1,445,000	\$1,725,000	\$2,800,000	19	\$822,500	\$1,320,000	\$1,810,000
Croydon	34	\$1,007,500	\$1,355,000	\$1,576,250	16	\$581,250	\$597,500	\$706,250
Haberfield	117	\$1,580,000	\$1,983,650	\$2,402,560	40	\$758,565	\$792,290	\$844,483
Leichhardt	214	\$1,128,500	\$1,267,500	\$1,558,750	124	\$662,425	\$900,000	\$1,061,250
Lilyfield	98	\$1,251,250	\$1,417,000	\$1,820,000	41	\$640,000	\$805,000	\$981,000
Rozelle	142	\$1,250,000	\$1,413,750	\$1,668,750	113	\$820,000	\$1,115,000	\$1,500,000
Summer Hill	50	\$1,143,750	\$1,511,000	\$2,002,500	80	\$631,250	\$715,000	\$785,000

Affordability	
Very Low Income	
Low Income	
Moderate Income	

Source: JSA 2016 using sales data from EAC Red Square for the year ending April 2016

### Affordability of median dwellings by bedrooms

Similarly, as above, there were no median dwellings of any size that were affordable for purchase by very low or low income households in 2016.

Median studio/one bedroom strata dwellings were affordable to the top 50% of moderate income households in Enmore, Lewisham and Newtown, the top 25% in Petersham, and the top 15% in St Peters. There were insufficient dwellings of this type sold in Tempe in the year to April 2016 to analyse with any certainty, although it appears that there is a potential that such dwellings were reasonably priced for moderate income households.

Median separate houses and median two or three bedroom strata dwellings were not affordable to any of the target groups in 2016 for any of the suburbs studied.



8. Table 3-4: Median sales prices for separate houses and strata dwellings by number of bedrooms for selected areas

Suburb	Separate House				Strata					
	1-2 BR		3+ BR		0-1 BR		2 BR		3+ BR	
	N	Median	N	Median	N	Median	N	Median	N	Median
Camperdown	15	\$1,200,000	22	\$1,675,000	9	\$660,000	4	\$951,250	0	
Dulwich Hill	16	\$1,085,000	39	\$1,463,000	24	\$564,500	97	\$685,000	3	\$817,000
Enmore	20	\$1,152,500	24	\$1,290,000	7	\$450,000	7	\$692,000	0	
Lewisham	13	\$1,100,000	19	\$1,402,500	7	\$450,000	7	\$692,000	0	
Marrickville	64	\$1,072,500	105	\$1,325,000	47	\$520,000	99	\$651,000	19	\$935,000
Newtown	65	\$1,040,000	54	\$1,366,000	20	\$445,750	11	\$750,000	6	\$1,043,750
Petersham	11	\$1,030,000	46	\$1,365,000	16	\$505,000	35	\$818,000	1	\$1,045,000
St Peters	32	\$978,800	25	\$1,255,585	5	\$520,000	9	\$668,000	4	\$1,017,500
Stanmore	20	\$1,232,500	65	\$1,570,000	15	\$550,000	21	\$720,000	3	\$1,227,000
Sydenham	8	\$860,000	6	\$1,147,500	0		0		0	
Tempe	14	\$867,500	34	\$1,070,000	2	\$425,000	2	\$805,000	3	\$1,100,000

Affordability	
Very Low Income	
Low Income	
Moderate Income	

Source: JSA 2016 using sales data from Red Square for the year ending April 2016

9. Table 3-5: Median sales prices for separate houses and strata dwellings by number of bedrooms for selected areas

Suburb	Separate House				Strata					
	1-2 BR		3+ BR		0-1 BR		2 BR		3+ BR	
	N	Median	N	Median	N	Median	N	Median	N	Median
Annandale	52	\$1,223,000	80	\$1,800,000	24	\$582,500	31	\$826,500	5	\$1,150,000
Ashfield	18	\$1,375,000	93	\$1,550,000	44	\$486,500	187	\$680,000	28	\$825,000
Balmain	41	\$1,357,000	110	\$2,045,000	7	\$600,000	25	\$973,500	8	\$1,902,500
Balmain East	7	\$1,730,000	26	\$2,535,500	2	\$713,500	7	\$1,112,500	2	\$1,352,500
Birchgrove	12	\$1,310,000	31	\$2,180,000	2	\$637,250	4	\$985,500	4	\$1,110,000
Croydon	10	\$1,072,500	17	\$1,500,000	0		7	\$640,000	1	\$835,000
Haberfield	10	\$1,292,500	80	\$2,068,393	1	\$450,000	22	\$790,970	3	\$1,118,000
Leichhardt	82	\$1,124,000	102	\$1,413,500	13	\$605,000	33	\$921,000	12	\$1,175,000
Lilyfield	21	\$1,250,000	64	\$1,495,000	8	\$630,000	13	\$825,000	6	\$1,430,000
Rozelle	50	\$1,223,350	79	\$1,561,500	21	\$680,000	20	\$1,052,500	20	\$1,835,000
Summer Hill	11	\$1,325,000	28	\$1,562,500	13	\$580,000	41	\$731,000	3	\$910,000

Affordability	
Very Low Income	
Low Income	
Moderate Income	

Source: JSA 2016 using sales data from Red Square for the year ending April 2016

### 3.3.3 Affordable Rental in Study Areas

A snapshot of all rental properties advertised in the suburbs in the former Marrickville LGA was carried out from 11 to 16 May 2016 and in the former Ashfield and Leichhardt LGAs on 14 October 2016 using realestate.com.au.

The table below shows median rentals across suburbs for various different type of rental accommodation, and highlights groups to whom the median rental is likely to be affordable.

Boarding house accommodation provides the only opportunity for affordable rental to very low income households, with only a limited supply of such stock located within Inner West LGA. These are typically affordable to those in the upper 10% of low income households.

Low income households at the upper end of the band can affordably rent a median studio/one-bedroom apartment in Dulwich Hill and Croydon and can generally affordably rent a median boarding house room in Camperdown, Enmore/Newtown, Lewisham/Petersham, Marrickville, Ashfield and Summer Hill.

Moderate income households have greater choice, being able to rent a median studio/one-bedroom apartment in All areas with the exception of Camperdown. They can also rent a median two-bedroom apartment in Lewisham/Petersham, Dulwich Hill, Marrickville, Ashfield, Croydon, Haberfield, Rozelle and Summer Hill.

Moderate income households at the upper end of the band may also be able to affordably rent a median one-to-two-bedroom house in Dulwich Hill, Ashfield and Croydon although the small number of such dwellings limits the certainty of the analysis.

10. Table 3-6: Affordability of rental accommodation for selected Post Codes

	Separate house				Strata						Boarding house	
	1-2BR		3+BR		0-1BR		2BR		3+BR		Room	
Post Codes	N	Median	N	Median	N	Median	N	Median	N	Median	N	Median
2042 (Enmore/Newtown)	24	\$695	22	\$998	50	\$438	17	\$580	3	\$980	2	\$208
2044 (St Peters/Sydenham/Tempe)	5	\$595	10	\$750	5	\$525	5	\$640	3	\$925	0	
2048 (Stanmore)	4	\$670	12	\$975	15	\$400	5	\$590	3	\$700	0	
2049 (Lewisham/Petersham)	2	\$875	10	\$825	32	\$400	19	\$560	2	\$655	2	\$215
2050 (Camperdown)	2	\$710	3	\$950	37	\$570	19	\$700	2	\$1,025	3	\$250
2203 (Dulwich Hill)	4	\$560	7	\$800	23	\$365	35	\$530	2	\$863	0	
2204 (Marrickville)	9	\$650	11	\$755	31	\$395	41	\$500	5	\$830	6	\$200
2038 (Annandale)	12	\$705	11	\$965	15	\$430	9	\$695	2	\$875	0	
2131 (Ashfield)	6	\$540	8	\$825	26	\$380	64	\$498	11	\$700	5	\$200
2041 (Balmain, Balmain East, Birchgrove)	6	\$710	10	\$975	11	\$510	20	\$708	5	\$950	0	
2132 (Croydon)	2	\$525	3	\$750	5	\$350	8	\$470	0		0	
2045 (Haberfield)	0		4	\$1,100	1	\$440	1	\$500	0		0	
2040 (Leichhardt, Lilyfield)	8	\$685	20	\$895	21	\$400	17	\$570	4	\$725	0	
2039 (Rozelle)	3	\$870	4	\$1,050	6	\$510	2	\$473	0		0	
2130 (Summer Hill)	2	\$650	5	\$715	5	\$420	11	\$490	0		4	\$230

Affordability	
Very Low Income	
Low Income	
Moderate Income	

Source: Rental snapshot 11-16 May 2016 and 13 October 2016, realestate.com.au and JSA analysis

## 3.4 Linear Regression Analysis

### 3.4.1 Results

A linear regression of sales data has been carried out to better understand the factors contributing to housing affordability in the previous Marrickville, Ashfield and Leichhardt LGAs for separate houses and strata properties. Results are shown in the tables below.

11. Table 3-7: Regression analysis - Former Marrickville LGA– Separate Houses by price, date, number of bedrooms, number of bathrooms, number of parking spaces, land area and postcode for the year to April 2016

Parameter	Coefficient	Comment
R <sup>2</sup>	0.58	The variables used in the analysis predict 58% of the variation in prices
Days	Not significantly different from zero	There has been no price growth in the period
Number of Bedrooms	\$65,373	Each bedroom adds \$65,000 to the sale price
Number of Bathrooms	\$136,760	Each bathroom adds \$137,000 to the sale price
Parking	\$49,056	Each parking space adds \$49,000 to the sale price
Area	\$1,540.80	Each square metre of land area adds \$1,540 to the sale price
Post Code 2204 (Marrickville)	-\$254,190	Compared to dwellings in Post Codes 2048 (Stanmore) and 2042 (Newtown/Enmore), dwellings in Post Code 2204 sell for \$254,000 less
Post Code 2203 (Dulwich Hill)	-\$180,580	Compared to dwellings in Post Codes 2048 (Stanmore) and 2042 (Newtown/Enmore), dwellings in Post Code 2203 sell for \$181,000 less
Post Code 2050 (Camperdown)	\$170,850	Compared to dwellings in Post Codes 2048 (Stanmore) and 2042 (Newtown/Enmore), dwellings in Post Code 2050 sell for \$171,000 more
Post Code 2049 (Lewisham/Petersham)	-\$174,880	Compared to dwellings in Post Codes 2048 (Stanmore) and 2042 (Newtown/Enmore), dwellings in Post Code 2049 sell for \$175,000 less
Post Code 2044 (Sydenham/Tempe/St Peters)	-\$338,360	Compared to dwellings in Post Codes 2048 (Stanmore) and 2042 (Newtown/Enmore), dwellings in Post Code 2044 sell for \$338,000 less
Constant	\$668,460	

Source: JSA 2016, using data from EAC Redsquare and JSA analysis

12. Table 3-8: Regression analysis – Former Ashfield and Leichhardt LGAs – Separate Houses by price, date, number of bedrooms, number of bathrooms, number of parking spaces, land area and postcode for the year to April 2016

Parameter	Coefficient	Comment
R <sup>2</sup>	0.58	The variables used in the analysis predict 58% of the variation in prices
Days	Not significantly different from zero	There has been no price growth in the period
Number of Bedrooms	\$61,941	Each bedroom adds \$62,000 to the sale price
Number of Bathrooms	\$231,090	Each bathroom adds \$231,000 to the sale price
Parking	\$30,210	Each parking space adds \$30,000 to the sale price
Area	\$2,267.80	Each square metre of land area adds \$2,300 to the sale price
Post Code 2038 (Annandale)	\$598,680	Compared to dwellings in Post Codes 2131 (Ashfield) and 2045 (Haberfield), dwellings in Post Code 2038 sell for \$600,000 more
Post Code 2039 (Rozelle)	\$485,020	Compared to dwellings in Post Codes 2131 (Ashfield) and 2045 (Haberfield), dwellings in Post Code 2039 sell for \$485,000 more
Post Code 2040 (Leichhardt)	\$318,770	Compared to dwellings in Post Codes 2131 (Ashfield) and 2045 (Haberfield), dwellings in Post Code 2040 sell for \$320,000 more
Post Code 2041 (Balmain, Balmain East and Birchgrove)	\$1,007,600	Compared to dwellings in Post Codes 2131 (Ashfield) and 2045 (Haberfield), dwellings in Post Code 2041 sell for \$1,000,000 more
Post Code 2130 (Summer Hill)	\$194,840	Compared to dwellings in Post Codes 2131 (Ashfield) and 2045 (Haberfield), dwellings in Post Code 2130 sell for \$195,000 more
Post Code 2132 (Croydon)	-\$218,790	Compared to dwellings in Post Codes 2131 (Ashfield) and 2045 (Haberfield), dwellings in Post Code 2132 sell for \$220,000 less
Constant	Not statistically significantly different from zero	

Source: JSA 2016, using data from EAC Redsquare and JSA analysis

13.



14. Table 3-9: Regression analysis – Former Marrickville LGA – Strata by price, date, number of bedrooms, number of bathrooms, number of parking spaces, and postcode for the year to April 2016

Parameter	Coefficient	Comment
R <sup>2</sup>	0.60	The variables used in the analysis predict 60% of the variation in prices
Days	Not significantly different from zero	There has been no price growth in the period
Number of Bedrooms	\$168,720	Each bedroom adds \$169,000 to the sales price
Number of Bathrooms	\$157,050	Each bathroom adds \$157,000 to the sales price
Parking	\$29,372	Each parking space adds \$29,000 to the sales price
Post Code 2204 (Marrickville)	-\$57,286	Compared to dwellings in Post Codes 2049 (Lewisham/ Petersham), 2048 (Stanmore), 2044(Sydenham/Tempe/St Peters) and 2042 (Newtown/ Enmore), dwellings in Post Code 2204 sell for \$57,000 less
Post Code 2203 (Dulwich Hill)	-\$48,039	Compared to dwellings in Post Codes 2049 (Lewisham/ Petersham), 2048 (Stanmore), 2044(Sydenham/Tempe/St Peters) and 2042 (Newtown/ Enmore), dwellings in Post Code 2203 sell for \$48,000 less
Post Code 2050 (Camperdown)	\$90,544	Compared to dwellings in Post Codes 2049 (Lewisham/ Petersham), 2048 (Stanmore), 2044(Sydenham/Tempe/St Peters) and 2042 (Newtown/ Enmore), dwellings in Post Code 2050 sell for \$91,000 more
Constant	\$188,850	

Source: JSA 2016, using data from EAC Redsquare and JSA analysis

15. Table 3-10: Regression analysis – Former Leichhardt and Ashfield LGAs – Strata by price, date, number of bedrooms, number of bathrooms, number of parking spaces and postcode for the year to April 2016

Parameter	Coefficient	Comment
R <sup>2</sup>	0.47	The variables used in the analysis predict 47% of the variation in prices
Days	Not significantly different from zero	There has been no price growth in the period
Number of Bedrooms	\$221,750	Each bedroom adds \$220,000 to the sales price
Number of Bathrooms	\$167,020	Each bathroom adds \$170,000 to the sales price
Parking	\$175,040	Each parking space adds \$175,000 to the sales price
Post Code 2039 (Rozelle)	\$301,860	Compared to dwellings in Post Codes 2038 (Annandale), 2132 ( and 2045 (Croydon), 2045 (Haberfield) and 2040 (Leichhardt, dwellings in Post Code 2039 sell for \$300,000 more
Post Code 2041 (Balmain, Balmain East and Birchgrove)	\$224,040	Compared to dwellings in Post Codes 2038 (Annandale), 2132 (Croydon), 2045 (Haberfield) and 2040 (Leichhardt, dwellings in Post Code 2039 sell for \$225,000 more
Post Code 2130 (Summer Hill)	\$106,830	Compared to dwellings in Post Codes 2038 (Annandale), 2132 (Croydon), 2045 (Haberfield) and 2040 (Leichhardt, dwellings in Post Code 2039 sell for \$105,000 more
Post Code 2131 (Ashfield)	-\$132,180	Compared to dwellings in Post Codes 2038 (Annandale), 2132 (Croydon), 2045 (Haberfield) and 2040 (Leichhardt, dwellings in Post Code 2031 sell for \$130,000 less

Source: JSA 2016, using data from EAC Redsquare and JSA analysis

16. Table 3-11: Regression analysis – Former Marrickville LGA – Strata by price, date, strata area and postcode for the year to April 2016

Parameter	Coefficient	Comment
R <sup>2</sup>	0.84	The variables used in the analysis predict 84% of the variation in prices
Days	Not significantly different from zero	There has been no price growth in the period
Strata area	\$4,191.80	Each square metre of strata area adds \$4,192 to the sales price
Post Code 2204 (Marrickville)	-\$117,380	Compared to dwellings in Post Codes 2049 (Lewisham/ Petersham) 2048 (Stanmore), and 2042 (Newtown/ Enmore), dwellings in Post Code 2204 sell for \$117,000 less
Post Code 2203 (Dulwich Hill)	-\$86,538	Compared to dwellings in Post Codes 2049 (Lewisham/ Petersham) 2048 (Stanmore), and 2042 (Newtown/ Enmore), dwellings in Post Code 2203 sell for \$87,000 less
Post Code 2050 (Camperdown)	\$102,090	Compared to dwellings in Post Codes 2049 (Lewisham/ Petersham) 2048 (Stanmore), and 2042 (Newtown/ Enmore), dwellings in Post Code 2050 sell for \$102,000 more
Post Code 2044 (Sydenham/Tempe/ St Peters)	-\$120,230	Compared to dwellings in Post Codes 2049 (Lewisham/ Petersham) 2048 (Stanmore), and 2042 (Newtown/ Enmore), dwellings in Post Code 2050 sell for \$120,000 less
Constant	\$310,720	

Source: JSA 2016, using data from EAC Redsquare and JSA analysis

17. Table 3-12: Regression analysis – Former Leichhardt and Ashfield LGAs– Strata by price, date, strata area and postcode for the year to April 2016 (sample size too small to differentiate between postcodes).

Parameter	Coefficient	Comment
R <sup>2</sup>	0.55	The variables used in the analysis predict 55% of the variation in prices
Days	Not significantly different from zero	There has been no price growth in the period
Strata area	\$5,199.00	Each square metre of strata area adds \$5,200 to the sales price
Constant	\$218,490	

Source: JSA 2016, using data from EAC Redsquare and JSA analysis

### 3.4.2 Assessment of affordability based on LRA

It is unlikely that any separate house will be affordable in Inner West LGA, and in any case, there are limited development opportunities for such products. As an example, a two bedroom, one bathroom house on a 200 m<sup>2</sup> lot without parking in the cheapest Post Code area (2044) would be expected to sell for \$905,000; and hence would not be affordable to any very low, low or moderate income household.

The best predictor of the price of strata dwellings is the strata area. The table below sets out the likely sales price and affordability for minimum sized studio, one bedroom and two bedroom apartments, with and without parking, for postcodes 2044, 2049/2048/2042 and 2038/2131/2132/2040/2039/2130.

The analysis shows the limited ability of the market to deliver affordable housing. All very low income households are excluded, and the only product affordable to some low income households is a 35 m<sup>2</sup> studio apartment with no parking in Post Code 2044. Moderate income households have more choice, with studio and one bedroom apartments with and without parking affordable to much of the income band; however affordability of two bedroom apartments is limited, with a two bedroom apartment without parking in Post Code 2044 affordable to the upper 34% of the income band.

Strategies to support market delivery of affordable housing should therefore focus on development opportunities for smaller dwellings in Post Code 2044.

18. Table 3-13: Strata Dwelling affordability

Dwelling	Post Code	Estimated Sales Price	Affordable to
Studio Apartment (35 m <sup>2</sup> )	2044	\$337,000	All moderate income households and the upper 20% of low income households
	2049/2048/2042	\$457,000	The upper 49% of moderate income households
	2038/2131/2132/2040/2039/2130	\$400,000	The upper 80% of moderate income households
Studio Apartment (35 m <sup>2</sup> ) with parking (allow 18 m <sup>2</sup> )	2044	\$412,000	The upper 73% of moderate income households
	2049/2048/2042	\$532,000	The upper 7% of moderate income households
	2038/2131/2132/2040/2039/2130	\$494,000	The upper 30% of moderate income households
One Bedroom Apartment (50 m <sup>2</sup> )	2044	\$400,000	The upper 80% of moderate income households
	2049/2048/2042	\$520,000	The upper 14% of moderate income households
	2038/2131/2132/2040/2039/2130	\$478,000	The upper 40% of moderate income households
One Bedroom Apartment (50 m <sup>2</sup> ) with parking (allow 18 m <sup>2</sup> )	2044	\$475,000	The upper 39% of moderate income households
	2049/2048/2042	\$595,000	Not affordable

Dwelling	Post Code	Estimated Sales Price	Affordable to
	2038/2131/2132/2040/2039/2130	\$572,000	Not affordable
Two Bedroom Apartment (70 m <sup>2</sup> )	2044	\$484,000	The upper 34% of moderate income households
	2049/2048/2042	\$604,000	Not affordable
	2038/2131/2132/2040/2039/2130	\$582,000	Not affordable
Two Bedroom Apartment (70 m <sup>2</sup> ) with parking (allow 18 m <sup>2</sup> )	2044	\$559,000	Not affordable
	2049/2048/2042	\$679,000	Not affordable
	2038/2131/2132/2040/2039/2130	\$676,000	Not affordable

Source: JSA 2016 using results of Linear Regression Analysis

## 4 Assessment of Value Uplift and Land Value Capture

### 4.1 Overview

Much of the land in the former Marrickville LGA is zoned R2, IN1 and IN2. Residential land in the LGA typically has FSR 0.60 and height of 9.5 metres with some areas of greater height in and around town centres. Industrial land typically has FSR 0.95 with no height restriction. Most of this industrial land is in Marrickville and St Peters.<sup>78</sup>

Land in the former Ashfield LGA is mostly zoned R2, R3 and B4. Residential land typically has FSR 0.50-0.70 and height of 8.5-12.0 metres with some areas of greater height in and around town centres and along Parramatta Road.

Land in the former Leichhardt LGA is mostly zoned R1 and B2. Residential land typically has FSR 0.50-0.60. Heights are generally not controlled, but are likely to be limited by FSR.

Preliminary modelling has been carried out to understand the economics of redevelopment in Inner West LGA using current sales data and construction cost data, so as to understand the likely land value uplift associated with changes to planning controls and to assess a reasonable land value capture for council to use for a public purpose. Land value uplift has been calculated as the value of developed land less the cost of existing land, construction costs and a normal level of profit and we have assumed council would capture 50% of the land value uplift for a public purpose. The land value capture has been calculated as a proportion of gross floor area to facilitate universal application, however should council wish to negotiate to receive some of the land value capture in cash or in kind other than apartments, the proportion can be converted into cash through using the estimated sale price of apartments in the development. It would be a matter for council to decide the proportion of the land value capture to use for affordable housing, compared to other public purposes council may wish to progress.

Detailed results of modelling are shown in Table 4-1 below.

The most favourable economics, and hence opportunities for land value capture, relate to the rezoning of industrial land to allow construction of residential flat buildings, to redevelopment of separate housing for residential flat buildings in the former Ashfield and Leichhardt LGAs and to redevelopment of existing three storey walk-ups in Postcodes 2041 (Balmain, Balmain East, Birchgrove), 2040 (Leichhardt, Lilyfield) and 2039 (Rozelle).

Modelled profitability for industrial land ranges from 15-50% for three storey redevelopment to 80-90% for 14 storey development, suggesting that there will be a significant uplift in land value as a result of such zoning changes. Many of the lots are quite large and in single ownership, facilitating redevelopment. Estimated land value capture ranges from 2% for three storey redevelopment in Post Code 2038, to 21% for 14 storey redevelopment in Post Code 2044.

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<sup>78</sup> Marrickville Local Environment Plan 2011, inspection of maps.



Levels of profitability are generally lower for redevelopment of existing separate houses for residential flat buildings and vary across suburbs. Three storey construction is likely to be profitable and with opportunities for value capture in Post Codes 2131 (Ashfield), 2045 (Haberfield), 2040 (Leichhardt, Lilyfield), 2039 (Rozelle) and 2130 (Summer Hill). Six storey construction is likely to be profitable and with opportunities for value capture in Post Codes 2044 (St Peters/Sydenham/Tempe), 2049 (Lewisham/Petersham), 2203 (Dulwich Hill), 2204 Marrickville, 2038 (Annandale), 2041 (Balmain, Balmain East, Birchgrove) and 2132 (Croydon). Eight storey construction is likely to be profitable and with opportunities for value capture in Post Codes 2048 (Stanmore) and 2050 (Camperdown); while Post Code 2042 will require 14 stories to be profitable. Lot sizes are generally quite small (averaging 250 m<sup>2</sup> but 470 m<sup>2</sup> in Ashfield and 650 m<sup>2</sup> in Haberfield) and so redevelopment will require consolidation of land which is likely to reduce opportunities. Estimated land value capture ranges from 1% for six storey redevelopment in Post Code 2050, to 28% for 14 storey redevelopment in Post Code 2039.

The economics of redevelopment of existing three storey residential flat buildings are generally less favourable although some areas show good profitability. Modelled profitability ranges from 4-31% for six storey construction up to 37-100% for 14 storey construction. Existing residential flat buildings are likely to be on larger lots, again facilitating redevelopment however purchase will be required from individual strata owners, making consolidation difficult. Estimated land value capture ranges from 1% for six storey redevelopment in Post Code 2045, to 23% for 14 storey redevelopment in Post Code 2039.

There are three proposed redevelopment areas under the *Sydenham to Bankstown – draft Urban Renewal Corridor Strategy*. These are discussed below.

Proposed changes in **Sydenham** include shop top housing and medium to high rise housing in areas currently zoned B5, B7, IN2 and IN1. Existing FSRs and height are 0.95 in the industrial zoning with no height restriction and 1.75 in the business zoning with height of 14.0 metres (four stories). Existing development is 2-3 storey factories and showrooms.<sup>79</sup> The economics of redevelopment appear quite favourable and there is likely to be considerable opportunity for value capture in this precinct, in line with modelling related to the rezoning of industrial land.

Proposed changes in **Marrickville** include medium to high rise housing (including the Carrington Road Precinct) in areas currently zoned R1, R2, IN2 and IN1. Existing FSRs and height are 0.95 in the industrial zoning with no height restriction and 0.60 in the residential zoning with height of 9.5 metres (two stories) with some pockets of greater height and density.

Existing development is 2-3 storey factories in the industrial areas and generally single storey separate housing in the residential areas. Existing residential flat buildings are typically three storey walk-ups.<sup>80</sup> The economics of redevelopment of the industrial land are likely to be quite favourable, with considerable opportunity for value capture. The economics of redevelopment of existing separate housing is less favourable, and is likely to require quite liberal controls allowing six storey construction or higher for redevelopment to occur. Opportunities for value capture range from 7% for six stories to 15% for 14 stories. The economics of redevelopment of existing

<sup>79</sup> Using Google Street View.

<sup>80</sup> Using Google Street View.

flat buildings will also require quite liberal controls, with redevelopment likely to require a minimum of eight stories to be viable, and opportunities for value capture ranging from 1% for eight stories to 10% for 14 stories.

Proposed changes in **Dulwich Hill** include medium to high rise housing and shop top housing in areas currently zoned R1, R2, R3, R4, B2 and B4. Existing FSRs and height are 2.2 and 14-17 metres (4-5 stories) in the business zoning and 0.60 in the residential zoning with height of 9.5 metres (two stories) with some pockets of greater height and density.

Existing development is two storey shopfronts in the business zoned areas and generally single storey separate housing in the residential areas with some residential flat buildings. Existing residential flat buildings are typically three storey walk-ups.<sup>81</sup>

There is insufficient data available to assess the redevelopment of existing commercial areas, but values are likely to reflect those for existing separate housing. The economics of redevelopment of existing separate housing is relatively favourable, but is likely to require quite liberal controls allowing six storey construction or higher for redevelopment to occur. Opportunities for value capture range from 10% for six stories to 17% for 14 stories. The economics of redevelopment of existing flat buildings will also require quite liberal controls, with redevelopment likely to require a minimum of eight stories to be viable, and opportunities for value capture ranging from 3% for eight stories to 11% for 14 stories.

There are three proposed redevelopment areas under the *Parramatta Road Urban Transformation Strategy*. These are the **Camperdown Precinct**, currently zoned IN2, **Taverners Hill Precinct** currently zoned R1 and **Leichhardt Precinct**, currently zoned B2. Details of proposed changes are no longer available from Urban Growth NSW, pending consideration of feedback to draft proposals. Based on our modelling, and depending on the final details of planning controls, Construction of residential flat buildings of three storeys and over are likely to be profitable in Camperdown, as are construction of six storeys in Leichhardt in B2 zoning and construction of three stories in Leichhardt in areas of separate housing. Consequently, opportunities for value capture would be expected, ranging from 2% to 20% for Camperdown, 3% to 18% in areas of Leichhardt currently zoned B2 (Leichhardt Precinct) and 3% to 23% in areas of Leichhardt currently zoned R1 (Taverners Hill Precinct).

## 4.2 Modelling (Redevelopment)

### Overview

The modelling assumes the development of a block of land of 1,000 m<sup>2</sup>, assumed to be 25 metres wide by 40 metres deep. Based on the setbacks of 6.0 metres in the apartment design guide, the developable area is 28 metres by 13 metres, or 364 m<sup>2</sup>.

<sup>81</sup> Using Google Street View.

Three scenarios have been considered for the land purchase, that is the value of the land prior to the uplift in land values as a result of changes to planning controls.

In the first, it is assumed that separate housing consisting of a median priced house on a median sized block of land is amalgamated to achieve the developable block, and that a median price is paid, that is existing housing is purchased and demolished to enable high density residential flat development. The purchase price is calculated as:

$$\text{Median house price} \times 1,000 / \text{median lot size}$$

In the second scenario, it is assumed that existing three storey residential flat buildings are demolished to enable high density residential flat development and that the purchase price is the median for two bedroom strata for the area. A footprint of 0.33 of the lot is assumed, giving around 4.5 70 m<sup>2</sup> two bedroom apartments per floor, or 14 apartments in total. The purchase price is calculated as:

$$\text{Median two bedroom strata price} \times 14$$

In the third scenario, the land cost is taken as an average price for an industrial zoned lot of 1,000 m<sup>2</sup> in Marrickville LGA as estimated using recent sales data,<sup>82</sup> and an average price per square metre for recent sales of industrial land in Camperdown.<sup>83</sup>

The cost of construction has been estimated using rates from *Rawlinsons Australian Construction Handbook 2012*, multiplied by 1.5 to allow for GST, professional costs, inflation and financing costs. The estimate assumes five 70m<sup>2</sup> apartments per floor, based on the developable area of 364 m<sup>2</sup>, and 1.2 underground car spaces per unit. The rates used were for underground parking and for lifted multi storey medium standard apartments.

Profit has been estimated as Sales price less land purchase and construction cost, and has been estimated as a percentage of land purchase and construction cost.

Profit in excess of a normal profit percentage of 10% has been treated as a windfall profit and hence the likely land value uplift, and a land value capture contribution has been calculated based on a 50:50 split of the land value uplift between the developer and/or landowner and a contribution for a public purpose. The land value capture contribution has been shown as a proportion of gross floor area and is shown as LVC% in the table. While this has been shown as a proportion of GFA (or its equivalent in dwellings), all or some proportion of this could be taken in cash rather than as apartments, if council wished to redirect a proportion of the value capture to another public purpose.

Modelling has been carried out for three stories (FSR 1.1, height 12.0 metres), six stories (FSR 2.2, height 21.0 metres), eight stories (FSR 2.9, height 27.0 metres) and fourteen stories (FSR 5.1, height 45.0 metres).

The results of the modelling are shown in the table below.

<sup>82</sup> Linear Regression Analysis for industrial zoned land for Marrickville LGA for the last year,  $R^2 = 0.64$ , Price = \$1,087,800 + \$870 x area (m<sup>2</sup>)

<sup>83</sup> 102/1179398 23/9/14 \$3,293/m<sup>2</sup>; 1/53921 1/12/15 \$4,764/m<sup>2</sup>; 1/169441, 1/655185, 43/792615, 4/9/14 \$4,975/m<sup>2</sup>.

**Table 4-1: Potential Redevelopment Scenarios for Selected Post Codes**
**Scenario 1 (\$ ' 000,000)**

Suburb	Land purchase Scenario 1	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2042 (Enmore/Newtown)	\$8.75m	\$5.01m	\$9.53m	-\$4.23m	-31%	Nil	\$10.02m	\$19.05m	\$0.28m	2%	Nil
2044 (St Peters/ Sydenham/ Tempe)	\$4.55m	\$5.01m	\$10.45m	\$0.88m	9%	Nil	\$10.02m	\$20.90m	\$6.32m	43%	12%
2048 (Stanmore)	\$6.48m	\$5.01m	\$9.44m	-\$2.06m	-18%	Nil	\$10.02m	\$18.87m	\$2.36m	14%	2%
2049 (Lewisham/Petersham)	\$5.73m	\$5.01m	\$10.58m	-\$0.17m	-2%	Nil	\$10.02m	\$21.15m	\$5.39m	34%	9%
2050 (Camperdown)	\$9.22m	\$5.01m	\$10.78m	-\$3.46m	-24%	Nil	\$10.02m	\$21.56m	\$2.31m	12%	1%
2203 (Dulwich Hill)	\$4.23m	\$5.01m	\$9.90m	\$0.66m	7%	Nil	\$10.02m	\$19.80m	\$5.55m	39%	10%
2204 (Marrickville)	\$5.02m	\$5.01m	\$9.60m	-\$0.43m	-4%	Nil	\$10.02m	\$19.20m	\$4.16m	28%	7%

Suburb	Land purchase Scenario 1	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2042 (Enmore/Newtown)	\$8.75m	\$13.37m	\$25.40m	\$3.29m	15%	2%	\$23.39m	\$44.45m	\$12.31m	38%	10%
2044 (St Peters/ Sydenham/ Tempe)	\$4.55m	\$13.37m	\$27.86m	\$9.94m	56%	15%	\$23.39m	\$48.76m	\$20.81m	75%	18%
2048 (Stanmore)	\$6.48m	\$13.37m	\$25.16m	\$5.31m	27%	7%	\$23.39m	\$44.03m	\$14.15m	47%	13%
2049 (Lewisham/Petersham)	\$5.73m	\$13.37m	\$28.20m	\$9.10m	48%	13%	\$23.39m	\$49.35m	\$20.23m	70%	18%
2050 (Camperdown)	\$9.22m	\$13.37m	\$28.74m	\$6.15m	27%	7%	\$23.39m	\$50.30m	\$17.68m	54%	14%
2203 (Dulwich Hill)	\$4.23m	\$13.37m	\$26.40m	\$8.81m	50%	13%	\$23.39m	\$46.20m	\$18.58m	67%	17%
2204 (Marrickville)	\$5.02m	\$13.37m	\$25.60m	\$7.21m	39%	10%	\$23.39m	\$44.80m	\$16.39m	58%	15%

Suburb	Land purchase Scenario 1	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2038 (Annandale)	\$7.66m	\$5.01m	\$10.99m	-\$1.69m	-13%	Nil	\$10.02m	\$21.98m	\$4.29m	24%	6%
2131 (Ashfield)	\$3.31m	\$5.01m	\$10.20m	\$1.87m	23%	5%	\$10.02m	\$20.40m	\$7.06m	53%	14%
2041 (Balmain, Balmain East, Birchgrove)	\$10.46m	\$5.01m	\$14.81m	-\$0.66m	-4%	Nil	\$10.02m	\$29.63m	\$9.14m	45%	12%
2132 (Croydon)	\$3.57m	\$5.01m	\$8.97m	\$0.39m	5%	Nil	\$10.02m	\$17.94m	\$4.34m	32%	8%
2045 (Haberfield)	\$3.05m	\$5.01m	\$11.88m	\$3.82m	47%	13%	\$10.02m	\$23.76m	\$10.69m	82%	20%
2040 (Leichhardt, Lilyfield)	\$5.94m	\$5.01m	\$12.87m	\$1.91m	18%	3%	\$10.02m	\$25.74m	\$9.77m	61%	16%
2039 (Rozelle)	\$7.97m	\$5.01m	\$16.73m	\$3.74m	29%	7%	\$10.02m	\$33.45m	\$15.45m	86%	20%
2130 (Summer Hill)	\$4.29m	\$5.01m	\$10.73m	\$1.42m	15%	2%	\$10.02m	\$21.45m	\$7.14m	50%	13%

Suburb	Land purchase Scenario 1	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2038 (Annandale)	\$7.66m	\$13.37m	\$29.30m	\$8.27m	39%	11%	\$23.39m	\$51.28m	\$20.22m	65%	17%
2131 (Ashfield)	\$3.31m	\$13.37m	\$27.20m	\$10.52m	63%	16%	\$23.39m	\$47.60m	\$20.90m	78%	19%
2041 (Balmain, Balmain East, Birchgrove)	\$10.46m	\$13.37m	\$39.50m	\$15.67m	66%	17%	\$23.39m	\$69.13m	\$35.27m	104%	23%
2132 (Croydon)	\$3.57m	\$13.37m	\$23.92m	\$6.98m	41%	11%	\$23.39m	\$41.86m	\$14.90m	55%	15%
2045 (Haberfield)	\$3.05m	\$13.37m	\$31.68m	\$15.27m	93%	22%	\$23.39m	\$55.44m	\$29.00m	110%	24%
2040 (Leichhardt, Lilyfield)	\$5.94m	\$13.37m	\$34.32m	\$15.01m	78%	19%	\$23.39m	\$60.06m	\$30.73m	105%	23%
2039 (Rozelle)	\$7.97m	\$13.37m	\$44.60m	\$23.27m	109%	24%	\$23.39m	\$78.05m	\$46.69m	149%	28%
2130 (Summer Hill)	\$4.29m	\$13.37m	\$28.60m	\$10.94m	62%	16%	\$23.39m	\$50.05m	\$22.37m	81%	20%

**Scenario 2 (\$ ' 000,000)**

Suburb	Land purchase Scenario 2	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2042 (Enmore/Newtown)	\$8.89m	\$5.01m	\$9.53m	-\$4.38m	-32%	Nil	\$10.02m	\$19.05m	\$0.14m	1%	Nil
2044 (St Peters/ Sydenham/ Tempe)	\$9.75m	\$5.01m	\$10.45m	-\$4.32m	-29%	Nil	\$10.02m	\$20.90m	\$1.12m	6%	Nil
2048 (Stanmore)	\$8.81m	\$5.01m	\$9.44m	-\$4.38m	-32%	Nil	\$10.02m	\$18.87m	\$0.04m	0%	Nil
2049 (Lewisham/Petersham)	\$9.87m	\$5.01m	\$10.58m	-\$4.31m	-29%	Nil	\$10.02m	\$21.15m	\$1.26m	6%	Nil
2050 (Camperdown)	\$10.06m	\$5.01m	\$10.78m	-\$4.29m	-29%	Nil	\$10.02m	\$21.56m	\$1.47m	7%	Nil
2203 (Dulwich Hill)	\$9.24m	\$5.01m	\$9.90m	-\$4.35m	-31%	Nil	\$10.02m	\$19.80m	\$0.54m	3%	Nil
2204 (Marrickville)	\$8.96m	\$5.01m	\$9.60m	-\$4.37m	-31%	Nil	\$10.02m	\$19.20m	\$0.22m	1%	Nil

Suburb	Land purchase Scenario 2	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2042 (Enmore/Newtown)	\$8.89m	\$13.37m	\$25.40m	\$3.14m	14%	2%	\$23.39m	\$44.45m	\$12.17m	38%	10%
2044 (St Peters/ Sydenham/ Tempe)	\$9.75m	\$13.37m	\$27.86m	\$4.74m	21%	4%	\$23.39m	\$48.76m	\$15.61m	47%	13%
2048 (Stanmore)	\$8.81m	\$13.37m	\$25.16m	\$2.99m	14%	2%	\$23.39m	\$44.03m	\$11.83m	37%	10%
2049 (Lewisham/Petersham)	\$9.87m	\$13.37m	\$28.20m	\$4.96m	21%	5%	\$23.39m	\$49.35m	\$16.09m	48%	13%
2050 (Camperdown)	\$10.06m	\$13.37m	\$28.74m	\$5.31m	23%	5%	\$23.39m	\$50.30m	\$16.84m	50%	13%
2203 (Dulwich Hill)	\$9.24m	\$13.37m	\$26.40m	\$3.79m	17%	3%	\$23.39m	\$46.20m	\$13.57m	42%	11%
2204 (Marrickville)	\$8.96m	\$13.37m	\$25.60m	\$3.27m	15%	2%	\$23.39m	\$44.80m	\$12.45m	39%	10%

Suburb	Land purchase Scenario 2	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2038 (Annandale)	\$10.26m	\$5.01m	\$10.99m	-\$4.28m	-28%	Nil	\$10.02m	\$21.98m	\$16.95m	8%	Nil
2131 (Ashfield)	\$9.52m	\$5.01m	\$10.20m	-\$4.33m	-30%	Nil	\$10.02m	\$20.40m	\$8.55m	4%	Nil
2041 (Balmain, Balmain East, Birchgrove)	\$13.83m	\$5.01m	\$14.81m	-\$4.02m	-21%	Nil	\$10.02m	\$29.63m	\$5.78m	24%	6%
2132 (Croydon)	\$8.37m	\$5.01m	\$8.97m	-\$4.41m	-33%	Nil	\$10.02m	\$17.94m	-\$0.46m	-3%	Nil
2045 (Haberfield)	\$11.09m	\$5.01m	\$11.88m	-\$4.22m	-26%	Nil	\$10.02m	\$23.76m	\$2.65m	13%	1%
2040 (Leichhardt, Lilyfield)	\$12.01m	\$5.01m	\$12.87m	-\$4.15m	-24%	Nil	\$10.02m	\$25.74m	\$3.70m	17%	3%
2039 (Rozelle)	\$15.61m	\$5.01m	\$16.73m	-\$3.90m	-19%	Nil	\$10.02m	\$33.45m	\$7.82m	31%	8%
2130 (Summer Hill)	\$10.01m	\$5.01m	\$10.73m	-\$4.30m	-29%	Nil	\$10.02m	\$21.45m	\$1.42m	7%	Nil

Suburb	Land purchase Scenario 2	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2038 (Annandale)	\$10.26m	\$13.37m	\$29.30m	\$5.68m	24%	6%	\$23.39m	\$51.28m	\$17.63m	52%	14%
2131 (Ashfield)	\$9.52m	\$13.37m	\$27.20m	\$4.31m	19%	4%	\$23.39m	\$47.60m	\$14.69m	45%	12%
2041 (Balmain, Balmain East, Birchgrove)	\$13.83m	\$13.37m	\$39.50m	\$12.31m	45%	12%	\$23.39m	\$69.13m	\$31.91m	86%	20%
2132 (Croydon)	\$8.37m	\$13.37m	\$23.92m	\$2.18m	10%	Nil	\$23.39m	\$41.86m	\$10.10m	32%	8%
2045 (Haberfield)	\$11.09m	\$13.37m	\$31.68m	\$7.23m	30%	8%	\$23.39m	\$55.44m	\$20.96m	61%	16%
2040 (Leichhardt, Lilyfield)	\$12.01m	\$13.37m	\$34.32m	\$8.94m	35%	9%	\$23.39m	\$60.06m	\$24.66m	70%	18%
2039 (Rozelle)	\$15.61m	\$13.37m	\$44.60m	\$15.62m	54%	14%	\$23.39m	\$78.05m	\$39.05m	100%	23%
2130 (Summer Hill)	\$10.01m	\$13.37m	\$28.60m	\$5.22m	22%	5%	\$23.39m	\$50.05m	\$16.65m	50%	13%



**Scenario 3 (\$ ' 000,000)**

Suburb	Land purchase Scenario 2	Construction cost three stories	sale price	profit	profit %	LVC %	Construction cost six stories	sale price	profit	profit %	LVC %
2044 (St Peters/ Sydenham/ Tempe)	\$1.96m	\$5.01m	\$10.45m	\$3.48m	50%	13%	\$10.02m	\$20.90m	\$8.91m	74%	18%
2204 (Marrickville)	\$1.96m	\$5.01m	\$9.60m	\$2.63m	38%	10%	\$10.02m	\$19.20m	\$7.22m	60%	16%
2038 (Camperdown)	\$4.50m	\$5.01m	\$10.99m	\$1.48m	16%	2%	\$10.02m	\$21.98m	\$7.45m	51%	14%

Suburb	Land purchase Scenario 2	Construction cost eight stories	sale price	profit	profit %	LVC %	Construction cost 14 stories	sale price	profit	profit %	LVC %
2044 (St Peters/ Sydenham/ Tempe)	\$1.96m	\$13.37m	\$27.86m	\$12.54m	82%	20%	\$23.39m	\$48.76m	\$23.41m	92%	21%
2204 (Marrickville)	\$1.96m	\$13.37m	\$25.60m	\$10.28m	67%	17%	\$23.39m	\$44.80m	\$19.45m	77%	19%
2038 (Camperdown)	\$4.50m	\$13.37m	\$29.30m	\$11.43m	64%	16%	\$23.39m	\$51.28m	\$23.38m	84%	20%

## Limitations of modelling

The modelling is necessarily general in nature using median prices and broad estimates, and outcomes for a particular site will depend on the details of the site and the details of the proposed development. The modelling assumes that the economics of redevelopment of low rise commercial sites will be similar to redevelopment of existing residential flat buildings, as there is little data available for commercial sites and commercial sites vary widely in size.

Assumptions have been made with regard to development controls and dwelling yield, and preliminary architectural design would be required to confirm these assumptions. Similarly, cost estimates on preliminary architectural design would be required to confirm estimates of construction cost.

The economics are likely to be much better for redevelopment of brownfield sites, and likely worse for relatively new two storey commercial premises, although as noted, consideration would need to be given to any remediation required for industrial sites.

Nonetheless, the modelling gives insight into likely sensitivities of development and broad insight into likely profit associated with uplift, and where such strategies are most likely to be effective in the context of housing markets within Inner West LGA.

## 4.3 Marginal uplift from increased height and/or density

### 4.3.1 Overview

In many cases, developers will offer to enter into a voluntary planning agreement that allows for additional saleable Gross Floor Area through LEP clause 4.6 variations related to height or FSR. Where such variations are found to have merit in their own right, and so warrant approval, Council may wish to capture some of the associated value uplift. Assessment may be made on a case by case with value uplift estimated by land valuers and quantity surveyors or can be assessed on a proportional basis using averages. An assessment on a proportional basis using averages is set out below.

The analysis is conducted on a marginal basis, that is only the additional costs and additional value are considered. As such the purchase cost of the land, site costs and the like are ignored.

Where a Voluntary Planning Agreement results in an increase in saleable floor area, land value capture of 21% to 34% of the **additional** saleable floor area obtained as a result of the Voluntary Planning Agreement is warranted.

### 4.3.2 Modelling (Additional Saleable Floor Area)

The modelling below assesses the marginal value uplift and hence value capture from additional saleable floor area as a proportion of floor area, represented as apartments where value uplift in excess of a normal profit of 10% is shared 50:50 with the developer and a public purpose. The land value capture is shown as a proportion of saleable floor area to allow for universal application.

The modelling uses assumptions as set out above in section 7.2.2.

Table 4-2: Potential Marginal uplift for Selected Post Codes

**Marginal uplift (\$ ' 000,000)**

Suburb	Construction cost per floor	sale price	Uplift	Uplift %	LVC %
2042 (Enmore/Newtown)	\$1.67m	\$3.18m	\$1.50m	90%	21%
2044 (St Peters/ Sydenham/ Tempe)	\$1.67m	\$3.48m	\$1.81m	108%	24%
2048 (Stanmore)	\$1.67m	\$3.15m	\$1.47m	88%	21%
2049 (Lewisham/Petersham)	\$1.67m	\$3.53m	\$1.85m	111%	24%
2050 (Camperdown)	\$1.67m	\$3.59m	\$1.92m	115%	24%
2203 (Dulwich Hill)	\$1.67m	\$3.30m	\$1.63m	98%	22%
2204 (Marrickville)	\$1.67m	\$3.20m	\$1.53m	92%	21%
2038 (Annandale)	\$1.67m	\$3.20m	\$1.53m	92%	21%
2131 (Ashfield)	\$1.67m	\$3.66m	\$1.99m	119%	25%
2041 (Balmain, Balmain East, Birchgrove)	\$1.67m	\$3.40m	\$1.73m	104%	23%
2132 (Croydon)	\$1.67m	\$2.99m	\$1.32m	79%	19%
2045 (Haberfield)	\$1.67m	\$3.96m	\$2.29m	137%	27%
2040 (Leichhardt, Lilyfield)	\$1.67m	\$4.29m	\$2.62m	157%	29%
2039 (Rozelle)	\$1.67m	\$5.58m	\$3.90m	234%	34%
2130 (Summer Hill)	\$1.67m	\$3.58m	\$1.90m	114%	24%

## 5 Testing the Feasibility of Contribution Rates

### 5.1 Rationale and considerations in setting a contribution rate

The purpose of this discussion paper is to provide a rationale for a contribution rate that will deliver appropriate levels of affordable housing but will not be so high as to stifle development. With regard to the latter, it should be noted that there are likely to be other brakes on development. These are most likely to be the need for lot consolidation and the quality of existing development (e.g. demolition of older timber housing is likely to be more favoured than demolition of good quality offices).

It should be noted that the modelling is general and based on medians and averages. Larger lots and lots with greater heights and density would be expected to support higher levies.

There is no clear pattern for differentiating the proposed levy using broader geographical areas. If a differentiated levy was proposed a calculator approach would be best, with the inputs to the calculator being the post code, the previous zoning and the likely height.

### 5.2 Effect of levy on viability

#### 5.2.1 Overview of Findings

The tables below show the impact of Affordable Housing levies of 15% and 5% on development viability in terms of existing zoning, post code and height.

The impact of a 15% levy compared to a 5% levy is most marked in the case of existing units and better value commercial property. There is some impact on the redevelopment of separate housing at lower densities, but with reduced impact at higher densities. There is little predicted impact for industrial land and poorer value commercial property, except at densities likely to be much lower than expected planning controls.

While separate housing could be rezoned to allow higher densities, viability will be affected by the need to consolidate property, and this may be difficult given the generally small lots sizes across the LGA. The most likely areas where this type of redevelopment could take place are Haberfield, Rozelle and Ashfield, all with typically larger lots.

Due to lot size and the need for consolidation, redevelopment in areas of separate housing is likely to be smaller developments, and this could be exempted from the levy through having a threshold such as 10 or 20 dwellings.

A similar argument can be put forward for redevelopment of existing low rise residential flat buildings, and in any case quite high densities would be required to support redevelopment.

The highest profits are associated with rezoning of industrial land, and a 15% levy is generally supportable across these areas.

Considering recent development in inner Sydney, most redevelopment is taking place on rezoned industrial land, due to its lower value as industrial land and the larger lot sizes available.

The other major area of development is mixed use developments in commercial zonings. We have not modelled commercial zoning due to the wide range in prices depending on the nature of existing development, however in similar work done previously in the Arncliffe area there were two broad prices for commercial land, a higher price similar to Scenario 2 (redevelopment of existing low rise residential flat buildings) for better value properties such as 2-3 storey offices; and a lower price similar to our Scenario 3 (redevelopment of industrial land) for lower value properties such as car yards and older smaller single storey premises with areas of undeveloped land such as car parks and hard stand.

### 5.2.2 Likely impact on development of 15% target

19. Table 5-1: Redevelopment of separate housing:

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3	2042, 2048, 2049, 2050, 2204, 2038, 2041	2044, 2203, 2131, 2132, 2045, 2040, 2039, 2130	
6		2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2130	2045, 2040, 2039
8		2042, 2048, 2049, 2050, 2203, 2204, 2038, 2132	2044, 2131, 2041, 2045, 2040, 2039, 2130
14		2042, 2048, 2050	2044, 2049, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130

20. Table 5-2: Redevelopment of existing units (also likely to be similar for better value commercial property such as office buildings)

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3	2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130		
6	2132	2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2045, 2040, 2039, 2130	
8		2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130	
14		2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2132, 2130	2041, 2045, 2040, 2039

21. Table 5-3: Redevelopment of industrial land (also likely to be similar for poorer value commercial property such as car yards)

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3		2044, 2204, 2038	
6		2038 (viable at 14%)	2044, 2204
8			2044, 2204, 2038
14			2044, 2204, 2038

### 5.2.3 Likely impact on development of 5% target

22. Table 5-4: Redevelopment of separate housing:

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3	2042, 2048, 2049, 2050, 2204, 2038, 2041	2040, 2130	2044, 2203, 2131, 2045, 2039
6		2042, 2048, 2050	2044, 2049, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130
8		2042	2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130
14			2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130

23. Table 5-5: Redevelopment of existing units (also likely to be similar for better value commercial property such as office buildings)

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3	2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130		
6	2132	2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2045, 2040, 2130	2041, 2039
8		2042, 2044, 2048, 2203, 2204, 2038, 2131, 2132	2049, 2050, 2038, 2041, 2045, 2040, 2039, 2130
14			2042, 2044, 2048, 2049, 2050, 2203, 2204, 2038, 2131, 2041, 2132, 2045, 2040, 2039, 2130



24. Table 5-6: Redevelopment of industrial land (also likely to be similar for poorer value commercial property such as car yards)

Stories	Post Codes not viable	Post Codes not viable with levy	Post Codes viable with levy
3		2038	2044, 2204
6			2044, 2204, 2038
8			2044, 2204, 2038
14			2044, 2204, 2038

## 5.3 Conclusion

Redevelopment is most likely to take place in older industrial areas and areas of low quality commercial development. Our modelling suggests that a levy of 15% is likely to be sustainable for developments of six stories and above in such areas, particularly given the order of accuracy of the modelling and the relatively conservative assumptions used.

Development in areas of separate housing is likely to be limited due to small lot sizes and the need to assemble land. High densities are likely to be necessary to support such redevelopment and a 15% levy is generally sustainable for 8-14 storey development, again within the accuracy of the modelling. Three storey development, avoiding the separation requirements of the Apartment Design Guide, is generally not likely to be viable, and where it is viable would probably result in smaller developments due to smaller lot sizes. For example a three storey development on a double block in Ashfield would be expected to yield ten dwellings. The viability of smaller developments is most likely to be affected by a levy, and setting a minimum sized development to attract the levy is one way of addressing this. This can be done either as a minimum number of dwellings or as a minimum GFA. The latter is preferred, as a criterion based on number of dwellings could lead to construction of larger dwellings within the development envelope in order to avoid the levy. Appropriate thresholds could be 20 dwellings or GFA of 1,700 m<sup>2</sup>.<sup>84</sup>

Similarly, redevelopment of existing low rise residential flat buildings and better quality commercial is unlikely to occur due to the quite high densities required to ensure viability, and where it does occur will probably be on larger lots with development economics more favourable than those modelled, and hence able to support the levy.

<sup>84</sup> 20\*70 m<sup>2</sup> (two bedroom apartment minimum size)\*1.2 (allowance for corridors etc) = 1,680 m<sup>2</sup>.

## Attachment 4: Report on Public Submissions

### Report on public submissions received

#### Introduction

The exhibition period for the *Affordable Housing Policy* (Policy) started on 11 December 2016 and ended on 13 February 2017. A total of 29 submissions were received during the exhibition period. An additional four submissions were received up until 14 March 2017.

Of all 33 submissions, 27 were received from individuals while 6 were received from organisations.

The organisations that lodged submissions included:

- Shelter NSW
- Link Housing
- NSW Federation of Housing Associations
- Save Dully Action Group
- UrbanGrowth NSW
- Urbanesque Planning P/L

Of all submissions received, 79% supported the Policy while 21% did not support the Policy.

The contributions of all submissions were considered during the preparation of the final version of the Policy.

#### Public Exhibition Period

The public were invited to make submissions on the Policy via Council's online submissions form during the public exhibition period. Along with this, access to the three documents comprising the Policy as well as an outline of the Policy's rationale were made available on Council's dedicated 'Have Your Say' webpage.

During the exhibition period, the webpage received a total of 676 visits while document downloads totalled 300.

A [media release](#) about the Policy being on public exhibition was issued on 16 December 2016. Council also advertised the exhibition period in its eNews editions between December 2016 and February 2017.

As well, a presentation by consultant, Dr Judith Stubbs, on the Policy was made to a Joint Local Representation Advisory Committees (LRAC) meeting on 20 September 2016. This provided LRAC members with an opportunity to learn more about the extent of housing stress in the LGA as well as to ask questions about the Policy's value capture model and the proposed affordable housing targets.

Various inquiries about the Policy from residents, developers and stakeholders were also responded to by the Affordable Housing Officer and Council's consultant during and after the public exhibition period.

#### Acknowledgment

Council thanks all individuals, groups and stakeholders who lodged submissions on the Policy. A wide range of constructive views, queries and recommendations were received and these have been considered during the preparation of the Policy's final draft.

## Summary

Below is a summary of all submissions received, including a snapshot of each submission's comments.

### List of Submissions

Record No.	Support Policy	Not Support Policy	Date Received	From (Suburb)	Snapshot
144699.16	1		16-Dec-16	Marrickville	No comment
144701.16		1	16-Dec-16	Marrickville	There needs to be a clearer definition and evidence of hardship.
145039.16	1		20-Dec-16	Newtown	This is an essential policy for Council
146451.16	1		22-Dec-16	Marrickville	No comment
146683.16	1		22-Dec-16	Enmore	There is a need for diversity in a healthy, ethical and vibrant community.
223.17	1		24-Dec-16	Newtown	No comment
266.17	1		01-Jan-17	Marrickville	No comment
350.17	1		03-Jan-17	Haberfield	Survey design unsatisfactory. Council needs to protect the unique position of Haberfield as a heritage suburb from over-development.
3667.17	1		13-Jan-17	Leichhardt	Would like to see affordable housing targets even higher.
3696.17	1		12-Jan-17	Petersham	Recommends active involvement with the Sydney Alliance and exploring opportunities to partner with Habitat for Humanity.
4448.17	1		16-Jan-17	Ashfield	A commitment to provide affordable housing is needed, notably to single parents who work in the local area.
5891.17	1		19-Jan-17	Leichhardt	Highly relevant for the rapid price escalations taking place in both the housing purchase and rental markets across the inner west. Additional comments on vesting title of new affordable housing stock with a registered CHP and opportunities for new social housing to be mixed with affordable housing

Record No.	Support Policy	Not Support Policy	Date Received	From (Suburb)	Snapshot
8941.17	1		24-Jan-17	Rozelle	Recommends specific parcels of land dedicated to affordable housing and capping rental increases.
8942.17	1		25-Jan-17	Lewisham	Policy should also refer to the taxation system, in particular, a more appropriate capital gains tax and the removal of subsidies such as negative gearing.
9144.17	1		26-Jan-17	Marrickville	Recommends mobile housing for government land as is the case in Victoria.
9301.17	1		30-Jan-17	Tempe	Supports building apartments near train stations.
13396.17	1		01-Feb-17	Sydney	Shelter NSW - Queries raised in relation to the application of the 15% affordable housing target.
13411.17	1		02-Feb-17	Ashfield	Recommends more well-designed small affordable housing dwellings and sufficient green spaces and safe walking pathways etc.
13413.17		1	03-Feb-17	Dulwich Hill	The real issue is declining home ownership rates.
13414.17	1		04-Feb-17	Annandale	Policy will contribute to a socially richer and more diverse community, as well as maintaining housing opportunities for vulnerable groups and workers in essential/community sectors.
13416.17	1		06-Feb-17	Lilyfield	No comment.
13418.17		1	06-Feb-17	Camperdown	Targets should be reduced and not exceed the recommended 5-10 percent target.
14456.17	1		10-Feb-17	St Peters	Policy should apply 15% affordable housing to both large developments as well as medium and small developments.
14469.17	1		10-Feb-17	Drummoyne	Policy should encourage supply of affordable houses to assist families to remain in the LGA.
14473.17	1		10-Feb-17	Petersham	Policy needs to improve affordable housing options for elderly people.

Record No.	Support Policy	Not Support Policy	Date Received	From (Suburb)	Snapshot
14576.17	1		12-Feb-17	Surry Hills	NSW Federation of Housing Associations - Supports the policy in its intentions, its targets and its proposals to the NSW Government; pleased that it also contains performance indicators to measure outcomes. Suggestions include sale of any government land should include a requirement for an ambitious component of social and affordable housing to be incorporated in the development – recommends this be 30 percent target.
14477.17	1		13-Feb-17	Chatswood	Link Housing - no comments.
14479.17	1		13-Feb-17	Enmore	Local community needs affordable decent places to keep this area vibrant and liveable and retain sense of community.
15143.17		1	13-Feb-17	Dulwich Hill	Policy is inappropriate since it only considers Redfern-type 14-storey towers for places like Dulwich Hill.
-	1		15-Feb-17	Sydney	UrbanGrowth - Commends IWC for seeking to address the challenge of housing affordability and diversity. Notes numeric targets differ from the content in draft policy.
-		1	21-Feb-17	Dulwich Hill	Policy will encourage over-development.
-		1	21-Feb-17	Dulwich Hill	Save Dully Action Group - Supports the broad aim of the draft council Affordable Housing Policy but believes policy will result in overdevelopment. Other issues of concern: protecting existing affordable housing, lobbying on broader policy issues, Sydenham Bankstown Corridor, infrastructure contributions and inadequate community consultation.
-		1	14-Mar-17	Pymble	Unbanesque Planning - Policy will be counterproductive in the supply of affordable housing, will be a burden on developers and land owners and will lead to a loss of employment generating land.

Record No.	Support Policy	Not Support Policy	Date Received	From (Suburb)	Snapshot
<b>Total (33)</b>	<b>26</b>	<b>7</b>			
<b>Percentage</b>	<b>79%</b>	<b>21%</b>			

## List of submissions with comments and responses

Below is a list of all submissions received showing their comments in full and the responses to them.

### Public Submissions on the Draft Affordable Housing Policy

No. 144699.16 Date: 16 Dec 2016	<b>Do you support the draft AHP?:</b> Yes <b>Source:</b> Individual <b>Attachment:</b> No <b>Comments:</b> None
No. 144701.16 Date: 16 Dec 2016	<b>Do you support the draft AHP?:</b> Yes <b>Source:</b> Individual <b>Comments:</b> I feel the definition of lower income households could be manipulated by some individuals who could meet the criteria and then go on to have a high net worth (students, people remarrying into wealth etc.). There needs to be a clearer definition and evidence of hardship. For purchases by these people, it must be dictated that the property cannot be sold for more than CPI increases or an agreed increase rather than at market values which would give them a windfall. It is not fair that they may make a below market purchase only to resell at market rates to detriment of other persons in need. The policy must address this loop hole before imposing these obligations on developers. The policy should also address whether private individuals may purchase these cheaper properties to lease at lower rates for say, ten or fifteen years, and then be given the opportunity to sell them at market rates. They should also have adjusted strata fees, no land tax, reduced rates, if they are making this concession to assist lower income households. <b>Response:</b> The Policy relates to affordable rental housing. Properties acquired by Council are owned in perpetuity and form part of its affordable rental housing portfolio. These Council owned properties are rented in accordance with household income limits set by State Environmental Planning Policy (Affordable Rental Housing) 2009.
No. 145039.16 Date: 20 Dec 2016	<b>Do you support the draft AHP?:</b> Yes <b>Source:</b> Individual <b>Attachment:</b> No <b>Comments:</b> This is an essential policy for Council. The establishment of a 15% and 30% requirement will send a clear, reasonable, and viable message to the private sector as well as State government. <b>Response:</b> Council's contribution to reducing housing stress within the Inner West will

	<p>be modest. State and Federal governments will need to introduce stronger policies and programs in order to effectively address the affordable housing crisis. Apart from improving affordable housing supply, the full impact of Council's policy needs to be measured in terms of its impact on the State government and the local government sector. Feedback indicates that Council's policy has been widely recognised within both levels of government.</p>
<p>No. 146451.16 Date: 22 Dec 2016</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b> None</p>
<p>No. 146683.16 Date: 22 Dec 2016</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>          There is a need for diversity in a healthy, ethical and vibrant community, as well as rights to the individual with less means to access to employment and services in the inner west.  <b>Response:</b>          The need to sustain a diverse and vibrant community underpins Council's policy.</p>
<p>No. 223.17 Date: 24 Dec 2016</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b> None</p>
<p>No. 266.17 Date: 1 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b> None</p>
<p>No. 350.17 Date: 3 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> No  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>          First, I would like to object to the first question above. It only asks if I support "the" draft Affordable Housing Policy, yes or no. For people like me who generally support a policy but have issues with some part of the draft policy, we either have to answer "yes" to show our support generally in which case our comments are likely to be disregarded, or we have to answer "no" because we don't support all the exhibited draft policy, in which case our comments are also likely to be disregarded. In either case, it is an inaccurate response. Having this one question (instead of eg "Do you support "an" Affordable Housing Policy?" followed by other questions and requests for comments) throws some doubt on the whole exhibition. Now for my substantive objection to part. My only real concern with the council amalgamation was whether Inner West Council would recognise and protect the unique position of Haberfield as a heritage suburb. It was the first "garden suburb" in Australia and is recognised on the National Estate. It has</p>



	<p>detailed and specific provision for its preservation. I know other suburbs have heritage conservation areas, but the position of Haberfield is special. I also know that great swathes have been cut through Haberfield for the West Connex, and the State Government's Parramatta Road upgrade provisions may also be damaging, but these should be reasons to fight harder to protect the suburb, not support or go along with the destruction, It seems that at its first attempt, Inner West Council has failed to recognise and protect Haberfield. This may be because the policy writer originally drafted the policy for Marrickville Council and it was extended to all the Inner West Council without looking at other parts, but it is still a concern. I assume it was not submitted to the Heritage Officer Ashfield prior to going on exhibition. I object to any reference to 6 and 14 storeys in Haberfield. I don't care if this is stated to be only for Parramatta Road. I don't care if it is stated to be only a theoretical exercise in what would be the position if such developments were otherwise allowed. By even mentioning 6 and 14 storeys (14 storeys!!) in the Haberfield, it is an acknowledgement that such might be permitted, and therefore an acceptance of it which will make it that much harder for Council to object to such over-development of this heritage suburb. These should be deleted, and a note added that Haberfield has been excluded due to its unique heritage value and special development controls which will not allow large development of the type contemplated by the Policy.</p> <p><b>Response:</b> The comment relating to the 'yes' or 'no' only responses in the survey form will be passed onto the Communication and Engagement Team. With respect to concerns of overdevelopment and its impact on heritage values, the Policy objective was only to assess feasible affordable housing contributions in relation to redevelopment costs across the local government area, including Haberfield. Recommending certain density levels by postcode was not part of the Policy's objective. Rather it is Inner West Council's existing LEPs relating to Ashfield, Marrickville and Leichhardt that set out both the aims of local environmental planning provisions for land as well as the kinds of redevelopment and densities permitted within the LGA's various land zones. In addition, variations to existing planning controls is a matter for Council to determine in keeping with local environmental planning provisions and identified local heritage values.</p>
<p>No. 3667.17 Date: 3 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes Source: Individual <b>Attachment:</b> No <b>Comments:</b> Yes, I support the affordable housing targets but would like to see them even higher. For smaller developments I would like to see a financial contribution going into a central funding pool. <b>Response:</b> The proposal to levy affordable housing contributions, either financial or in terms of units, from smaller developments was considered during the drafting of the Policy. Based upon modelling, however, it was decided that the 15% affordable housing target should apply to developments over and above a threshold of 20 units or 1,700sqm. Applying a levy to smaller developments below this threshold was considered a potential disincentive to such developments taking place in keeping with the existing LEPs/DCPs.</p>

<p>No. 3696.17 Date: 13 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>            Good work with this. I refer to: 2.4 Priority Strategies Responding to these 'Priority' Strategies would be assisted by: 1. Active involvement with the Sydney Alliance <a href="http://www.sydneyalliance.org.au/values_we_share">http://www.sydneyalliance.org.au/values_we_share</a> 2. Exploring opportunities to partner with Habitat for Humanity (practical applications for the locality): <a href="http://habitat.org.au/nsw/">http://habitat.org.au/nsw/</a> Please investigate and consider.  <b>Response:</b>            Like Council, the Sydney Alliance has urged the Great Sydney Commission to make a stronger commitment to affordable housing in its District Plans and has also helped to increase public awareness about unacceptable levels of housing stress (rental and purchase). The AHO subscribes to the Sydney Alliance's regular newsletters and updates. Support for or involvement in future Sydney Alliance events and campaigns remain an option where appropriate.</p>
<p>No. 4448.17 Date: 16 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>            Yes. Council needs a commitment to provide affordable housing. Notably to single parents who work in the local area.  <b>Response:</b>            Council's research shows high levels of housing stress among single parents on very low to moderate incomes together with families more generally within the Inner West. Single parents who work in the local government area and who fulfil the eligibility criteria for Council's affordable housing are encouraged to apply when any of these units become available to rent.</p>
<p>No. 5891.17 Date: 19 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>            The draft policy appears well researched and prepared and is highly relevant for the rapid price escalations taking place in both the housing purchase and rental markets across the inner west. I assume that registered community housing organisations would be invited through an EOI process to tender to operate the affordable housing generated through the application of the policy. It will be important for the recipient CHP to commit to retaining the stock as affordable rental for extensive periods of time so as to cumulatively build a reasonable level of affordable stock for future generations. If Council decided to vest title of any of this new affordable housing stock with a registered CHP (to enable the CHP to use this equity to borrow to generate further affordable housing stock) then Council should consider caveats such as ensuring the additional stock is inner West based and is leased as affordable rental for extensive periods of time The City of Sydney includes housing stock suitable for people on very low incomes in with its affordable housing stock as part of its overall target. Would Inner West Council also</p>

	<p>consider some opportunities for new social housing to be mixed with affordable housing, especially if the NSW Government, either through its Social and Affordable Housing Fund (SAHF) or through Communities Plus was to become a partner in site specific major housing redevelopment with Council and developers.</p> <p><b>Response:</b> Council's existing affordable housing units are currently managed by a registered CHP. Following the expiry of the current management agreement, future acquisitions will also be managed by a CHP via an EOI process. Vesting of Council's affordable housing stock is not presently on the agenda. The possibility of having a mix of social and affordable housing in site-specific projects funded through SAHF or other programs will always be considered where appropriate.</p>
<p>No. 8941.17 Date: 24 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes <b>Source:</b> Individual <b>Attachment:</b> No <b>Comments:</b> As someone who was born and raised in Rozelle my whole life, I can't imagine living anywhere else. Most young people these days can't afford to live anywhere in Sydney, let alone in the inner west. Even for childless double income mid twenty somethings with post-secondary qualifications it's unachievable except on extremely high incomes. 30% of our combined after tax income of \$85,000 p.a. is around \$500 per week that we can afford in rent or mortgage payments. There aren't many places available for that price range and what is available is in hot demand. Other countries in the world, like the Netherlands have specific parcels of land dedicated to affordable housing and capping rental increase. I support the proposed affordable housing policy and request that the inner west council make further efforts to ensure that people can be able to live in the Inner West.</p> <p><b>Response:</b> The Policy contains a number of strategies and actions designed to improve housing affordability in the Inner West. One of these strategies is to lobby the State government to have higher affordable housing targets in the District Plans (especially the Central Plan) and for higher targets to be achieved on government owned land such as the Bays Precinct. Council's proposed 5-10 year Housing Action Plan will be devoted to reducing housing stress in the Inner West.</p>
<p>No. 8942.17 Date: 25 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes <b>Source:</b> Individual <b>Attachment:</b> No <b>Comments:</b> Yes. Affordable housing is also an important part of maintaining a true community where all strata of the community are represented to preserve understanding and appreciation of social differences as well as the different economic contributions each can bring. The value capture issue is an important one to deal with. Indeed Councils proposal is conservative in that arguments can be put forward that no-one, including long term residents should serendipitously profit from a planning decision by Government to any extent at all. In this regard the policy is too narrow in that adopts no position on the taxation system which could deal with this through more</p>

	<p>appropriate capital gains taxation and the removal of subsidies such as negative gearing.</p> <p><b>Response:</b></p> <p>The focus of the Policy was primarily to strengthen Council's planning powers, immediately and in the future, to protect and increase the availability of affordable housing in the local government area. It is certainly the case that other measures, such as reform of the taxation system, including negative gearing and capital gain tax, would contribute to addressing the housing affordability crisis (both rental and purchase). Lobbying the Federal government to reform the taxation system is supported. It is proposed that such specific measures, as advocating for changes to negative gearing and capital gain tax, be included in the 5-10 year Housing Action Plan.</p>
<p>No. 9144.17 Date: 26 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes</p> <p><b>Source:</b> Individual</p> <p><b>Attachment:</b> No</p> <p><b>Comments:</b></p> <p>I think this is a very important social issue and am very pleased the inner west council is taking steps to address it. I did read about a company that has designed mobile housing for government land in Victoria that could be easily moved if the land was later required for building roads later.</p> <p><b>Response:</b></p> <p>Alternative design proposals and products and their applicability within the existing planning system are important to investigate. Recently Council has investigated Big World Homes that provide a transitional housing product geared to people currently unable to get into home ownership.</p>
<p>No. 9301.17 Date: 30 Jan 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes</p> <p><b>Source:</b> Individual</p> <p><b>Attachment:</b> No</p> <p><b>Comments:</b></p> <p>Many people have nowhere to live. Many investors have negative income so why not make this an opportunity to allow for building apartments near the station area for bigger land properties? This will help include the general public assist in meeting high demands and for council to gain some profits too.</p> <p><b>Response:</b></p> <p>The Policy proposes that applying the 15% affordable housing target to redevelopments across the local government area offers Council the most promising mechanism to improve the supply of affordable housing. Council has also advocated that higher affordable housing targets should apply to major State urban renewal projects, including those adjacent to train stations. On negative gearing, refer to our response to submission no. 8942.17 above.</p>
<p>No. 13396.17 Date: 1 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes</p> <p><b>Source:</b> Shelter NSW</p> <p><b>Attachment:</b> Yes</p> <p><b>Comments:</b></p> <p>See PDF file attached. Please note that this is a 2nd lodgment of the submission. The version lodged a few hours ago had some minor mistakes in</p>

	<p>it, which have been corrected; the file attached is a corrected version.</p> <p><b>Response:</b> Refer to the response to this submission in the section on attachments below.</p>
<p>No. 13411.17 Date: 2 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes</p> <p><b>Source:</b> Individual</p> <p><b>Attachment:</b> No</p> <p><b>Comments:</b> We are a family of 4 (parents - work as a teacher and a carer and 2 young sons -3 &amp; 6yrs) who live in a small (69sq m) 2 bedroom apartment which we modified to create a space as functional as possible for 4. We fixed up the front garden and have created a green space which neighbours often comment positively on. We use our local parks and green spaces daily and walk to school. We actively believe that it is possible to live in a small space but it is essential that everyone has ownership of private space, there is public green space and community covered space when people live in such small homes. I have collected a lot of information about well designed affordable small spaces. I will lobby the council to retain open construction spaces used by West Connex so it can be used to benefit the majority of the community - green spaces and community spaces, well designed affordable housing and plenty of green space is essential if our community is to thrive. Over sized developments in the area may house great numbers of people in a small space but don't always create positive living situations. Please consider carefully the way design and clever use of space really affects people and the environment. Positive living situations create community, where people support one another, less crime and health issues. Badly designed spaces without sufficient green space and safe walking pathways impact very badly on the local community. We are currently suffering from additional pollution, reduced safe walking paths and a community who largely don't want WestConnex tunnels and the impending unfiltered chimney. Thank you for considering these points which as a member of the community living in a small affordable space, I believe are essential to success of any projects.</p> <p><b>Response:</b> It is certainly the case that well designed urban precincts and affordable housing together with ample green space contribute to healthy and diverse communities. While the Policy primarily focusses on measures to directly strengthen Council's planning powers to protect and increase the availability of affordable housing, the design of the urban form and the degree to which it contributes to positive lifestyles is also very important. Guidelines regarding planning proposals are incorporated in Council's LEPs and DCPs. Inquiries and opportunities to influence Council decision-making regarding building design standards and the public benefit deriving from redevelopments should be directed to the Strategic Planning team.</p>
<p>No. 13413.17 Date: 3 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> No</p> <p><b>Source:</b> Individual</p> <p><b>Attachment:</b> Yes</p> <p><b>Comments:</b> This is a pathetic response to an invented problem with skewed data collection. The real issue is declining home ownership rates which this policy</p>

	<p>fails to address.</p> <p><b>Response:</b> Refer to the response to this submission in the section on attachments below.</p>
<p>No. 13414.17 Date: 4 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes</p> <p><b>Source:</b> Individual</p> <p><b>Attachment:</b> No</p> <p><b>Comments:</b> Ensuring a proportion of housing stock is available for affordable housing will contribute to a socially richer and more diverse community, as well as maintaining housing opportunities for vulnerable groups and workers in essential/community sectors.</p> <p><b>Response:</b> The Policy is designed to help promote both of these outcomes.</p>
<p>No. 13416.17 Date: 6 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes</p> <p><b>Source:</b> Individual</p> <p><b>Attachment:</b> No</p> <p><b>Comments:</b> None</p>
<p>No. 13418.17 Date: 6 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> No</p> <p><b>Source:</b> Individual</p> <p><b>Attachment:</b> No</p> <p><b>Comments:</b> The council's proposed affordable housing targets should be reduced and not exceed the recommended 5-10 percent target. Why should we do more than our fair share. Existing rate payers and residents will be impacted by overcrowding, reduced amenities as more people use the already limited parks, sports fields, schools etc. It may also reduce overall property values. Please reconsider!</p> <p><b>Response:</b> The research undertaken by Council indicates chronic levels of housing stress throughout the Inner West local government area especially for very low, low and moderate income households and for families. These levels of housing stress have serious impacts on the health and well-being of households and their children. They also have harmful effects on social diversity and the local economy. A 15% affordable housing target is not only feasible in terms of development costs but it also more adequately addresses the significant need for affordable housing. The concerns expressed in relation to the possibility of overcrowding and increased pressures on community amenities are well taken. However it should be noted that the Policy is not advocating higher densities nor does it express any tolerance for overcrowding and its detrimental impacts on social infrastructure. However where decisions are made to approved redevelopment proposals involving higher densities, then best practice in the provision of adequate social infrastructure to serve such residential and commercial redevelopments should apply.</p>
<p>No. 14456.71 Date: 10 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes</p> <p><b>Source:</b> Individual</p> <p><b>Attachment:</b> No</p>



	<p><b>Comments:</b> In general I support this policy but I do not believe it goes far enough. Why enforce a minimum of 15% affordable housing only for large developments? I think this should apply for medium and small developments also.</p> <p><b>Response:</b> For a response to this concern, refer to the response provided to submission no. 3667.17 (3 Jan 2017).</p>
<p>No. 14469.17 Date: 10 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>  I support, but am also conscious of young families like my own, who desire to remain in the area, but not in a unit, rather a home. It's distressing to think we may never be able to avoid it &amp; this campaign may be misleading if it only targets specific groups.  <b>Response:</b>  Council's capacity to significantly influence the housing market and escalating costs of rental and purchase housing is limited. Our Policy and Affordable Rental Housing Program is designed to lessen housing stress for very low to moderate income households and families but it will not bring about a radical change to current housing trends. Interventions by State and Federal governments are necessary if the shortfall in affordable housing supply is to be effectively addressed. It should be noted that Council's Affordable Rental Housing Program (ARHP) is an 'affordable housing' program, not a social housing program. As such, ARHP needs to be responsive to community needs and comply with State legislation (State Environmental Planning Policy (Affordable Rental Housing) 2009) as noted previously.</p>
<p>No. 14471.17 Date: 10 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>  At 70 and single, I have being on waiting list for Public Housing since 1992 first and a number of other affordable housings as well over those years, it seems I am still no closer to be housed affordably and securely. I am a local for nearly 20 years. It's high time governments tackle the problem firmly and produce results. At long last, this is a step in the right direction.  <b>Response:</b>  The Policy recognises the housing difficulties faced by many senior people within our community. Staff from Council were involved in helping draft South Sydney Regional Organisation of Council's (SSROC) submission to the Greater Sydney Commission towards the end of last year. That submission called for the State government to introduced higher affordable housing targets in the District Plans and on government owned land. Assisting asset poor older people find affordable housing is part of the Policy.</p>
<p>No. 14477.71 Date: 13 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Link Housing  <b>Attachment:</b> No  <b>Comments:</b> None</p>



<p>No. 14479.17 Date: 13 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>  Yes, there is a really big need for more affordable housing, especially housing that is liveable - with adequate insulation to protect against extreme temperatures and save power in the long run, as well as housing without black mould or dampness. I have found it very hard to find a place without a lot of black mould for under \$230/room (to share) - which is pretty ridiculous- how are most people meant to afford this area. Especially single parents, students, people who are underemployed or unemployed etc. We need options and affordable decent places to keep this area vibrant and liveable and retain sense of community.  <b>Response:</b>  The Policy recognises these concerns. By strengthening its planning powers, forming partnerships with CHPs and lobbying State and Federal governments, Council hopes to make a valuable contribution towards easing the housing affordability crisis locally.</p>
<p>No. 14576.17 Date: 12 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> Yes  <b>Source:</b> NSW Federation of Housing Associations  <b>Attachment:</b> Yes  <b>Comments:</b>  Note that I was unable to attach a second file - the Federation's Industry Strategy. I can supply this separately if you like.  <b>Response:</b>  Refer to the response to this submission in the section on attachments below.</p>
<p>No. 15139.17 Date: 13 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> No  <b>Source:</b> Save Dully Action Group  <b>Attachment:</b> To be submitted.  <b>Comments:</b>  The Save Dully Group would like to make a submission on these important documents but has not had time as yet to do this. We intend to make a submission within the next ten days, given that Dulwich Hill has been extensively mentioned through the document, and we apologise for not being able to do this before this time. We request this extension. I clicked the "No" box because I was forced to.  <b>Response:</b>  Refer to the response to this submission in the section on attachments below.</p>
<p>No. 15143.17 Date: 13 Feb 2017</p>	<p><b>Do you support the draft AHP?:</b> No  <b>Source:</b> Individual  <b>Attachment:</b> No  <b>Comments:</b>  This policy does not consider all the options for social or affordable housing. It only considers a "supply" only option. To my mind it considers Redfern-type 14-storey towers for places like Dulwich Hill which is entirely out of character and inappropriate. There is no consideration for such major environmental factors as heritage and the importance of the character of</p>

	<p>the housing stock in Dulwich Hill and Marrickville. These factors all lead me to believe this is a badly thought-out policy which will be highly unpopular in our area.</p> <p><b>Response:</b></p> <p>The concern for overdevelopment is acknowledged. However, as was pointed out in the response to submissions nos. 350.17 and 8942.17 above, the primary Policy objective was only to assess feasible affordable housing contributions in relation to redevelopment costs across the local government area, including Dulwich Hill and Marrickville. Recommending certain density levels by postcode was not part of the Policy's objective. Rather it is Inner West Council's existing LEPs relating to the former councils of Ashfield, Marrickville and Leichhardt that set out both the aims of local environmental planning provisions for land as well as the kinds of redevelopment and densities permitted within the LGA's various land zones. In addition, variations to existing planning controls is a matter for Council to determine in keeping with local environmental planning provisions and identified local heritage values. It is certainly the case that demand-side initiatives can assist to make housing (rental and purchase) more affordable. One example of this is reform of negative gearing and capital gain tax. It is proposed that a wider range of measures be included in the proposed 5-10 year Housing Action Plan.</p>
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### Late Submissions

No. Date: 14 Feb 2017	<b>Do you support the draft AHP?:</b> Yes <b>Source:</b> UrbanGrowth <b>Attachment:</b> Yes, refer to letter attached.
No. Date: 21 Feb 2017	<b>Do you support the draft AHP?:</b> No <b>Source:</b> Individual <b>Attachment:</b> Yes, refer to letter attached.
No. Date: 21 Feb 2017	<b>Do you support the draft AHP?:</b> No <b>Source:</b> Save Dully Action Group <b>Attachment:</b> Yes, refer to submission attached.
No. Date: 14 Mar 2017	<b>Do you support the draft AHP?:</b> No <b>Source:</b> Urbanesque Planning P/L <b>Attachment:</b> Yes, refer to letter attached.

### Attachments to Submissions

Seven of the submissions supplied attachments ranging from letters to documents comprising several pages. Responses to key concerns expressed in each of these attachments are provided below.

No. / Date Received	Source and Response
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<p>No. 13396.17 Date: 1 Feb 2017</p>	<p><b>Source:</b> Shelter NSW <b>Response:</b></p> <ul style="list-style-type: none"> <li>• <i>Clarity of affordable housing targets</i> – The view was expressed that the Policy required a clearer outline of its affordable housing targets. In response, the <i>Affordable Housing Policy</i> has been amended to include a clearer outline of the targets proposed. Refer to pages 11, 12, 17 and 18 of the <i>Affordable Housing Policy</i>.</li> <li>• <i>State Environmental Planning Policy No 70 (SEPP 70)</i> – The submission supported Council's application for inclusion in SEPP 70 with the Department of Planning and Environment (DPE) as a way of giving Council a greater capacity to increase the supply of affordable rental housing. Rather than lodging a planning proposal during the application process, the submission recommended that Council seek the approval to apply an affordable housing target to the entire LGA based. We welcomed this recommendation which supports Council's current interest in exploring the acceptability of this alternative mechanism with DPE.</li> <li>• <i>Contributions is cash</i> – The submission opposes the use of money collected from mandatory developer contributions for affordable housing to be used for other public purposes. The Council has other mechanisms available to it to collect developers' money for other public purposes. It is recommended that Council delete the words 'or other public purpose' where it appears on page 18 and 'if council wished to redirect a proportion of the value capture to another public purpose' on page 23, when finalizing the Policy. This recommendation has merit. However discussions with Council's planners during the development of the Policy strongly recommended that 'or other public purpose' be retained.</li> <li>• <i>Smaller developments and the application of the 15% target</i> – The submission asks if the 15% target applies to smaller developments. The Policy exempts developments of less than 20 dwellings or having a GFA of less than 1,700sqm. Commercial GFA is to be included when calculating affordable housing contributions.</li> </ul>
<p>No. 13413.17 Date: 3 Feb 2017</p>	<p><b>Source:</b> Individual <b>Response:</b></p> <ul style="list-style-type: none"> <li>• <i>Effectiveness of Policy</i> – The submission contends that the "proposed Affordable Housing Policy will be effectively useless, if anything, it will have the opposite to the desired effect. Development will be further constrained, limiting the amount of supply and increasing the cost." In addition "(w)inners will be large companies such as Mirvac and Meriton" while the "average builder/developer has nowhere near enough time or financial resources for such schemes". The Policy's modelling is at odds with this contention. In addition, the Policy exempts developments of less than 20 dwellings or having a GFA of less than 1,700sqm which tend to be associated with average builders/developers.</li> </ul>
<p>No. 14576.17 Date: 12 Feb 2017</p>	<p><b>Source:</b> NSW Federation of Housing Associations <b>Response:</b></p> <ul style="list-style-type: none"> <li>• <i>Site feasibility assessments</i> – The submission contends that "there is merit on close collaboration between Councils to develop the expertise and mechanisms to assess developer's site viability assessments. Specifically we believe that there needs to be complete transparency with the Council being in control of these assessments." This recommendation is supported. Also</li> </ul>

	<p>inclusion in SEPP 70 based upon an affordable housing target applicable to specific types of development across Council may obviate the need for tough negotiations with private developers over arrange of site feasibility assessments.</p> <ul style="list-style-type: none"> <li>• <i>Community land trust model</i> – The submission recommends Council consider a community land trust model or similar, granting long term leases for developments? It is asserted that such a model would stimulate investment and that the model could “be explored with neighbouring councils for such a trust.” The feasibility of a land trust scheme appears to have merit and would be worth evaluating.</li> <li>• <i>Getting Affordable Housing Constructed</i> – The submission notes that “the community can have fears about the scale and bulk of some developments”. It therefore recommends “(m)ore precise definition of local character, more consultation and engagement with communities about this and joint working with the affordable housing industry are necessary.” The submission suggests that Council “could sponsor an exemplar project to attract interest and community input?” This recommendation merits investigation.</li> </ul>
<p>No. - Date: 14 Feb 2017</p>	<p><b>Source:</b> UrbanGrowth <b>Response:</b></p> <ul style="list-style-type: none"> <li>• <i>Consultation</i> - UrbanGrowth’s offer to consult with Council with respect to the Bays Precinct is most welcome.</li> <li>• <i>Numeric targets</i> - In relation to the Policy’s numeric targets, it is case that the 15% affordable housing target which applies to redevelopments of 20 units or more or an FSA of 1,700sqm or higher is based upon modelling undertaken by Council’s consultant. The 30% target for the Bays Precinct, however, is based upon a resolution of Council. At the time of the Policy’s release, insufficient information was available to Council about the plans for the Bays Precinct, including its residential component. Council has indicated its intention of conducting a feasibility study with respect to affordable housing targets once sufficient information on the Bays Precinct plan has been released by the State government.</li> </ul>
<p>No. -- Date: 21 Feb 2017</p>	<p><b>Source:</b> Individual <b>Response:</b></p> <ul style="list-style-type: none"> <li>• <i>Community consultation</i> – The submission contends that consultation relating to the Policy was inadequate and that “(i)f Council is to truly represent the views of residents, consultation on issues of such importance must be authentic”. The submission calls on Council to (a) re-exhibit the policy (b) hold a public forum to explain the policy and its relationship to the State government’s rezoning proposals and (c) distribute leaflets to residents which provide information on the policy and advertise the forum. While Council has followed standard procedure in inviting submissions from the public during an exhibition period and using its resources such as eNews to publicise the exhibition period, ways of communicating more effectively including the use of public forums, should be explored.</li> <li>• <i>Overdevelopment</i> – The submission asks “(w)hy is Council proposing 14 storey unit blocks for low income residents when more studies are showing that this lifestyle has health risks?” Concerns about overdevelopment are certainly legitimate. However it should be noted that the Policy is not proposing higher densities in any of the Council’s postcodes.</li> </ul>

	<p>Rather its mission was to establish the feasibility of applying affordable housing targets to various zones and sites across Council. For a more detailed response to this issue, refer to the response provided to the Save Dully Action Group's concern about Policy and overdevelopment directly below.</p>
<p>No. - Date: 21 Feb 2017</p>	<p><b>Source:</b> Save Dully Action Group <b>Response:</b></p> <ul style="list-style-type: none"> <li> <p><i>Overdevelopment</i> – The view was expressed that the Policy either proposes or encourages overdevelopment which would have a detrimental impact on the liveability and heritage in Dulwich Hill. In response we would like to emphasise that the Policy makes no such proposal regarding higher densities in any of the Council's postcodes.</p> <p>The purpose of the Policy was to examine the cost of residential redevelopment within the former council areas of Ashfield, Marrickville and Leichhardt in order to determine affordable housing targets that were feasible with respect to land and construction costs. The 15% affordable housing target applying to rezoned industrial land or major residential redevelopment sites with a GFA exceeding 1,700 square metres was determined after extensive modelling throughout the LGA.</p> <p>It is Inner West Council's existing LEPs relating to Ashfield, Marrickville and Leichhardt that set out both the aims of local environmental planning provisions for land as well as the kinds of redevelopment and densities permitted within the LGA's various land zones. In addition, variations to existing planning controls is a matter for Council to determine in keeping with the parameters of local environmental planning provisions.</p> <p>The scope of the Policy did not extend to evaluating existing LEPs or DCPs nor did it extend to the evaluation of State controlled projects such as the Sydenham to Bankstown Urban Renewal Corridor or the Parramatta Road Urban Transformation Strategy. Council's evaluations of such projects are incorporated in Council's submissions to the State government with respect to such major urban redevelopment projects.</p> </li> <li> <p><i>Loss of affordable housing</i> – The loss of affordable housing through redevelopment and the need for Council as the consent authority to preserve the existing stock of affordable housing within the LGA was also expressed in this submission. Council would like to emphasise its determination to apply the provisions in SEPP (Affordable Rental Housing) and implement a social impact process to help preserve existing stocks of affordable housing. A detailed response to a specific development within Dulwich Hills that threatens to reduce affordable housing provision will be provided in due course to the group.</p> </li> <li> <p><i>Expanding the range of actions</i> – The submission recommended an extension of measures, including demand-side actions, to increase the availability of affordable housing. These included demand-side initiatives. Attachment B contains an assessment of the (former) Leichhardt Council's <i>Housing Action Plan's</i> strategies and actions. This assessment constitutes part of the endeavour to extend the affordable housing 'toolkit'. This document will inform the development of Council's proposed 5-10 year <i>Housing Action Plan</i>. Consideration to adding specific demand- side initiatives, such as changes to negative gearing and capital gains tax, will also form part of this exercise.</p> </li> <li> <p><i>Linkage to infrastructure contributions</i> – The submission notes that the "NSW Government is proposing a special infrastructure contribution from</p> </li> </ul>

	development. It is not clear whether both your target, and the government's levy, are chasing the same pot of money and what the final outcome would be." Clarification about this issue will be sought from State authorities and the findings will be conveyed to the group.
No. - Date: 14 Mar 2017	<p><b>Source:</b> Urbanesque Planning P/L</p> <p><b>Response:</b></p> <ul style="list-style-type: none"> <li>The submission asserts that "(a)ffordable housing policy should be formulated and implemented at state government level", that it is "essentially a local tax on development for the benefit of the Council" and that "market forces and over-arching state level planning policy should be allowed to shape communities and growth including affordable housing policy". The evidence underpinning the Policy relating to these assertions, however, generate different conclusions. In particular, the Policy argues that the sharing of land value uplift deriving from planning decisions is not a tax and that the market is not providing affordable housing for the vast majority of very low, low and moderate income households in the LGA. Nor is the market replacing existing housing stock lost through gentrification and redevelopment that is affordable to these groups. These findings provide clear justification for the Inner West Council to actively seek to increase the supply of affordable housing through its planning instruments and policies. It should be noted that this is in keeping with Council's legislative obligations e.g. Object 5(a)(viii) of the Environmental Planning and Assessment Act 1979 (NSW) relating to 'the maintenance and provision of affordable housing' and with pressing community needs.</li> </ul>

The seven attachments discussed above can be found in the separate document **Attachments to Public Submissions**.

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## Draft affordable housing policy — Inner West Council

We provide these comments in response to the Council's draft *Affordable housing policy* (November 2016) on public exhibition.

The draft Policy proposes a number of measures to deliver more affordable housing through statutory planning mechanisms. There would be 3 statutory planning mechanisms used:

- requiring a designated mix of bedroom sizes in new apartment buildings with 10 or more units;
- accepting developers' voluntary offers of money for affordable units in planning agreements (under section 93F of the *Environmental Planning and Assessment Act*) negotiated in tandem with a planning proposal that would increase the value of the land, calculated as 10-34 percent of the additional floor area in the case of minor changes, and as 0-24 percent (depending on suburb and size of the development) of the gross floor area in the case of major developments; and
- requiring contributions of affordable-housing units or money for affordable housing (under section 94F of the *Environmental Planning and Assessment Act*).

We also note that the Council resolution of 6 December 2016, which endorsed the draft policy and an associated position paper and decided to exhibit them before adoption of a final policy, adopted some policy positions for the Council on matters related to the draft policy. Three of those are of particular interest to us. Those 3 are:

- The Council decided to seek appropriate amendment to *State Environmental Planning Policy 70 (Affordable Housing)* with a view to having the Inner West Council area identified as an area with a need for affordable housing.
- The Council decided that in its proposed scheme for mandatory contributions under section 94F of the *EP&A Act*, the Council would require a contribution calculated at 15 percent of gross floor area of the development for developments with a gross floor area of 1,700 square meters or greater.
- The Council committed to a target of 30 percent of all residential development on government-owned land in the Bays Precinct to be affordable housing and committed itself to undertake a fully-funded planning study to identify financially viable models to achieve this target.

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Our organization has been a strong supporter of local-government initiatives to promote and provide affordable housing, to supplement the activities of state government which has primary responsibility for this matter. We think the Council has zoomed in on the 3 statutory mechanisms available to it in planning law, and we **strongly support** it doing so.

#### Particular comments on the draft affordable housing policy

On the matter of proposing dwelling diversity, we agree with the proposal to require a range of bedroom numbers in large apartment buildings. This is a matter which is being promoted by the state government through SEPP 65 and through its proposal to expand complying development to include 2-storey medium-density dwelling types, and which is also promoted by the Greater Sydney Commission through its draft district plans for greater Sydney. SEPP65 is not prescriptive on this matter, and the diversity outcome which it supports can only be actualized if councils require diverse dwelling types in their local environmental plans and development control plans.

Dwelling diversity has sometimes been presented by industry lobbyists as a key mechanism to deliver housing affordability. We are not aware of any evidence base to sustain such an argument. But dwelling diversity does enhance housing choice for consumers, and in some submarkets there might be a correlation between more compact dwellings types and prices charged to consumers. For this reason, it makes sense for dwelling diversity to be part of a housing affordability package. This is not to go as far as saying it is, or should be, the central or primary component of the Council Policy. The draft Council Policy includes it, without giving it more importance than it needs, and we agree with this.

The second statutory planning mechanism proposed in the Policy is the use of voluntary planning agreements. From when a regulatory framework for these was introduced in July 2005 with the insertion of sections 93F–93L in the EP&A Act, until the introduction of the *State Environmental Planning Policy (Affordable Rental Housing)* in July 2009, planning agreements presented the only mechanism allowed by the state government to provide for affordable housing. We did a partial survey of local governments' planning agreements in 2014 ('Capital value uplift and affordable housing', *Shelter NSW Update*), and found that few had involved contributions towards affordable housing. There could be many reasons for this, including priority needs for economic infrastructure, alternative paths for developers to get planning concessions in exchange for affordable housing (i.e. through the *Affordable Rental Housing SEPP*), and a general lack of interest in promoting affordable housing by many local councils. Be that as it might, so long as planning agreements remain a mechanism available to councils to allow them to accept offers of affordable housing, we support their use.

However, there is a *major risk* in the approach — a risk which is also contained in clause 13 of the *Affordable Rental Housing SEPP* — and that is councils could be tempted to change planning controls to accommodate a developer, leading to overdevelopment and inappropriate development through undermining of environmental standards. One of the strengths of the Council's draft policy is to augment its policy on planning agreement with a strong methodology, based on value capture (value sharing), to assess the planning gain and public benefits from a developer's offer. We agree with the importance given to a value capture methodology, because it makes the trade-offs involved in a negotiation more transparent.

The third statutory planning mechanism proposed in the Policy is new to the councils of inner-western Sydney, and that is the proposal to establish a program for mandatory developer contributions for affordable housing under section 94F of the EP&A Act. In tandem with this, the draft policy suggests the Council should seek an amendment to SEPP70 so that the Inner West Council area is identified as an area with a need for affordable housing. Such identification is a statutory requirement before a council may implement an 'inclusionary housing' scheme. Also, at the moment, Leichhardt, the former local government area now included in the Inner West Council, is identified in that SEPP as an area with a need for affordable housing — this is now out-of-date because of council amalgamations.

This 3<sup>rd</sup> proposed mechanism is the most important of the 3, in our view. State governments have stymied proposals by various local councils to develop Section 94F-based affordable-housing schemes since 2001, when it went cold on them virtually immediately after Parliament passing the enabling legislation. There has been 1 small exception, and that was the extension of an existing scheme in the City of Sydney to its southern employment lands, in 2015. It is not clear whether the freeze has lifted. Some intriguing signals have included advocacy in favor by former NSW premier, Nick Greiner ('We need a fairer plan for Sydney's housing affordability problem', *Sydney Morning Herald*, 27 July 2016), and the Greater Sydney Commission's proposal for an 'affordable rental housing target' scheme for major state-government development and renewal precincts (in its draft district plans for greater Sydney of November 2016). A handful of councils, notably City of Sydney and Randwick, have put out planning strategies that include new proposals for Section 94F-based affordable housing schemes. In this context, we agree with the Council, in not putting all its 'eggs in the planning agreement basket', and in seeking to develop a scheme of mandatory developer contributions for affordable housing.

We understand that introduction of such a scheme will require 2 changes to environmental planning instruments: an amendment of SEPP70 to identify the Inner West Council area as an area with a need for affordable housing; and amendments to the Councils' 3 LEPs (Ashfield, Leichhardt, Marrickville) to insert provisions establishing a scheme and providing for scheme/program rules and operational logistics.

The draft Policy gives this outline of the scheme proposed for the Inner West:

- The scheme would apply to the whole council area and/or to areas to be rezoned.
  - *Comment:* This anticipates that the scheme might apply only in parts of the LGA, e.g. in precincts where upzonings are expected. Section 94F(1) of the EP&A Act identifies 3 circumstances where developer contributions for affordable housing may be imposed (subject to the other parameters in the Section); 2 of these are relevant here: where there is a need for affordable housing, and where the development is made possible because of a rezoning. It could be simpler to just apply the scheme to the whole LGA, for developments where either of those 2 allowable circumstances are relevant, and we **recommend** the Council consider this when adopting the final policy. There is a precedent for implementing schemes only in identified parts of the LGA, in the City of Sydney, Willoughby, and the proposed scheme in Randwick, but the reason for this seems to be the result of political exigency.
- It would apply to both residential and commercial developments.

Page 3

- Where the development is residential, the contribution would be in kind, i.e. in the form of apartments whose ownership would be transferred to the Council.
- Where the development is commercial, or for part of an apartment, the contribution would be in cash. The rate of contribution that would be applied to the number of relevant square meters (see next point) would be assessed on the market value of the square meters.
- The contribution would be calculated as a share of the uplift in land value (the planning gain from a rezoning) operationalized as a proportion of the gross floor area of the development. That is, while the council would be calculating a contribution rate based on a value sharing (page 18), it would translate that value into a proportion of the gross floor area. The actual proportion would vary according to the postcode area, current land use, and proposed building height of each development. The proportions for postcodes and development yield are indicated in a table. They vary from 0 to 24 percent of the gross floor area. The proportions are the same as would apply to voluntary planning agreements for major developments, whose methodology is given on pages 17-18 of the draft policy. (The relevant table is Table 3-1, on pages 24-28.)
  - Comment: Unlike the Sydney City and Willoughby schemes, which apply the contribution rate (proportion) to gross floor area of the development and at the same rate for every development in the relevant precinct to which the developer contribution scheme applies, the proposed Inner West scheme would have different rates for different suburbs and different types of development in the Council area. While the Council might develop and publish a calculator tool, accessible to developers and the public, to understand the calculation, we suspect that even so, the scheme would be more easily understood if one percentage rate was set for the whole LGA or for its wards, and we **recommend** the Council consider this when finalizing the Policy.
- The developer could have an alternative method for calculating their contribution rate, namely, at 50 percent of the value-uplift for the specific site. The monetary amount calculated in this way would be applied, it seems, to contributions whether they are in the form of apartments or cash in lieu.
- Where the contribution is cash, the money will be used for affordable housing or other public purpose.
  - Comment: We oppose the use of the money collected from mandatory developer contributions for affordable housing to be used for other public purposes. We do so for reasons of principle and legality. The Council has other mechanisms available to it to collect developers' money for other public purposes, namely, voluntary planning agreements under section 93F and mandatory contributions for infrastructure and public amenities under sections 94 and 94A. On the legality issue, it is very clear from Sections 94F and 94G that developer contributions collected under section 94F must be used for affordable housing (and nothing else). We **recommend** the Council delete the words 'or other public purpose' where it appears on page 18 and 'if council wished to redirect a proportion of the value capture to another public purpose' on page 23, when finalizing the Policy.
- Management of the council's affordable-housing dwellings would be outsourced to a community-housing provider.



The draft policy includes a number of performance indicators which are of a strategic planning nature, most of them not being related directly to the proposed statutory planning measures. Three of them (from Table 2.2 on page 20 of the draft policy) are of particular interest:

- By 2031, 7.5 percent of all the dwelling stock in the Inner West will consist of rental housing affordable to very low, low, and moderate income households.
  - Comment: The draft does not indicate whether this proportion includes nonmarket rental housing (including social housing), or private rental housing, but the data source for the indicator is the ABS Census so we might assume it is both. We *recommend* this be clarified when the final policy is adopted. The draft does indicate that the affordable-housing dwellings generated through this policy (i.e. the local government owned dwellings managed by community-housing providers as 'affordable housing') will be a component of this 7.5 percent.
- By 2031, 7.5 percent of all the dwelling stock in the Inner West will consist of social housing.
- By 2031, 7.5 percent of all the dwelling stock in the Inner West will consist of dwellings affordable for home-purchase to very low, low, and moderate income households.

#### Particular comments on the Council policies adopted on 6 December 2016

The Council website states that the purpose of the Policy would be to support Council 'to acquire a fair share of the increase in land values resulting from planning decisions in order to increase affordable rental housing' and 'create more affordable housing on public land via a number of methods including changes to the planning system [and] a 15 per cent affordable housing target on large developments [and] an affordable housing target of 30 per cent on government owned land in urban renewal areas such as The Bays Precinct'.

However, the draft Policy document does *not* propose a 15 per cent affordable housing target on large developments, or an affordable housing target of 30 per cent on government-owned land in urban renewal areas such as The Bays Precinct.

Those 2 matters were policy decisions of the Council meeting on December 6, and are *independent* of the draft affordable housing Policy, at the moment. Here is how those 2 matters are expressed in the Council resolution:

- '... Note, for the purpose of Mandatory Affordable Housing Contributions, Council's share of land value uplift will be taken as 15% of Gross Floor Area of the development for developments with a Gross Floor Area of 1,700m<sup>2</sup> or greater' and
- 'Commits to a target of 30% of all residential development on government owned land in the Bays Precinct to be Affordable Housing and undertakes a fully funded planning study to identify financially viable models to achieve this target'.

The Council also decided to seek appropriate amendment to SEPP 70.

The policy position on a share of gross floor area from major developments that will be taken as mandatory developer contributions, is not flagged or proposed in the draft policy sent out for consultation. The commitment for the Council to seek a target of 30 percent of all residential development on government owned land in the Bays Precinct to be affordable housing, and the

undertaking of a fully-funded planning study to identify financially viable models to achieve this target, are also not mentioned in the draft policy on exhibition.

We have no in principle objection, in fact, the contrary, to the Council's resolution on those 3 matters: indeed, we support them.

But, in our view, the Council resolution on the percentage ask for mandatory contributions on major developments casts some confusion over what the Council's policy would be, since the draft affordable housing Policy says the contributions would be calculated *differently*.

This is what the draft policy (the subject of consultation) says about developer contributions for affordable housing under a proposed inclusionary housing scheme (as we have already summarized at page 4 above). The contribution would be calculated as a share of the uplift in land value operationalized as a proportion of the gross floor area of the development. The actual proportion would vary according to the postcode area, current land use, and proposed building height of each development. The proportions for postcodes and development yield are indicated in a table. They vary from 0 to 24 percent of the gross floor area.

A question that comes to mind is *how* does the Council resolution of December 6, which says that the development contribution will be 15 percent of gross floor area of the development (residential not distinguished from commercial development) for developments with a gross floor area of 1,700 square meters or greater, reconcile with what the draft Policy says, i.e. varying proportions according to the development?

Does the resolution on the 15 percent override and nullify what is in the draft policy, on this matter?

Alternatively, does the 15 percent only apply to developments with a gross floor area of 1,700 square meters or greater, leaving smaller developments to have their contribution rates calculated according to table 3-1?

Alternatively, does the 15 percent apply to developments with a gross floor area of 1,700 square meters or greater, with smaller developments being exempt from the contribution?

We **recommend** that this matter be clarified when the Council adopts the final version of the policy, following public feedback, and that the Council resolution be incorporated into the final version of the Policy, with any contradictory statements on how the levy would be calculated (or in what circumstances) being removed.

The Council resolution on 30 percent of all residential development on government-owned land in the Bays Precinct to be affordable housing is not part of the proposed Council inclusionary-housing and planning-agreement arrangements. It is an aspirational target of a strategic planning nature. While it is proper for the Council to make a claim to be the planning authority and consent authority for the Bays Precinct, it is much more likely that any affordable-housing contribution scheme that operates there will be a state government scheme, developed under the egis of the Greater Sydney Commission. The Commission's proposed scheme will apply to government-led urban renewal projects (*Draft central district plan: co-creating a Greater Sydney*, Parramatta, 2016). We think the Commission's scheme 'underasks' the developer contribution for affordable housing in the circumstances it is proposed to apply to (major development sites in greenfield and urban renewal

areas, where changes to planning controls are driven by the state government). We think the 30 percent target suggested by the Council is more appropriate.

As is clear from the above comments, we broadly support the proposed affordable housing policy. We extend best wishes to the Council in negotiating the challenges ahead to implement it.

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**Submission to Draft Affordable Housing Policy****Attachment****3 Feb 2017**



\*Note: -The draft policy (1.2) calculates housing affordability parameters by using a standard variable rate. This is incorrect as it does not reflect the current market. All banks offer a "discounted" variable rate. This rate is currently at about 4.2% (for owner occupiers), this rate should be used as it reflects market conditions.

-For households purchasing with a 30 year loan, the repayments include interest and principal, meaning debt is reduced. The portion of repayments which is reducing debt is actually "savings" and not housing costs. For households purchasing, up to 40% (not 30%) of household income could be allocated towards interest and principal payments and deemed affordable.

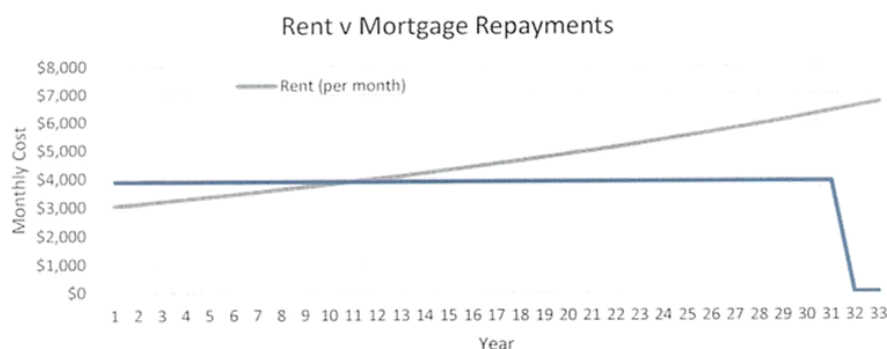
-Household income figures are used from 2011 Census, this is now 6 years old and out of date. Household income is now greater due to inflation and a shift in the demographic to more professionals and less older boarding houses.

The table below outlines the monthly cost of renting or purchasing a 2 bedroom unit.

*Purchase price \$960,000. Rental \$700pw. Annual increase in rent and household income of 2.5%pa*

Year	0	1	2	3	4	5	6	7	8	9	10	11
Household Income (pa)	\$110,000	\$112,750	\$115,569	\$118,458	\$121,419	\$124,455	\$127,566	\$130,755	\$134,024	\$137,375	\$140,809	\$144,330
Rent (per month)	\$3,041.67	\$3,117.71	\$3,195.65	\$3,275.54	\$3,357.43	\$3,441.37	\$3,527.40	\$3,615.59	\$3,705.98	\$3,798.62	\$3,893.59	\$3,990.93
% of income	33%	33%	33%	33%	33%	33%	33%	33%	33%	33%	33%	33%
Mortgage repayments (monthly)	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34	\$3,891.34
% of income	42%	41%	40%	39%	38%	38%	37%	36%	35%	34%	33%	32%

As you can see, from year 10 onwards, the cost of purchasing becomes cheaper than renting. This is further exaggerated over a longer period as outlined in the graph below:



After 30 years a mortgage will be paid off in which there are "nil" monthly payments. The table above stretched out over 30 years would be flawed, as household income will not continue to rise over time. Eventually it will flatline and diminish as people age, reduce workloads and eventually lead into retirement, at which point the portion of rent to household income will dramatically increase forcing households into severe financial difficulty.

This outlines the importance of home ownership over the long term and the need for affordable purchasing options, not just rental solutions.

### Affordable Housing

There are a lot of headlines and emphasis placed on affordable housing, but what does it mean?

Affordable housing is defined as; rent or mortgage being equal to or less than 30% of **household** gross income.

Hence single income households are more vulnerable as their earning potential is essentially half of two income households.

Over the past 40 years we have seen factors such as population growth, undersupply of new housing gentrification and inflation impact the cost of housing. These factors are widely acknowledged and blamed, however more specific issues which have a more direct impact a never openly discussed and addressed in the public arena, such as;

#### SEPP65

Prices of dwellings are directly related to the size. The larger apartments are, the more they cost to build and the more desirable they are, adding to their market value. Between 1930 to 1980 a large majority of Sydney's apartment buildings were built. Typically, studio apartments were between 18 to 35m<sup>2</sup>, one bedroom units 35 to 60m<sup>2</sup> and two bedroom units from 55 to 80m<sup>2</sup>

SEPP65 has introduced minimum standards for new apartments relating to solar access, ventilation and size. Mandating a minimum size has directly increased the value in turn reducing affordability. Studio apartments in most areas are still affordable to low income households but are typically designed to cater for a couple.

Minimum Apartment Sizes (m<sup>2</sup>)

	1930 to 1980	Sepp 65	Increase
<b>Studio</b>	18	35	94%
<b>1 bedroom</b>	35	50	43%
<b>2 bedroom</b>	55	70	27%

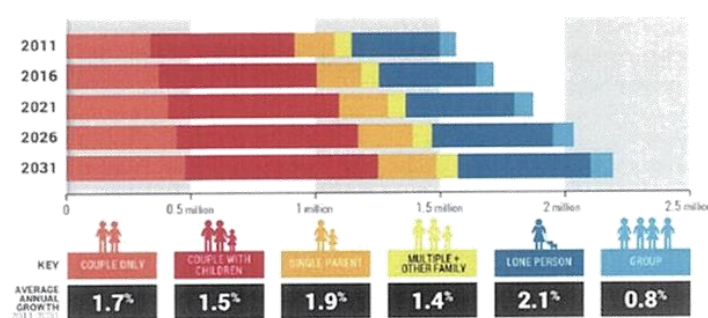
The above table shows the increase in minimum size which is essential equivalent to the increase in sale price. Smaller and more affordable 2 bedroom apartments are an important housing choice for single parent households.

In old areas such as Newtown, the majority of late 1800 terraces and early 1900 semis originally had internal areas of 50-80m<sup>2</sup> and comprised of 2 bedrooms and a single bathroom. Many of these homes have now been renovated and extended due to the lack of available homes for sale and the substantial transaction costs of selling and purchasing (stamp duty). New apartments are typically an equal size to the larger 2 bedroom houses as the apartments usually consist of 2 bedrooms, 2 bathrooms and a car space. This results in them being at a higher price point meaning, existing affordable homes are lost due to extensive renovations and extensions and not replaced.

In addition to SEPP65, most council DCP's mandate the mix of units to be provided (placing maximums on studio and 1 bedrooms) and mandate car parking (adding to construction cost)

Lone Person households are expected to be the fastest growing at a rate of 2.1% pa. Highlighting the need for more Studio and 1 bedroom housing options.

**Figure 3 – Projected Household Structure 2011- 2031**



Source: A Plan for Growing Sydney, NSW Planning and Environment (2014)

Mandating a minimum size for apartments, particularly studio's has seen housing choices for very low and low income lone person households diminish.

#### Bank Lending Policies

The 4 major banks require apartments to be a minimum of 50m<sup>2</sup> internal. They may lend on apartments smaller than this, however will require purchasers to have a larger deposit. Most banks will only allow an LVR of 60 to 70% on studio apartments as opposed to 80% (up to 90% with mortgagee insurance) for 50m<sup>2</sup> apartments. This results in most developers trying to avoid studio apartments and the studio apartments that are built are mostly purchased by investors with sufficient equity in another property to achieve a loan for the full purchase price. This is effectively removing a property ownership entry option for first home buyers.

#### Fire Safety

Local councils are actively monitoring the fire safety standards of boarding houses. Boarding houses are a vital source of housing to very low income households. Yes it is important to keep them at a reasonable standard and level of safety, however most of the boarding houses within Marrickville LGA are not purpose built and are essentially converted houses and accommodate some of our area's most vulnerable residents. A large portion have had fire orders issued and have since closed and have been sold. New owners are either restoring to a single dwelling or redeveloping for a higher and better use or

re-fitting to a higher standard and targeting the more lucrative student market. All outcomes reducing the number of affordable housing options. This trend described as Gentrification was recognised in the 2007 Marrickville Urban Strategy and noted the following Key population and housing trends in Marrickville:

- Historic population decline, notably within young families and older residents. Issues such as declining housing affordability, the sea change trend, and a lack of accommodation suitable for older residents were all cited as potential contributors to population decline;
- Marrickville was previously relatively affordable compared to surrounding areas. The gentrification process and the property boom have contributed to declining affordability. Rental stress, in particular, was identified as acute in Marrickville, with 76% of all low income rental households in a position of rental stress. According to the Department of Housing, affordable purchase options in Marrickville have decreased from 4.4% to 2.3% between 2001 and 2004 for low income households;

#### Design Excellence

Monitoring and enforcing a particular level of design excellence, quality of construction, materials used, preservation of heritage and all the supporting consultant reports continually adds to the cost and time of applying for and receiving development consent. The costs and time continually run over estimates, detreating the developers financial position, often left with no other choice than to try and re-coup costs by increasing the asking sale and rental prices of the finished product.

#### University Enrolments

Prior to 2012, the federal government set a cap on the number of places available at each university and for each course.

Universities could enrol students over the cap, but they wouldn't receive any extra government funding. And because there was no financial incentive to enrol more students, universities generally didn't. It's within the context of this system that university entrance scores were developed, as a means to ration out a limited number of places to the 'smartest' or 'hardest working' students.

All this changed dramatically when the Gillard Labor government started phasing in demand-driven funding from 2009. Caps on places were abolished, and universities could enrol as many students as they liked while still receiving public funding.

The government argued it was a great expansion of the university system that would see more students than ever access university education.

On this point they were correct - [university enrolments skyrocketed by 22 per cent](#) in the four years following the beginning of the deregulation of student places.

But, as we're starting to find out, this great expansion has come at a cost to - both universities and students. Successive cuts to funding, under both Labor and Coalition governments, have meant that teaching and learning resources in our public universities aren't keeping pace with increasing numbers of students. *Source [The Drum](#) By [Osman Faruqi](#) Updated 28 Jan 2016, 11:22am*

In addition to the above article, the result of removing university placement caps means, more people are enrolled in courses than there are jobs available, meaning more students will be unemployed or have to undergo further study, and of course, 22% more students have to be housed.

With Sydney Uni being located within Newtown along with Moore College, UTS and Notre Dame universities just down the road in Broadway, Newtown and the surrounding suburbs are very popular amongst students. This is evident in the number of group/shared households in Newtown 15.8% & St Peters 15.4% compared to just 4.3% of Greater Sydney (ABS Census 2011)

The significant increase in student numbers since 2012 and further fueled the demand for housing in the area, seeing cheap boarding houses gutted and refurbished as student accommodation.

#### Group/Shared Households

When statistics for median and average rents are taken, little consideration is given to shared/group households. Speak to any real estate property manager within Inner West, City of Sydney and Randwick LGA's and you will find that about 90% of rental applications for properties with 2 or more bedrooms are by a shared household. If a 4 bedroom home is leased at \$1,100pw, all the data will say the property is leased at \$1100pw (which is unaffordable and skews results of median rents), however, in fact 4 lone person households are being accommodated at \$275pw each, which in turn is a rent deemed affordable to low income households.

When determining mean, median and average rents, Group/Shared Households should not be included as one household, effectively a group household represents an equivalent amount of households as it does bedrooms (ie: 4 bedroom house = 4 households), essentially group/shared tenancies should be treated as boarding houses which they effectively are.

A boarding house with rooms rented at \$250pw each will have a land tax exemption, but a 4 bedroom house leased at \$900pw does not.

A typical 4 bedroom house will have a taxable land value of approx. \$1.2m, meaning a Land Tax bill of \$19,200, which alone (without other outgoings) represents 42% of the rent. Landlords are being forced to increase rents or consider re-developing properties just to try and keep afloat.

Land Tax exemptions for group/shared households needs to be implemented to protect the availability of affordable rental housing.

#### Levies and Taxes

Council application fees, Stamp duty, s94 contributions, long service levy, GST, payroll tax, land tax, capital gains tax, personal and company tax rates as well as the proposed new building defect bond scheme all add a significant portion to the cost of providing new housing.

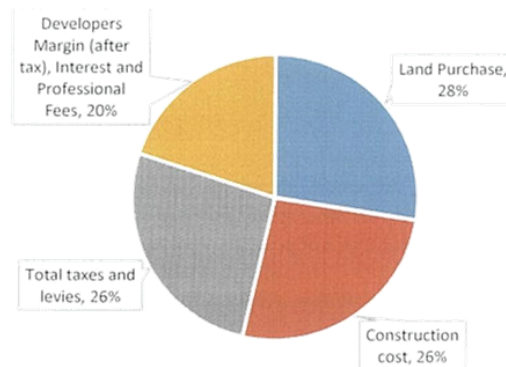
The typical cost involved in purchasing/ producing a two bedroom unit within the Marrickville LGA can be outlined as follows:



Sale Price	\$960,000	
Purchasers Stamp Duty	\$38,960	
Vendors GST Liability	\$87,273	
Selling fees	\$24,000	
Land Purchase	\$275,000	
stamp duty on land purchase	\$13,750	
Construction cost	\$260,000	(exclusive of GST)
Long Service Levy	\$910	
PAYG to wages	\$28,889	(part of construction cost)
Statutory land holding costs	\$3,500	(land tax & council rates)
Insurances	\$1,000	
(taxes in insurance premium)	\$200	
Proposed building bond	\$5,200	
s94 contribution	\$20,000	
Professional fees obtaining approval	\$3,000	
DA and CC application fees	\$450	
Interest on land and building costs	\$50,000	
Tax on Developers margin	\$64,775	
Total taxes and levies	\$263,907	

Out of a purchasers Total cost (purchase price + stamp duty), 26% goes to a Local, State or Federal Government. This amount is essentially equivalent to the cost of land which is also inline with the cost of construction.

Figure – Portion of Cost of a New Apartment



Even more so, Taxes play a large part in rental cashflows. Negative gearing is a popular topic, however the realisation that the majority of rental stock is owned by landlords (individuals and companies) which are positively geared is widely ignored. Due to banking requirements, you will find most substantial

rental housing providers are leveraged between 20 to 40% and their annual cash flow is typically as follows (per \$100,000 of Gross rent received):

	<b>Gross Rent</b>	<b>\$100,000</b>
	Outgoings	25%
includes	<i>Land Tax</i>	<i>\$16,000</i>
	<i>Council rates</i>	<i>\$3,000</i>
	Bank Interest	\$40,000
	Residual Cash flow	\$35,000
	Tax payable (30%)	\$10,500
	<b>Total Local, State and Federal Gov taxes &amp; charges</b>	<b>\$29,500</b>

Furthermore, rent is paid from after tax earnings. Assuming the occupying household pays on average twenty cents in the dollar and pays \$600pw rent, \$750 would have to be earned with \$150 tax paid. In turn the landlord would then pay \$180 out of the \$600 towards Council rates, Land Tax and Income Tax. Essentially, out of the \$750 earned, 44% goes towards council rates and taxes with 56% to the landlord in which they still have repairs and maintenance, capital expenditure, agency fees, water rates, insurances and interest to pay.

“Bracket Creep” is a term used when tax brackets are adjusted less than median incomes, placing more people on higher income tax brackets. The same term could be used to describe land tax. Each year more and more landlords are being asked to pay land tax without acquiring any further assets, simply because the determined land value of their investment property has risen by more than the tax free threshold.

#### Government Policy & Regulations

It appears that Governments see property as an easy source of revenue, particularly in a booming market. Essentially when the music stops (end of a boom cycle), construction stops and sales stop. Governments notice a significant decrease in GST, stamp duty and CGT revenues, and the government can't get away with substantial land tax increases. Resulting in larger budget deficits. This in turns sees stimulus through expansionary monetary and fiscal policy in order to avoid a recession. After a long period of little to no construction, we then see vacancy rates shrink. Fierce demand pushes rents up, hurting affordability. When yields pick up to an attractive enough level, construction will start again, however the long DA process means there is a 3 year lead time in which the market increases before there is any new supply. Essentially abrupt stops to a housing cycle create the fuel for the beginning of a new cycle.



### What is Affordable Housing

By analysing household income we can then determine if the available housing is affordable.

Median household weekly gross incomes according to 2006 and 2011 ABS Census Data are set out in the below table:

Median Household Weekly Gross Income				
	Marrickville LGA	Newtown	St Peters	Greater Sydney
2006	\$1,160	\$1,394	\$1,316	\$1,176
2011	\$1,605	\$1,753	\$1,786	\$1,447
Change	38%	26%	36%	23%

ABS Census 2006 and 2011

Furthermore; the recently released Draft Central District Plan has highlighted the need to provide affordable housing for **very low** and **low** income households.

#### Who is eligible for housing provided through this Affordable Rental Housing Target?

Affordable housing is defined under the *EP&A Act* as housing for very low income households, low income households or moderate income households.

Low and very low income households are the most vulnerable to housing stress because proportionally they have less money for living costs once they have paid their housing costs.

This draft District Plan identifies the most vulnerable households as eligible for housing secured by Affordable Rental Housing Targets and defined by the income groups in the table below:

Household income	% of median Sydney income	2016/17 income range
Very low	50%	< \$42,300 per annum or \$813 per week
Low	50% - 80%	up to \$67,600 per annum or \$1,300 per week

People on moderate incomes also experience housing stress and often work in key service areas such as health and education. Accordingly, we support housing affordability for these groups more generally by providing greater housing choice through a mix of dwelling types and price points as discussed in section 4.3.1.

#### Central District Plan p102

To better understand the housing affordability a *Household Income Affordability Model* was prepared. The model profiles household income and the level of rent / debt that each household income level could pay dependent on key variables (i.e. interest, deposit and disposable income).

**Household Income Affordability Calculator**

Household Income	Rental	Weekly Rental	Ownership	Monthly	Principal Loan	Deposit - 20% of purchase	Maximum House Price
\$20,000	25%	\$96	30%	\$500	\$98,681	\$24,670	\$123,351
\$25,000	25%	\$120	35%	\$729	\$143,876	\$35,969	\$179,845
\$30,000	26%	\$150	35%	\$875	\$172,691	\$43,173	\$215,864
\$35,000	27%	\$182	37%	\$1,079	\$212,953	\$53,238	\$266,191
\$40,000	28%	\$215	38%	\$1,267	\$250,057	\$62,514	\$312,571
\$45,000	30%	\$260	40%	\$1,500	\$296,042	\$74,010	\$370,052
\$50,000	30%	\$288	40%	\$1,667	\$329,001	\$82,250	\$411,251
\$55,000	30%	\$317	40%	\$1,833	\$361,763	\$90,441	\$452,204
\$60,000	30%	\$346	40%	\$2,000	\$394,722	\$98,681	\$493,403
\$65,000	30%	\$375	40%	\$2,167	\$427,682	\$106,920	\$534,602
\$70,000	30%	\$404	40%	\$2,333	\$460,444	\$115,111	\$575,554
\$75,000	30%	\$433	40%	\$2,500	\$493,403	\$123,351	\$616,754
\$80,000	30%	\$462	40%	\$2,667	\$526,362	\$131,591	\$657,953
\$85,000	30%	\$490	40%	\$2,833	\$559,124	\$139,781	\$698,905
\$90,000	30%	\$519	40%	\$3,000	\$592,083	\$148,021	\$740,104
\$95,000	30%	\$548	40%	\$3,167	\$625,043	\$156,261	\$781,303
\$100,000	30%	\$577	40%	\$3,333	\$657,805	\$164,451	\$822,256
\$105,000	30%	\$606	40%	\$3,500	\$690,764	\$172,691	\$863,455
\$110,000	30%	\$635	40%	\$3,667	\$723,723	\$180,931	\$904,654
\$115,000	30%	\$663	40%	\$3,833	\$756,485	\$189,121	\$945,607
\$120,000	30%	\$692	40%	\$4,000	\$789,445	\$197,361	\$986,806
\$125,000	30%	\$721	40%	\$4,167	\$822,404	\$205,601	\$1,028,005
\$130,000	30%	\$750	40%	\$4,333	\$855,166	\$213,791	\$1,068,957
\$135,000	30%	\$779	40%	\$4,500	\$888,125	\$222,031	\$1,110,157
\$140,000	30%	\$808	40%	\$4,667	\$921,085	\$230,271	\$1,151,356
\$145,000	30%	\$837	40%	\$4,833	\$953,846	\$238,462	\$1,192,308
\$150,000	30%	\$865	40%	\$5,000	\$986,806	\$246,701	\$1,233,507
\$160,000	30%	\$923	40%	\$5,333	\$1,052,527	\$263,132	\$1,315,659

Source: Urbane Property- Assumptions: 20% Deposit

4.50% pa, Lending Rate

30 years Term

<sup>a</sup> Note: Proportional ownership operates on an increasing scale as higher earning households have a greater ability to pay a greater proportion of their income on a mortgage without adversely impacting on their quality of life. Ownership is at 40% as it includes principal reduction payments which is essentially savings and not housing cost.

Key:

Very Low income
Low income
Greater Sydney
Marrickville LGA
Newtown & St Peters

The above table shows that a household in Greater Sydney on a median income cannot afford to pay more than \$620,000 for an apartment without suffering some mortgage stress (assuming 20% deposit, 4.5% interest rate and 30 year term) and could not afford to spend more than \$433 per week in rent.

The median household in Newtown and St Peters could afford a purchase of \$740,000 and rent of \$520pw.

Low income households can afford purchases of up to \$575,000 and rents to \$404pw, and very low income households purchases to \$370,000 and rents to \$260pw.

Typically, new developments within InnerWest LGA that studio's will achieve a sale price of between \$510,000 to \$575,000 and rental of \$400 to \$420pw. Hence would be deemed affordable to Low Income Households (if banks would lend on apartments smaller than 50sqm). One bedroom apartments are expected to sell for between \$650,000 to \$740,00 and lease for approximately \$520pw and will therefore be deemed affordable to the median Newtown & St Peters household.

### Government Policy and Intervention

The proposed draft policy outlines a Value Capture model for planning proposals and variations in planning controls.

The amount of successful Planning Proposals within Marrickville, Ashfield and Leichhardt LGA is so minimal that it would make any prescribed scheme essentially obsolete.

The current planning regulation and framework involved in a planning proposal would question the mental state of anyone willing to go through the process. Complying development applications for mixed use and apartment buildings typically take 1 year to assess, with schemes involving slight variations to controls taking 2- 3 years and typically incurring \$250,000 to \$500,000 in costs (just to obtain the required consultant reports to lodge a development application and make changes council ask for). Planning proposals typically take at least 5 years and would see over \$1m spent on consultants.

The main advantage of the current planning framework is the increased sense of "community" and creation of groups which provide friendship and support for people who would usually have no friends and struggle to integrate. Yes, I am referring to the creation of a new "Action" group almost every time a development application is lodged or infrastructure proposed.

### Knock on effect

Essentially, any additional contribution a land owner (developer) has to make is another tax in one form or another.

Increasing the cost of development (either direct expense or increased time frame) reduces the viability of a project, reducing the land value.

Basically, there is no vacant land in the Inner West. Every property has a value and the 3 following scenarios have to be considered;

- 1) Existing value of current use
- 2) Residual land value of highest and best use allowable under current controls
- 3) How much money the owners want to move (ie: need to buy replacement home, cost of transaction, stamp duty on purchase and cash left over to make transaction worth while)
- 4) Development yield needed to make 3 viable

Planning controls within Inner West LGA are quite subdued compared to neighboring areas such as Rockdale and Burwood. The medium density approach currently already makes the viability of a large portion of land zoned for apartments questionable, as value 2 (above) is often less than 3.

A good example is 60-70 Old Canterbury Rd, Lewisham

<http://www.realcommercial.com.au/property-land+development-nsw-lewisham-502172274>

The results to the above would be as follows:

- 1)  $6 \times \$1.1\text{m} = \$6.6\text{m}$
- 2) Approx. 22 units at \$250,000 per site = \$5.5m
- 3)  $6 \times \$1.4\text{m} = \$8.4\text{m}$
- 4) 34 units = 55% increase in yield = FSR of 2.8:1

It is quite obvious why the property has failed to sell and will never be developed.

Someone will eventually take an option on the property and put forward a proposal for 36 apartments (leaving room to negotiate/scale back), at which point they will be labelled "greedy" and 3 more "action groups" will be established to make sure all residents are aware of the "ludicrous" proposal.

The result of the proposed "draft" would mean the proposal would have to be changed to about 50 units, at which point there is a substantial variation to the height limit, meaning it can't be covered by a clause 4.6 and would warrant a planning proposal.

### Conclusion

The proposed Affordable Housing Policy will be effectively useless, if anything, it will have the opposite to the desired effect. Development will be further constrained, limiting the amount of supply and increasing the cost.

Winners will be large companies such as Mirvac and Meriton, who have the financial capacity to hold large land allotments for a number of years and engage in complicated schemes with council, in which there ends up being a huge change in the planning controls with only a token gesture being given back to the community. Large companies like these have better financial capacity and can allocate dedicated staff and legal teams to such proposals, eventually cornering council with a somewhat limited budget and expertise on hand.

The average builder/developer has nowhere near enough time or financial resources for such schemes.

Removing multiple small players from the market will let a couple large companies control the housing supply and let them place whatever price they want on new apartments as there will be no competing stock.

The Affordable Housing Policy is a big win for existing property owners as it will limit supply and increase cost of producing new housing stock. It will undoubtable create the right parameters to see the cost of established housing increase .

Current Renters will be the losers, as when prices rise, so do land values meaning a bigger land tax bill which will be directly proportional to the increase in rent sought.

In turn, the above factors will see further gentrification to the area, putting further pressure on housing costs.

As a real estate agent and valuer, representing small to medium investors, I think this policy is great and will assist future growth in rental yields and property prices. Clients who are predominately builders are now becoming landlords, as the ever complicated planning system will see less and less work in blue ribbon locations.

Prepared by;





## Inner West Council Affordable Housing Policy

### How community housing can deliver solutions to Sydney's affordable housing crisis

*Sydney's prosperity and future growth is limited by its housing affordability crisis. Sydney has become the third most expensive city in the world in which to buy or rent with only 5 suburbs (out of 540) affordable for renters on minimum wage. More than 84 percent of very low to moderate income inner city households are experiencing housing stress. For Sydney to secure its position as a global city, further housing is needed for lower income earners, including key workers who are essential to the city's economic sustainability and social diversity. Local Councils have a significant role to play in responding to this issue.*

The NSW Federation of Housing Associations (the Federation) welcomes the opportunity to provide feedback on behalf of its members to the Inner West Council's (IWC) Affordable Housing Policy. The Federation is pleased to see that the IWC focus on measures to increase the supply of affordable rental housing, have recognised the need to include essential workers on moderate incomes in the households who should be assisted and have underpinned their policy by sound research. Most of the proposals in the policy are in line with the Federation's own strategy which itself was the result of significant research. A copy of the full strategy is attached.

As we support the IWC policy in its intentions, its targets and its proposals to the NSW Government and are pleased that it also contains performance indicators to measure outcomes; our comments are focused on specific suggestions around implementation and ideas to include.

#### Working with community housing?

We are pleased that the IWC policy recognises the benefits of working with (registered) community housing providers to manage and we hope in appropriate circumstances to lead the development of new affordable homes.

The sector has low rent arrears, minimal vacancy rates, and high tenant satisfaction. In the latest AIHW survey, nearly twice as many community housing tenants (39%) were very satisfied with their landlord compared to public housing (22%).

Many community housing providers have now experience of designing and building new homes. In recent research undertaken by Judy Stubbs



1

Associates for the Federation she examined how to win acceptance from local communities for new affordable and board house schemes. Consultation and involvement with local groups and councils in advance of development was seen as critical to success, and the Federation will be developing tools to assist our members in this task as well as implementing the other findings – see below. Positively the examples she found on good practice were from the sector.

#### Site Viability

While the IWC has defined its affordability issues well, it will no doubt face tough negotiations with private developers over site feasibility assessments, even if the State government extends SEPP 70. We believe that there is merit on close collaboration between Councils to develop the expertise and mechanisms to assess developer's site viability assessments. Specifically we believe that there needs to be complete transparency with the Council being in control of these assessments. IWC will be aware of the issues that have arisen in other jurisdictions - a link to the latest research from the UK is provided below.

[https://www.rau.ac.uk/sites/files/rau/field/field\\_document/Viability%20and%20the%20Planning%20System%20Research%20January%202017.pdf](https://www.rau.ac.uk/sites/files/rau/field/field_document/Viability%20and%20the%20Planning%20System%20Research%20January%202017.pdf)

There is work being doing by City Futures, UNSW funded via an AHURI grant that is likely to include a framework for doing these assessments.

There may be sites where the provision of social and affordable housing on site may not be appropriate. While on site provision is the Federation's preferred model taking contributions and investing in a fund from which registered community housing providers can bid for a grant / low cost loan to fill financing gaps would be useful. The City of Sydney's model might be worth assessing. Again we can see merit in cross council collaboration on such a fund as increased capital would ensure a higher investment yield.

#### Access to land

In delivering affordable housing, there is a strong case for all levels of government to use their land holdings as a catalyst for housing provision in key locations. Tenders for the sale of any government land should include a requirement for a set and ambitious component of social and affordable housing to be incorporated in the development – we hope this would be the 30 percent target suggested to the State.

We hope that the IWC will take the opportunity to audit its land holdings and consider disposal of those surplus to requirements or parts of sites are currently underutilised.

It would also be useful if the IWC could consider incentivising unsolicited proposals which seek to increase affordable housing supply.

The Federation recognises there are circumstances where the IWC may not wish to sell land. Could the IWC consider a community land trust model or similar, granting long term leases for developments? As land is a key component of total cost taking this out of the equation would



stimulate investment. Potentially a model could be explored with neighbouring councils for such a trust.

Where land is temporarily unused the Council could explore shorter term leases for temporary accommodation. There are recent examples in Melbourne we can advise you about.

#### **Getting Affordable Housing Constructed**

Judy Stubbs Associates work highlighted earlier also examined the reasons for affordable housing developments being refused or being delayed. One issue was the interpretation of local character. The Federation accepts the community can have fears about the scale and bulk of some developments but we also recognise that some increased density will be necessary to reach affordable housing targets. More precise definition of local character, more consultation and engagement with communities about this and joint working with the affordable housing industry are necessary. Maybe the IWC could sponsor an exemplar project to attract interest and community input?

The IWC will also be interested in work Judy Stubbs Associates is also doing for the Federation on good multi tenure estate design and development that will be available in June 2017.

#### **Ensuring Affordable Housing is Managed by a Registered Community Housing Provider**

There has been significant numbers of community housing providers advising us that after they have given support to a private developer's application under the AHSEPP and VPAs the resulting development has not included them in its management. While IWC is not singled out it will be important to police the implementation of affordable housing to ensure it is delivered and managed as expected

#### **Summary**

The IWC's commitment to delivering more housing for Sydney's growing population is welcomed by the Federation. We would be pleased to work with you on its implementation - including its promotion.



14 February 2017

Jon Atkins  
Affordable Housing Officer  
Inner West Council  
PO Box 14, Petersham  
NSW 2049

Dear Jon,

**Draft Inner West Affordable Housing Policy**

We write in response to the exhibition of the Inner West Affordable Housing Policy.

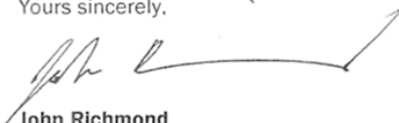
Firstly we want to thank you for the briefing you gave representatives of UrbanGrowth NSW on the research you have done on housing affordability in the Inner West. It is an interesting and comprehensive body of work.

UrbanGrowth NSW commends Inner West Council in seeking to address the challenge of housing affordability and diversity. This is why we have also been working on housing affordability and diversity strategies to inform our own policy which is expected to be exhibited for comment in 2017.

We note that the numeric targets on your website differ from the content in the draft Policy. This requires clarification, however we will consider your policy and consult with Inner West Council as we progress planning for The Bays Precinct.

UrbanGrowth NSW would also like to extend the offer of briefing you on our policy as it nears completion.

Yours sincerely,



**John Richmond**  
Head of Strategy

Submission on Council's Affordable Housing Policy

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\_\_\_\_\_  
\_\_\_\_\_

Firstly, I would like to express my concern that a policy, which will dramatically impact residents, was not more widely publicised. I became aware of the document after the exhibition period closed and have yet to complete reading all 130 pages. I would, however, make the following points.

Consultation

If Council is to truly represent the views of residents, consultation on issues of such importance must be authentic. True consultation ensures that all residents are informed & an opportunity to participate is provided. To this end I call on Council to:

1. Re-exhibit the policy;
2. Hold a public forum to explain the policy and its relationship to the State government's rezoning proposals;
3. Distribute leaflets to residents which provide information on the policy and advertise the forum.

Affordable Housing

Affordable & social housing are extremely important social responsibilities and contribute to socially diverse communities. Currently, lower cost housing is available in many 'walk-up' unit blocks in Dulwich Hill, however, the policy does not protect these.

Why is Council proposing 14 storey unit blocks for low income residents when more studies are showing that this lifestyle has health risks.

Council should be lobbying the State and Federal governments to undertake other measures to ensure affordable housing and discourage the speculative property investment which is leading to unchecked population growth. For example, taxing unoccupied properties (Vancouver model), changes to negative gearing and capital gains tax, incentives for business to operate outside the CBD, especially in country and regional areas where housing is truly affordable with high 'liveability'.

Advocating for Council's Residents

This policy accepts without question that population growth must occur. It ignores Marrickville Council's response to the Draft Urban Renewal plans which highlighted that if implemented would lead to the dramatic overdevelopment of Dulwich Hill and Marrickville.

Council has a responsibility to its residents to maintain the ambience, scale and heritage of our community. We must not be forced to move from our homes as they are consumed or over shadowed by high rise development. Development which brings increased traffic, overburdens infrastructure and destroys 'liveability'. Council must advocate on our behalf to save Dulwich Hill and Marrickville from any further development.

I also question the legitimacy of this policy as it is based on a decision by an unelected Administrator who has committed council to a 15% target with no community consultation. Therefore, the Administrator's target of 15% must not be applied to historic Dulwich Hill until residents have elected their council and been consulted.

*14 Feb 2017*



**Submission from Save Dully Group on Inner West Council draft  
Affordable Housing Policy**

The Save Dully Action Group requests the ability to make this late submission on the Inner West Council Affordable Housing Policy. We would like to raise several important issues regarding the policy.

**About the Save Dully Action Group**

The Save Dully Action Group is made up of several hundred residents from the suburb of Dulwich Hill. The group was formed in mid-2015 in response to NSW Government urban renewal investigations along the Sydenham to Bankstown corridor.

**Issues with the policy**

The Save Dully Action Group supports a diverse community - particularly a community which offers affordable housing for low to moderate income earners. To this extent, we support the broad aim of the draft council Affordable Housing Policy to increase housing affordability in the inner-west.

However, we are concerned that the policy could have highly significant negative impacts, and that these impacts have not been explained to the community.

We are also concerned that the policy contains a number of omissions.

**Proposed 15% target**

In December, the council administrator resolved (without community consultation) to pursue a target that 15% of apartments in major new developments be affordable.

The proposed target appears, at face value to be a laudable suggestion.

However, an analysis of the background study reveals a possible impact for communities.

This background study shows, that to achieve the 15% target in Dulwich Hill, the only financially viable form of development to capture value would be the rezoning of areas currently containing separate housing to allow 14 storey towers. A number of other suburbs would appear to be facing similar consequences as Dulwich Hill.



We do not know if this is the council's intention for our suburb. If it is, we are deeply concerned about this prospect.

We consider Dulwich Hill to be a historic suburb, dating back to the late 19th century, which is known for its human scale and strong community. It has only undergone incremental change under the strong stewardship of responsible local government management for many decades.

We acknowledge the suburb's housing affordability, like many other Inner-West suburbs, has been affected by government policies to encourage speculative property investment and largely unchecked population growth, along with its close proximity to the CBD. However, despite this, there are a number of pockets of affordable housing in the suburb, including in existing separate housing, and this policy could do more to protect this housing.

If the 15% target is adopted, then by the council's own words, there is only one known urban form outcome for the suburb - 14 storey towers in current low density streets. We consider any affordable housing benefits gained from this outcome to be significantly outweighed by the permanent destruction of the area's history, character and community.

To this end, we note the submission from Shelter NSW, which raises concerns that "councils could be tempted to change planning controls to accommodate a developer, leading to overdevelopment and inappropriate development through undermining of environmental standards".

We received an email from the council's Affordable Housing Officer which stated that any rezonings would need to consider broader liveability and sustainability issues. But when your own background study says 14 storey towers are the only viable approach for the council target, we don't understand what wriggle room there is.

What's more, we believe the policy is in effect sending a strong signal to developers and the NSW Department of Planning that the council is willing to accommodate this level of density and character change. If this is the case, it is deeply concerning.

The evidence indicates that some application of a 5% target, in some areas, may be more appropriate as it will produce affordable housing but with a much lower urban impact. Yet despite this, the policy appears to be strongly weighted against lighter forms of density such as granny flats and terraces.

#### **Additional needed to save existing affordable housing**

Dulwich Hill contains a number of pockets of existing affordable rental housing. In fact, the table on page 19 of the background study shows that Dulwich Hill is only one of two suburbs in the Inner-West LGA which has rental accommodation for low income people.

Despite this, the draft policy proposes nothing substantially new to protect this housing, especially since there will be a long time lag between the rapidly decreasing number of these relatively low rent unit blocks and the 7.5% of new affordable housing by 2031 envisaged in the draft policy.

We acknowledge that Section 2.7 of the Draft Policy states that Council 'will rigorously apply the provisions of the SEPP that seeks to protect the remaining supply of affordable housing that remains in the LGA and implement a social impact process that supports such retention'. However, further guidance as to how this will be practically implemented would be appreciated.

For instance, the council has the ability to refuse projects which impact on existing affordable housing when acting as a consent authority using Clause 50 of the State Environmental Planning Policy (Affordable Rental Housing).

What's more, the council could lobby government to extend its powers and the scope of this policy in regard to existing housing.

One area of potential lobbying may involve raising concerns about developers evicting tenants of existing affordable rental housing, before lodging development applications to refurbish or redevelop buildings.

This issue was brought to the fore in early February this year when over 40 low to low moderate income residents were given their eviction notices from an affordable housing unit block at Osgood St at Marrickville West (the block backs onto to Wicks Parade). With weekly rents at between \$250 and \$350, the site has acted as a major generator of affordable rental housing near Dulwich Hill station. The site's developer is believed to be considering a refurbishment of the building to create highly-priced apartments.

The council (and indeed this policy) could have played a strong advocacy and planning role in regards to this site, and indeed other existing affordable housing sites.

In fact, it could be argued the proposals in the draft policy actually encourage the redevelopment of these older unit blocks, without any supporting analysis of whether there will be a net benefit in affordable housing as a result of this. (Admittedly the viability calculations in the policy and the supporting paper put such redevelopments in the less 'attractive' category regarding value to be captured and levies potentially realised).

#### **Lack of lobbying action on broader policy issues**

The draft policy is silent on other advocacy the council could be taking to support housing affordability, such as lobbying for changes to capital gains tax, reduced State property taxes or increased rental subsidies.

Other options suggested by our members include State or Federal taxes on vacant property (as reportedly happens in Canada) and stronger incentives to encourage employment growth outside of Sydney, to lessen housing affordability issues within Sydney.

Overall, the draft policy adopts only supply-side policies to support housing affordability, but not policies to reduce demand or change broader policy settings. We do not agree with this approach, particularly given the substantial commentary from a number of academics and planning groups that supply-side planning is not delivering housing affordability.

#### **Reference to Sydenham to Bankstown corridor**

We are disappointed to see the policy and council report refer to the Sydenham to Bankstown corridor.

The former Marrickville Council was highly critical of the draft NSW Government plans to radically rezone for this corridor. This Inner West council policy could be interpreted as taking a different view, by openly advocating the radical rezoning of suburbs such as Dulwich Hill and Marrickville in exchange for a small proportionate increase in affordable housing over the next 15 years or so.

If the Inner West Council no longer supports the decision of the elected Marrickville Council to defend and protect the dense and diverse urban fabric of Dulwich Hill (with reasonable



concessions to appropriate planned and compliant development adjacent to transport nodes) then that needs to be explicitly stated.

At the same time, we do not believe an unelected Administrator has the mandate to initiate such a policy reversal – certainly without widespread community consultation.

#### **Linkage to infrastructure contributions**

The NSW Government is proposing a special infrastructure contribution from development. It is not clear whether both your target, and the government's levy, are chasing the same pot of money and what the final outcome would be.

The implications of your proposed levy on infrastructure contributions should be explained.

An outcome which simply leads to huge development to pay for infrastructure and affordable housing is not acceptable to the community.

#### **Poor community consultation**

We are – as we have already stated - disappointed by the very limited consultation in relation to this proposal.

The potential implications of the 15% target, in terms of urban form outcomes, was at no stage explained to the community in any summary material. This has contributed to Save Dully making a late submission, as we had to wade through some 130 pages of material to find the missing and secret link. As a result, we make no apology for our late submission.

The council had the opportunity to give briefing sessions to community groups or members to explain this policy. It did not do so.

The exhibition period largely ran over the Christmas-New Year period. While we acknowledge the council did have an extended exhibition period, it is the case that this a time of year when many people have difficulty focussing on serious policy matters such as this, particularly without useful explanatory material or community briefings.

Furthermore, the decision by an unelected Administrator to commit council to a 15% target before any form of community consultation and before the implications of this decision were known is a clear over-reach of powers.

Finally, the draft policy itself is confusing, as the actual target and the way it will be applied does not appear to be in the rather discursive draft policy, causing further difficulty for community members attempting to interpret and comment on this policy.

#### **Conclusion**

Given the above, we argue that the policy should be redrafted and re-exhibited in a way which provides full clarity about the potential urban impacts across the LGA

Furthermore, given the possible dramatic urban impact of this policy, we believe it is more appropriate that any decision on it should put before an elected council after the September 2017 elections.



The General Manager  
Inner West Council  
PO Box 14  
PETERSHAM NSW 2049

13 March 2017

Dear Sir

**COUNCIL'S REFERENCE 16/SF738  
SUBMISSION CONCERNING DRAFT AFFORDABLE HOUSING POLICY**

We write on behalf of a property owner in the Inner West Council area (former Marrickville Council area). We have reviewed the Draft Affordable Housing Policy (the Policy) and background material and wish to express the following concerns as to why the policy should not be introduced.

1. Affordable housing policy should be formulated and implemented at state government level. Leadership, strategic and functional frameworks are now in place through the Greater Sydney Commission to lead local government on a regional basis. Individual local government intervention will lead to piecemeal policy making decisions which are not necessarily in the best interests of the target community but more in the interests of the Council. Local government intervention will lead to inconsistency in affordable housing policy across the greater Sydney region.
2. The draft policy is repressive. It is essentially a local tax on development for the benefit of the Council with the possibility that some unproven affordable housing benefits will flow to the target market of very low, low and moderate income earners. Any such policy should be incentive based not financially punitive.
3. Social policy and Interference in the housing supply market. While we support the notion of diversity and encouragement of affordable housing by whichever description, we do not believe it should be driven under the guise of restoring previous demographic balances (or imbalances). Many factors have led to the gentrification of the Inner West local government area. Market forces and over-arching state level planning policy should be allowed to shape communities and growth including affordable housing policy.
4. Loss of Industrial Land. The draft policy targets industrial land as having the highest return on investment for developers and the highest level of "value capture" for Council. Industrial land is employment generating land and rather losing this valuable resource from the inner west, it should be retained. Ironically, the same industrial land provides employment opportunities for the very people who are progressively economically displaced by gentrification. Retaining employment land can only assist in restraining the outflow of lower income earners in combination with effective state based affordable housing policy. Further, the economic modelling ignores the cost implications of contaminated land. We know from experience that land contamination in industrial zones is a potential barrier often making redevelopment to residential uses unviable.

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**SUBMISSION TO INNER WEST COUNCIL**

5. Avoidance of Policy Burden. We predict that developers will avoid development that triggers onerous affordable housing implications as described in the draft policy. Development is likely to be confined to buildings less than 1700sqm or less than 20 dwellings. This has the potential to make the policy ineffective. Incentivised development utilising voluntary planning agreements and reasonable Section 94 mechanisms are the best way for Council to share uplift benefits.
6. Impact on land value. Property prices will undoubtedly see downward adjustment because developers will factor in the compliance burden of providing 15% affordable housing. This means that in reality, the hidden bearer of the cost of the policy is the Inner West landowner/ratepayer. Long term landowners who may on the face of it experience a windfall due to rezoning will actually suffer a loss through unrealized land value compared to land unfettered by an inequitable social housing policy.

In conclusion, we believe that the proposed policy will be counterproductive in the supply of affordable housing. It will be a burden on developers and land owners for the reasons stated and will inevitably lead to a loss of employment generating land.

Developers should be incentivised to produce supply of units and boarding houses suitable for the target market and social housing policy should be state rather than local government driven.

We urge the Council not to adopt this policy but rather to take a lead and press for improved and universal state housing policies through the current planning initiatives of the Greater Sydney Commission.

Yours faithfully



Eugene Sarich  
Urbanesque Planning Pty Ltd

## Attachment 6: Supplementary Strategies and Actions

### Summary of (former) Leichhardt Council's Strategies and Actions for Delivering Housing Choice and Affordability

#### Background

On 6 December 2016, Council passed a resolution endorsing the draft *Affordable Housing Policy and the Position Paper: Best Practice in Value Capture*.

Item 7 of this resolution commits Council to preparing a “5-10 year housing action plan to implement the Affordable Housing Policy (AHP) based on the Policy's background data and Best Practice in Value Capture position paper, and drawing on existing Council research and plans.”

Leichhardt Council's *Housing Action Plan 2016 -2025* forms an essential part of existing research and plans.

Prepared by Stacey Miers from SLM Consulting on behalf of Leichhardt Council, the *Housing Action Plan* (HAP) aimed to address the growing economic and social disparity within Leichhardt and the Sydney metropolitan housing markets, in terms of housing choice and affordability. It explored ways to deliver better housing options and to address current and future unmet housing needs in the Leichhardt local government area.

In addition, the HAP was also undertaken in response to a number of Leichhardt Council resolutions that focussed on housing supply and ways to:

- better deliver housing choice options;
- support the capacity of older residents to age in place;
- address the ongoing problem regarding affordable housing supply, in high-value land areas such as Leichhardt.

As well, the HAP drew upon previous housing work undertaken by Leichhardt Council, in particular its *Affordable Housing Strategy* adopted in 2009.

Relevant aspects of Marrickville Council's *Affordable Housing Strategy 2009-2011* will also be utilised in the development of the 5-10 year housing action plan.

## Assessment of Strategies and Actions in Leichhardt's HAP

Listed below is an assessment of the various actions contained in each of the HAP's seven strategies. The actions have been evaluated against four criteria: (a) whether or not they are being addressed by current practice (b) the extent to which they are encompassed by the new policy (c) their relative importance and (d) whether or not the Affordable Housing Officer's position will require extra resources to implement them. It should be noted that this is a preliminary assessment which will be subject to further review in the light of other existing research and plans, as well as the priorities of the proposed 5-10 year Housing Action Plan.

### Strategy 1: Understanding Key Population and Housing Characteristics (Demographic Analysis)

#### Potential Actions

Action No.	Action Description	Current Practice	In New Policy - Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by Affordable Housing Officer (AHO)	Notes
<b>Action 1</b>	Council investigate <b>options to better monitor population and housing issues</b> . The aim of this work will be to assist Council in its understanding and response to any long-term economic and social impacts associated with changes in local and regional demographics.	Yes	Part	Medium	Yes	Sources relating to population and housing issues are cited in Background Paper of Affordable Housing Policy (AHP).
<b>Action 2</b>	Council work in collaboration with other councils and Government agencies on creating <b>uniformity across the different 'housing definitions' and data collection regimes</b> . The aim of this work is to	Yes	Part	Low	Yes	Sources relating to 'housing definitions' and data are cited in South Sydney Regional Organisation of Councils'

Action No.	Action Description	Current Practice	In New Policy - Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by Affordable Housing Officer (AHO)	Notes
	support a level of consistency regarding the collection of housing data so that any future response to housing supply issues at a regional, subregional and local level can be better understood and addressed.					(SSROC) submission to Greater Sydney Commission on District Plans.
<b>Action 3</b>	<b>Council monitor, document and benchmark approvals for all relevant housing types</b> , including affordable rental housing, diverse living models and aged housing options.	Yes	Part	Medium	Yes	Council has statutory obligation to monitor boarding houses in LGA. Assistance required from Strategic Planning.
<b>Action 4</b>	Council to <b>monitor and report on population change and housing supply shifts</b> in the LGA on an annual basis. Staff will regularly report on data collection results to Council, sub regional partners and the wider community.	Yes	Part	Medium	Yes	Data and analysis of population change and housing supply shifts included in AHP.
<b>Action 5</b>	Council <b>continue to purchase Profile ID Census</b> data analysis and purchase forecasting data to be	Yes	Profile ID license	Profile ID license	Profile ID license	Profile.ID's community profile available on Council's



Action No.	Action Description	Current Practice	In New Policy - Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by Affordable Housing Officer (AHO)	Notes
	updated regularly and made available on the Council website.		purchased.	purchased.	purchased.	website.
<b>Action 6</b>	Council to explore the <b>potential to use State Environmental Planning Policy – Housing for Seniors and People with a Disability (2004)</b> to allow for vertical villages in the R1 Residential Zone (or other residential zones). The aim will be to create more innovative options for older residents to age in place.	No	Nil	Medium	Yes	Responsibility to be shared between teams e.g Strategic Planning and Community Services and Culture..

**Strategy 2: Addressing Housing Choice and Affordability on Urban Redevelopment Projects**
**Potential Actions**

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 1</b>	Council to <b>work with other local government and</b>	Yes	Part	High	No	Council collaborates with



Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
	<b>Government agencies aimed at supporting opportunities to deliver a mix of housing types.</b> This work will focus on the development and implementation of a sub-regional policy framework aimed at addressing the identified unmet housing need at a local and regionally level.					SSROC on these issues e.g SSROC's submission on affordable housing to Greater Sydney Commission on District Plans.
<b>Action 2</b>	Council to develop and implement clear and transparent governance arrangements for addressing identified unmet housing need linked with rezoning, value uplift and density bonuses in connection with Councils <b>Voluntary Planning Agreement Policy</b> .	Yes	Whole	High	Yes	Development of VPA for Inner West Council to be undertaken by Strategic Planning.
<b>Action 3</b>	Council aim <b>to deliver a percentage of affordable housing as rental</b> or via a shared equity model in <b>urban renewal sites</b> .	Yes	Whole	High	Yes – likely to be labour intensive for Strategic Planning / AHO	Affordable housing targets cited in AHP. Discussions held with UrbanGrowth and Depart. Planning & Environment re Bays Precinct.

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 4</b>	Council undertake research to identify governance and financial arrangements required to deliver <b>joint-venture equity projects</b> (or other joint-venture projects).	Yes	Part	High	Yes	Refer to Hay Street Car Park redevelopment. Joint venture partner is Link Housing.
<b>Action 5</b>	Council evaluate any opportunity to support 'Expression of Interest' to the <b>Social and Affordable Housing Fund (SAHF)</b> that is consistent with Council policies and would deliver new social and affordable housing dwelling in Leichhardt through either Phase1 or any following phases.	Yes	Part	High	Yes	Refer to Link Housing's initial application for funding under SAHF re Hay Street Car Park redevelopment.
<b>Action 6</b>	Pending a response from the Department of Planning, Council staff to conclude their assessment on the <b>financial feasibility of developing the air space above the Hay Street Car Park</b> for affordable housing.	Yes	Joint venture with Link Housing underway.	Joint venture with Link Housing underway.	Joint venture with Link Housing underway.	

**Strategy 3: Mechanisms to Support the Supply of Affordable Housing including Affordable Housing Bonds**
**Potential Actions**

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 1</b>	Council consider expanding its existing policy position to address <b>housing deficiencies</b> .	Yes	Part	Medium	Yes	Action described in general terms. Partially addressed in AHP.
<b>Action 2</b>	Council identify <b>sites appropriate for redevelopment</b> that would support mixed-use development and address identified deficiencies in respect of key worker housing, student housing, supported living and aged housing and consult with land owners and relevant stakeholders in keeping with Council's Community Engagement framework.	Yes	Part	Medium	Yes	Action partially addressed in AHP. Current Affordable Rental Housing Program (ARHP) accommodates key workers.
<b>Action 3</b>	Council amend Leichhardt <b>Local Environmental Plan 2013</b> to include a definition of affordable housing.	No	Part	High	Yes	Following adoption of AHP (28 March 2017) existing LEPs in IWC re affordable housing need to be reviewed.
<b>Action 4</b>	Council continue to work with the Centre for Affordable Housing and other organisations to develop criteria for the allocation of affordable housing funds or <b>dedication of units to community</b>	Yes	Part	Medium	Yes	Inquiries have been made re dedication of units to community housing providers in local redevelopments.

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
	housing providers.					
<b>Action 5</b>	Council to develop governance arrangements for an <b>affordable housing fund</b> to manage the collection of funds and expenditure ... dedicated for affordable housing.	Clarification required.	Clarification required.	Clarification required.	Clarification required.	At a NSW parliamentary inquiry In 2014, Marrickville Council proposed a three per cent levy on property developers that would apply to dwellings of more than \$200,000 and be similar to existing schemes such as the successful City of Sydney and Willoughby models.
<b>Action 6</b>	Pending a response from the Department of Planning, Council staff to conclude their assessment on the financial feasibility of developing the air space above the <b>Hay Street Car Park</b> for affordable housing.	Yes	Joint venture with Link Housing underway.	Joint venture with Link Housing underway.	Joint venture with Link Housing underway.	Same as Draft Strategy 2, Action 6 above.
<b>Action 7</b>	That Council continue to seek the support of <b>Inner City Mayors</b> to prioritise a study on:	No	Nil	Low	No	Clarification required. Refer to <i>Facilitating Affordable Housing Supply in Inner City</i>

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
	<ul style="list-style-type: none"> <li>The broader social and community impacts regarding the lack of affordable housing in the inner city region,</li> <li>The economic impact (costs) to business,</li> <li>The development of affordable housing bond guarantees.</li> </ul> <p>The impact on the health and wellbeing of key workers in connection with limited affordable housing in the inner city region.</p>					<i>Sydney: A Case Study of 22 Inner City Sites</i> , Prepared for Housing Affordability Fund on behalf of Inner City Mayors' Forum, 29 July 2011. SSROC undertakes studies into some of these issues.
<b>Action 8</b>	<p>Council <b>develop strategic guidelines to underpin its relationship with affordable housing providers.</b> The guidelines should outline Council role and responsibilities regarding affordable housing allocation, tenancy eligibility and property management.</p>	Yes	Part	High	No	Guidelines on Council's responsibilities regarding affordable housing allocation, tenancy eligibility and property management set out in Affordable Housing Management Agreement relating to Lewisham affordable housing units.

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 9</b>	Council to continue its work with <b>SSROC</b> towards the development of a briefing paper on “ <b>Affordable Housing Bonds</b> ”.	No	Nil	Medium	No	Status of SSROC’s inquiry into Affordable Housing Bonds to be determined.
<b>Action 10</b>	Council prepares a <b>report</b> on the feasibility and possible application of “ <b>Affordable Housing Bonds Guarantees</b> in collaboration with other council's.	No	Nil	Medium	No	No direct cost if report prepared by SSROC.
<b>Action 11</b>	Council to work with other councils to <b>lobby State and Federal Government</b> to support funding arrangements, which <b>encourage investment</b> opportunities to deliver affordable housing options.	Yes	Part	High	No	Refer to SSROC’s submission on affordable housing to Greater Sydney Commission on District Plans. Also Commonwealth Government’s recent announcement to establish a ‘bond aggregator’ i.e. establish an independent finance body to attract large scale private investment in social and affordable housing.

**Strategy 4: Support the introduction of Affordable Housing Targets**
**Potential Actions**

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 1</b>	Council work with the other Councils and the NSW State Government and statutory bodies on the inclusion of <b>affordable housing targets</b> linked to income as a subset of the broader housing supply targets for inclusion in metropolitan, regional, subregional and district plans.	Yes	Whole	High	Yes	Refer to SSROC's submission as well as Council's submission on affordable housing to Greater Sydney Commission on District Plans.
<b>Action 2</b>	Council develop and implement a <b>methodology for delivering housing choice and affordable housing targets</b> as a subset of broader housing supply targets.	Yes	Whole	High	No	Methodology incorporated in AHP.

**Strategy 5: A Framework for Leichhardt to Deliver Affordable Housing Supply into the Future**
**Potential Actions**



Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 1</b>	Council review its <b>Local Environmental Plan (LEP) and Development Control Plan (DCP) to include objectives and clauses for affordable housing</b> , thus creating the necessary linkages with State Environmental Planning Policy 70 – Affordable Housing (Revise Schemes) (2002) in which Leichhardt Council is identified as needing affordable housing.	Yes	Part	Medium	Yes	Council's Affordable Housing Working Group (AHWG) has discussed requirements for a revised LEP in light of Council's application for inclusion in SEPP 70. Strategic Planning to undertake this work, which is likely to be labour and time intensive. (The reality is that although planning controls can be selectively reviewed at any time, in general the full LEP is only likely to be replaced every 10 years or so.)
<b>Action 2</b>	Council undertake a <b>review of its Housing Policy</b> (and associated planning controls) on a five yearly basis.	Yes	Nil	Medium	Yes	Marrickville's <i>Affordable Housing Strategy 2011</i> was reviewed during late 2015/early 2016. Leichhardt's Housing Action Plan currently under review. Both reviews will inform development of 5-

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
						10 Housing Action Plan.
<b>Action 3</b>	Council <b>amend its Development Control Plan 2013</b> to include affordable housing contribution rates.	No	Nil	N/A	N/A	DCPs do not have contribution rates.
<b>Action 4</b>	Council complete its <b>Section 94 review</b> to include a contribution plan to support affordable housing options.	No. (This can only be done if we have the inclusionary zoning).	Nil	Medium	No	Future review of s94 plans associated with three former councils discussed by AHWG. Review to be undertaken by Strategic Planning with assistance from a consultant. (At the moment legally s94 plans cannot collect funds for affordable housing).
<b>Action 5</b>	Council work with the NSW State Government to introduce <b>affordable housing targets</b> .	Yes	Part	High	Yes	Refer to SSROC's submission on affordable housing to Greater Sydney Commission re District Plans. Discussions

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
						with Depart. Planning & Environment have also been held re targets and Council's SEPP 70 application.
<b>Action 6</b>	Council work with the NSW State Government to introduce a <b>framework</b> that would permit local government <b>to deliver on identified affordable housing targets</b> .	Yes	Part	High	Yes	Refer to Strategy 5, Action 5 immediately above.

**Strategy 6: Ways to Facilitate Housing Choice & Affordability**
**Potential Actions**

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 1</b>	Council continue its work with other councils in requesting that the <b>NSW Department of Planning and Environment include additional housing types</b>	No	Part	Medium	Yes	SSROC could assist with pursuing this action. To be undertaken in partnership

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
	(as defined in the Standard Instrument LEP land use matrix) with the aim of delivering broader housing choice.					with Strategic Planning.
<b>Action 2</b>	Council continue to work with other councils in calling on the NSW Government to introduce <b>Sydney wide diverse living targets</b> and to support the development of <b>planning mechanisms to deliver better housing choice</b> .	No	Part	Medium	Yes	SSROC could assist with pursuing this action. To be undertaken in partnership with Strategic Planning.
<b>Action 3</b>	Council to identify <b>aspirational benchmarks/targets per capita for diverse dwelling types</b> . The aim is to deliver more housing choice options (including housing for older people, supported living, student housing, key workers and people employed in creative industries).	Yes	Part	Medium	Yes	Some benchmarks included in AHP. Refer to 2.9, Key Performance Indicators.
<b>Action 4</b>	Council will continue to develop <b>a framework to supply secondary dwellings/laneway housing</b> in line with clear design principles for inclusion in Leichhardt DCP. The design principles will address issues such as; laneway accessibility, sight line	Yes	Nil	Medium	No	Project to be undertaken by Strategic Planning as part of preparation of the new IWC DCP.

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
	provisions, urban design, heritage and conservation concerns, garbage disposal, lot size, solar access and parking.					
<b>Action 5</b>	Councils <b>Section 94 contributions plan</b> should be reviewed to ensure that <b>secondary dwellings/laneway housing</b> are a separate development category that is reflective of the lower development impacts associated with this form of dwelling.	Yes	Nil	Medium	No	Project to be undertaken by Strategic Planning. Refer to Strategy 5, Action 4 above.
<b>Action 6</b>	Council should <b>review its planning controls</b> to assess the potential to deliver <b>‘Manor Houses’ and ‘Multi-Dwelling Housing’</b> with the goal of expanding housing choice options.	No	Nil	Medium	No	Project to be undertaken by Strategic Planning.
<b>Action 7</b>	Council should continue its work with Universities and other relevant institutions to develop best practice examples and principles in addressing <b>housing supply impacts and urban design issues</b> .	No	Nil	Low	Yes	Project to be undertaken with assistance from Strategic Planning.

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 8</b>	Council to develop a policy that provides standards and guidance on <b>boarding house development applications</b> for both applicants and staff. In line with this work, staff should review Leichhardt Development Control Plan (2013) with regard to Boarding House amenity and design standards.	Yes	Part	Medium	Yes	Applicable to IWC. Project to be undertaken with assistance from Strategic Planning.

**Strategy 7: Identified Key Strategic Sites, Centres and Corridors with the Opportunities to Deliver Housing Choice and Diversity**
**Potential Actions**

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 1</b>	Council continue its <b>Strategic Sites, Centres and Corridors study</b> .	Yes	Part	Medium	No	Project to be undertaken by Strategic Planning.
<b>Action 2</b>	Council to identify and adopt criteria (including distance from major transport nodes, access to open space and community infrastructure) in its	Yes	Part	Medium	No	Project to be undertaken by Strategic Planning.

Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
	strategic plans and planning controls to facilitate <b>housing diversity in appropriate locations.</b>					
<b>Action 3</b>	Council to identify <b>sites</b> that have the potential to provide <b>viable housing options for older residents.</b>	Yes	Part	Medium	No	Project to be undertaken by Strategic Planning.
<b>Action 4</b>	Council Officers will continue to seek opportunities to deliver aged housing along the ridgelines within walking distance of the high street shops and essential services. The <b>location of aged housing</b> in such locations would provide older residents with the option of continuing to live within the municipality and age in place.	Yes	Part	Medium	No	Project to be undertaken by Strategic Planning.
<b>Action 5</b>	Council will advocate that the NSW Government and statutory bodies <b>deliver affordable rental housing and diverse living models</b> in accordance with evidence-based benchmarks in the <b>Bays Precinct and other urban renewal projects.</b>	Yes	Part	High	Yes	Discussions with UrbanGrowth and Depart. Planning & Environment on Bays Precinct have taken place. Further discussions are to be arranged.



Action No.	Action Description	Current Practice	In New Policy – Whole, Part, Nil	Priority - High, Medium, Low	Extra Resources Required by AHO	Notes
<b>Action 6</b>	Council should work with relevant NSW State Government and statutory bodies on <b>redevelopment opportunities to include affordable housing in identified sites/precincts.</b>	Yes	Whole	High	No	Discussion with Depart. Planning & Environment re inclusion in SEPP 70 currently underway.
<b>Action 7</b>	Council to <b>advocate</b> for a ratio of 40% private, 30% affordable and 30% social housing on <b>urban renewal project on government owned land.</b>	No	No	Refer to notes.	No	Refer to affordable housing targets applying to urban renewal areas and government owned land.
<b>Action 8</b>	Council to advocate that any social housing <b>redevelopment</b> project result in <b>no net loss in social housing dwellings.</b>	Yes	Whole	High	No	Preventing net loss of affordable and social housing dwellings incorporated in AHP.

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**Item No:** C0317 Item 4

**Subject:** ADDRESSING DOMESTIC AND FAMILY VIOLENCE IN THE INNER WEST

**File Ref:** 17/4718/27897.17

**Prepared By:** Joe Banno - Acting Team Leader, Community Planning and Development

**Authorised By:** Erla Ronan - Group Manager Community Services and Culture

### **SUMMARY**

This report provides an update on Council's partnerships with local community groups, organisations, networks and key national associations to address domestic and family violence across the Inner West Local Government Area. Domestic and family violence is a significant community safety issue, a principle local policing issue and a major concern for wellbeing.

Initial outcomes from the Speak Out Awareness Raising Campaign, Love Bites, the Inner West Respectful Relationship Project and White Ribbon Day have seen positive early results and this report recommends Council continue to support these initiatives on an annual basis for four years as part of the Operational Plan for 17/18, 18/19 19/20 and 20/21 to the value of \$78,000. Such a commitment will strengthen Council's existing community partnerships and support Council's role as a leader in community education and help to reduce incidences of domestic and family violence.

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### **RECOMMENDATION**

#### **THAT:**

1. Noting that Inner West Council is working in partnership with local community groups, organisations, networks and key national associations to address domestic and family violence, that the following priorities are funded in the 4-year Operational Plan 17/18, 18/19 19/20 and 20/21.
  - a. \$20,000 program funding annually to continue and expand the Speak Out Awareness Raising Campaign
  - b. \$15,000 program funding annually to continue the delivery of the Love Bites program in local secondary schools across the Inner West
  - c. \$25,000 program funding annually to support Council's significant partnership in guiding the implementation of the Inner West Respectful Relationships Project
2. Noting the partnerships between Inner West Council and the three Police Local Area Commands to present White Ribbon Day, that Council allocate \$18,000 annually for four years as program funding to continue Council's partnerships with local community organisations, the three local Police Local Area Commands and local domestic violence committees to deliver local White Ribbon Day events.

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### **BACKGROUND**

Providing community leadership in community safety is an important responsibility of Council. Through local community partnerships Council is able to work towards creating a safe community for everyone.

Domestic and family violence is a significant community safety issue in the Inner West Local Government Area (LGA). Information provided by local Police Local Area Commands indicates the prevalence of domestic and family violence across our community. In the Leichhardt Local Area Command, Officers have reported that domestic violence is the number one contributing

factor to all assaults. In the Marrickville Local Area Command, Officers have reported that domestic violence is the most resource intensive category of work with almost 40% of assaults being domestic violence related.

Inner West Council works in partnership with local community groups, organisations, networks and key national associations in addressing domestic and family violence across the Inner West LGA, including;

- Leichhardt Women's Community Health Centre
- Leichhardt Marrickville Domestic Violence Liaison Committee
- Inner West Domestic Violence Liaison Committee
- Ashfield, Leichhardt and Marrickville Local Area Commands
- Inner West Love Bites
- National Association for Prevention of Child Abuse and Neglect (NAPCAN)
- White Ribbon
- Local sporting groups
- Local businesses

Through these partnerships Council aims to collectively bring about generational change to end domestic and family violence and foster respectful relationships in the Inner West.

### **Discussion - Outcomes Achieved Through Current Initiatives**

#### Speak Out Awareness Raising Campaign

The Speak Out Awareness Raising Campaign is Council's partnership with Leichhardt Women's Community Health Centre to raise community awareness about respectful relationships and the prevention of domestic and family violence and the abuse of children. The campaign also provides information to assist people to access support and services.

The former Leichhardt Council resolved to make use of Council work and industrial vehicles to promote health and wellbeing campaigns (C367/14 October 2014). Following from this, the Speak Out Awareness Raising Campaign was developed, and Council resolved to allocate \$10,000 to promotional materials (C635/15) and a further \$10,000 for staff to implement phase two of campaign (C46/16).) The promotional campaign included posters, street flags, street banners, bus stop advertisements, outdoor pull-up banners, stickers, and Keep Cups (re-usable coffee cups). Promotional material was distributed locally to schools, businesses, sporting groups and religious organisations.

Social media was used widely to support the campaign.

#### Effectiveness of the Campaign

Leichhardt Women's Community Health Centre experienced a 58% increase in domestic violence as a presenting issue in clinics and counselling. The centre attributes this to the local awareness campaign re-enforcing national messages. The centre has subsequently been successful in obtaining additional grant funding to continue and expand their work to support women experiencing domestic and family violence. The centre has advised that the most effective and useful Speak Out phase two promotional resources were street flags, banners, and promotional posters and flyers for high street businesses and community organisation distribution.

It is proposed that Council build on the success of the promotional campaign, and invest \$20,000 annually to facilitate the development of new promotional materials with Inner West Council branding over the next 4 years. This investment will build on the success, visibility and momentum of the campaign commenced in 2016, and spread the message across Inner West Local Government Area.

#### Love Bites

In February 2016, the former Leichhardt Council resolved to allocate \$15,000 to NAPCAN, (in consultation and collaboration with the Inner West Love Bites) to fund the delivery of Love Bites training to 400 young people in the Leichhardt area during 2016 (C46/16).

Love Bites is an interactive school-based domestic, family and relationship violence and sexual assault prevention education program aimed at young people aged 14 – 16 years.

The program is delivered in schools through a collaborative network of trained service providers from local organisations, known as Love Bites facilitators. Training is provided by NAPCAN. In the Inner West, Love Bites is co-ordinated and delivered by Inner West Love Bites. Inner West Love Bites is a working group of the Leichhardt Marrickville Domestic Violence Liaison Committee. Rozelle Neighbourhood Centre is the lead organisation.

Council's funding allocation of \$15,000 delivered the program to 408 students across the Inner West as indicated in Table 1 (**refer to Attachment 1**). There was an overwhelmingly positive response to the 2016 program by participating students, with only one participant reporting that they did not think that Love Bites applies to real life.

This report proposes a continued annual investment by Council of \$15,000 per year over four years to support students to be educated and creatively engaged in bringing about generational change to end domestic and family violence. This annual investment will also support key relationships with community partners in this effort.

#### Inner West Respectful Relationship Project

In April 2016, the former Leichhardt Council resolved to allocated \$25,000 to scope and plan a partnership between Leichhardt Council, Ashfield Council, Marrickville Council and NAPCAN to create generational change to end domestic and family violence (C204/16).

The Inner West Respectful Relationship Project draws on the support across the Inner West Council (Ashfield Council (MM9/2016), Leichhardt Council (C204/16) and Marrickville Council (C0316 Item 1)) to create generational change to end domestic and family violence in our community by providing every child and young person in the Inner West LGA with the opportunity to participate in respectful relationships education.

Inner West Council has partnered with NAPCAN and formed a community steering group to undertake community consultation and scope the development and implementation of the Inner West Respectful Relationship Project. The project steering group includes representation from:

- Inner West Council (Community Development)
- Inner West Council (Children's Services)
- Leichhardt Women's Community Health Centre
- Department of Education
- Inner West Love Bites (Rozelle Neighbourhood Centre)
- NAPCAN
- Western Sydney University (Centre for Educational Research)
- Metro Assist
- Eaton Street Centre / Leichhardt OSHC Network.

Community consultation and engagement has been undertaken by NAPCAN and the project steering group as part of the project scoping phase, mapping existing education and prevention initiatives being undertaken by local schools and organisations (ensuring the project complements rather than replaces existing initiatives) as well as identifying the needs for and interest in participating in respectful relationships education.

The outcome of the scoping phase will be a practical implementation plan to guide the facilitation of opportunities for all children and young people to participate in respectful

relationships education. At the time of writing this report NAPCAN had not produced the final scoping study report.

A progress report prepared by NAPCAN in December 2016 (**refer to Attachment 2**) outlines the significance of this project in light of local, state and national interest and momentum for the prevention of domestic and family violence and respectful relationship education.

In order to facilitate Council's ongoing commitment to community safety as well as bring about generational change to end domestic and family violence and foster respectful relationships, a \$25,000 annual investment from Council over four years is proposed. This will support the priorities of the Inner West Respectful Relationships Project, assist in maintaining local, state and national interest and momentum and build a culture of respect and self-regulated behaviour.

#### White Ribbon Day

White Ribbon is Australia's male-led campaign to prevent men's violence against women. The campaign culminates each year with White Ribbon Day on 25 November (*also known as the International Day for the Elimination of Violence Against Women*). White Ribbon Day is acknowledged by local community groups and businesses across Australia through awareness raising activities and events. Men and women are called to wear a white ribbon or wristband as a visual symbol of their commitment and take the White Ribbon Oath (*I will stand up, speak out and act to prevent men's violence against women. This is my Oath*).

The former Ashfield Council worked in partnership with local community organisations, Ashfield Local Area Command and key member organisations of the Inner West Domestic Violence Liaison Committee to host a local White Ribbon Day event. The former Ashfield Council has previously committed \$5,000 to White Ribbon Day.

In December 2015, the former Leichhardt Council resolved to host a White Ribbon Day event in 2016 (C635/15). Further to this, in February 2016 the former Leichhardt Council allocated \$10,000 to develop the event in consultation with Leichhardt Local Area Command and the Leichhardt Marrickville Domestic Violence Liaison Committee. (C46/16)

The former Marrickville Council worked in partnership with local organisations to support an annual White Ribbon Day event by providing assistance and in-kind support to develop, promote and help operate the event, including personnel. The event, a collaboration of local service providers who work with children and/or family members experiencing domestic and family violence, including Marrickville Local Area Command, has been led by Metro Assist.

In 2016, Inner West Council partnered with key local community organisations, each of the three the Local Area Commands across the Inner West LGA (Ashfield, Leichhardt and Marrickville) and member organisations of the two local domestic violence committees to present a series of three localised events to mark White Ribbon Day and encourage members of the community to take the White Ribbon Oath. These events are outlined in Table 2 (**refer to Attachment 3**).

White Ribbon Day in Rozelle was presented in partnership with Leichhardt Local Area Command and supported by Rotary, Youth Off the Streets and other local organisations.

White Ribbon Day in Marrickville was led by Metro Assist in partnership with Newtown Neighbourhood Centre, Marrickville Local Area Command and other local organisations.

White Ribbon Day in Summer Hill was presented in partnership with Ashfield Local Area Command, Metro Assist, Youth Off the Streets and The Infants Home.

White Ribbon Day provides important opportunities to engage the wider community in interactive awareness raising activities and events that encourage people to stand up, speak

out and act to prevent men's violence against women. In order to continue Council's partnerships with local community organisations, Police Local Area Commands and local domestic violence committees for White Ribbon Day, an \$18,000 annual investment from Council over four years is proposed.

This investment will allow Council to build on the success of the 2016 White Ribbon events and build further local partnerships that continue Council and the community's efforts to bring about generational change to end domestic and family violence and foster respectful relationships in the Inner West.

### **FINANCIAL IMPLICATIONS**

This report recommends that Council include annual funding of \$78,000 in the 4-year Operational Plan 17/18, 18/19 19/20 and 20/21 to support the following programs:

1. \$20,000 program funding annually to continue and expand the Speak Out Awareness Raising Campaign
2. \$15,000 program funding annually to continue the delivery of the Love Bites program in local secondary schools across the Inner West
3. \$25,000 program funding annually to support Council's significant partnership in guiding the implementation of the Inner West Respectful Relationships Project
4. \$18,000 program funding annually to continue Council's partnerships with local community organisations, the three local Police Local Area Commands and local domestic violence committees to deliver local White Ribbon Day events.
5. All programs will be evaluated to assess impacts and outcomes in order to inform ongoing partnerships and investment.

### **CONCLUSION**

Inner West Council is well placed to provide a leadership role in addressing domestic and family violence in our community. Council has developed partnerships with local community groups, organisations, networks and key national associations to address domestic and family violence. These partnerships support community wellbeing and are aligned with Priority 3 of the Inner West Council Draft Statement of Vision and Priorities - Social Vitality, Creativity, Quality of Life.

Local partnership programs and initiatives including the Speak Out Awareness Raising Campaign, Love Bites, the Inner West Respectful Relationship Project and White Ribbon Day enable Council and the community work together to bring about generational change to end domestic and family violence and foster respectful relationships in the Inner West.

### **ATTACHMENTS**

1. [↓](#) Table 1: Inner West Love Bites – Workshops Delivered in 2016
2. [↓](#) Inner West Respectful Relationships Project - Scoping Phase Update
3. [↓](#) Table 2: Inner West White Ribbon Day Events – 2016



**Attachment 1**
**Table 1: Inner West Love Bites – Workshops Delivered in 2016**

School	Workshops	Dates	Students	Love Bites Facilitators (Organisations)
Sydney Secondary College (Balmain Campus)	3	6 June 9 June 10 June	198	<ul style="list-style-type: none"> <li>- Good Shepherd Australia New Zealand</li> <li>- Rivendell</li> <li>- Rappaport Music</li> <li>- Youthblock Youth Health Service</li> <li>- Aboriginal Women &amp; Children's Crisis Service</li> <li>- PCYC Balmain</li> <li>- Reconnect Inner City</li> <li>- Women and Girls Emergency Service</li> <li>- NSW Police</li> <li>- Rozelle Neighbourhood Centre</li> </ul>
Tempe High School	3	20 June 24 June 27 June	172	<ul style="list-style-type: none"> <li>- Good Shepherd Australia New Zealand</li> <li>- Rappaport Music</li> <li>- Youthblock Youth Health Service</li> <li>- Aboriginal Women &amp; Children's Crisis Service</li> <li>- PCYC Balmain</li> <li>- Reconnect Inner City</li> <li>- Women and Girls Emergency Service</li> <li>- NSW Police</li> <li>- Rozelle Neighbourhood Centre</li> <li>- Inner West Council (Petersham)</li> </ul>
Marrickville High School	1	14 September	38	<ul style="list-style-type: none"> <li>- Inner West Council (Petersham)</li> <li>- NSW Police</li> <li>- PCYC Balmain</li> <li>- Rozelle Neighbourhood Centre</li> <li>- Youth Off The Streets</li> <li>- Youthblock Youth Health Service</li> <li>- Rappaport Music</li> </ul>



### **Inner West Council Respectful Relationships Project Scoping Phase Update Report - December 2016**

The Respectful Relationships Project's vision is to work together to create generational change to end domestic and family violence in our communities by providing every child and young person in the Inner West Council with the opportunity to participate in Respectful Relationships Education.

NAPCAN was invited into a partnership with the former Leichhardt Council in early 2016 to scope the need and interest in a community-wide approach to the delivery of Respectful Relationships Education to children and young people across the municipality. Subsequently, at their meeting in March 2016, Ashfield, Marrickville and Leichhardt Councils resolved to partner with NAPCAN in this project. \$25,000 was committed by the former Leichhardt Council and a further \$25,000 was committed by the former Marrickville and Ashfield Councils, although disrupted due to amalgamation.

#### **A local, state and national priority**

This initiative is building on local, state and national interest and momentum for the prevention of domestic and family violence and respectful relationships education, including -

- The former Leichhardt, Marrickville and Ashfield Councils and new Inner West Council have identified domestic and family violence as a key issue, including a priority child protection concern.
- Inner West Sydney Youth Health and Wellbeing Plan 2017-2021 (currently in development) has highlighted domestic and family violence as a priority issue, and young people affected by domestic and family violence as a priority population. The plan is being developed by NSW Health (Sydney Local Health District) in partnership with FACS, Department of Education and Central and Eastern Sydney Public Health Network.
- The NSW Domestic and Family Violence Blueprint for Reform 2016-2021 highlights prevention and early intervention as the top two key blueprint actions.
- The Third Action Plan of the National Plan to Reduce Violence Against Women 2010-2022 includes a focus on local governments through the key action 1.2(a) "Co-design tools and resources with local governments to engage with business, sporting organisations and community groups to promote action against violence and engage all levels of business to lead and collaborate on initiatives to drive a reduction in violence."
- The Victorian Royal Commission into Family Violence, has identified a spectrum of recommendations to aid the prevention of domestic and family violence, including highlighting the need for comprehensive respectful relationships education resources and supports to communities.

**Partnership approach**

The project's strength to-date has arisen through the partnerships formed and committed in the scoping phase.

- A Steering Group was formed to guide and provide practical input and advice to NAPCAN staff leading the Scoping Phase. The Steering Group, which has included council officers, community service and education professionals from across the community, as well as NAPCAN and Western Sydney University representation, has met 3 times.
- Western Sydney University, Centre for Educational research has provided the lead research and analysis role (in kind) to the project
- Aiming to contribute to the evidence around prevention of family violence through respectful relationships education, including through local community implementation models, NAPCAN has also invested significantly to this project.

**Scoping Phase Activities**

A diversity of education and community service organisations have provided input into the following scoping phase activities -

- Community engagement at interagency networks and meetings
- Project Specific Survey - 48 completed
- Project Specific Consultations - 30 completed

Analysis of the data is currently being undertaken.

**Emerging themes**

The research demonstrated a strong level of interest in a whole community approach to respectful relationships education.

Preliminary analysis of the data has also identified that:

- Council is in a unique position to foster coordination in a community-wide approach
- Schools, agencies and community settings require different strategies and resources to support diverse roles in a whole community approach.
- An implementation plan must address the diversity within the council community and include strategies for inclusivity.

**Report & Budget Implications**

The community has expressed enthusiasm and need for this project. We look forward to providing Council with a detailed Scoping Phase Report including Implementation Plan and request for resources at the end of February 2017.

**NAPCAN Contacts****Ellen Poyner (Project Coordinator)**

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**Attachment 3**
**Table 2: Inner West White Ribbon Day Events – 2016**

<b>Date</b>	<b>Location</b>	<b>Attendance</b>	<b>Activities</b>
22 November 7:30am - 10am	King George Park, Rozelle	100  - Community members - Park users - Domestic violence services - Local organisations - Police - Secondary school students	- BBQ breakfast - Information stalls - Musical entertainment - Key note / guest speakers - White Ribbon Oath
24 November 10am - 2pm	Alex Trevallion Plaza, Marrickville	150  - Community members - Shoppers / pedestrians - Domestic violence services - Local organisations - Police - Secondary school students - Primary school students	- BBQ lunch - Information stalls - Musical entertainment - Children's activity space - Key note / guest speakers - White Ribbon Oath
28 November 1pm - 7pm	Darrell Jackson Gardens, Summer Hill	300  - Community members - Youth services - Domestic violence services - Early learning services - Local organisations - Police	- Summer Hill White Ribbon Carnival - BBQ - Information stalls - Live entertainment - Key note / guest speakers - White Ribbon Oath - Art and craft activities for children - Storytelling for children - Skating workshops - Soccer activities - Basketball activities - Self-defense activities

**Item No:** C0317 Item 5**Subject:** COUNCIL RESPONSE TO DRAFT CENTRAL DISTRICT PLAN**File Ref:** 17/4718/26983.17**Prepared By:** Kieren Lawson - Student Town Planner**Authorised By:** Simon Manoski - Group Manager Strategic Planning

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**SUMMARY**

This report discusses the draft Central District Plan (draft Plan) prepared by the Greater Sydney Commission (GSC). The draft Plan is on public exhibition until 31 March 2017. The draft Plan is generally supported and will provide much needed planning direction that does not presently exist at this level for councils. This report recommends that Council make a submission on the draft Plan seeking amendments that will strengthen the final Plan primarily in respect of infrastructure provision, the orderly delivery of new housing, provision of affordable housing and environmental outcomes.

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**RECOMMENDATION****THAT Council:**

- 1. Receive and note this report;**
  - 2. Make a submission on the Draft Central District Plan based on the contents of this report.**
- 

**BACKGROUND**

The Greater Sydney Commission (GSC) released six draft District Plans for Greater Sydney on 23 November 2016. The draft Plans aim to facilitate well-coordinated, integrated and effective planning for land use, transport and infrastructure across the Greater Sydney Region over the next 20 years. The Inner West Council (Council) area is located within the Central District, which also comprises Sydney City and surrounding inner suburban areas extending westwards to the Strathfield local government area. This report outlines comments from Council officers concerning the draft Plan. The report follows the structure of the draft Plan and provides comments under the relevant headings, as follows:

1. Role and implementation of the draft plan
2. A Productive City
3. A Liveable City
4. A Sustainable City

A copy of the draft Plan is publicly available at: <http://www.greater.sydney/central-district>

A detailed submission based on the contents of this report will be forwarded to the GSC by 31 March 2017. At the LRAC meeting on 14 March 2017, the contents of this report were supported with the following resolution concerning the inclusion of the following matters within Council's submission:

- 1. The policy positions of the former Leichhardt, Ashfield and Marrickville Councils in respect of the Parramatta Road Urban Transformation Strategy, and the Bays Precinct Renewal Project.**

2. **References to Sydney's beautiful and natural resources and assets such as our harbor, heritage, waterways, parks, greenspace and industries where these have not adequately addressed.**

## **DISCUSSION**

### **1. Role and Implementation of the draft Plan**

Part 1.1 of the draft Plan identifies the role of district planning as being the middle level of planning, connecting local planning measures with metropolitan planning for the Greater Sydney Region. It is agreed that there is a critical for this level of planning to be provided given the failure of the last sub regional plans to progress beyond draft stage in 2008. However, the main criticism of the current draft Plan is that in many respects the level of detail it contains is more akin to that which would be in a metropolitan level plan.

The draft Plan was expected to provide a clear link between the broad strategic direction for metropolitan Sydney provided by *A Plan for Growing Sydney* and local level planning. This linking is integral for newly amalgamated councils that require a new local environmental plan to be prepared that will be required to be supported by district level analyses, evidence and guidance to inform and best shape districts from a productivity, livability and sustainability perspective. This simply has not eventuated as the focus of the draft Plan does not provide the anticipated level of guidance to local planning.

Specifically, much of the directions and actions are indirect, ambiguous and in most areas identify opportunities without clear metrics or targets. Council's submission will recommend that the final District Plan include more details, targets and direction on all its key elements particularly with regard to land use, transport and infrastructure. Higher level information and direction should be limited to the new Metropolitan Plan which is to be finalised concurrently with the District Plans.

A key component of the vision for the Central District and in all of the three principle themes within the draft Plan (Productivity, Liveability, and Sustainability) is the need for an efficient and sustainable transport system within the Central District. In this regard, the draft Plan identifies a wide range of current and planned transport infrastructure. Excluded from these projects/initiatives is the guided electric vehicle system for Parramatta Road that has been endorsed by the joint Inner West Council/Canada Bay Council study. Detailed independent analyses undertaken for this transport option have found it to be superior to the rapid bus system currently proposed by the State Government and should be identified as a matter for further investigation in the draft Plan.

The Parramatta Road corridor as it stands is symbolic of chronic underinvestment by the State in public transport and private sector. Such a transformative piece of infrastructure would reposition this key transport corridor, would align with the Government's intent to renew and revitalise land uses and act as a catalyst for private investment to remodel and enhance quality of the urban environment along Parramatta Road.

A copy of the Council study will be included with Council's submission.

### **2. A Productive City**

The draft Plan identifies the high level of both public and private investment that is presently occurring within the Central District. Part 3 on 'A Productive City' identifies the major urban renewal projects in the district, with particular projects such as The Bays Precinct; Sydenham to Bankstown Urban Renewal Corridor; and the Parramatta Road Urban Transformation Strategy taking place across the Inner West Council area. The draft Plan notes that the high



levels of investment in these urban renewal precincts offer a rare opportunity to maximise infrastructure contributions.

In December 2016, Infrastructure Australia identified that existing funding options for infrastructure is unable to provide sufficient funding to meet future infrastructure needs. In this regard, the draft Plan makes reference to the potential for value capture to fund infrastructure demands. However, unlike affordable housing, no metric is provided in the draft Plan for value capture. Accordingly, there is a high likelihood that the current growth phase will end prior to the resolution of a value capture mechanism and Council recommends that a value capture mechanism from the Infrastructure Australia's December 2016 Report be adopted and applied via the District Plan for the major renewal precincts and corridors to provide adequate funding for housing, recreation, infrastructure and public services in the district.

The support to grow innovation and creative industries under Productivity Priority 2 is another key focus area for Council. This priority aims to provide flexibility in land use zones for creative industries, providing affordable space for creative hubs, enhancing synergies and connectivity between health and education facilities and supporting opportunities for a diversity of housing choices. This priority is also highlighted by Council under our draft Statement of Vision and Priorities, which advocates for the retention of industrial lands (Priority 1), improving access to affordable housing (also Priority 1) and supporting innovative and creative industries (Priority 6). It is considered that this aspect of the draft Plan could be further strengthened with a clear direction that no further rezoning of industrially zoned land to non-employment zoned uses should be supported in the Inner West area until an urban strategy and supporting local housing strategy has been finalised. It is also considered that the emerging Sydenham Creative Hub project (that recently received Gateway determination) should be identified within the draft Plan as an example of how to manage changes in employment trends and promote creativity industry hubs.

Council's submission recommends officers include the need to fund public art and place making programs within urban renewal precincts (a proportion of which pays adequate attention to the working history of sites such as the Rozelle Goods Yard, Balmain Power Station etc.). There is also a need to extend the Camperdown-Ultimo Education and Health precinct (see Figure 3.1, p.34 of the draft Plan) to include the Camperdown Precinct of the Parramatta Road Urban Transformation Strategy (PRUTS).

The draft District Plan also identifies the importance of protecting and managing employment and urban services land from the pressures of rezoning to retail and residential uses. Such rezonings have the potential to have longer term growth and productivity implications for Greater Sydney. In this regard, the draft Plan recommends that planning authorities take a precautionary approach to rezoning employment and urban services lands unless there is a clear direction in the regional plan, the District Plan or an alternate strategy endorsed by councils.

Another priority highlighted in the draft District Plan is improving 30-minute access to jobs and services given that traffic congestion and parking is an important issue that the Central District community wants addressed. The Greater Sydney Commission (GSC) undertake to collaborate with Transport for NSW and the relevant stakeholders to maximize the economic and land use opportunities created by investment in transport infrastructure and to integrate land use and transport outcomes. At a local level there is also a need to provide walking and cycling infrastructure to improve access throughout the district to support this outcome.

It is noted that there are nine strategic/district centres nominated within the draft Plan. These centres are focus areas for future productivity and investment. It is unclear within the draft Plan as to what the thresholds are and the methodology used to identify these centres. In this context, Council's submission should query the role of the Ashfield Town Centre in particular as a potential district centre, particularly as similar sized centres that provide a comparable function (eg. Campsie) have been identified as District Centres with little justification. As does

Campsie, Ashfield is also a population-serving centre that plays an important role in supporting the District's productivity, vibrancy and accessibility.

The status of the Camperdown industrial lands within the former Leichhardt and Marrickville local government areas bordering Parramatta Road is not clearly addressed within the draft Plan. Specifically, under the PRUTS this land has been identified for future employment uses. This was on the basis of representations made by Council as part of the PRUTS consultation process after it was initially identified for housing intensification. However, in the draft Plan this area is included within the housing capacity targets (p.96-97) and is loosely identified within the Camperdown-Ultimo Health and Education Collaboration Precinct. To assist strategic planning for this area this conflict must be clarified in the final Plan.

### **3. A Liveable City**

The draft Plan outlines housing targets for the Central District with 5-year and 20-year housing delivery targets. Whilst Council appreciates the need for specific targets on housing supply, the way in which the targets are presented is unclear. The main reason for this is that the targets have been subject to multiple revisions between overlapping Metropolitan and regional plans. For example, Table 4-3 of the draft Plan provides a housing target of 157,500 for the Central District and 725,000 for Greater Sydney (p. 93), whereas the metropolitan plan sets a target of 664,000 by 2031 (see page 65 of A Plan for Growing Sydney). This is a consequence of changing variables such as immigration and lifestyle choices (such as occupancy rates) and demonstrates the limitations of planning for targets over a long time frame.

There is also an inadequacy in the identification of housing numbers that will be achieved within identified urban renewal precincts as well as that which councils have previously planned as part of their current Standard Instrument Local Environmental Plans. These factors combined create a misleading picture of the actual demand and supply situation in local government areas which can lead to inappropriate and unnecessary planning proposals for residential development.

Greater clarity is required over the 5 and 20-year housing forecasts and how they relate to major renewal precincts such as Parramatta Road and the Sydenham to Bankstown corridor. Specifically, in the latter instance there has not been a demonstrable case made that the new transport infrastructure (Metro line) is creating additional capacity to justify an increase in the population of the Marrickville and Dulwich Hill centres. In explanation, the fact that there will be a more frequent service does not mean that capacity will be greater particularly at the eastern end of the extension and with substantial increases in residential density proposed to the west in Canterbury and Bankstown.

It should also be noted that as part of the MLEP 2011 process urban design studies of the Marrickville and Dulwich Hill centres were undertaken that led to increases in residential densities. These studies carefully balanced the need to preserve the character of these centres with the need for increased housing densities. As part of its involvement in the Sydenham to Bankstown Urban Renewal Strategy Council officers have consistently drawn this to the attention of the DP&E. In this regard, whilst some modifications have been made to the scale of development proposed, overall, the scale of development proposed is still excessive. This is reflected in the strong opposition to the strategy from the local community (particularly the Dulwich Hill community).

Accordingly, the draft District Plan should be amended to provide more clarity around the rationale for increased density in renewal corridors where these are linked to new transport infrastructure. Final decisions on the extent of residential rezonings should be done through the proposed local housing strategies where a proper evaluation of the impacts of increased densities can be determined.



Action L1 (Section 4.3.1 of the draft Plan) requires councils (in collaboration with GSC/DPE) to develop local housing strategies that respond to the stated housing targets. The development of local housing strategies is supported however given the extent of development that the Inner West area is currently experiencing, it is considered that new major planning proposals should be limited to designated precincts/corridors where adequate analyses and supporting infrastructure plans are in place and that changes outside of these designated areas are not pursued until such a strategy is in place. This would enable the development of targeted value capture mechanisms to fund infrastructure and an evaluation of the actual demand and supply for housing to be undertaken. Furthermore, the desire to accelerate housing supply must be cross-referenced with all other land use needs, especially employment so that strategic, district and local planning is not solely driven by housing supply demands.

Liveability Priority 2 identifies the need for housing diversity across the Central District *‘to respond to the needs of the existing and future local housing markets, and deliver quality design outcomes for both buildings and places’* (p. 100). Whilst the focus on high quality design is important it is considered that the main liveability focus in this area needs to be on the provision of adaptable and affordable housing. Adaptable and affordable housing are pivotal to maintaining the existing character and urban brand of “Sydney’s Inner West”, where planning and development balances gentrification and investment with maintaining diversity and affordability for the community. In this regard, the current 5-10% target of affordable housing is considered inadequate and should be adjusted on a district by district basis to reflect the different circumstances of each.

It is recommended that the GSC adopt the resolutions from Council’s December 2016 meeting (under Item 7), including commitment to a minimum 15% affordable housing target for the Inner West Council area. This commitment was reaffirmed by Council at its Ordinary Meeting on 28 March 2017 where it resolved to endorse its draft Affordable Housing Policy for exhibition. Councils draft policy implements a mandatory 15 percent affordable housing contribution on certain development.

Other priorities identified for a liveable city include facilitating the delivery of safe and healthy places; facilitating enhanced walking and cycling connections; conserving heritage and unique local characteristics; and fostering the creative arts and culture (which requires affordable housing for artists and creative practitioners who can be financially vulnerable however play a vital component of a creative ecosystem). These priorities must be considered by the relevant planning authority when developing and / or assessing planning proposals.

**4. A Sustainable City**

Sustainability Priorities 1-3 of the draft Plan focus on protecting and improving our waterways and delivering Sydney's Green Grid. Council officers support these measures; however a greater focus should be made on improving not just "protecting" the District's waterways.

Improved access to Sydney's foreshore along the Balmain Peninsula is supported as this would contribute to the expansion and delivery of Sydney's Green Grid. However there may be challenges when negotiating rights of way where access is limited due to private ownership.

The priority projects listed on page 141 of the draft Plan to achieve Iron Cove Greenway and Cooks River Open Space Corridor is supported, however it is noted that there is a mapping error that excludes Callan Park, Rozelle from this corridor. This space is the largest park in the Council area and one of our most significant parklands, supporting the Iron Cove Greenway and Cooks River Open Space Corridor. These existing recreational spaces, combined with additional recreation spaces provided as part of major urban renewal precincts (e.g. The Bays Precinct, Parramatta Road) must support a variety of inclusive recreational uses.

The draft Plan highlights the importance of protecting, enhancing and extending the urban canopy when developing strategic plans. These priorities are supported by Council staff and are already reflected in a number of Council policies such as the Urban Forest Strategy and the Street Tree Master Plan which establish Council's commitment to the holistic management of the urban forest.

The draft Plan adopts the United Nations Paris Agreement objective of net-zero emissions by 2050 which is supported. However, it is considered the means by which this is achieved should comprise a combination of energy efficiency and renewable energy. The draft Plan also advocates the development of environmental performance targets and benchmarks. This action is supported provided the targets and benchmarks established facilitate the delivery of world class urban renewal.

The draft Plan recognises the need to support opportunities for district waste management. Resource management and waste recovery infrastructure is a key component of supporting additional residential development, particularly within identified growth areas. A focus on innovation, including on site or locally based waste management facilities, is required to ensure that waste management is part of an integrated solution which supports environmental sustainability. The retention of industrial land is also critical to the provision of adequate waste management facilities to support the growing population.

**FINANCIAL IMPLICATIONS**

Nil.

**OTHER STAFF COMMENTS**

Comments on the draft Central District Plan were received from all relevant staff / areas of Council including Business Relations, Economic Development, Strategic Planning, Community Services, Environmental Services, Parks and Reserves, and Resource Recovery.

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**PUBLIC CONSULTATION**

Public consultation of the draft Plan is being undertaken by the Greater Sydney Commission with the exhibition closing on 31 March 2017.

**CONCLUSION**

This report is generally supportive of the draft Central District Plan on the basis that it will provide strategic planning direction for Council in key areas. However, the main criticism of the current draft Plan is that in many respects the level of detail it contains is more akin to that which would be in a metropolitan level plan.

Specifically, much of the directions and actions are indirect, ambiguous and in most areas identify opportunities without clear metrics or targets. This report recommends that Council make a submission on the draft Plan seeking amendments that address key issues including infrastructure provision, the orderly delivery of new housing, affordable housing provision and environmental outcomes.

**ATTACHMENTS**

1. [↓](#) General Note on District Plans - GSC - November 2016

## Draft District Plan Information Note 1

### GENERAL INFORMATION ON DRAFT DISTRICT PLANS

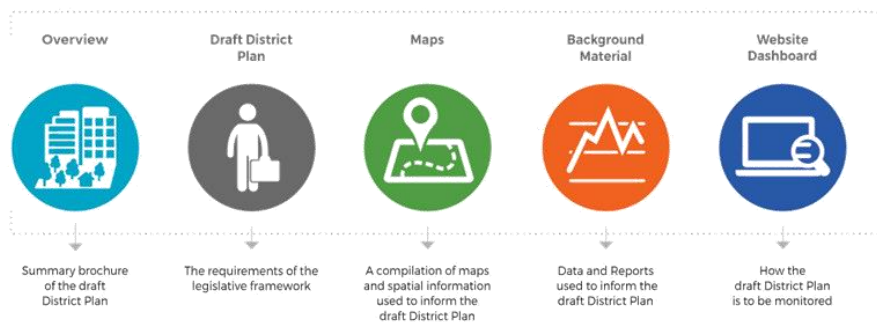
This Information Note is part of a series that provide supporting information on the draft District Plans released by the Greater Sydney Commission. For more information or to access the other information notes in this series please visit [www.greater.sydney](http://www.greater.sydney)

#### Exhibition and purpose of six draft District Plans

The Greater Sydney Commission is exhibiting six draft District Plans for Greater Sydney until the end of March 2017. District Plans sit in the middle of the hierarchy of metropolitan, district and local planning for the Greater Sydney Region and will:

- implement a strategic and integrated approach to managing Greater Sydney's growth by linking State and regional-level aspirations with Local Environmental Plans (LEPs) and providing a clear line of sight between these documents
- align land use decisions and infrastructure planning through better research, decision-making and collaboration with local government and key State agencies and stakeholders
- be monitored and reported on, with implementation managed by coordination across Government
- help to inform the 2017 review of Greater Sydney's regional plan (currently *A Plan for Growing Sydney*).

#### Components of the draft District Plans



#### Status of the draft District Plans

Councils are required to give effect to the District Plans as soon as practicable after they are made (finalised). Importantly the draft District Plans also carry some 'weight' (in other words are a consideration) during the period that they are in draft for planning proposals. This is established by the Department of Planning and Environment's *Guide to Preparing Planning Proposals* (August 2016).

The Guide lists assessment criteria for a planning proposal, which include but are not limited to the consideration of the strategic merit of the proposal, the site-specific merit of the proposal and consistency with strategic plans, including draft District Plans, state environmental planning policies and Ministerial directions.

Local environmental plans will continue to determine whether development is permitted or prohibited on land. While a draft District Plan or District Plan is not a mandatory matter for consideration in the determination of a development application, a consent authority may decide to consider a draft District Plan or District Plan to the extent it relates to the objects of the *Environmental Planning and Assessment Act 1979*.

GSC INFORMATION NOTE 2016 (1)

**IMPORTANT NOTE:** The purpose of this information note is to provide guidance about the application of draft District Plans released on 21 November 2016. This information note is not to be construed as legal advice, does not form part of the draft District Plans and does not have statutory weight under the Environmental Planning and Assessment Act 1979. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this information note.

## Draft District Plan Information Note 1

### GENERAL INFORMATION ON DRAFT DISTRICT PLANS

#### What the District Plans mean for local planning

As a document for discussion, the draft District Plans propose priorities and actions that will influence how different levels of government plan within their respective District, and how public and private investment decisions are made – directly influencing growth and change.

For local government, the draft District Plans will:

- inform the preparation of local environmental plans
- inform planning proposals
- guide strategic land use, transport and infrastructure planning across local government areas
- inform infrastructure planning.

Section 75A of the Environmental Planning and Assessment Act 1979 requires local environment plans to give effect to each District Plan as soon as practicable after a District Plan is made.

This process may require a comprehensive review or be staged to reflect the local government area's priorities identified in each District Plan, and to allow for more targeted engagement on these priority areas. This approach will also help councils to manage resources.

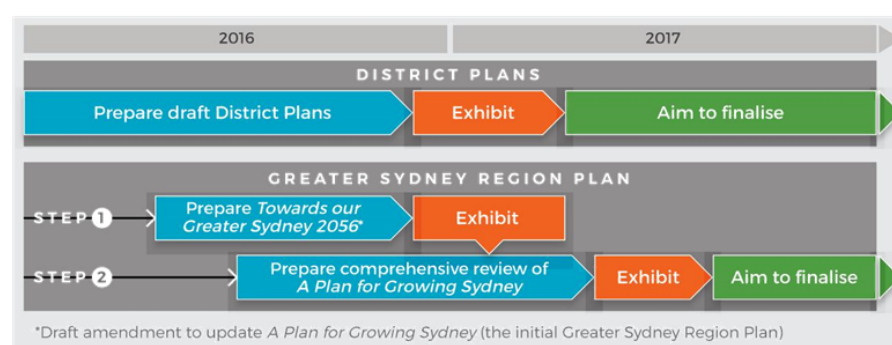
#### The draft amendment to *A Plan for Growing Sydney*

To best plan for Greater Sydney's future, the draft District Plans introduce a longer-term, transformational focus on the patterns of development needed for Greater Sydney to be a more productive, liveable and sustainable Global Sydney. This ambitious 40-year vision for Greater Sydney as a metropolis of three cities is detailed in Chapter 2 of each draft District Plan.

This 40-year vision is a draft amendment to *A Plan for Growing Sydney*. It is on exhibition alongside the draft District Plans so that feedback around the concept of Greater Sydney as a metropolis of three cities can inform the review of *A Plan for Growing Sydney* to be undertaken in 2017. You can download a standalone version of the draft amendment, titled *Towards our Greater Sydney 2056* by visiting [www.greater.sydney](http://www.greater.sydney)

#### Next steps and timetable for the draft District Plans

Draft District Plans will be formally on public exhibition for at least four months (through to the end of March 2017). It is the Commission's aim to finalise the District Plans concurrently with the finalisation of an updated Greater Sydney regional plan. This will not occur until the end of 2017 to allow input from newly elected councils.





**Item No:** C0317 Item 6  
**Subject:** **PLANNING PROPOSAL REQUEST - 183 & 203 NEW CANTERBURY ROAD, LEWISHAM**  
**File Ref:** PDA201600077/334.17  
**Prepared By:** Maxine Bayley - Strategic Planner  
**Authorised By:** Simon Manoski - Group Manager Strategic Planning

### **SUMMARY**

Council has received a planning proposal request for 183 and 203 New Canterbury Road, Lewisham.

The application proposes to rezone 183 New Canterbury Road from IN2 Light Industrial to R4 High Density Residential to allow a 3, part 4 storey, residential flat building on 183 New Canterbury Road with basement carpark accessed via New Canterbury Road on the land. 203 New Canterbury Road is proposed to be rezoned from IN2 Light Industrial to R2 Low Density Residential to reflect the use of the site as a dwelling house.

The proposal is consistent with the land use direction that the former Marrickville Council set for the site and adjacent industrial properties and is supportable from a strategic land use perspective. Council's Architectural Excellence Panel has reviewed the proposal.

This report recommends that Council support the planning proposal request and forward it to the Department of Planning and Environment for Gateway assessment. The report also recommends that site specific planning controls be developed for the site to be incorporated into Part 9.36 of Marrickville Development Control Plan 2011.

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### **RECOMMENDATION**

#### **THAT Council:**

- 1. Support the planning proposed request for 183 & 203 New Canterbury Road, Lewisham to rezone and set development controls for the land;**
  - 2. Forward the planning proposal to the Minister for Planning for a Gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*;**
  - 3. Request that it be delegated plan making functions in relation to the planning proposal; and**
  - 4. Resolves to develop site specific planning controls to apply to the future development at 183 New Canterbury Road for inclusion in MDCP 2011 Part 9.36 (Commercial Precinct 36) and that these be publicly exhibited concurrently with the planning proposal.**
- 

### **BACKGROUND**

The former Marrickville Council considered several reports on the appropriate future land use direction for IN2 Light Industrial zoned properties within this section of New Canterbury Road, Lewisham. At its meeting of 5 June 2012 Council considered the following submission regarding properties located on New Canterbury Road and Wardell Road (including the subject sites) with an IN2 Light Industrial zoning:

- *Submission (1f) - 133-203 New Canterbury Road, 180-218 New Canterbury Road & 1 Wardell Road, Petersham*

A group of submitters seek a rezoning of a number of adjoining properties from IN2 Light Industrial to a more flexible mixed-use zone that allows residential, retail and creative-industry uses. Submitters also seek an increase in the FSR from 1:1 to 2.5:1 to allow redevelopment to four storeys with pronounced corner elements. Submitters argue that with the current IN2 zoning, these properties will continue to operate below their commercial potential and do not reflect the kind of uses demanded in the area.

The following officers comments were made in response to the submission: *These arguments are supported and reflected in other land use changes that are being proposed within the LGA. It is considered that such a rezoning would help to reactivate this precinct, located at the western end of the Petersham shopping strip. The rezoning and increased FSR is supported in general terms, but should be guided by a master planning process for the precinct. It is recommended below that this be undertaken as part of the next MUS review.*

Council resolved to adopt the report's recommendation as follows:

**Recommendation (1f):** that the rezoning of 133-203 New Canterbury Road, 180-218 New Canterbury Road & 1 Wardell Road, Petersham from IN2 Light Industrial to a suitable mixed-use zone, and increase in the FSR for these sites from 1:1 to 2.5:1 be considered by Council as part of the next review of the MUS, and be informed by a masterplan for these sites and the surrounding precinct.

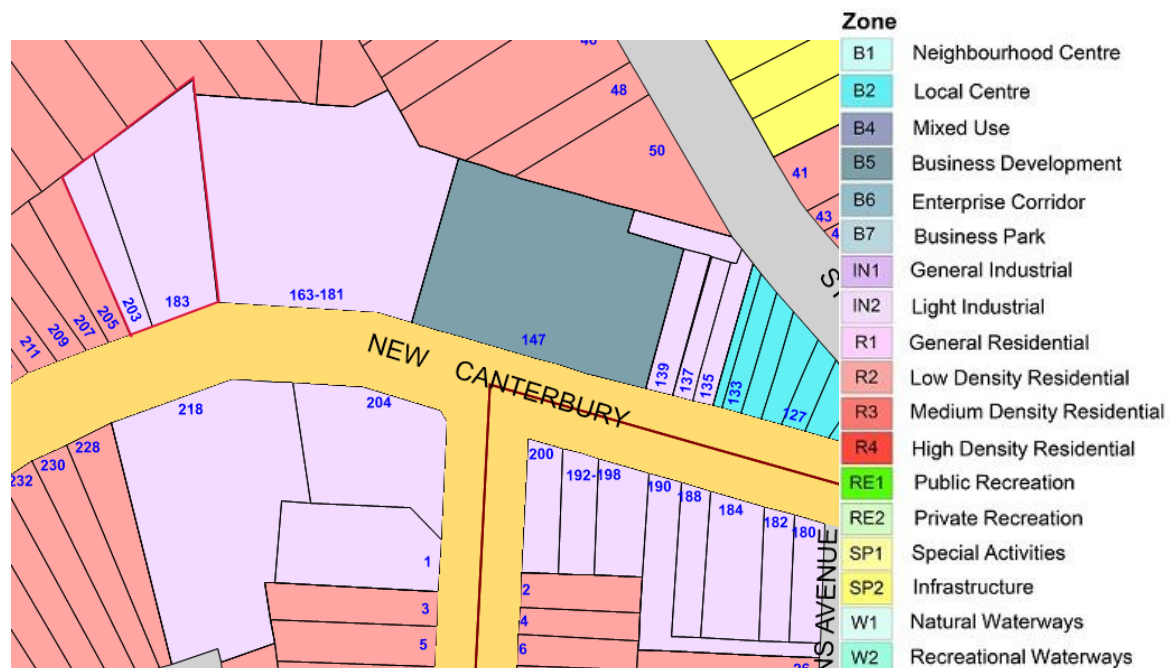


Figure 1: IN2 Light Industrial and B5 Business Development zoned properties on New Canterbury Road & Wardell Road (subject sites shown in red outline)

Since this time, the former Marrickville Council resolved to support the rezoning of 147 New Canterbury Road (land which is within this precinct) from IN2 Light Industrial to B5 Business Development to permit redevelopment of the site for the purposes of a mixed use residential and commercial development. This amendment (known as Amendment No. 5) was gazetted on 15 January 2016. The planning controls applying to this site permit a FSR of 1.5:1 and a building height of 14 metres (to support a four storey built form).

Council received a planning proposal request for Nos. 183, 203 and 218 (on the southern side of New Canterbury Road) in July 2016. Council officers undertook a preliminary assessment of the proposal (which included a referral the Architectural Excellence Panel) that identified significant issues with the application, particularly relating to the site at 218 New Canterbury Road. The applicant was advised that, in its current form, Council would not support the



planning proposal. The advice re-iterated that planning for this area should be undertaken in a holistic manner, rather than via piecemeal planning proposals. Notwithstanding, the advice noted Council's previous support for the planning proposal at 147 New Canterbury Road and recommended that should the applicant wish to proceed, an application for the northern side of New Canterbury Road only could be considered.

To date, a Marrickville Urban Strategy review process (as referred to in the previous Marrickville Council's resolution) has not been undertaken. Despite this, proponent led planning proposals require consideration by Council based on the merits of the application. Accordingly, whilst a masterplan for the entire precinct (as previously resolved) is preferable from an orderly planning perspective rather than assessment of ad-hoc proponent led planning proposals Council is required by the EP&A Act 1979 to assess these proposals.

The principle that has been applied to the merit assessment of site specific planning proposals such as this within this precinct is that they may be supported provided they do not compromise the orderly planning of other sites identified for future master planning. Based on this principle, it is considered that the proposed amendments to 183 New Canterbury Road can achieve a development outcome which can occur independently of other sites within the precinct and will not compromise future options for these sites. This is the same scenario that applied for the rezoning of 147 New Canterbury Road.

## **DISCUSSION**

183 and 203 New Canterbury Road, Lewisham, are currently zoned IN2 Light Industrial under MLEP 2011 and have a combined site area of approximately 1432m<sup>2</sup>. 183 New Canterbury Road is an irregularly shaped allotment with a frontage of approximately 17 metres and is currently used as a ceramic tile outlet and contains an office building with an internal car parking arrangement. It is adjoined to the west by 203 New Canterbury Road which has a frontage of approximately 5.5 metres and consists of a dwelling house. Despite its IN2 Light Industrial zoning, it is clear this is a purpose built dwelling house and is currently being used for this purpose. There is no evidence that the site has ever been used for industrial purposes.



Figure 2: 183 New Canterbury Road viewed from New Canterbury Road

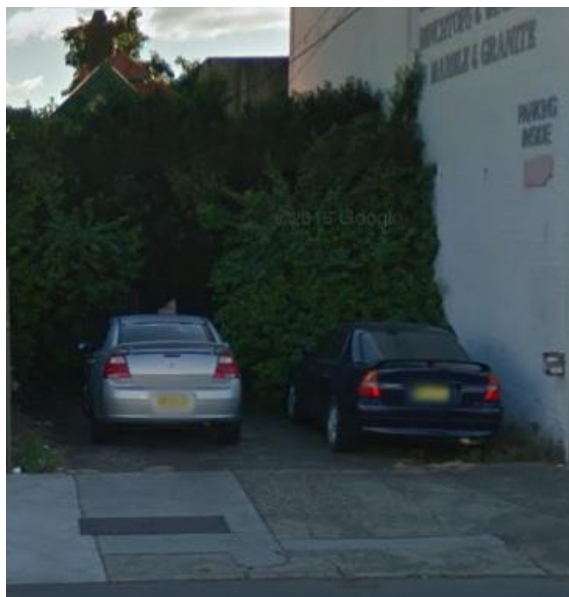


Figure 3: 203 New Canterbury Road as viewed from New Canterbury Road

The sites are parts of the Petersham Commercial Precinct in Part 9 of the MDCP 2011 (Precinct No. 36) and are located west of the Petersham B2 Local Centre zoned retail area. The surrounding land uses include a mix of light industrial land uses, commercial land uses including a service station, an Officeworks outlet, traditional shop top housing developments and a pub (Huntsbury Hotel). As stated previously, 147 New Canterbury Road has recently been rezoned to permit a mixed use development. Low density residential dwellings are located immediately north of the site on The Boulevard, as well as to the west adjoining the IN2 Light Industrial zone on New Canterbury Road.

Building stock in the area is generally rundown with some sites containing non-active frontages to New Canterbury Road. The area is well located within walking distance of the Petersham commercial precinct, Petersham railway station and Lewisham railway and light rail stations, as well as bus routes along New Canterbury Road.

Immediately north of the site are low density residential properties which are within the Lewisham Estate Heritage Conservation Area (HCA) which adjoins the sites. Hunter Street also contains Petersham Public School which extends from Hunter Street through to West Street. West Street provides signalised access onto New Canterbury Road in both directions.

### **Planning Proposal**

The planning proposal request seeks an amended zoning for 183 New Canterbury Road to R4 High Density Residential, with a floor space ratio of 1.35:1 and a maximum building height of 14 metres. Indicative concept plans were submitted with the application, including a massing concept for 183 New Canterbury Road only (203 New Canterbury Road does not form part of the proposed development site). The indicative concept plans provide for a 3 part 4 storey residential flat building with a total gross floor area of 1501m<sup>2</sup> to accommodate approximately 20 units.

203 New Canterbury Road is proposed to be rezoned to R2 Low Density Residential, with a building height control of 9.5 metres and a floor space ratio of 0.6:1, consistent with adjoining low density residential properties. Car parking is provided as basement parking, with access directly off New Canterbury Road. Council's Development Engineer has reviewed the submitted traffic and parking assessment and raised no issues with the planning proposal.

The massing concept indicates a building form of a predominantly 3 storey building with a 4<sup>th</sup> storey projection at the eastern site boundary adjoining 163-181 New Canterbury Road

(Officeworks site). A 4 metre front setback is provided to New Canterbury Road. A side setback of 3 metres is provided to 203 New Canterbury Road and a 6 metre setback to the rear of the site. Where the proposed building is not built to the boundary on the eastern side, a setback of 6 metres is provided.

The architectural floor plans submitted indicate units addressing New Canterbury Road, 203 New Canterbury Road and rear of the site towards the rear of properties located on The Boulevarde. Balconies are shown on the building façade facing south, building rear facing north and towards 203 New Canterbury Road to the west. Copies of the planning proposal report and architectural plans are included as **ATTACHMENT 1**.

### **Current zoning**

The sites are currently zoned IN2 Light Industrial under MLEP 2011 (see Figure 1). 183 New Canterbury Road operates as a tile showroom and 203 New Canterbury Road contains a single storey dwelling house. 183 New Canterbury Road is one of six remaining lots zoned for light industrial uses on the northern side of New Canterbury Road (including the dwelling house at No. 203 New Canterbury Road). Eleven lots are zoned for light industrial uses on the southern side of New Canterbury Road. The size of the lots varies significantly, with some occupied by traditional shop top housing premises, whilst other larger sites comprise purpose built factories and warehouses. On the southern side Nos. 218, 204 New Canterbury Road & 1 Wardell Road are also substantially sized landholdings.

### **Proposed zoning**

The planning proposal seeks a R4 High Density Residential zone for 183 New Canterbury Road and a R2 Light Density Residential zone for 203 New Canterbury Road. The objectives of the R4 High Density Residential zone in MLEP 2011 are as follows:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for office premises but only as part of the conversion of existing industrial and warehouse buildings or in existing buildings designed and constructed for commercial purposes.*
- *To provide for retail premises in existing buildings designed and constructed for commercial purposes.*
- *To provide for well connected neighbourhoods that support the use of public transport, walking and cycling.*

203 New Canterbury Road is a purpose built residential dwelling house and should be zoned to reflect its historical and current use. It is unclear how it became zoned for industrial purposes, however it is not an appropriate zone for the site should the zoning of 183 New Canterbury Road change, and its rezoning to R2 Low Density Residential is supported. It is noted that the applicant made attempts to acquire 203 New Canterbury Road to consolidate it with 183 New Canterbury Road, as recommended by the AEP, however were unsuccessful.

Accordingly, 183 New Canterbury Road is located adjacent to a low density residential zone. The proposed zoning of R4 High Density Residential is the appropriate zone for the site subject to appropriate development standards to achieve a residential development compatible with the adjoining low density residential site. A B5 Business Development zone was applied to 147 New Canterbury Road to permit residential development whilst maintaining an active street frontage via select commercial uses (excluding retail). The extension of retail uses from the main Petersham commercial precinct is not appropriate. If 183 New Canterbury Road formed part of a larger amalgamated site this approach may be desirable. However, as

the site is proposed to be developed independent of other sites, it is unlikely that a ground floor commercial use would be viable. The proposed R4 High Density Residential zone is considered suitable for the site, when considered in combination with the proposed FSR and built height controls for the site.

### **Building Height**

Currently (due to the IN2 Light Industrial zoning) there is no maximum height of building control for the sites. Building height is broadly controlled by the floor space ratio and reflects the industrial zoning of the site. The building height applied to 147 New Canterbury Road was 14 metres to reflect a 4 storey built form. Building heights for properties to the west of this site should be reduced to reflect the transition into a low density residential area.

Advice on proposed building height was provided by the AEP as part of their consideration of the original planning proposal request. Although this planning proposal is a modified version of the original application (as the site at 218 New Canterbury Road has been removed from the application), the original advice is still applicable to 183 New Canterbury Road. Comment from AEP members has also been sought for this amended application.

The advice from the AEP, communicated to the applicant as part of Council's preliminary advice was that, if 203 and 183 New Canterbury Road were not amalgamated, any redevelopment of 183 New Canterbury Road should be limited to 3 storeys (or 11 metres). Despite this advice, the planning proposal request is seeking a 14 metre height control, which allows a 4 storey built form. On the architectural plans attached to the application, this additional building height is to accommodate a second level to unit 15 and is located at the eastern boundary, adjacent to the blank side wall of the Officeworks development at 163-181 New Canterbury Road.

The AEP has further reviewed the proposal and made the following recommendation:

*The small built element at Level 3 (roof level) could be supportable. If Council wishes to compensate the applicant for FSR loss due to the recommendation for a 6.0m setback to the west boundary, there is capacity to gain some FSR at the rear of Level 3 (roof level). A slight increase in bulk at the rear may be considered provided that a minimum of 9.0m setback to the west boundary is achieved.*

The proposal for a 14 metre height control to be applied across the entire site is not consistent with the direction given by the AEP. However, it is acknowledged that the proposed 4 storey pop-up element will not be highly visible from the public domain and only applies to a small portion of the south eastern corner of the site. Additionally, the limited FSR to be applied to the site will largely determine the bulk and scale of the proposed built form.

It is recommended that the 14 metre Height of Building control proposed for the site be supported subject to the development of site specific planning controls limiting the location of the 4<sup>th</sup> storey element to the south eastern corner of the site only. Further, the planning controls will stipulate that any development application incorporating a 4<sup>th</sup> storey elements must demonstrate that the additional height is not obtrusive or highly visible from New Canterbury Road. It will also need to be demonstrated that the 4<sup>th</sup> storey elements does not unduly impact the amenity of 203 New Canterbury Road or any other surrounding properties.



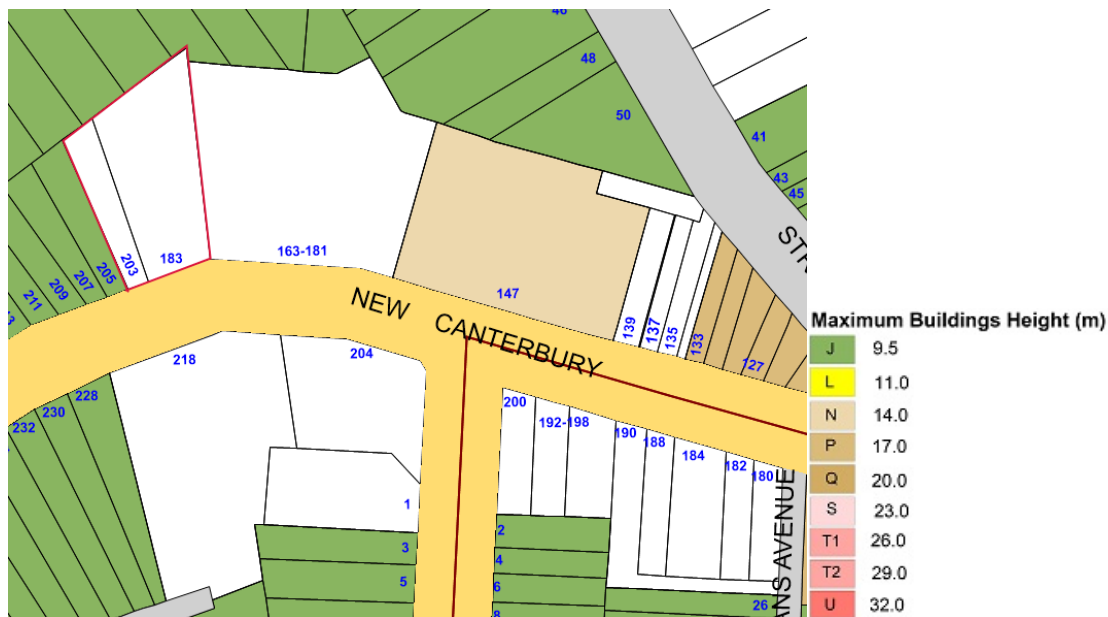


Figure 4: MLEP 2011 Height of Building control for subject and adjoining sites

## FSR

The proposed 1.35:1 FSR for the site is supported and considered a satisfactory response to the site's relationship to adjoining low density residential dwellings. It is noted that adhering to the setback controls (see below) to be included within the site specific DCP may have implications for the proposal's FSR.

As noted within the AEP's advice, it may be possible for this displaced FSR to be allocated to the roof element provided the impacts are not unreasonable. These are matters which can be further considered at DA stage. Regardless of the final built form outcome, the proposed FSR is considered suitable for the site.

## Built Form

### Setbacks

The AEP has previously provided advice regarding appropriate setbacks on 183 New Canterbury Road. This advice has generally been adopted for the current planning proposal with the exception of the western boundary adjoining 203 New Canterbury Road. The AEP raised concern that the proposed 3.0 metre setback might block solar access for certain units (11, 12, 89 & 19), and recommended a 6.0 metre setback from the western boundary. The planning proposal application maintains a 3.0 metre setback from the balconies on the western side of the proposed development for a number of units. The proponent has submitted additional information to demonstrate how units will be able to receive solar access despite privacy screening.

The AEP has considered the revised plans and maintained its objection to this proposed setback as it considers it will limit sun access and compromise living areas' outlook. The AEP also notes that the proposed 3.0m side setback does not conform to minimum recommendations in the Apartment Design Guide, which states that *'at the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3.0m'*. The AEP reiterates its original advice that a 6.0 metre setback should be provided to the western boundary. The proposed 4.0 metre setback to units with a primary outlook of New Canterbury Road and the 6.0 metre north-facing rear boundary setback are supported.

It is recommended that the planning controls include a requirement for a 6.0 metre setback to the western boundary, however this may be varied provided it can be demonstrated good amenity is achieved for the units and maintained for the property at 203 New Canterbury Road. All other planning controls for setbacks will be as per the AEP's advice which is consistent with the current planning proposal. As discussed previously, it is considered that any lost FSR as a result of the proposed 6.0 metre setback to the western boundary can potentially be relocated to the roof element of the development.

### Heritage

The site is not a heritage item or located within a heritage conservation area. However, it is in close proximity to a heritage item (the Huntsbury Hotel) and adjacent to the Lewisham Estate Heritage Conservation Area. A separate Heritage Conservation Area (Petersham Shops Commercial Precinct) extends along the main commercial area of New Canterbury Road to the intersection of Hunter Street. However, this HCA excludes the heritage item at 127 New Canterbury Road (the Huntsbury Hotel). Any development application lodged for either site will need to address impacts upon the HCA and nearby heritage items.

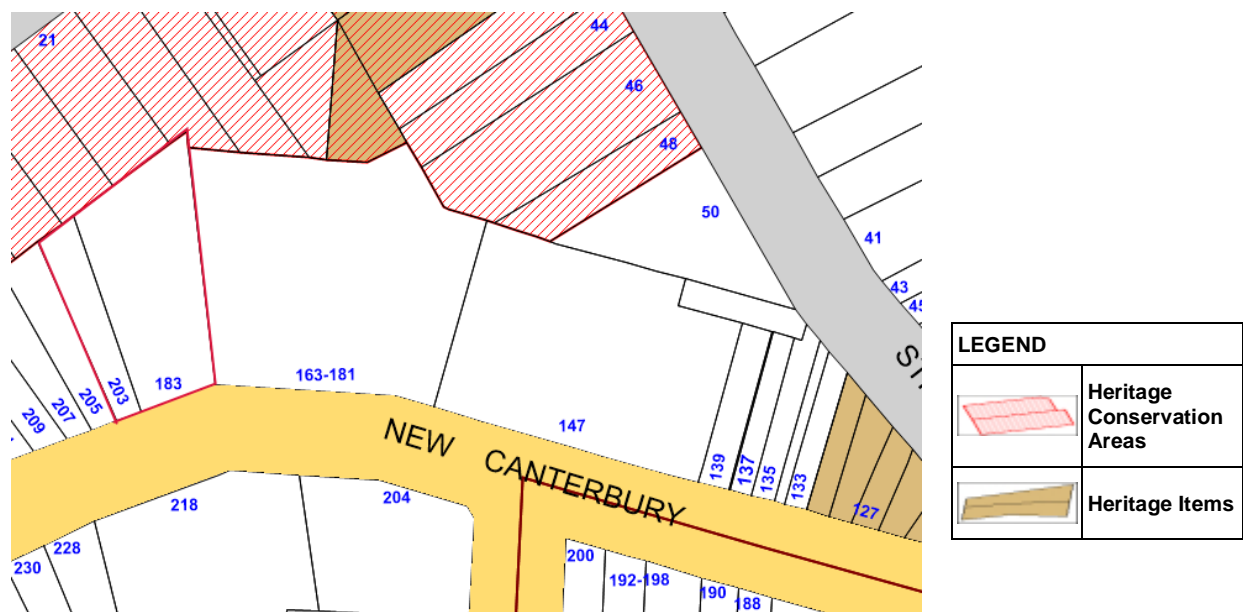


Figure 5: MLEP 2011 Heritage Map for subject site and adjoining sites

### MDCP 2011 Planning Precinct

The site and surrounds are within Planning Precinct No. 36 (Petersham Commercial Precinct) in Part 9 of the MDCP 2011. Relevant desired future objectives from the DCP for this planning proposal include:

- *To allow and encourage a greater scale of development within the commercial centre, including the provision of new dwellings near local shops, services and public transport, to meet the market demand, create the opportunity for high access housing choice and support sustainable living.*
- *To ensure new development at rear upper levels is a maximum of four storeys and is designed to be subservient to retained portions of contributory buildings or infill development to the street building front.*
- *To support pedestrian access, activity and amenity including maintaining and enhancing the public domain quality.*
- *To ensure the design of higher density development protects the residential amenity of adjoining and surrounding properties.*

- *To facilitate efficient parking, loading and access for vehicles that minimises impact to streetscape appearance, commercial viability and vitality and pedestrian safety and amenity.*

As noted previously, these sites are not intended to function as part of the Petersham retail strip. Instead they act as a buffer to residential areas and provide support to the retail strip. It is considered that the planning proposal broadly meets the objectives of this precinct as it is providing additional housing close to shops and centres, will not permit development greater than 4 storeys in height and attempts to protect adjoining low density residential zones through limited building height and floor space ratio.

### **Architectural Excellence Panel**

The AEP has considered both the original application for the site and revised plans as part of the amended application. The AEP has concluded that is supportable subject to matters previously discussed in this report.

### **Traffic and Access**

A traffic and parking assessment was provided with the planning proposal. Council's Development Engineer has considered the report and raised no issues with the planning proposal. Further consideration will be undertaken as part of any development application for the site.

### **Site Contamination**

A Detailed Site Investigation (DSI) was undertaken for the subject sites. Council's Environmental Officer reviewed the above DSI and noted that the DSI report contained an incorrect conclusion about the site suitability for the proposed rezoning, and this incorrect conclusion was included in the planning proposal document. The DSI concludes that the site is currently suitable for the proposed rezoning despite identifying contamination issues and the need for a remedial action plan (RAP) to be developed. Despite this, Council's Environmental Officer has concluded that the contamination is relatively minor, and can be readily managed with an RAP. It was also noted that 203 New Canterbury Road was not included in the assessment, however it appears to have existing use rights as residential, which is generally considered a low risk of contamination. Notwithstanding, contamination is a common occurrence in residential areas in the Inner West, so prior to any future developments, further investigations should be undertaken to assess contamination at this property.

It is considered that the applicant has adequately addressed Clause 6 of SEPP55. Some additional work will be required as part of a development application on the site including:

- Further investigations to include 203 New Canterbury Road, and address data gap limitations of the DSI
- Preparation of a RAP to adequately address contamination issues across the site
- Groundwater management plan will be required if future developments are expected to intercept groundwater.

### **Affordable Housing**

At its meeting of 6 December, Council considered a report on a draft Affordable Housing Strategy for public exhibition. The report, which was adopted by Council, recommended that an affordable housing target of 15% for developments with a gross floor area of 1,700m<sup>2</sup> or greater be set. The architectural plans accompanying the planning proposal show a gross floor area of 1,501m<sup>2</sup>. Therefore, the proposal does not meet the threshold to trigger the policy requirements. However, should a development application lodged for the site show a gross floor area of 1,700m<sup>2</sup> or greater, the policy should be enacted and a 15% affordable housing dedication be required.



---

**Consistency of Proposed LEP Amendment with Strategic Planning Policies**

To rezone industrially zoned land, Council needs to ensure that adequate strategic justification is provided for the proposed changes. The following discussion provides an assessment of the proposal against State Government and Council strategic planning directions for the Marrickville LGA and Petersham commercial centre.

**A Plan for Growing Sydney**

*A Plan for Growing Sydney*, released in December 2014, is the NSW Government's plan for the future of the Sydney Metropolitan Area over the next 20 years. The Plan provides key directions and actions to guide Sydney's productivity, environmental management, and liveability – including the delivery of housing, employment, infrastructure and open space.

*A Plan for Growing Sydney* contains a number of broad objectives relating to the supply of housing across the Sydney area. It notes that Sydney's population growth will require an additional 664,000 dwellings to 2031. The document contains overarching principles on how to accommodate population growth and housing supply relevant to this planning proposal including:

- *Principle 1: Increasing housing choice around all centres through urban renewal in established area; and*
- *Direction 2.1: Accelerate housing supply across Sydney*

It is considered that the planning proposal is consistent with these directions and principles as it will provide additional residential accommodation in close proximity to existing services and public transport.

**Towards Our Greater Sydney 2056**

The Greater Sydney Commission has been tasked with reviewing *A Plan for Growing Sydney* as well as developing draft District Plans. As part of the review of *A Plan for Growing Sydney*, a new document entitled *Towards Our Greater Sydney 2056*, which is seen as the first part of the process of reviewing *A Plan for Growing Sydney*, has been developed and publicly exhibited. The need for this document has arisen out a shift in the focus of strategic planning since the release of *A Plan for Growing Sydney*. The document seeks to redefine the community's understanding of Greater Sydney as a metropolis of three cities, being Eastern City, Central City and Western City.

This document provides broad objectives in relation to the future operation of Greater Sydney, including A Productive Sydney, A Liveable Sydney and a Sustainable Sydney. It is considered that this planning proposal is generally consistent with the broad aims of this document as it seeks to provide additional residential accommodation within an existing centre well located to services and public transport.

**Draft Central District Plan**

The draft Central District Plan (dCDP) aims to progress strategic planning for the Central Sydney district (which includes council areas of Inner West, Bayside, Burwood, Canada Bay, Randwick, Strathfield, City of Sydney, Waverly and Woollahra) by:

- *progressing the directions of A Plan for Growing Sydney*
- *identifying planning priorities for the District and the actions to achieve them.*

**Housing**

The dCDP notes the planning principles contained within *A Plan for Growing Sydney* and identified three that remain current and underpin many of the priorities of this draft District Plan, including:

***Principle 1: Increasing housing choice around all centres through urban renewal in established areas***

*Increasing housing close to centres and stations makes it easier to walk or cycle to shops or services, and to travel to work or other centres; reduces traffic congestion; and makes our neighbourhoods more community oriented.*

*Increasing the variety of housing available makes it easier for people to find a home that suits their lifestyle, household size and their budget.*

*Locating new housing in centres delivers a range of economic, environmental and social benefits to the community. Research by the Organisation for Economic Cooperation and Development (OECD) has similarly found that productivity benefits arise from a more compact city.*

As discussed previously, it is considered that the planning proposal is consistent with this principle.

The dCDP establishes a housing target for the Inner West Council to provide an additional 5,900 dwellings by 2021. It requires Council to undertake a number of actions in relation to housing supply, including the following:

- *monitor and support the delivery of Inner West's five-year housing target of 5,900 dwellings*
- *investigate local opportunities to address demand and diversity in and around local centres and infill areas with a particular focus on transport corridors and other areas with high accessibility.*

Whilst the proposed dwelling yield from the planning proposal is modest, it will assist Council in meeting its dwelling target, whilst increasing housing diversity in close proximity to a local centre and public transport.

**Industrial or Employment Lands**

The dCDP also notes that whilst providing additional housing is critical, it should not occur at the expense of land zoned for industrial or employment uses. The document notes that '*despite high demand for employment and urban services land in the Central District, there has been significant market speculation and pressure to rezone them to retail and residential uses*'. To manage this potential conflict, the document advises a precautionary approach as follows:

***Productivity Priority 5: Protect and support employment and urban services land***

*Relevant planning authorities should take a precautionary approach to rezoning employment and urban services lands, or adding additional permissible uses that would hinder their role and function. The exception being where there is a clear direction in the regional plan (currently *A Plan for Growing Sydney*), the District Plan or an alternative strategy endorsed by the relevant planning authority. Any such alternative strategy should be based on a net community benefit assessment (i.e. analysis of the economic, environmental and social implications) of the proposed exception, taking account of a District-wide perspective in accordance with Action P5.*

*How these matters are taken into account is to be demonstrated in any relevant planning proposal.*

The planning proposal was lodged with Council prior to the release of the dCDP. Regardless, it is considered important to consider the potential implications of the rezoning of this industrial land. Prior to the release of the dCDP, Council staff adopted a set of employment land rezoning principles to guide future rezoning proposals in light of the strong interest in rezoning industrial land in the former Marrickville Council area as considered by Council within a report on 25 October 2016. In order to following the precautionary approach recommended by the dCDP, it is appropriate to assess the planning proposal against these principles, as follows:

- *Principle 1: Council will take a cautious approach to rezoning industrially zoned lands and generally only support rezoning where supported by a State and/or local planning strategy.* The proposal is consistent with this principle as Council has previously resolved to investigate the area for other land uses. Additionally, Council and the DP&E have previously supported the rezoning of a nearby site from light industrial to permit a mixed use development.
- *Principle 2: Any rezoning submission that seeks to rezone industrial land must be wholly or predominantly for other employment uses (other than retail).* The planning proposal is not consistent with this principle as the rezoning is for residential purposes. However, the rezoning of 203 New Canterbury Road is seeking to reflect the current use of the site as a residential dwelling. The rezoning of 183 New Canterbury Road will result in the loss of employment uses from the site. The loss is considered to be minimal as the site is small. Despite the inconsistency with this principle, it is considered acceptable in the context of the area and the rezoning of 147 New Canterbury Road which has been endorsed.
- *Principle 3: Where a rezoning submission seeks to rezone industrial land to a new employment use, the new use(s) must be based on a needs/supply & demand assessment.* As stated previously, the rezoning is not seeking to accommodate a new employment use. Therefore, this principle is not applicable to this application.
- *Principle 4: A rezoning submission that seeks to create a predominantly residential zone / use should generally not be supported on the basis that this would result in permanent loss of employment lands. Such proposals will only be considered / supported where a needs assessment establishes that there is no viable employment uses and there is a State and / or local planning strategy that identifies a need for housing on the land.* As stated previously, the land zoned light industrial within this area is generally underutilised or not being used for light industrial purposes. It is not considered reasonable to require commercial floor space to be provided within the proposed development due to the relatively small size of the site. The former Marrickville Council resolved in 2012 to reconsider the zoning of this land.
- *Principle 5: Marrickville Local Environmental Plan 2011 created buffer areas (B7, IN2) in some location between the core industrial area and surrounding residential areas. The continuation of this approach in suitable locations is appropriate to minimise conflicts between industrial and residential uses and act as a buffer or transition area. A minor live/work component can be included as part of this buffer area where it can be shown to provide for emerging / knowledge based and creative industries.* This principle is not relevant to this site. The IN2 is not operating as a buffer between a core industrial area and surrounding residential areas.
- *Principle 6: Retail uses will only be supported as part of mixed use developments where they are small scale and provide for the needs of the local population.* This principle is not relevant as no retail uses are associated with the planning proposal.
- *Principle 7: Large industrial lots should be preserved for traditional IN1-type industries and any fragmentation or encroachment of incompatible land uses should be avoided.* 183 New Canterbury Road is a relatively small site zoned for light industrial uses. It is not considered to be a large lot, nor part of core IN1 General Industrial employment lands.

- *Principle 8: Land-use changes which create fragmented or isolated industrial land holdings should be avoided.* As stated elsewhere in this report, site specific rezoning applications are not desirable from a planning perspective. This planning proposal will result in the adjoining site (163-181 New Canterbury Road) being left isolated. However, its current use as an Officeworks outlet is considered more of a retail land use than an industrial land use. It is anticipated that, over time, most of the IN2 sites within this precinct will seek to be rezoned for other uses.
- *Principle 9: Land use changes that may cause conflict with the traditional land uses should not be supported.* The proposed residential zoning for the site is not expected to cause conflict between existing land uses. As previously discussed, although 203 New Canterbury Road forms part of this planning proposal, this site is a residential dwelling house as is proposed to be zoned to reflect this situation. Subject to the planning controls to be applied to 183 New Canterbury Road limit its development potential, it is not considered the planning proposal will cause undue conflicts.

### *Marrickville Urban Strategy*

The Marrickville Urban Strategy (MUS) was adopted by Council in 2007 and established a vision and co-ordinated directions addressing a range of planning, community, and environmental issues, to guide short, medium and long term strategic planning policies for the Marrickville LGA. The MUS was developed in response to employment and housing targets established through the draft South Subregional Strategy and its overriding strategy, Sydney Metropolitan Strategy *City of Cities, A Plan for Sydney's Future* (December 2005).

The MUS does not specifically discuss the subject site or surrounds however it does support the aim of locating additional residential development in and around existing centres with good public transport and services. The MUS advocates the retention of 'strategic' employment land located at Marrickville and Sydenham, and the rezoning of certain isolated or fragmented industrial areas. Although not specifically identified as suitable for rezoning, it is considered that the site and surrounds meet the following criteria established in the MUS as suitable for future detailed master planning:

- Is located close to a centre;
- Is redundant from historical industry perspective;
- Is well serviced by public transport;
- Is within walking distance of public open space;
- Development can occur in a way that responds to aircraft, road or rail noise;
- Provides opportunities for improving public domain;
- Is not located close to strategic assets (port, airport or freight lines); and
- Rezoning would not result in conflicts between residential uses and industrial uses that impact upon residential amenity, and hinder business competitiveness.

Therefore, the planning proposal is considered to be consistent with the criteria established in the MUS relating to the rezoning of land.

### **State Policies and Directions**

The proponent has undertaken an assessment of the proposal against all relevant State Environmental Planning Policies (SEPPs) and section 117 Directions which is provided at **ATTACHMENT 1**. Council officers have reviewed the assessment and are in general agreement regarding the assessment provided.

### **Proposed Planning Controls**

The proponent has proposed site specific planning controls for inclusion within the MDCP 2011. Council officers will continue to work with the application on the development of controls

deemed suitable for the site. Should the proposal receive Gateway determination these planning controls will be public exhibited concurrently with the planning proposal.

### **FINANCIAL IMPLICATIONS**

Nil.

### **OTHER STAFF COMMENTS**

Comments from Council's Environmental Services Section, Architectural Excellence Panel and Development Engineer have been incorporated into this report.

### **PUBLIC CONSULTATION**

Public participation in the form of community consultation would occur should Council resolve the support the planning proposal request and the DP&E issue a Gateway determination to allow for the public exhibition of the planning proposal.

### **CONCLUSION**

This report assesses a planning proposal request received for 183 and 203 New Canterbury Road, Lewisham, to rezone the sites from IN2 Light Industrial to R4 High Density Residential and R2 Low Density Residential respectively. It is considered that the application has strategic merit and should be forwarded to the Department of Planning & Environment for Gateway determination. It is also recommended that site specific planning controls be developed for 183 New Canterbury Road to inform the future development of the site.

### **ATTACHMENTS**

1. [!\[\]\(11a0966cbb90b5c1d6ebfc666ec75f78\_img.jpg\)](#) Planning Proposal Documentation: 183 & 203 New Canterbury Road, Lewisham





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Jamie Erken  
Acting Manager, Planning Services, Marrickville

**PLANNING PROPOSAL –183 & 218 NEW CANTERBURY ROAD, LEWISHAM**

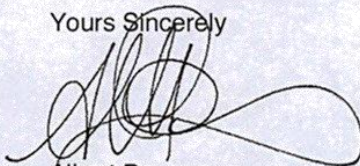
With reference to correspondence dated 22 September 2016, we on behalf of the applicant;

Mr Patrick Sarkis, Illuminate Living Pty Ltd, 23/72-76 Parramatta Road, Camperdown NSW 2050, hereby request that the planning proposal is to be amended to delete 218 New Canterbury Road, Lewisham site from the application.

The planning proposal now only relates to 183 New Canterbury Road, Lewisham site.

Enclosed is an updated planning report and traffic report relating to this.

Yours Sincerely



Albert Becerra  
Director

10-Nov-16

Page 1 of 1



# 183 New Canterbury Road Planning Proposal

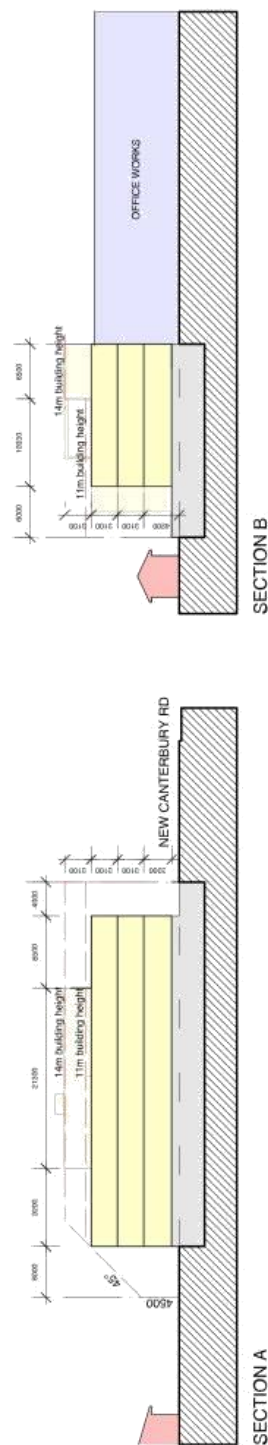


## Drawing list:

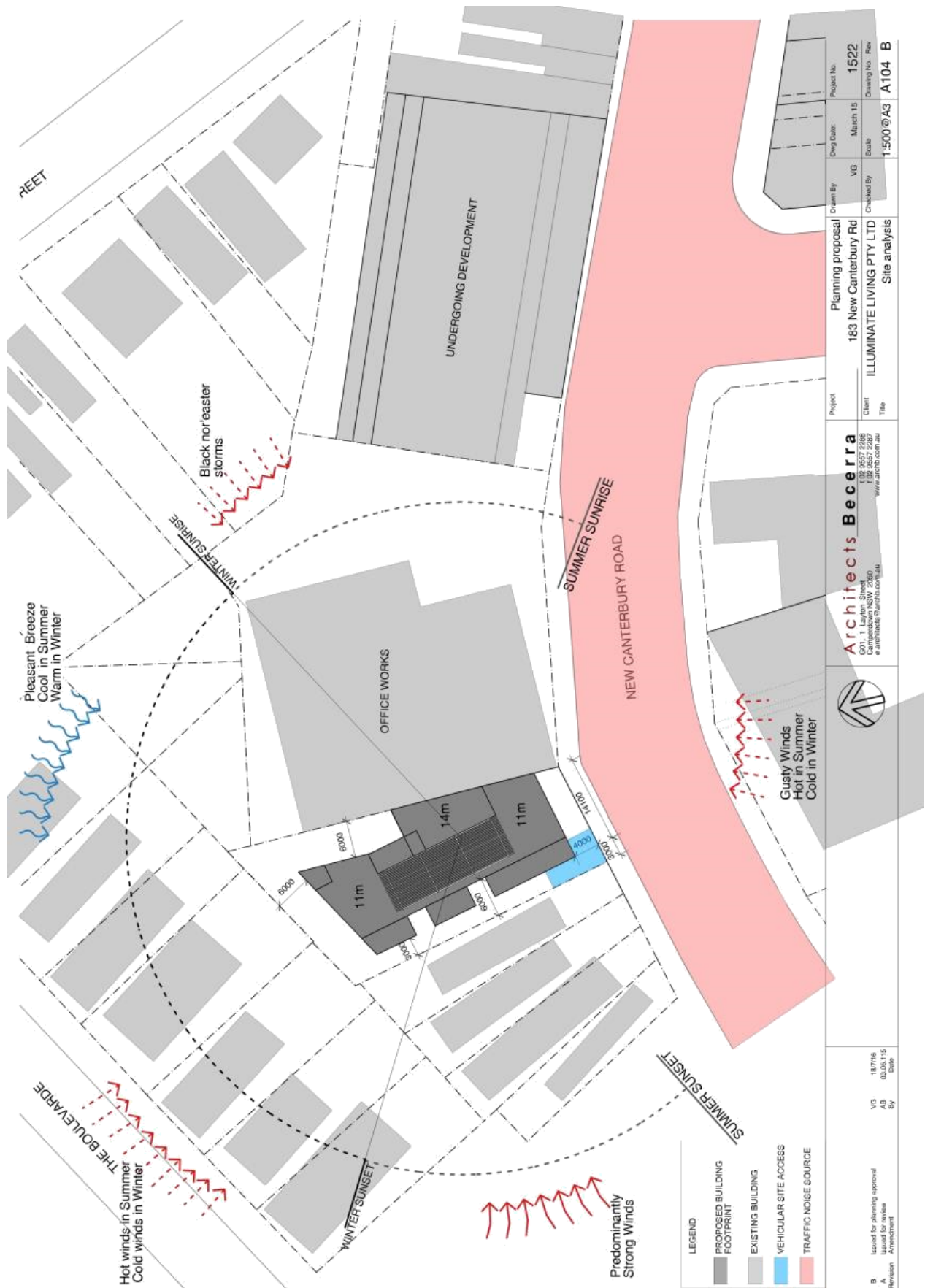
- 101 Site plan proposed and future development
- 104 Site analysis
- 114 Basement (183)
- 115 Ground floor (183)
- 116 Level 1 (183)
- 117 Level 2 (183)
- 118 Level 3 (183)
- 119 Elevations
- 120 Shadow diagrams
- 121 Massing

B Issued for planning approval	18/07/18	V3	AS	By	Date	 <b>Architects Becerra</b> 11/11/11 Street Cammeroon NSW 2850 e architects@archb.com.au www.archb.com.au	Project Client Title	Planning proposal 183 New Canterbury Rd ILLUMINATE LIVING PTY LTD Cover Page	Drawn By Checked By	Dwg Date: Scale	Project No: Drawing No. Rev





B Issued for planning approval A Issued for review Revision Amendment	V3 AS Date		<b>Architects Becerra</b> G01, 1 Layton Street Camperdown NSW 2050 e architects@archb.com.au 100 9557 2867 100 9557 2868 www.archb.com.au	<b>Project</b> Planning proposal 183 New Canterbury Rd V3 September 1	<b>Client</b> ILLUMINATE LIVING PTY LTD <b>Title</b> Proposed & future development	<b>Drawn By</b> V3 Scale 1:1000 @ A	<b>Project No.</b> 1522 <b>Drawing No.</b> A101 B







**1 GROUND FLOOR PLAN**  
1:100

<div>Architects Becerra</div> <div>G01, 1 Layton Street Campersville NSW 2050 e architects@archb.com.au www.archb.com.au</div> <div></div>	<div>B Issued for planning approval</div> <div>A Issued for review</div> <div>Version Amendment</div>	V3	18/7/16
		AS	02.06.15
		By	Date
<div>Project</div> <div>Planning proposal</div> <div>183 New Canterbury Rd</div> <div>Client</div> <div>ILLUMINATE LIVING PTY LTD</div> <div>Title</div> <div>183 Ground floor</div>	<div>Drawn By</div> <div>Checked By</div> <div>Scale</div>		
<div>Proj No.</div> <div>Drawing No. Rev</div>			
1522	A115 B		
<div>Proj Date:</div> <div>JAN 16</div>			



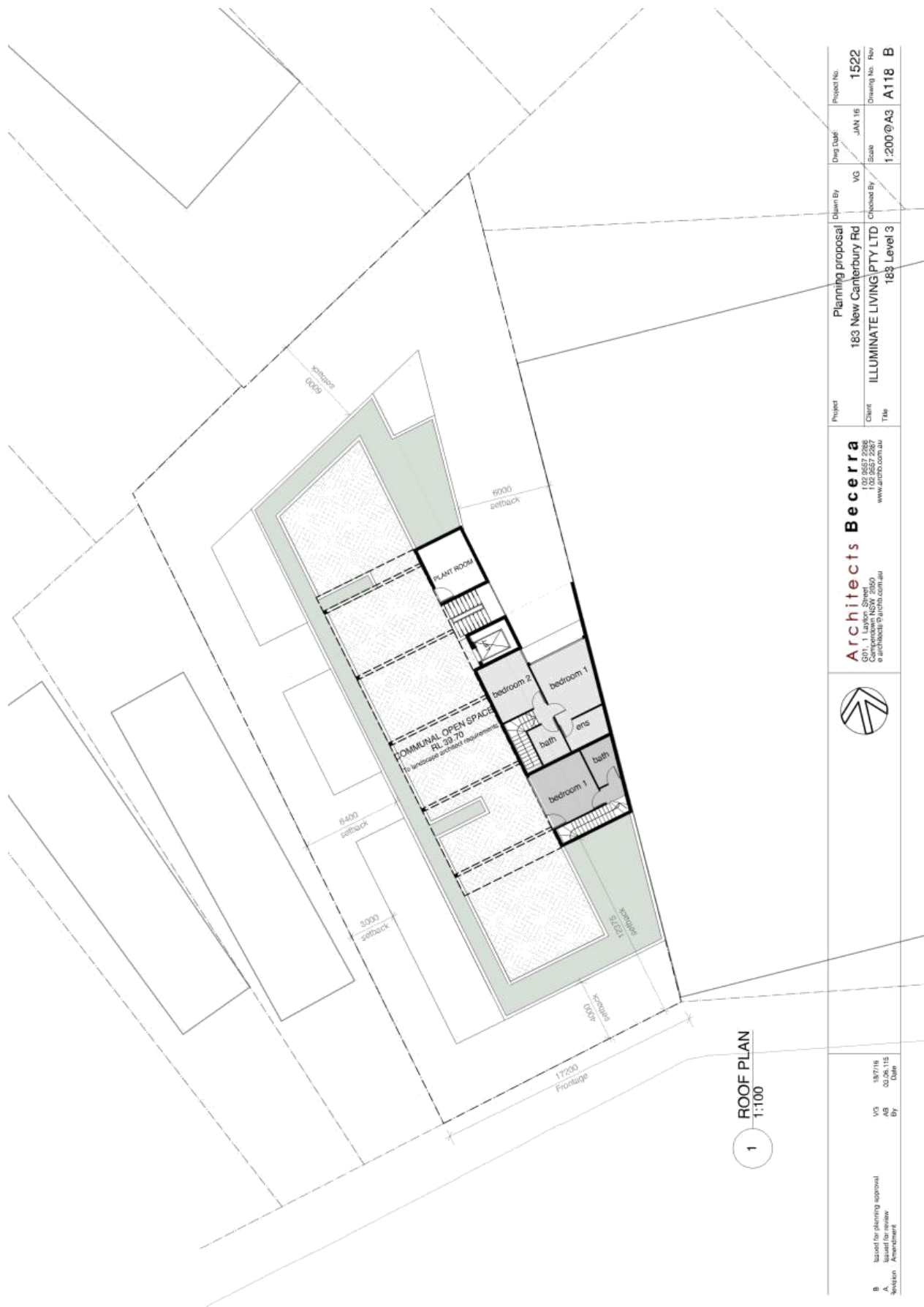


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	183 Level 1		Checked By	VG
Architects <b>Becerra</b>				
G01, 1 Lanyon Street Camperdown NSW 2050 e architects@archb2.com.au 102 9557 2286 www.archb2.com.au				
				
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Date				



1 SECOND FLOOR PLAN  
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Project	Planning proposal		Drawn By	WG	Proj No.	1522
	183 New Canterbury Rd		Checked By	WG	1522	1522
Client	ILLUMINATE LIVING PTY LTD		Scale	1:200 @ A3	Drawing No.	A117
	183 Level 2		Rev		Rev	B
<div>Architects Becerra G01, 1 Layton Street Camperdown NSW 2050 e architects@archb.com.au www.archb.com.au</div> <div></div>						
Revision	Issued for planning approval		18/7/16			
	Issued for review		02/06/15			
Amendment			By	Date		



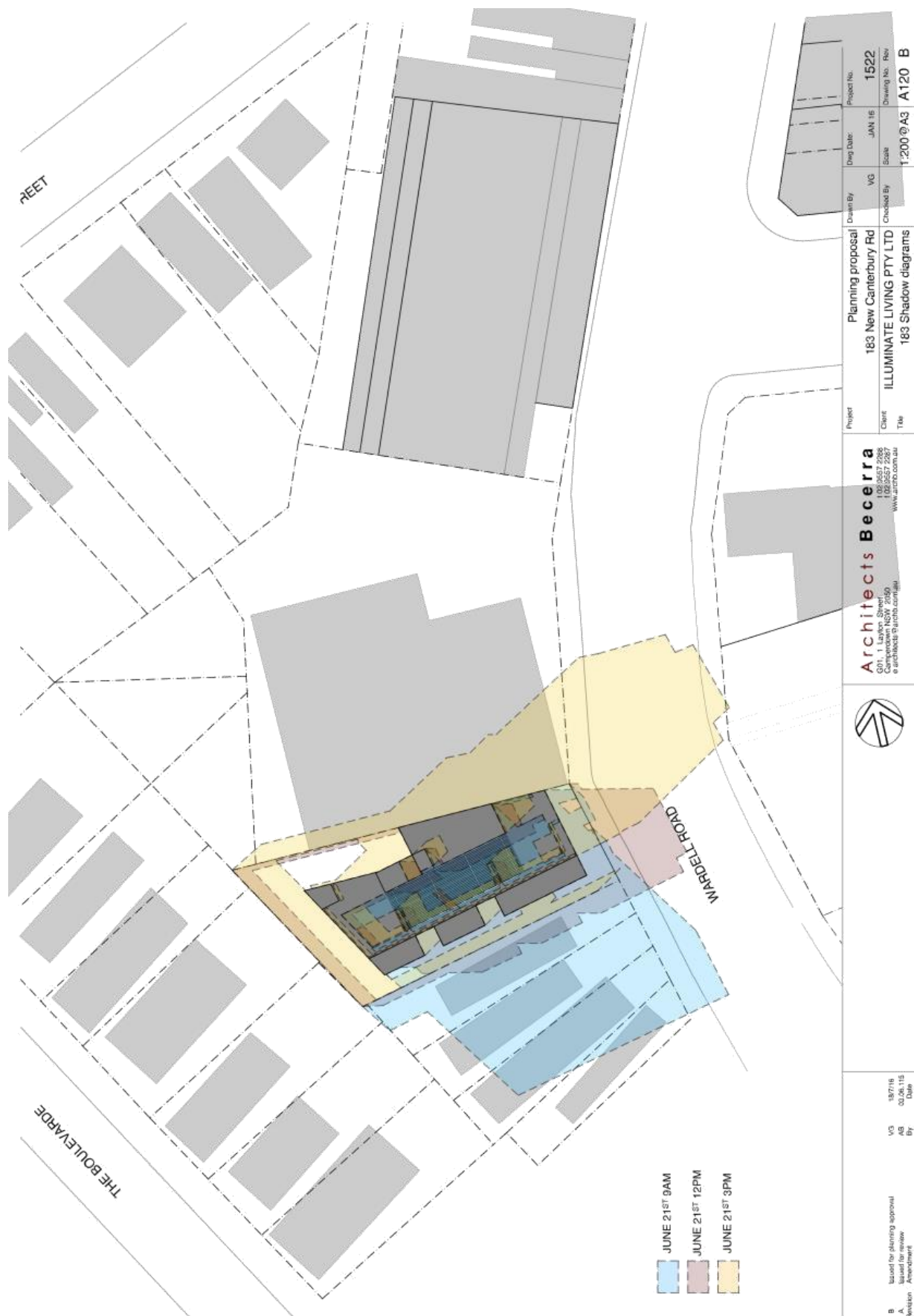
 <b>Architects Berra</b> G01, 1 Layton Street Cremorne NSW 2060 © architects@archb.com.au 100 9557 2266 100 9557 2267 www.archb.com.au	Project		Planning proposal		Project No.	
	Client		183 New Canterbury Rd		JAN 16	
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Issued for review		02/06/15		AS		
Amendment						

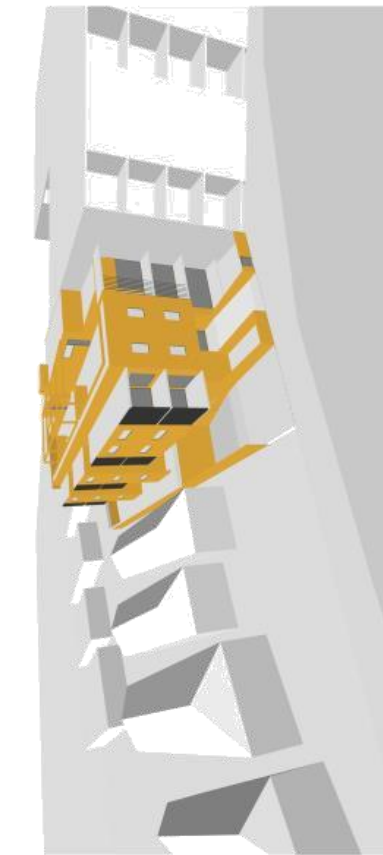




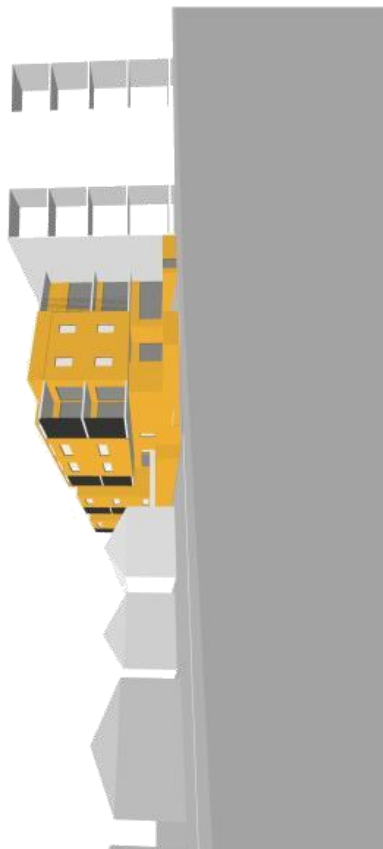
**Item 6**

**Attachment 1**

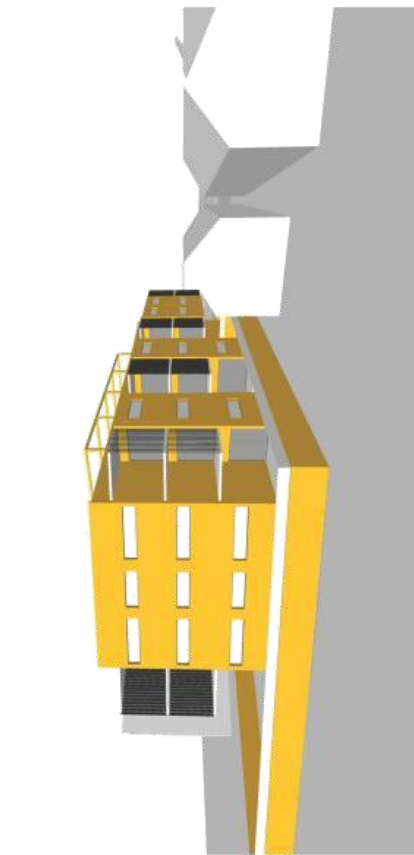




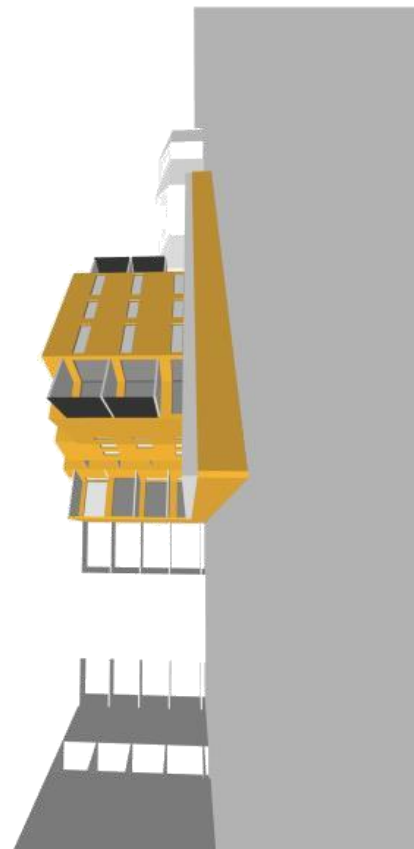
Aerial view



Street view



Rear view 2



Rear view

<p>B Issued for planning approval A Issued for review Version Amendment</p> <p>18/7/18 VG AS By</p> <p>18/7/18 02/06/18 Date</p>	 <p><b>Architects Becerra</b> 11/11/18 Street Campanown NSW 2050 t 02 9557 2287 e architects@archb.com.au www.archb.com.au</p>	<p>Project 183 New Canterbury Rd ILLUMINATE LIVING PTY LTD 183 Massing</p>	<p>Drawn By VG</p> <p>Checked By</p> <p>Project No. 1522</p> <p>Dwg Date: JAN 16</p> <p>Scale 1:200 @ A3</p> <p>Drawing No. A121</p> <p>Rev B</p>
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**Item 6**



**andrewmartin**  
PLANNING

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PLANNING PROPOSAL

183 & 203 NEW CANTERBURY ROAD,  
LEWISHAM

**Attachment 1**

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*Preface*

*A Planning Proposal is the first step in proposing amendments to Council's principle environmental planning instrument, known as the Marrickville Local Environmental Plan (MLEP) 2011. A Planning Proposal sets out the change to the local plan; explains the intended effect of the proposed amendment and provides justification for making the change. The Planning Proposal is submitted to the NSW Department of Planning and Environment (DP&E) for its consideration, referred to as the Gateway Determination, and is also made available to the public as part of the community consultation process. This report sets out the reasoning and justification and assesses the relevant matters for consideration, namely the S117 Directions and other relevant provisions.*





Planning Proposal – 183 & 203 New Canterbury Road Lewisham



### Part 1 Introduction

- 1.1. Andrew Martin Planning Pty Ltd has been engaged by Illuminate Living Pty Ltd, (herein referred to as the 'proponent') to prepare a Planning Proposal, for **two (2) sites** known as Lot 81 DP 748418, No. **183 New Canterbury Road** (SITE A) and Lot 9 DP 653758 **203 New Canterbury Road** Lewisham (SITE C), to be submitted to Marrickville Council (the "Council"). Site B was previously included in the original submission and has since been deleted from this planning proposal.
- 1.2. The objective of the proposal is to ensure that the future development of the subject sites reflects the most appropriate strategic land use which in this case is residential. The proposed rezoning reflects the desired future character of the area and furthers Council's strategic vision for the broader Inner West LGA. More broadly, it is the State Governments priority to increase residential densities in this region offering housing diversity around well-established centres that are close to public transport, places of employment and local services. In this regard, the location of the sites, offering a transition between the Petersham Commercial Area and existing traditional residential areas is ideal for this development typology.
- 1.3. The primary purpose of the Planning Proposal is to rezone Site A to **R4 High Density Residential** and Site C to **R2 Low Density Residential** pursuant to Marrickville LEP 2011 (MDCP 2011). The pre-planning advice provided to the proponent confirms Council's request to include No. 203 New Canterbury Road Lewisham (this site has the proposed R2 Low Density zoning). As a consequence of the zoning amendments changes are also required to the Floor Space Ratio (FSR) and Height of Buildings (HOB) development standards which are included together with foreshadowed amendments to the MDCP 2011. The high level framework amendments to the MDCP 2011 are based on the Urban Design Study (UDS) supporting the planning proposal. The final scheme was developed in consultation with an experienced urban designer having prepared the UDS. The UDS identified opportunities and constraints and forms the basis upon which the setbacks and heights have been developed for Site A (also referred to as 'the development site').
- 1.4. Architectural plans (referred to as the 'Concept Plans') have been prepared to demonstrate the development potential of Site A while there is no requirement to identify the future development of Site C due to its proposed low density zoning. The UDS includes a development concept for the adjoining light industrial sites to the east of Site A (site to east being the Office Works site). The plans demonstrate how the two land parcels can redevelop in the future having regard to the adjoining residential zones and

the proposed R4 High Density Residential. Site C will adopt the lower R2 low density residential zone and as such the existing dwelling post gazettal will be a permissible use rather than a non conforming use with existing use rights. The UDS includes Site B however the UDS will have no purpose with regard to Site B given that Site B is now deleted from the planning proposal.

- 1.5. Overall, the Concept Plans submitted as part of the planning proposal reflect Council's strategic direction for this fragmented node of industrial land together with the current residential development provisions adopted by Marrickville Council, SEPP 65 (Apartment Design Guidelines); Council's advice to the proponent regarding the potential development of the sites; and desired FSR and building heights pursuant to MLEP 2011. Council has recently supported the rezoning of the site known as the Georgiou's Chocolate factory. That site was zoned IN2 Light Industrial and is to be rezoned to B5. Unlike the subject sites the Georgiou's site has heritage constraints and was supported with a scheduled use prohibition to residential uses on the ground floor. The subject sites are located further to the west of the town centre and Councils pre-planning proposal advice confirmed that full residential was the preferred option for these sites with no requirement for retail or commercial on the ground floor.

- 1.6. For reference purposes the sites subject to the planning proposal are known as:

**Site A – No. 183 New Canterbury Road:** Northern side of road, next to Office Works, currently the Ceramic Tile Outlet.

**Site C – No. 203 New Canterbury Road:** Western side of 183 New Canterbury Road and currently occupied by a residential dwelling.

- 1.7. Council specifically requested that Site C be included with the Planning Proposal. Council advised that any proposal needed to put forward a well documented case for the proposed amendment in relation to the existing and future character of the area. To this end, any proposal needed to address the hierarchy of the Petersham Commercial Area, the approved rezoning provisions of the Georgiou's Chocolate Factory and the existing low density residential development to the north and west of the subject sites.
- 1.8. The UDS submitted as part of the planning proposal documentation includes a possible option for the redevelopment of the adjoining Officeworks site to the east of 183 New Canterbury Road. The UDS demonstrates how a built form can be achieved across the adjoining site to the east providing a coordinated development approach that will deliver the desired future character.

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- 1.9. The amended Planning Proposal has been carefully reworked, taking on board the comments and recommendations offered by Council together with the broader strategic urban design outcomes. The Planning Proposal embraces the likely population growth, employment opportunities and local services and provides a suitable interface to the surrounding residential properties by transitioning heights across Site A. The proposed FSR for Site A provides a **1.5:1** FSR. Height proposed under the amending proposal ranges from **11m** predominately over 3 levels to 14m for a small area set to the eastern boundary up to the **14m** height control. The interface with residential is 11m which is compatible with the intended **9.5m** height control for 203 New Canterbury Road.
- 1.10. The Planning Proposal is supported by architectural plans prepared by Architects Becerra; Urban Design Study (UDS) report prepared by Urbanac; geotechnical report prepared by Benviron Group; Site Assessment Report by Benviron Group; and a Traffic Impact Assessment Report, prepared by Varga Traffic Planning. Collectively the plans and reports demonstrate that the land is suitable for residential use.
- 1.11. The planning proposal is considered appropriate for the following reasons:
  - Achieves the objectives and outcomes of the *A Plan for Growing Sydney* by utilising existing infrastructure to provide new housing within existing urban environment to achieve new housing targets, growth and investment for Sydney.
  - Located in proximity to the Petersham town centre to the east.
  - Provides increased residential density close to transport, employment, accessibility and affordability in a more effective way than traditional suburban/detached housing delivering a public transport orientated development.
  - Reduces fragmented industrial uses that are more appropriately located within larger integrated industrial estates.
  - Provides opportunities for more housing choice in the area to service increased numbers of working couples, single occupancy households and group households.
  - The development contributes to the economic viability of the area and the additional local population will support local services and retail offerings in Petersham.
  - The ultimate development will be designed to achieve the objectives of the Apartment Design Guide and SEPP 65
  - Additional housing will provide a residential presence, increase diversity and safety and reduce journey to work times which in turn improves quality of life.
  - The proposal represents the efficient use of available land, sustainable and energy efficient development and has the effect of relieving land

- pressure in outer ring areas that do not have the required level of infrastructure.
- Provides affordable housing
  - The heights subject of the Planning Proposal provide for transitioning on the edges of the site. The additional height on Site A does not impact on the residential development within the adjoining R2 low density zone.
- 1.12. As such, the proposal accords with Sydney Metropolitan and Inner West Council's planning objectives. It is in the public interest and satisfies the overarching objectives of the Environmental Planning and Assessment Act, 1979.
- 1.13. The rezoning of the two sites requires the following amendments to the Marrickville LEP 2011 Map Series\_\_001 and Marrickville DCP 2011:
- Marrickville LEP 2011 **Land Zoning** Map\_\_01 for Sites A to **R4 High Density Residential** and Site C to **R2 Low Density Residential**, and
  - Marrickville LEP 2011 **Height of Building** Map\_\_001 to indicate a maximum permissible height of **14m** on Site A and **9.5m** on Site C, and
  - Marrickville LEP 2011 **Floor Space Ratio** Map\_\_001 to indicate a maximum permissible floor space ratio of **1.5:1** for Site A and **0.6:1** for Site C.
  - Marrickville DCP 2011 (Section 9.23 Petersham (Commercial Precinct 36) - include indicative building location, height, storeys, setbacks and land uses as shown in the schematic accompanying diagrams prepared by Becerra Architects and Urbanac. The design notes within the UDS will form the basis for the amendments to MDCP 2011.
- 1.14. The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (*EP&A Act*) and the relevant Department of Planning Guidelines including '*A Guide to Preparing Planning Proposals*'.
- 1.15. The Planning Proposal report comprises eleven Parts. Part 1 is the Introduction, Part 2 provides details of the subject site and surrounding development, Part 3 provides a strategic planning , including a social profile; Part 4 describes the Concept Plans for the subject sites;

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Part 5 contains info on Marrickville LEP 2011 and DCP 2011, Part 5 provides a preliminary assessment of the Concept Plans under SEPP 55 (Remediation of Land) and SEPP 65 Apartment Design Guidelines; Part 7 comprises the Objectives or Intended Outcomes, Part 8 comprises the Explanation of the Provisions, Part 9 comprises the Justification, Part 10 is the Conclusion and Part 11 is a reference list of documents and websites consulted to assist in preparing the Planning Proposal.



## Part 2 Planning Proposal Sites and Surrounding Development

### 2.1 Planning Proposal Subject Sites

This Planning Proposal relates to Nos. 183 & 203 New Canterbury Road, Lewisham, Local Government Area of Marrickville.

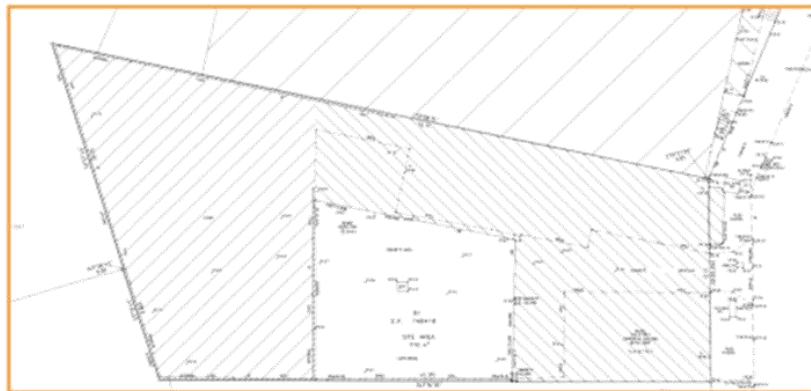


*Figure 1 – Location of No. 183 & 203 New Canterbury Road, Lewisham  
(Source: Sixmaps NSW)*

**Site A:** 183 New Canterbury Road, Lewisham (Lot 81 DP 748418)  
 Site Area: 1,100sqm  
 Floor space existing (approx): 1,800sqm  
 Irregular shaped allotment – 17m frontage to New Canterbury Road, side boundaries of 55m & 45m and rear boundary of 30m  
 Access to the site is via New Canterbury Road  
 Existing occupancy: Ceramic Tile Outlet

Site A is currently zoned **IN2 – Light Industrial** under Marrickville LEP 2011; subject to a FSR of **0.95:1** and has no height controls.

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*Figure 2 – Survey plan of No. 183 New Canterbury Road, Lewisham*



*Figure 3 – Photo of current building and occupation of No. 183 New Canterbury Road, Lewisham*

**Site C – 203 New Canterbury Road Lewisham**

The site is known as Lot 9 DP 653758 203 New Canterbury Road Lewisham. The site has a total site area of 332.48sqm with a regular residential frontage to New Canterbury Road and driveway cross over. Erected on the site is a single storey residential cottage with parking forward of the building line. The site is currently entitled to an FSR of **0.95:1**.





*Figure 4 –Photo of No. 203 New Canterbury Road, Lewisham*

## 2.2 Adjoining and Adjacent Development

Adjoining the subject both sites to the north and west is low density residential development. Adjoining to the east is Officeworks and Georgiou's chocolate factory and Rug warehouse (No. 147 New Canterbury Road) (subject of a recent rezoning). To the south is a service station and mechanical workshop facing Wardell Street. No. 218 New Canterbury Rd, opposite the subject site is an industrial building, currently used for light industry. To the south west is low density residential. Dwellings in the area are either semi detached or detached dwellings.



*Figure 5 –Photo of subject sites showing adjoining and adjacent development*

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*Figure 6 –Photos of adjoining and adjacent residential development*



*Figure 7 – Photos of industrial landuse opposite the subject sites*



*Figure 8 –Photo of service station and mechanical workshop at corner of Wardell Street*

To the east of Site A is the Officeworks site - a large single use commercial building with basement and ground level parking. Access to the site is from New Canterbury Road. It shares a party wall with Site A (the Tile outlet). Georgiou's Chocolate factory and Rug Warehouse (147 New Canterbury

Road) adjoins the Officeworks site to the east. Georgiou's is a post war 2 storey brick building fronting New Canterbury Road and adjoins residential dwellings to the north. To its east are retail/ commercial uses leading east up to the Petersham commercial/retail local centre.



*Figure 9 –Photo of Officeworks site looking west from Wardell Road intersection*

The other IN2 Light Industrial land that makes up the Wardell Road intersection node is located on the south-eastern corner of the intersection. It contains a small strip of single and two storey commercial buildings containing either small service industries or shop top housing. All these buildings are old with a generally rundown street appearance.



*Figure 10 –Photos of properties on south-east corner of Wardell Road intersection*



*Figure 11 –Photo of buildings on southern side of New Canterbury Road, east of Wardell Road intersection*



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### 2.3 Development in Lewisham and Petersham Areas

Land zoned as B2 Local Centre extends east along New Canterbury Road past the Huntsbury Hotel. There are a variety of uses in this strip, predominantly small retail/commercial shoptop housing developments. Together they form the main street commercial core of Petersham. These are predominantly used as bulky goods warehouses for household furnishings and floor coverings. A service station, smash repair garages, a St John's Ambulance building and a pub known as the Huntsbury Hotel are also located in this area.



*Figure 12 –Photo of Petersham Commercial area looking towards the Sydney CBD*

Public open space and parks in the area include Petersham Park (approx. 600m north) (see below), Morton Park (400m south) and Marrickville Park (approx 800m south). Civic buildings such as Marrickville Council Chambers and Petersham Town Hall are located 500m east from the site. Local health facilities and medical centres are closeby; Sydney Private Hospital is located approximately 2km west and Royal Prince Alfred Hospital is located approximately 3km east.



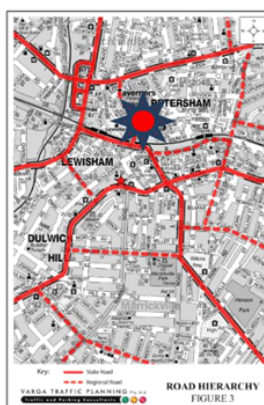
*Figure 13 –Photos of local park in close proximity to the subject sites*

A number of education facilities can be found within 1 km of the subject site. They range from primary school, high school to tertiary institutions. Education facilities located south of the site include Wilkins Public School, Newington College and Christian Brothers High School. Education facilities located north of the subject site include Petersham Public School, TAFE College (West Street Campus) and Forte Street High School. The University of Sydney is located approximately 4km from the site.

## 2.4 Existing Traffic Conditions

The roads surrounding the subject site are organised into a hierarchy by Roads and Maritime Services (RMS) in the following manner:

- New Canterbury/ Stanmore Road - classified State Road (60kph speed limit) with two traffic lanes in each direction providing the key road link to Hurlstone Park and Newtown.
- Parramatta Road - classified State Road with three traffic lanes in each direction providing key east-west road link between Parramatta and Sydney CBD. Opposing traffic flows are separated by a central concrete median island.
- Sydenham Road, Livingstone Road, Gordon Street and Railway Terrace - classified State Roads with two traffic lanes in each direction providing key north-south road link between Sydenham and Lewisham.
- Wardell Road, Gould Avenue and Gould Lane – local, unclassified roads (50kph speed limits). Provide vehicular and pedestrian access to site. Kerbside parking is permitted on both sides of Wardell Road and Gould Avenue.



**Figure 14: Road hierarchy in the vicinity of the planning proposal**  
(Source: Varga Traffic Planning, February 2016)

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Traffic surveys conducted by traffic consultant Varga Traffic Planning Pty Ltd yielded the following results:

- two-way traffic flows in New Canterbury Road are typically in the order of 1,400-1,700 vph during peak periods;
- two-way traffic flows in Wardell Road are typically in the order of 550 vph during peak periods.

The report concludes that *“the projected additional traffic flows will not have any adverse effects on the operational performance of the nearby intersections, and no road improvements or intersection upgrades would be required as a consequence of the planning proposal”*. A full report accompanies the Planning Proposal confirming the sites are suitable for the intended residential use. Full assessment of each development application will occur as part of the future applications.



*Figure 15 – Intersection of New Canterbury Road and Wardell Road, looking west towards the subject sites*

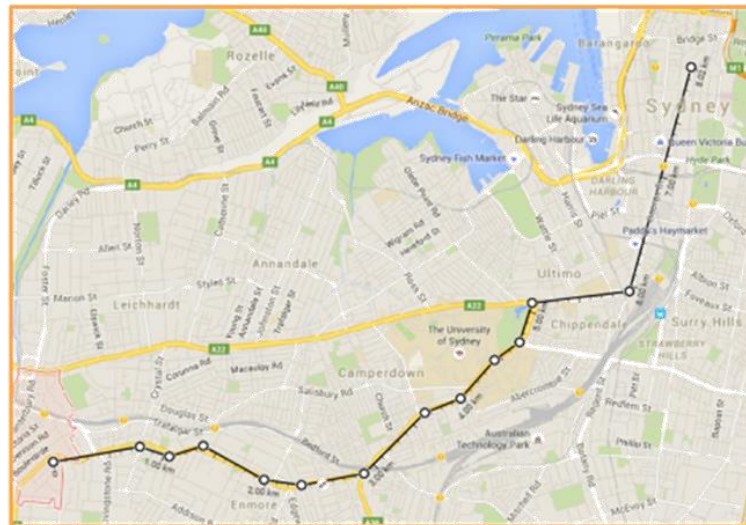
### 2.5 Sydney Metropolitan Central Sub Region

The subject site is located approximately 8km south-west of the Sydney CBD and 4km from the University of Sydney precinct. It is well placed in terms of public transport services and local community shopping and services. Lewisham Train Station is located within 700m of the site, north at the end of Hunter Street and four different bus Services are available along New Canterbury Road. See Figures 16 & 17 below.

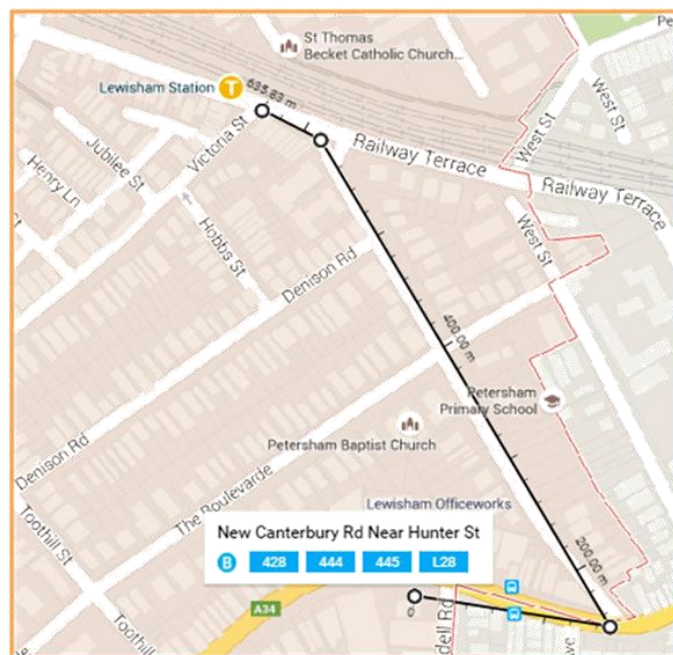


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Item 6



**Figure 16: General location of subject site, approx 8km to Sydney CBD  
(Source: googlemaps)**



**Figure17: Location of rezoning site showing distance to Lewisham Train Station and Bus routes along New Canterbury Road. (Source: googlemaps)**

Attachment 1

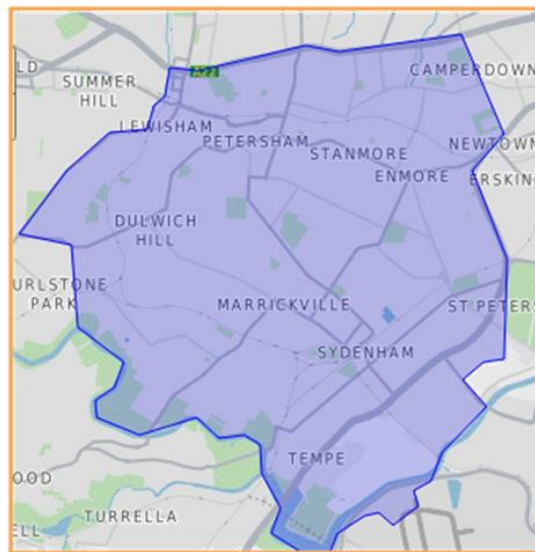
Planning Proposal – 183 & 203 New Canterbury Road Lewisham



### Part 3 Social Parameters

#### 3.1 Marrickville LGA – Social Profile

The following is a brief overview of the social profile of Marrickville. The statistics are based on the 2011 Census for the area known as Marrickville LGA. This area is smaller than the Marrickville LGA, as shown below:



*Figure 18: Marrickville LGA area (Source: ABS Quickstats)*

- ✓ In the 2011 Census, there were 76,500 people in Marrickville (LGA) of these 49.58% were male and 50.5% were female.
- ✓ There were 18,621 families with an average of 1.7 children per family.
- ✓ The median age of people in Marrickville LGA was 36 years.
- ✓ Children aged 0 - 14 years made up 14.7% of the population and people aged 65 years and over made up 10.4% of the population.
- ✓ Of people in Marrickville LGA aged 15 years and over, 35.1% were married, 50.2% were never married and 8.1% were either divorced or separated. The median age of 'never married' was 31.
- ✓ In Marrickville LGA, 58.3% of people were born in Australia. The most common countries of birth were England 3.8%, Greece 3.0%, Vietnam 2.9%, New Zealand 2.5% and China (excludes SARs and Taiwan) 1.5%.
- ✓ In Marrickville LGA, 36.4% of people had both parents born in Australia and 49.2% of people had both parents born overseas.

- ✓ There were 44,202 people who reported being in the labour force in the week before Census night in Marrickville LGA. Of these 64.9% were employed full time, 24.6% were employed part-time and 5.3% were unemployed.
- ✓ Of employed people in Marrickville LGA, 7.8% worked 1 to 15 hours, 9.0% worked 16 to 24 hours and 49.7% worked 40 hours or more.
- ✓ The most common occupations in Marrickville LGA included Professionals 35.9%, Clerical and Administrative Workers 14.8%, Managers 13.8%, Technicians and Trades Workers 9.8%, and Community and Personal Service Workers 8.2%.
- ✓ In Marrickville LGA, on the day of the Census, the methods of travel to work for employed people were Car, as driver 35.8%, Train 20.5%, Bus 8.8% and Car, as passenger 3.5%. Other common responses were Walked 5.5% and Bicycle 3.3%. On the day, 35.5% of employed people travelled to work on public transport and 39.2% by car (either as driver or as passenger).
- ✓ Of the families in Marrickville LGA, 39.1% were couple families with children, 41.9% were couple families without children and 15.8% were one parent families.
- ✓ In Marrickville LGA 16.2% of single parents were male and 83.8% were female.
- ✓ In Marrickville LGA, of couple families, 30.4% had both partners employed full-time, 4.3% had both employed part-time and 20.1% had one employed full-time and the other part-time.
- ✓ In Marrickville LGA, 92.63% of private dwellings were occupied and 7.4% were unoccupied.
- ✓ Of occupied private dwellings in Marrickville LGA, 33.5% were separate houses, 27.5% were semi-detached, row or terrace houses, townhouses etc, 37.4% were flats, units or apartments and 1.3% were other dwellings.
- ✓ In Marrickville LGA, of occupied private dwellings 13.4% had 1 bedroom, 41.7% had 2 bedrooms and 2.9.5% had 3 bedrooms. The average number of bedrooms per occupied private dwelling was 2.4. The average household size was 2.3 people.
- ✓ Of occupied private dwellings in Marrickville LGA, 23.4% were owned outright, 30.8% were owned with a mortgage and 43.0% were rented.
- ✓ In Marrickville LGA, of all households, 60.4% were family households, 29.3% were single person households and 10.3% were group households.

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- ✓ In Marrickville LGA 17.9% of households had a weekly household income of less than \$600 and 17.9% of households had a weekly income of more than \$3,000.
- ✓ In Marrickville LGA, 49.8% of occupied private dwellings had one registered motor vehicle garaged or parked at their address, 21.4% had two registered motor vehicles and 5.0% had three or more registered motor vehicles.

*Source: [http://www.censusdata.abs.gov.au/census\\_services/getproduct/census/2011/quickstat](http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat)*

In terms of the Planning Proposal it is relevant to note that approximately sixty percent (60%) of dwellings in the LGA are low density dwellings (separate houses or semi-detached dwellings) and units/apartments account for 37% of all dwellings. While family households dominate, possibly due to the historical development of the area as separate houses, forty two percent (42%) of households are couples without children. However, there is also a higher than average percentage of single households and group households in the area, possibly reflecting the higher percentage of rented accommodation.

In 2011 the majority of residents in the area worked full time, in white collar based professions, for 40 hours per week or longer. Travel to work by public transport is high in this area (35.55% and up to 5% walking or cycling) with the majority travelling to work by car (39%). This is not surprising given the accessibility of a variety of good public transport services in the area and relatively flat terrain for walking/cycling. Car ownership is relatively high, but drops down considerably in terms of the second and third car ownership. This again reflects the high level of public transport availability and use in this area. Put simply, cycling, walking and public transport exceed vehicle usage which is a highly desirable outcome.

This rezoning supports the key trends found for the Inner West area as there are more households that contain couples without children, single and group households that require or desire smaller dwelling and housing options. Their busy working lives will mean less time for home maintenance and less need for play areas and spaces for children. The future development will provide owner occupiers or tenants with a range of apartments varying in price depending upon size, aspect and floor level within the future development. Each site is large enough to offer a range and choice of housing.

The proposed accommodation will be brand new, will require less energy and lower running costs to maintain due to SEPP 65 compliance, and will be well located to negate the need for transport to local shops and services for main daily items. The proximity of the site to the Petersham Commercial



Area and other major areas like Westfields Burwood, Marrickville Metro, Marketplace Leichhardt, Strathfield Plaza, Birkenhead Point and Central Sydney Centres will make the dwellings desirable either as an owner occupier or rental.

### 3.2 Marrickville Urban Strategy 2007

The Planning Proposal for the subject sites (based on UDS storey and setback controls) satisfies the provisions of the Marrickville Urban Strategy 2007 (MUS 2007).

The Marrickville Urban Strategy (2007) outlines the planning context for future development within the previous Marrickville LGA and adopts the principles of the Sydney Metropolitan Strategy by focusing additional housing growth within existing centres and maintaining jobs and employment lands within the LGA.

The Urban Strategy and the Integrated Transport Strategy (see below) forms the basis for Council's approach to rezonings to focus new development in highly accessible areas. The Urban Strategy recommends that Council should plan for an additional 3,830 dwellings over the next 25 years (from 2007), with 80% of these located in or near centres and within walking distance of centres and public transport.

The Strategic Directions of the MUS are:

- STRATEGY DIRECTIONS**

  1. Continue to support Marrickville's diverse community;
  2. Focus new residential development in existing centres with good public transport and services to improve housing choice;
  3. Strengthen and renew the Marrickville/Sydenham strategic employment lands;
  4. Enhance the distinctive character of local centres;
  5. Improve local public transport, walking and cycling connections to centres;
  6. Continue to improve local parks and public domain in centres;
  7. Investigate opportunities to increase community facilities; and
  8. Continue to improve the environment with a focus on the Cooks River and creating new "green corridors" linking the River to the Hawthorne Canal and Sydney Park.

Figure 19 below shows that the subject sites are located at the western edge of the Petersham Commercial area, in close proximity to a variety of landmarks – public transport, shops, parks, major roads and employment.

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**Figure 19: Extract of Marrickville Urban Strategy 2007 map and strategic directions**  
(Source: <http://www.marrickville.nsw.gov.au/en/council/forms-and-publications/council-plans/marrickville-urban-strategy/>)

In terms of Urban Strategy Renewal approaches, the Strategy states that there is potential for some 650 dwellings in and around centres and 530 on select industrial sites. To achieve this, the strategy recommends that Council should:

*"Focus new residential development around town, village and neighbourhood centres in walking distance to public transport, shops and services. Viability and design impact analysis will be required to determine the appropriate scale of redevelopment. Community consultation noted a preference for up to three storey residential development where appropriate.*

*Higher scale development in selected centres could support revitalisation by making redevelopment more viable. This would also remove the pressure for redevelopment in out-of-centre locations and industrial areas. eg Dulwich Hill Station, Dulwich Hill, Petersham (shops and station), Lewisham, Marrickville Road, near Enmore Park, Marrickville Station and St Peters ...*

*Rezone selected industrial sites to cater for residential housing demand, address local amenity and provide space for community facilities.*



*These selected sites would be subject to strict rezoning criteria including if they are located close to a centre and proximity to public transport. eg: Australia St, Alice St, McGill St, sites near Petersham Station, Meeks Road and Grove street....".*

#### **Section 4.7 Urban Strategy Directions states:**

*Focus New Residential Development in Existing Centres with Good Public Transport and Services to Improve Housing Choice*

*Opportunities for new residential development will be provided around Dulwich Hill Station, Dulwich Hill, Petersham (shops and station). Lewisham, Marrickville Road, near Enmore Park, Marrickville Station and St Peters.*

*The changing community profile and future housing demands will require a mix of dwelling types that are accessible, adaptable and affordable. There is already a diverse mix of housing types in Marrickville LGA.*

*The locations in and around centres provide good access to shops, services and transport. Future development will be focused on centres and provide new housing choices. This approach will also ensure that many areas will remain unaffected. The areas around Marrickville and St Peters railway stations could accommodate increased retail floor space and commercial activity along with increases in residential dwellings.*

#### **5.2.2 Objective 1: Accommodate Future Housing Demand:**

*Focus New Residential Development in Existing Centres with Good Public Transport and Services to Improve Housing Choice.*

*"The Urban Strategy needs to respond to future housing need through policy changes to the current planning framework. It is apparent that the nature of existing development and the location of Marrickville LGA place some constraints on future development.*

*Action 1.1: Encourage urban renewal in and around centres: The greatest opportunity for change is in the centres of Dulwich Hill Station, Dulwich Hill, Petersham, Lewisham, Marrickville Road, near Enmore Park, Marrickville Station and St Peters.... •*

#### **5.4.2 Objective 5: Integrate Land Use and Transport**

##### **Action 5.1: Focus new development in areas within walking distance of centres and public transport**

The MUS supports the aim of locating additional residential development in and around existing centres with good public transport and services. The MUS advocates the retention of 'strategic' employment land located at Marrickville and Sydenham, and the rezoning of fragmented industrial areas.

The sites meet the following criteria established in the MUS as suitable for future detailed master planning:

- Is located close to a centre;
- Is redundant from historical industry perspective;
- Is well serviced by public transport;
- Is within walking distance of public open space;

## Planning Proposal – 183 & 203 New Canterbury Road Lewisham



- Development can occur in a way that responds to aircraft, road or rail noise;
- Is not located close to strategic assets (port, airport or freight lines); and
- Rezoning would not result in significant adverse impacts between residential uses and industrial uses that impact upon residential amenity, and hinder business competitiveness. Residential interfaces currently exists around the subject sites.

In summary, the Concept Plans for the subject site and the submitted development options for the immediate area satisfy the overarching objectives of the Marrickville Urban Strategy 2007. The future development will be subject to an assessment under S79C of the EP&A Act 1979.

### 3.3 Industrial and Employment Generating Land

The subject sites are zoned IN2 Light Industrial under MLEP 2011. It is a State Government requirement to consider the strategic importance of the retention of industrial and employment lands prior to land being rezoned for other purposes.

Marrickville Council, in considering the rezoning of the Georgiou's Chocolate Warehouse planning proposal, reported the following in relation to the rezoning of this small, fragmented light industrial node at the intersection of Wardell Road and New Canterbury Road.

#### **BACKGROUND**

*At its meeting of 5 June 2012, Council considered a report on proposed amendments to the MLEP 2011. As part of this report, Council considered the following submission regarding properties located on New Canterbury Road and Wardell Road (including the subject site) within IN2 Light Industrial zoning:*

*Submission (1f) - 133-203 New Canterbury Road, 180-218 New Canterbury Road & 1 Wardell Road, Petersham*

*A group of submitters seek a rezoning of a number of adjoining properties from IN2 Light Industrial to a more flexible mixed-use zone that allows residential, retail and creative industry uses. Submitters also seek an increase in the FSR from 1:1 to 2.5:1 to allow Redevelopment to four storeys with pronounced corner elements.*

*Submitters argue that with the current IN2 zoning, these properties will continue to operate below their commercial potential and do not reflect the kind of uses demanded in the area.*

*The following officers' comments were made in response to the submission:*

*These arguments are supported and reflected in other land use changes that are being proposed within the LGA. It is considered that such a rezoning would help to reactivate this precinct, located at the western end of the Petersham shopping strip. The rezoning and increased FSR is supported in general terms, but should be guided by a master planning process for the precinct. It is recommended below that this be undertaken as part of the next MUS review.*

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*Council resolved to adopt the report's recommendation as follows:*

*Recommendation (1f): that the rezoning of 133-203 New Canterbury Road, 180-218 New Canterbury Road & 1 Wardell Road, Petersham from IN2 Light Industrial to a suitable mixed-use zone, and increase in the FSR for these sites from 1:1 to 2.5:1 be considered by Council as part of the next review of the MUS, and be informed by a masterplan for these sites and the surrounding precinct.*

*To date, the Department of Planning and Environment (DP&E) have not finalised either the draft Metropolitan Strategy for Sydney to 2031 or the draft South Subregional Strategy. Accordingly, the anticipated review of the Marrickville Urban Strategy has not proceeded due to the absence of strategic direction.*

The site and environs are fragmented from other areas of industrially zoned land. The sites are surrounded by low density residential properties and not considered to be contributing to a significant industry cluster. The current uses operating from the IN2 Light Industrial zoned sites vary from retail outlets, showrooms, warehouse, service station and car repairs. Therefore, whilst there is a small cluster of service businesses in the area, their operations are not consistent with the immediate objectives of the current IN2 Light Industrial zone.

In terms of the amount of industrial land to be lost by the proposal, the two sites equate to a total area of 1432sqm, less than one-sixth of a hectare. The previously prepared draft South Subregional Strategy identified 187.5 hectares of industrially zoned land within the Marrickville LGA (prior to amalgamation). The subject sites equate to 0.1% of the total land available for industrial uses in the LGA. On this basis alone it is not considered that the planning proposal would significantly undermine industrial land stocks within the subregion.

Further these two small sites have limited capacity in their current form and function to deliver substantial numbers to the employment target for the area, an estimated target of 500 additional jobs by 2031. Given the existing and likely future demographics of the area outlined above, the residential use of these sites is likely to generate more to the local and regional economy through high percentages of residents having full and part time employment with average to good incomes. With high levels of working couples, single and group households, it is expected that local spending on consumables would also be high – again contributing to the local economy.

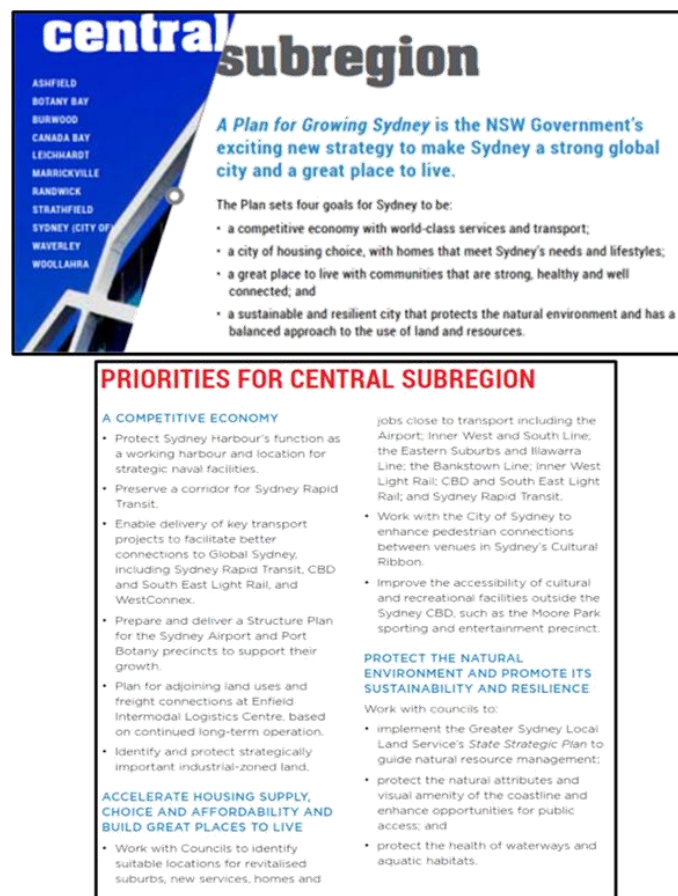
Overall, it is acknowledged that jobs on the subject sites will be lost but should the businesses relocate locally then overall these jobs will remain "local" and new residents will assist Council meet or exceed employment targets through their contribution to the local economy.

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### 3.4 A Plan for Growing Sydney

As part of *A Plan for Growing Sydney* the State Government has released the Central Subregion Plan. It includes Marrickville, Ashfield and Leichhardt areas but does not indicate any specific direction that assists this project in terms of rezoning of industrial land. However, the need to accelerate housing supply, choice and affordability in the region is highlighted. The current planning proposal accords with this direction, as follows:



**Figure 20 –Summary of future directions for the Central Subregion**



**Part 4 Planning Proposal – No. 183 & 203 New Canterbury Road,  
Lewisham**

Broadly the development concept for the development site comprises the demolition of the existing building on Site A and construction of a residential flat building on No. 183 New Canterbury Road. Site C is not part of the development site and will remain a single detached dwelling on R2 land for the purposes of this Planning Proposal.

It is estimated that approximately **20 units** can be accommodated on **Site A**. These numbers will be finalised through the Development Application design process and the proponent is not limited to these specific numbers. The building on Site A is proposed to be part 3, part 4 storey building with basement parking, access from New Canterbury Road and stepped northern and western boundaries to transition to the adjoining residential development. The height is 11m on the edges stepping up to 14m.

An Urban Design Study (UDS) has been undertaken for Site A addressing the site and surrounds. This study examines the context of the site and its surrounds to identify basic characteristics and features. Based on this examination, key constraints and opportunities for the site and its potential development are identified around six urban design themes: Urban Hierarchy, Street Frontage, Built Form and Open Space, Solar Access, Access and Services. This UDS establishes a set of site specific draft urban design controls that form the basis of the MDCP 2011 amendments proposed as part of the Planning Proposal.

The preparation of the UDS and the architectural Concept Plans represents an investment that would not ordinarily be required at a Planning Proposal stage. The inclusion of Concept Plans for this Planning Proposal serves to that a residential infill development can be achieved whilst respecting the existing uses to the south and the character and residential amenity of the adjoining low density areas to the north, west and south-west.

The applicant is confident that the plans will progress as soon as the Minister gazettes the requested amendments to MLEP 2011. The submitted plans assist with the understanding of the likely built form outcomes arising from the foreshadowed amendment to MLEP 2011. The majority of Site A is 11m which offers a transition to the R2 zoned lands to the north and west of Site C. The proposal also adopts the stepped front setbacks (as identified in the UDS) to better relate to the alignments of the residential development to the west.

On this basis, the Concept Plans have been prepared for Site A. R4 High Density Residential can occur without significant environmental impacts

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upon either the adjoining R2 land or the IN2 land to the east (Officeworks). The design principles, broad demographics and site specifics utilised in preparing the plans for the consolidated development sites include:

- ✓ Appreciation of the contextual location of the site in terms of its juxtaposition to the Petersham Commercial area.
- ✓ Awareness of the current social and economic population statistics and trends moving forward for the area.
- ✓ Knowledge of household trends in relation to family, work, leisure and entertainment.
- ✓ Building lifecycles and confirmation that existing buildings are at the end of the lifecycle.
- ✓ Existing low density dwellings adjoining the sites to the north and west.
- ✓ Stepped setbacks to New Canterbury Road as transition from nil setback for commercial/retail uses to low density residential development.
- ✓ Access to the site from New Canterbury Road.
- ✓ Stepping of height of the buildings across the development sites to respect and minimise potential impacts on the adjoining dwellings and the enjoyment of their properties. Stepped 3 to 4 storey form on Site A to transition to the residential zone.
- ✓ Separation of buildings to ensure adequate residential amenity for residents of the development.
- ✓ Car parking to comply with Council's on-site parking provisions.
- ✓ Provision of a mix of dwelling types and sizes to provide a diversity of choice and affordability in the units.
- ✓ Accessible and adaptable units and parking.

The proposed developments, as drafted, are proposed to comprise the following dwelling mix per site. A total of 20 units are proposed as follows.

Site A Apartment Mix:

- 20 units, including:
  - 2 x studios or 10%
  - 9 x 1 bedroom units or 45%
  - 9 x 2 bedroom units or 45%

Design solutions for each unit and parking space will ensure that each is capable of complying with Australian Standard provisions for size, location and accessibility.



The Concept Plans reflect to need to transition heights and setbacks at the upper levels to provide building separation and minimise potential amenity impacts. Plans demonstrate that impact minimisation is possible however full assessment and justification of any variation to development controls will occur at the DA stage.

Note: Assessment of the Concept Plans in relation to MLEP 2011, MDCP 2011 and SEPP 65 (ADG) is addressed in Parts 5 & 6 below and a full comprehensive review will occur at the DA stage for each site.

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## Part 5 Marrickville LEP 2011 and Marrickville DCP 2011

The Marrickville Local Environmental Plan 2011 (MLEP 2011) is the key statutory document guiding development for this part of the newly formed Inner West LGA. The LEP was made on 12 December 2011 as part of the implementation of the standardised LEPs across NSW. The LEP identifies land use zones and determines built form through Floor Space Ratios (FSR) and height controls.

The 2 lots proposed to be rezoned are currently zoned IN2 Light Industrial pursuant to Marrickville LEP 2011. The aims of the LEP are:

- a) to support the efficient use of land, revitalisation of centres, integration of transport and land use and an appropriate mix of uses,
- b) to increase residential and employment densities in appropriate locations near public transport while protecting residential amenity,
- c) to protect existing industrial land and facilitate new business and employment,
- d) to promote sustainable transport, reduce car use and increase use of public transport. walking and cycling,
- e) to promote accessible and diverse housing types including the provision and retention of affordable housing,
- f) to ensure development applies the principles of ecologically sustainable development,
- g) to identify and conserve the environmental and cultural heritage of Marrickville,
- h) to promote a high standard of design in the private and public domain

The Planning Proposal is consistent with the aims of MLEP 2011. As highlighted throughout this report the sites are located at the western edge of the Petersham Commercial area, providing an opportunity to create a well planned transition from the commercial/retail landuses to the east to the low density residential landuses to the north, west and south-west. Units or apartments account for approximately one-third of current housing stock in the LGA.

The predominant form of housing is low density dwellings due to the age and history of the development of Sydney over time. In this area, this trend is changing as lifestyles change with the emerging demographics and social trends. The Concept Plans demonstrate that the proposed rezoning of this land to high density residential and subsequent construction of one residential flat building on the subject site represents a logical amendment to MLEP 2011. The proposal seeks to optimise the potential of the development site while respecting the lower density character of the adjoining properties to the north, west and south-west. Residential character and amenity of the area is maintained and enhanced by good quality, well designed high density development on the subject site. The

development site is in close proximity to shops, employment, services, entertainment and public transport.

It is acknowledged that there will be a small loss of industrial and employment generating land due to the rezoning. This has been addressed and supported by Marrickville Council previously and again within this report. Based on current and likely future demographics of this area, the provision of housing choice for workers across a range of professions and trades will benefit the economic growth of the area and support local businesses. The business displaced by the rezoning will be able to find new sites for their operations within the LGA. Overall, it is considered that the benefits of the rezoning outweigh the minor loss of industrial land in this present case.

Any future Development Application (DA) that is lodged for the development of the land will be tested again against the aims of MLEP 2011 and will be assessed under S79C of the *EP&A Act 1979*. The Concept Plans do not offend any of the relevant aims, detailed below.

MLEP 2011	
Relevant Aim	Comment
<p><i>(2) The particular aims of this Plan are as follows:</i></p> <p><i>a) to support the efficient use of land, revitalisation of centres, integration of transport and land use and an appropriate mix of uses,</i></p>	<p>The orderly and economic use of land is achieved by the rezoning as it allows the development site to be redeveloped and become a transition between the commercial/retail uses to the east and the low density residential development to the west.</p> <p>If retained as IN2 Light Industrial the sites are relatively small and fragmented and therefore unlikely to be developed. The need for additional apartments in the area is established by the area's social profile and broader strategic directions for the Inner West LGA and Sydney. The proposed Concept Plans will be tested at DA stage to ensure the aims under cl. 1.2 of MLEP are achieved.</p>

(b) to increase residential and employment densities in appropriate locations near public transport while protecting residential amenity,	It is proposed to provide a mix of dwellings comprising Studio, 1 & 2 bedroom units, consistent with the requirements of SEPP 65 and emerging trends in the area. The concept design proposes to transition the height at the interface zones with residential R2.
(c) to protect existing industrial land and facilitate new business and employment,	It is acknowledged that the rezoning removes land that is zoned and currently used for light industrial purposes. It has been established previously that this is acceptable in the circumstances of this case based on past studies and Council support for similar sites being rezoned in the immediate area.
(d) to promote sustainable transport, reduce car use and increase use of public transport. walking and cycling,	The social profile of this area shows a propensity towards the use of public transport, walking and cycling with single car ownership levels higher than average. The development site is capable of providing sufficient onsite parking, together with adaptable dwellings and accessible spaces. The site has easy access to bus services in all directions.
(e) to promote accessible and diverse housing types including the provision and retention of affordable housing,	A range of Studio, 1br & 2br units, including adaptable dwellings complying with SEPP 65 are capable of being built on the site. This variety of dwellings will provide a choice and spread of affordability.
(f) to ensure development applies the principles of ecologically sustainable development,	The design, layout and orientation of units on each site will be responsive to the SEPP 65 design principles and provisions of the ADG for residential flat buildings. The development site is capable of complying with these requirements. Setbacks to New

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	Canterbury Road create a transitional street appearance and urban form from the commercial uses to the east and the residential uses to the west.
(g) to identify and conserve the environmental and cultural heritage of Marrickville,	The subject sites adjoin a heritage conservation area. Good quality residential use of this land is considered a more appropriate use than light industry as it will respect the historical low density residential nature and amenity of the area more so than industrial enterprises.
(h) to promote a high standard of design in the private and public domain	The design, layout and appearance of development on Site A will set a new benchmark. The design, built form, street appearance, materials and finishes will be fully assessed at the DA stage. The Concept Plans submitted as part of the Planning Proposal serve to demonstrate that Site A is capable of sustaining a high quality development for the public and private domain.

#### 5.1 Clause 1.7 - Maps

*(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:*

*(a) approved by the Minister when the map is adopted, and*

*(b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.*

*(1AA) A reference to the Minister in subclause (1) is taken to be a reference to the Greater Sydney Commission in the case of any map that applies to a local government area in the Greater Sydney Region (within the meaning of the [Greater Sydney Commission Act 2015](#)) and that is adopted by a local environmental plan on or after 27 January 2016.*

*(2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.*

*(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.*

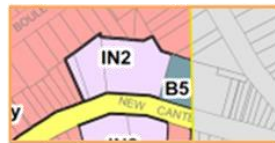
*(4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.*

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This planning proposal results in amendments the relevant LEP Maps (001) series as follows:

- Land Zoning Map\_\_001, currently IN2 Light Industrial.
- Height of Building Map\_\_001, currently no controls.
- Floor Space Ratio Map\_\_001, currently 0.95:1.



**IN2** Light Industrial



**M** 0.95



**J** 9.5

### 5.2 Land Use Table – Existing Zone

No. 183 & 203 New Canterbury Road, Lewisham are currently zoned **IN2 Light Industrial**, as follows:

#### Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To provide business and office premises for the purposes of certain art, technology, production and design sectors.
- To enable a purpose-built dwelling house to be used in certain circumstances as a dwelling house.

#### 2 Permitted without consent

Home occupations



### 3 Permitted with consent

*Depots; Dwelling houses; Garden centres; Hardware and building supplies; Hospitals; Industrial training facilities; Intensive plant agriculture; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Places of public worship; Plant nurseries; Roads; Sewage reticulation systems; Take away food and drink premises; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4*

### 4 Prohibited

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Tourist and visitor accommodation; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies*

The following MLEP 2011 *development standards* apply to the sites.

- Clause 4.3 Height of buildings: N/A.
- Clause 4.4 Floor space ratio: 0.95:1.

## 5.3 Land Use Table – Proposed Zones Sites A & C

### Site A

Site A is to be zoned R4 High Density Residential, as follows:

#### Zone R4 High Density Residential

##### 1 Objectives of zone

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for office premises but only as part of the conversion of existing industrial and warehouse buildings or in existing buildings designed and constructed for commercial purposes.
- To provide for retail premises in existing buildings designed and constructed for commercial purposes.
- To provide for well connected neighbourhoods that support the use of public transport, walking and cycling.

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### 2 Permitted without consent

*Home occupations*

### 3 Permitted with consent

*Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Group homes; Hostels; Neighbourhood shops; Places of public worship; **Residential flat buildings**; Respite day care centres; Roads; Secondary dwellings; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4*

### 4 Prohibited

*Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Bulky goods premises; Business premises; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Garden centres; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Landscaping material supplies; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Plant nurseries; Port facilities; Pubs; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies*

A '**Residential Flat Building**' is a permissible with the consent of Council.

The following MLEP 2011 development standards apply to the proposed R4 High Density Residential zone:

- Clause 4.3 Height of buildings: varies across the LGA
- Clause 4.4 Floor space ratio: varies across the LGA

MLEP 2011 Clause 6.2 - Earthworks, Clause 6.4 – Terrestrial Biodiversity, Schedule 2 - Exempt development and Schedule 3 - Complying Development will also apply to any future development of the land.

#### 5.4 MLEP 2011 – Assessment Table

The following table is a preliminary assessment of the Concept Plans against the provisions of the R4 High Density Residential Zone provisions contained in MLEP 2011, the relevant controls in MDCP 2011 and the provisions of SEPP 65 and its associated Apartment Design Guidelines. A more detailed assessment of each is provided in Parts 5 & 6 below.

MLEP 2011 Development Standard	Requirement	Site A	Site C
Site Area	No minimum	1100sqm	322sqm existing no change
FSR (proposed)	Currently 0.95:1 which is conservative GFA based on light industrial use	1.5:1	0.6:1 equal to the adjoining FSR. Existing dwelling does not exceed control.
HOB (proposed)	No maximum at present and heights in R4 achieve up to 26m in some areas or more within the LGA	14m inc lift overruns and stairs (part of site limited to 3 storeys for transition and MDCP controls to be implemented based on UDS). Future DA may have lift over the 14m and final design subject to DA.	9.5m equal to the adjoining FSR

### Marrickville Development Control Plan 2011 (MDCP 2011)

The MDCP 2011 contains the following objectives for the development of land within the LGA, as follows:

#### 1.5 Objectives of this Plan

##### Objectives

The objectives of this DCP are:

- O1 To provide detailed design objectives and controls which encourage innovative design that positively responds to the character and context of the locality and which encourage high quality urban design outcomes.
- O2 To ensure future developments consider the needs of all people who live, work and visit the Marrickville LGA, including people with a disability.
- O3 To maintain and enhance the environmental and cultural heritage of Marrickville LGA.

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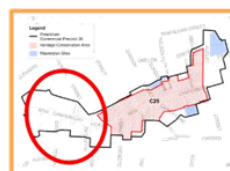
- O4 To enhance the quality of life and the wellbeing of the local community.
- O5 To support the integration of transport and land use, including increased residential and employment densities in appropriate locations near public transport, while protecting residential amenity;
- O6 To promote sustainable transport, i.e. reduced car use and increased use of public transport, walking and cycling;
- O7 To ensure development considers the principles of ecologically sustainable development, in particular energy, water and stormwater efficiency, solar access, waste reduction and local biodiversity.
- O8 To ensure development positively responds to the qualities of the subject site and is appropriate for the site and its context.
- O9 To minimise negative impacts of development on the amenity of surrounding neighbourhood.
- O10 To provide guidelines for specific development types and development sites to ensure appropriate high quality development within the Marrickville LGA.

The rezoning of the subject land for residential purposes achieves these objectives given that:

- The Concept Plans present a sustainable outcome for the subject sites. The proposal represents a logical and practical use of the land. The Concept Plans do not isolate any properties to the north or west.
- The historical MLEP anomaly for 203 New Canterbury Road is rectified.
- The Concept Plans complement the existing and future character of the Lewisham/Petersham area.
- The proposed development is appropriate for Site A, given its locational context and individual site opportunity and constraints.
- The development will increase the supply of housing in the area, in line with Council's and the State Government Growth Strategy for this subregion.
- Site A can be developed in accordance with the development standards of MLEP 2011 and MDCP 2011, as applicable to the R4 High Density Residential zone, while respecting the adjoining low density (R2) zone and existing IN2 Light Industrial zoned properties. Varied height ranging from 11m to 14m to transition to residential to the north and west.
- The R2 Low Density zoning of Site C is consistent with the aims and objectives of the MLEP and MDCP.

### MDCP 2011: Part 9 - Strategic Context

#### 9.23 Petersham (Commercial Precinct 36)



#### 9.36.1 Existing character

35

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*This precinct is located along a ridgeline on New Canterbury Road, with the highest point being located at the Petersham water tower, which is located just outside the precinct to the east. This retail precinct represents a good example of fine grained commercial development from the late 19th and early 20th century. Commercial buildings are predominantly two storeys with projecting awnings and decorative parapets without any setback from the footpath. The precinct contains good examples of corner buildings and elements, such as the former National Australia Bank building at the eastern corner of Livingstone Road and New Canterbury Road. It also contains some landmark buildings such as the former Majestic Theatre, a listed heritage item. The precinct also contains the Petersham Commercial Precinct Heritage Conservation Area (HCA 25).*

*The precinct presents a pleasing visual catchment from the high points along New Canterbury Road downwards towards the central retail area, with consistent building forms stepping down the street. Although the precinct has undergone modifications, it continues to be an important retail strip for the community.*

*The precinct is dissected by New Canterbury Road and Livingstone Road/ Gordon Street. Residential development adjoins the precinct and light industrial activities are located at the western edge of the precinct at the intersection of New Canterbury Road with Wardell Road.*

*Petersham Rail Station is immediately north-east of the precinct and within walking distance.*

*The subdivision pattern of the commercial area is characterised by narrow shopfront lots, interspersed with some larger sites, while the light industrial area comprises a mix of one to two storey buildings ranging from 200-500m to several large sites over 1,000m<sup>2</sup>.*

*The land use pattern of the precinct consists mainly of commercial buildings with some shop top housing. Industrial activities are varied and include smash repairs, a chocolate factory, carpet warehouse, cleaning business, floor covering business and several vacant buildings currently up for sale. Two hotels sit on prominent corners within the precinct, adding to its diversity of building form and land uses.*

*Areas within parts of this precinct have been identified as having high biodiversity values within the LGA. It is essential that development within those areas considers the potential impacts to biodiversity including native fauna (including Threatened Species and Endangered Populations); native vegetation (including Endangered Ecological Communities); and habitat elements (including their condition, structure, function, connectivity and disturbance).*

**9.36.2 Desired future character**

*The desired future character for this precinct is:*

1. *To protect the identified Heritage Items within the precinct.*
2. *To retain, as a minimum, the front portion of contributory buildings where they are contributory to the heritage conservation area (HCA) and streetscapes.*
3. *To protect the identified heritage values of the Petersham Commercial Precinct Heritage Conservation Area.*
4. *To allow and encourage a greater scale of development within the commercial centre, including the provision of new dwellings near local shops, services and public transport, to meet the market demand, create the opportunity for high access housing choice and support sustainable living.*
5. *To support excellence in contemporary design.*
6. *To ensure that the street building frontage of infill development complements the siting (location and orientation), scale, form (height, massing and setback), proportion (height to width and solid to void), rhythm, pattern, detail, material, colour, texture,*



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- style and general character in the design of the existing predominantly traditional two storey commercial streetscape, without being imitative.*
7. *To ensure that new development at the rear upper levels is a maximum of four storeys and is designed to be subservient to retained portions of contributory buildings or infill development to the street building front.*
  8. *Where required, to ensure active commercial fronts to new buildings facing onto streets to create a vibrant and safe streetscape.*
  9. *To support pedestrian access, activity and amenity including maintaining and enhancing the public domain quality.*
  10. *To build on the eat street and cultural character of the commercial centre.*
  11. *To ensure that the design of higher density development demonstrates good urban design and environmental sustainability and provides suitable amenity for occupants of those developments.*
  12. *To ensure that the design of higher density development protects the residential amenity of adjoining and surrounding properties.*
  13. *To ensure orderly development on masterplan sites in accordance with the principles of the masterplan vision, including allotment amalgamations, where required, that are not detrimental to achieving the overall masterplan structure and achieve an efficient and high quality built outcome.*
  14. *To ensure that new development considers all potential impacts to biodiversity.*
  15. *To facilitate efficient parking, loading and access for vehicles that minimises impact to streetscape appearance, commercial viability and vitality and pedestrian safety and amenity.*

The subject sites are located at the western end of the precinct and therefore some flexibility is available with regards to the potential future forms. A residential built form is more desirable for the precinct entry gateway than the current industrial offerings. Building typologies will continue to respond to the zoning and permissible uses thus it is desirable to encourage residential typologies as a bookend to the precinct as opposed to the current architecturally benign industrial buildings.

**9.36.3 Heritage Conservation Areas (HCAs) - Precinct-specific planning controls and 9.36.4.1 Reduced height, reduced floor space ratio and building envelope controls**

Note: The subject sites are not zoned B2 and not located within the relevant heritage conservation area (C25). Therefore these precinct-specific planning controls are not applicable to this planning proposal.

**MDCP 2011 - Part 2 – Generic Provisions**

An assessment of the proposed development and compliance against the relevant controls in this chapter are provided in the table below.

**Part 2 Generic Provisions**



Provision	Comment
<b>2.5 Equity of Access and Mobility</b>  <i>5+ dwellings = 1 adaptable dwelling (min) per 5 units provided</i>  <i>1 accessible cps per adaptable dwelling + 1 accessible visitor's cps per 4 accessible parking spaces or part thereof.</i>  <i>Car parking spaces to be designed in accordance with relevant Australian Standards – AS2890.</i>	Proposed = 20 units.  Adaptable units = 4 or 20%. Subject to future DA and access report.  All accessible units will comply with AS4299. Appropriate access for all persons through the principal entrance of the building and access to any area of the building will be provided. Subject to future DA.
<b>2.6 Acoustic and Visual Privacy</b>  <b>Visual privacy</b>  <i>Elevated external decks - &lt;10sqm and depth &lt; 1.5m</i>  <i>First floor windows and balconies of a building that adjoins a residential property must be located so as to face the front or rear of the building.</i>	Windows will be designed to address visual and acoustic privacy.  The new building will have communal open space on the roof. This will provide good access to sunlight and potential roof top garden area for residents, particularly for occupants of the south facing units. Lift shafts and stairwells will be required above the height to allow for access.  Detailed plans of the communal open space area to include appropriate setbacks from the building edge to address potential overlooking and dampen noise emissions from the site.
<b>2.7 Solar Access and Overshadowing</b>  <i>Shadow diagrams are generally required for all new development or the extension to existing buildings where the proposed works will cause additional overshadowing on nearby properties.</i>	Site A has a north - south orientation. The building is to be setback along the boundary of the adjoining residences.
<b>2.8 Social Impact Assessment</b>  <i>A SIC or SIS is required with any</i>	Site A: 20 units – no requirements.

<i>development application for the land uses listed in Table 1, section 2.8.5.</i>	
<b>2.9 Community Safety</b> <ul style="list-style-type: none"> <li>○ Surveillance</li> <li>○ Access control</li> <li>○ Territorial reinforcement</li> <li>○ Space management and maintenance</li> </ul>	A CPTED assessment would be submitted as part of a future DA.  Capable of complying.
<b>2.10 Parking - Vehicles and Bicycle spaces</b>  <i>Vehicles - Parking Area 2:</i>  0.4 per studio + 0.5 per 1br unit + 1.0 per 2br unit + 1.2 per 3+br unit for residents + 0.1 per unit for visitors  <i>Mobility spaces:</i> 1 mobility space per studio, 1br, 2br or 3+br unit for residents + 0.25 visitor mobility spaces per unit	Note: Site A is located in Area 2. The future DA will be submitted with a detailed traffic and parking report confirming compliance with the DCP controls or relevant RTA guidelines. Full details at the DA stage. Traffic report confirms site is capable of accommodating the required parking on site.
<b>2.11 Fencing</b>	No details. Capable of complying with Council's standard requirements for a RFB in this area.
<b>2.16 Energy Efficiency</b>  <i>Core energy efficient design principles must be met:</i> <ul style="list-style-type: none"> <li>• orientation</li> <li>• overshadowing</li> </ul>	Subject to compliance with provisions of SEPP 65. Will be addressed with future DA submission.  Site A has a north-south orientation. Some south facing units will occur. Communal open space is proposed within the roof top terrace to improve access to sunlight for all residents, particularly occupants of the south facing units. POS to all units generally in accordance with ADG controls. No excessive overshadowing proposed due to stepping of the heights.
<b>2.17 Water Conservation</b>	A BASIX certificate will be submitted

<b>Requirements</b>  <i>C1 All residential buildings are to demonstrate compliance with State Environmental Planning Policy - Building Sustainability Index (BASIX).</i>	as part of the development applications for Site A with the future DA.
<b>2.17.4 Stormwater Quality</b>	A Stormwater Management Plan will be submitted with each development application. There are no known specific site constraints to be considered.
<b>2.18 Landscaping and Open Space</b>  <i>A landscape plan and maintenance schedule must be submitted with any development application for residential, commercial and industrial development that requires landscaping.</i>	Deep soil planting is capable of being provided. Detailed landscape plans addressing the DCP requirements is to be submitted as part of any future development application. Deep soil area will comply with ADG which overrides the MDCP provisions to the extent of any inconsistency. Detailed landscaping plan is to be provided with future DA.
<b>2.18.9 Access and mobility</b>  <i>Pathways and other public areas within a new landscaped area must be accessible for person with a disability in accordance with objectives and controls under Section 2.5 (Equity of Access and Mobility) of this DCP.</i>	Capable of complying with BCA requirements, SEPP 65 requirements and car parking. Full details subject to future DA.
<b>2.18.10 Community safety</b>  <i>All proposed landscaping must demonstrate consistency with the provisions of Crime Prevention Through Environmental Design (CPTED).</i>  <i>The landscape plan must consider community safety guidelines.</i>	Site A will be designed to comply with the principles and design criteria under the provisions of the CPTED, including: <ul style="list-style-type: none"> <li>i. Good visibility and lighting at pedestrian entries and along paths and driveways;</li> <li>ii. Avoidance of dense landscaping near thoroughfares; and</li> <li>iii. Provision of suitable paving to driveways.</li> </ul>

	A detailed assessment will occur as part of the future DA.
<b>2.18.11.5 Residential flat buildings</b>  <i>i. The entire front setback must be of a pervious landscape with the exception of driveways and pathways.</i>  <i>ii. In addition to front setback, a minimum of 45% of the total site area must be landscaped area at ground level.</i>  <b>C21 Private open space</b>  <i>Each dwelling must have a private open space in the form of a deck or balcony accessible from the principal living area of the dwelling with a minimum area of 8m<sup>2</sup> and a minimum width of 2m.</i>	The new development is to be setback from New Canterbury road to create a residential presentation to the main road. Landscaping (including private open space, communal spaces and setbacks) will be provided in a coordinated and quality manner. Detailed landscape plans will be prepared and submitted at DA stage, in accordance with Council's requirements.  All units will be designed with reference to Council's DCP provisions and SEPP 65 – ADG provisions.
<b>2.21 Site Facilities and Waste Management</b>  <i>Site facilities include:</i>  1. Clothes drying facilities; 2. Public utilities; 3. Mail boxes; 4. Building identification and numbering; 5. Telecommunication facilities such as TV antennas and satellite dishes; or 6. Recycling and waste facilities including garbage storage and collection areas.	The new development will include the nominated site facilities, in accordance with the provisions of the DCP and Council's requirements.
<b>2.21.9 Demolition and/or construction waste</b>	A Waste Management Plan will be prepared and submitted as part of any development application for the

	development site.
<b>PART 4 Residential Development</b>	
<b>4.2 Multi-Dwelling Housing and Residential Flat Buildings</b>	
<b>4.2.1 General Objectives</b>  <i>O1 To provide more details on the residential controls contained in the MLEP 2011.</i> <i>O2 To provide increased housing accessibility, diversity and choice through refurbishment and development of new multi dwelling housing and residential flat buildings.</i> <i>O3 To promote development that responds, enhances and contributes to Marrickville LGA's heritage, including items of environmental heritage and heritage conservation areas, established character, streetscape qualities and landscape elements.</i> <i>O4 To encourage the provision and retention of affordable housing.</i> <i>O5 To encourage the inclusion of accessible features in new development and the retention of existing accessible features in existing development.</i> <i>O6 To ensure new development is compatible with the existing zoning and desired future character of the locality.</i> <i>O7 To ensure new development allows adequate on-site provision for infiltration of stormwater, deep soil planting, landscaping, footpaths, driveways and outdoor recreation areas.</i> <i>O8 To ensure new development considers the principles of ecologically sustainable development, in particular energy, water and stormwater</i>	General objectives for residential flat buildings satisfied given that:  <ul style="list-style-type: none"> <li>• Transition provided between commercial uses to the east and residential development to the north, west and south-west;</li> <li>• Achieves the desired future character nominated for the Petersham Commercial Area.</li> <li>• Provides a variety of units types and sizes, thereby increasing housing choice and diversity in the area;</li> <li>• Capable of being accessible and providing adaptable units;</li> <li>• Capable of minimising environmental impacts on the natural, built and social environment of the area;</li> <li>• Ability to provide basement parking with accessible spaces with lift access to the communal area from the basement.</li> <li>• High density residential supports the Petersham Town Centre retail uses which encourages full and part time local jobs.</li> </ul>

<p><i>efficiency, solar access, natural ventilation, waste reduction and local biodiversity.</i></p> <p><i>O9 To maintain a reasonable level of amenity for neighbours by ensuring development has minimal impact on neighbouring/adjoining properties in terms of building dominance (bulk and scale), overshadowing and privacy (both visual and acoustic).</i></p> <p><i>O10 To consider building location, design and car parking in order to maximise use of public transport.</i></p> <p><i>O11 To provide detailed design objectives and controls which encourage innovative design that enhances the character and context of the locality.</i></p> <p><i>O12 To encourage high quality urban design outcomes.</i></p> <p><i>O13 To enhance the quality of life and promote the wellbeing of the local community.</i></p> <p><i>O14 To encourage residential development which is sensitive to the local environment, socially responsive, promotes a safe living environment and makes better use of existing infrastructure.</i></p>	
<p><b>4.2.3 General controls</b></p> <p><i>C1 New developments with six or more dwellings must provide the following mix of dwelling types:</i></p> <p><i>i. Studio 5–20%</i></p> <p><i>ii. 1 bedroom 10–40%;</i></p> <p><i>iii. 2 bedroom 40–75%; and</i></p> <p><i>iv. 3 bedroom or bigger 10–45%.</i></p>	<p>Concept Plans show a certain mix of units (studios 10%, 1 &amp; 2 br 45%). The mix is considered reasonable and satisfactory reflecting demand and likely future character of the area. The mix can change with any future DA and assessment on merits at the time.</p>
<p><b>4.2.4 Built form and character</b></p> <p><b>4.2.4.1 Floor space ratio and site coverage</b></p> <p><i>Maximum site coverage:</i></p>	<p>The Concept Plans reflect discussions with Council Officers regarding reasonable setbacks to adjoining land. Concept site plans for Site A reflect those discussions and take into account the opportunities and</p>



<p><i>Residential flat building</i>  <i>45% for one storey</i>  <i>35% for two storey</i>  <i>30% for three or more storeys</i></p>	<p>constraints which resulted in the staggered heights. The outcomes of the UDS report provide a basis for the MDCP height and number of storeys.</p>
<p><b>4.2.4.2 Building heights</b></p> <p><i>C9 The maximum permissible height for any development must be consistent with the height standards prescribed on the MLEP 2011 Height of Buildings Map.</i></p>	<p>There is no current height limit for the IN2 zoned sites. The Concept Plans show that a 14m height on Site A will achieve 4 storeys. The edges of the proposed building are limited to 11m which is compatible with the 9.5m height control for Site C.</p> <p>On this basis this Planning Proposal sets a new development standard for Site A of 14m.</p> <p>If required Clause 4.6 variations will be used for the projections such as lift overrun and stair well.</p>
<p><b>4.2.4.3 Building setbacks</b></p> <p><b><i>Residential flat buildings</i></b></p> <p><i>v. Minimum front setback:</i>  <i>a. Must be 9m; and</i>  <i>b. For high-rise buildings and buildings above three storeys, each application shall be considered on its merits with a minimum front building setback of 11m.</i>  <i>b. For residential flat buildings greater than 3m or one storey, the following setbacks must apply:</i>  <i>One storey – 3.5m</i>  <i>Two storeys – 4m</i>  <i>Three storeys – 4.5m</i></p> <p><i>Note: the DCP does allow variations to setback where:</i></p> <p><i>i. There is no adverse impact of any proposed boundary wall on</i></p>	<p>The issue of setbacks and separation was discussed with Council Officers during pre-lodgement of the planning proposal. It was generally agreed that in order to provide a reasonable transition between the commercial uses to the east and the residential uses to the west Site A should provide a front setback that related to both the existing and future alignments.</p> <p>Site A: 4m setback; adequate western side setback (3 – 6 m) and rear setbacks for sun access and amenity of adjoining residents. Setbacks work in unison with the stepped 3 and 4 storey forms and articulated western facade. The 4<sup>th</sup> storey will for the most part be recessive and not visible from street level.</p> <p>The development site is therefore planned to provide adequate</p>

<p><i>neighbours;</i></p> <p><i>ii. Privacy between neighbouring dwellings and their open space improves; and</i></p> <p><i>iii. The proposed setback matches an existing setback of a neighbouring building, leading to an improved streetscape and visual relationship.</i></p>	<p>separation together with private open space and communal open space over various floor levels.</p>
<p><b>4.2.5 Streetscape, general appearance and materials</b></p> <p>4.2.5.1 Facade and streetscape design</p> <p><i>RFB must be:</i></p> <ul style="list-style-type: none"> <li><i>• sensitive to the specific characteristics of the site and its locality.</i></li> <li><i>• must not contrast with the existing character of the street.</i></li> <li><i>• establish a sense of place and street identity.</i></li> <li><i>• oriented to complement the existing pattern of development found in the street.</i></li> <li><i>• designed to address the principal street frontage and provide an attractive visible facade from the street.</i></li> <li><i>• enhance the existing built character by interpreting and translating any positive characteristics found in the street and locality into design solutions.</i></li> </ul>	<p>The Concept Plans serve to demonstrate development capability and compatibility between the existing low density development and the potential residential development for Site A. At this stage the plans are not fully developed. The development site will be architecturally designed to ensure that each elevation and façade is sensitive to the natural and built environment of the area, including the conservation area to the north. The concept proposal as modelled has modulated western façade with a stepping effect reducing the perceived 3 storey scale of the building.</p> <p>The stepping adds relief and also assists with obtaining SEPP 65 compliance. The southern of front façade is also stepped to again provide a relationship with the residential setbacks to the west.</p>
<p><b>4.2.5.2 Bulk and scale relationship</b></p> <p><i>New development must provide a sympathetic transition in scale between old and new buildings by dividing building mass, roof form and facade into smaller units which sympathetically relate to adjoining properties.</i></p>	<p>The Concept Plans submitted with the Planning Proposal demonstrate the proposed bulk and massing for the development of Site A. The proposed development provided a transition in scale and massing between existing and future built form. The edges of the building are 3 storeys which relates well to the 2 storey limit</p>

	(9.5m) for adjoining development to the west and north of the site.
<b>4.2.5.3 Materials, finishes, textures and colours</b>	A schedule of materials and finishes will be submitted with any development application for Site A.
<b>4.2.6 Parking and access</b>  <i>Parking structures or garages must not be located in front of the building line.</i>  <i>Vehicular entrance to a communal parking must be located in such a way to have least impact on the streetscape and amenity of adjoining neighbours.</i>	Site A: Parking at basement level with access from New Canterbury Road.  The site is within easy walking distance to bus stops on main roads and local train stations. On-site parking to comply with MDCP or RTA guidelines/ADG.
<b>4.2.7 Ceiling heights</b>  <i>Minimum ceiling heights = 2.7m</i>	Capable of complying. Detailed sections at the DA stage.
<b>4.4.2 Social Impact Comment (SIC)</b>	Site A: 20 units indicated on Concept Plans. No SIC requirement.

#### 5.5 MDCP 2011 Amendment:

In order to facilitate development of Site A it is proposed to include the following amendment at the end of Section 9.36 (Petersham Commercial Area) of MDCP 2011:

#### **SITE A - 183 New Canterbury Road, Lewisham**

- Any redevelopment of 183 New Canterbury Road, Lewisham comprising residential uses must demonstrate consistency, where possible, with the provisions of State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide. Section 3.2 of the UDS report forms the basis of the MDCP amendment plus Fig A and B.

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### 3.2 Proposed Controls Northern Site

1. New development should be a maximum of four storeys at the New Canterbury Road frontage and three storeys at the rear of the site in order to achieve an appropriate scale interface with existing adjacent development. Lift overruns should be permitted above this height to provide for access to communal rooftops.
2. Retail and commercial uses should not be permitted in order to contain the Petersham Commercial Centre.
3. Ground floor dwellings fronting New Canterbury Road should be raised by 1-1.5m above the footpath level order to provide for a high quality residential amenity for ground floor apartments, with a nil front setback.
4. The design of the New Canterbury Rd frontage should respond to the predominantly two-storey scale of Petersham commercial centre and the heights of the Georgious heritage façade two blocks to the east.
5. The top floor of the New Canterbury Rd frontage should be set back from the north and south in order to reduce its apparent scale and provide for good solar access to the open space to the south.
6. Setbacks along the western boundary should be varied between 3 and 6m in order to provide an appropriate scale interface with existing residential development (recognising the existing situation is a two level factory wall on the boundary). In this area windows and balconies should be arranged to avoid direct overlooking across the boundary by looking along the setback area instead.
7. Setbacks along the eastern and northern boundary should be 6m or more in order to contribute to shared open space from adjacent properties and should include significant mature tree planting in the deep soil zone.
8. Maintain vehicular access from New Canterbury Road adjacent to the western boundary.
9. Site facilities and waste storage should be thoughtfully and sensitively integrated into the New Canterbury Road frontage.
10. Ensure that the eastern boundary wall of a new building is well articulated and has an appropriately high quality of finishes, recognising that it may be prominent in the short-medium term (until the adjacent site is developed).
11. Minor variations to the envelopes shown should be permitted where they maintain or improve amenity.

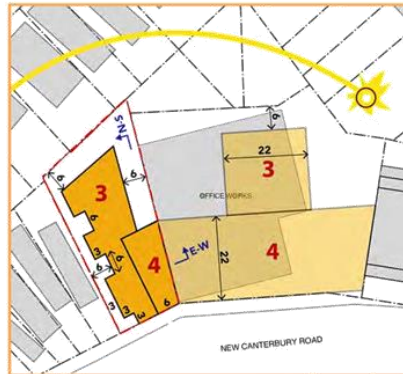
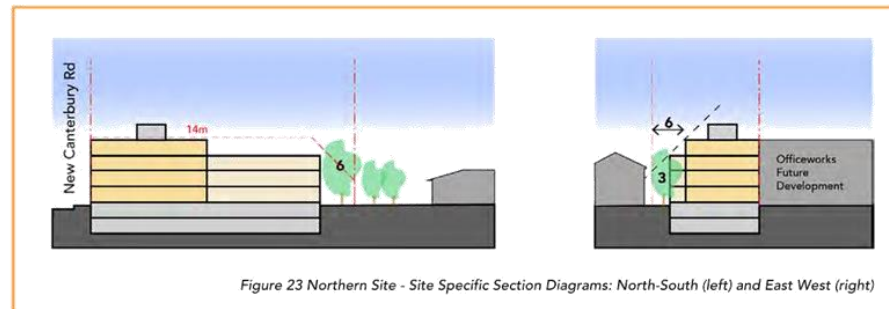


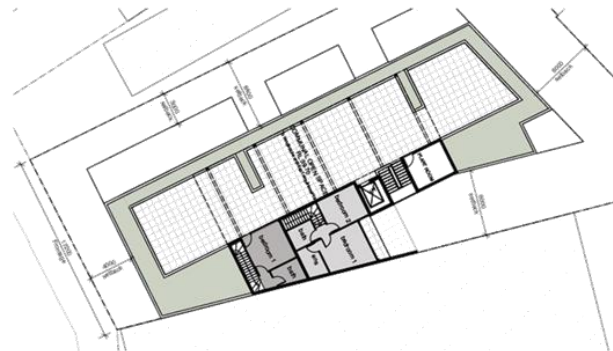
Fig A – Extract Urban Design Study – Urbanac 2016 – Storey Control

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**Fig B – Extract Urban Design Study – Urbanac - Sections for Site A**

Site A concept scheme provides less than the suggested built form given that the 4<sup>th</sup> storey is setback 12.375m from the front façade as opposed to the full 4 storeys shown in Figure B.



**Fig B1 – Fourth level showing setback of 12.375m to the stair thus building presents as 3 storeys**



edge.

**Fig B2: 3D image of the 3 storey appearance of the building which reflects Councils preference for the site. We maintain that the site is well suited to accommodate 4 storeys to the street**



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## Part 6 State Environmental Planning Policies – SEPP 55 (Remediation of Land) and SEPP 65 (ADG) : Preliminary Assessment of Concept Plans

### 6.1 SEPP 55 – Remediation of Land

#### Clause 6: Contamination and remediation to be considered in zoning or rezoning proposal

*(1) In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:*

- (a) the planning authority has considered whether the land is contaminated, and*
- (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
- (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.*

**Note.** *In order to satisfy itself as to paragraph (c), the planning authority may need to include certain provisions in the environmental planning instrument.*

*(2) Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.*

*(3) If a person has requested the planning authority to include land of a class identified in subclause (4) in a particular zone, the planning authority may require the person to furnish the report referred to in subclause (2).*

*(4) The following classes of land are identified for the purposes of this clause:*

- (a) land that is within an investigation area,*
- (b) land on which development for a purpose referred to in Table 1 (SEE BELOW) to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*
  - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
  - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

*(5) In this clause, **planning authority** has the same meaning as it has in section 145A of the Act.*



**Managing Land Contamination - Planning Guidelines SEPP 55–Remediation  
of Land- Table 1**

Table 1. Some Activities that may Cause Contamination	
<ul style="list-style-type: none"> <li>• acid/alkali plant and formulation</li> <li>• agricultural/horticultural activities</li> <li>• airports</li> <li>• asbestos production and disposal</li> <li>• chemicals manufacture and formulation</li> <li>• defence works</li> <li>• drum re-conditioning works</li> <li>• dry cleaning establishments</li> <li>• electrical manufacturing (transformers)</li> <li>• electroplating and heat treatment premises</li> <li>• engine works</li> </ul>	<ul style="list-style-type: none"> <li>• explosives industry</li> <li>• gas works</li> <li>• iron and steel works</li> <li>• landfill sites</li> <li>• metal treatment</li> <li>• mining and extractive industries</li> <li>• oil production and storage</li> <li>• paint formulation and manufacture</li> <li>• pesticide manufacture and formulation</li> <li>• power stations</li> <li>• railway yards</li> <li>• scrap yards</li> <li>• service stations</li> <li>• sheep and cattle dips</li> <li>• smelting and refining</li> <li>• tanning and associated trades</li> <li>• waste storage and treatment</li> <li>• wood preservation</li> </ul>

**Assessment**

A Detailed Site Investigation report (DSI) of Site A has been undertaken by Benviron Group. The report, dated March 2016, is submitted as part of the this Planning Proposal. The objective of the report was to form a preliminary view as to the suitability of Site A for residential purposes in terms of any site contamination that may have occurred or is occurring as a result of the light industrial operations onsite. Reference is made to Section 15.0 Discussion of the report which identifies a number of potential areas of environmental concern at the site. Notwithstanding these, the report concludes the site is suitable for residential use, stating the following:

*“Based on the results of this investigation it is considered that the risks to human health and the environment associated with soil contamination at the site are low in the context of the proposed use of the site. The site is suitable for the proposed development, subject to the following recommendations:*

- *Any soils proposed for removal from the site should initially be classified in accordance with the “Waste Classification Guidelines, Part 1: Classifying Waste” NSW DECC (2014).*

*If during any potential site works, significant odours and/or evidence of gross contamination (including asbestos) not previously detected are encountered, or any other significant unexpected occurrence, site works should cease in that area, at least*

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*temporarily, and the environmental consultant should be notified immediately to set up a response to this unexpected occurrence.”*

#### **SEPP 65 – Design Quality for Residential Flat Buildings**

To assist with the assessment of the site’s capacity to be developed in accordance with the Concept Plans submitted as part of this Planning Proposal, the following table provides an indication of where the proposal complies or is capable of complying and/or achieving good quality design outcomes on the development site. Please note a full assessment of the provisions will be undertaken during the processing of any development application.

Principle	Comment
<b>1 Context and neighbourhood character</b>	
<p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area’s existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p>The locational context of the development site in relation to Petersham Commercial Area and Shopping Strip and even more broadly within the region creates a highly desirable redevelopment site in terms of access to employment, leisure, entertainment, community services and public transport. The opportunities created by rezoning the subject sites is addressed throughout this Planning Proposal.</p>
<b>2 Built form and scale</b>	
<p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p>	<p>The proposed zoning of the IN2 land to R4 is considered appropriate in this case. Council requested the proponent to</p>

<p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>demonstrate how the R4 development standards would transition height and FSR, and hence the bulk and scale of the new development between the R4 and R2 zones. Concept Plans demonstrate that Site A is capable of achieving an FSR of between 1.5:1 and overall height of 14m excluding lifts without adversely impacting on the adjoining detached dwellings or their curtilages.</p>
<b>3 Density</b>	
<p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population.</p> <p>Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>Site A proposes to comprise 20 residential units with an FSR up to 1.5:1.</p> <p>This density is considered appropriate for the area in terms of population growth and achievement of urban renewal and consolidation principles close to public transport, employment and services. The site is ideally situated in this context.</p>
<b>4 Sustainability</b>	
<p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling, reducing reliance on technology and operational costs. Other elements include recycling and re-use of materials</p>	<p>Concept Plans demonstrate units are capable of complying with solar access and cross ventilation requirements together with providing sufficient landscaping and deep soil planting to soften effects of privacy and any potential overlooking of neighbours.</p>

and waste, use of sustainable materials and deep soil zone or groundwater recharge and vegetation.	
<b>5 Landscape</b>	
<p>Good design recognises that together, landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the developments' environmental performance by retaining positive natural features which contribute to the local context, coordinating water and soil management, solar access, microclimate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, and respect for neighbours' amenity and provides for practical establishment and long-term management.</p>	<p>Concept Plans demonstrate that suitable ADG compliant landscape areas within Site A are available for deep soil plantings. Detailed landscape plans, prepared by a suitably qualified landscape designer, will be submitted at the DA stage.</p>
<b>6 Amenity</b>	
<p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well-being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to</p>	<p>Concept Plans demonstrate that the proposed urban form results in good amenity for both residents and neighbours. Massing plans reflect the opportunities and constraints of the development site. Future development is capable of adequately addressing issues relating to setbacks, open</p>

<p>sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>space, communal open space, deep soil planting, waste management, privacy and overlooking, taking into account the site constraints and opportunities presented in this case. Full assessment as part of the future DA.</p>
<b>7 Safety</b>	
<p>Good design optimises safety and security within the development and the public domain.</p> <p>It provides for quality public and private spaces that are clearly defined and fit for the intended purpose.</p> <p>Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>A CPTED report can be prepared and submitted at the DA stage.</p>
<b>8 Housing diversity and social interaction</b>	
<p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a board</p>	<p>The proposed dwelling mix is considered appropriate in relation to the social profile previously discussed for the Marrickville area.</p>



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range of people and providing opportunities for social interaction among residents.	
<b>9 Aesthetics</b>	
<p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The Concept Plans provide details of elevations, facades, but not proposed materials, colours and finishes. These will be submitted at the DA stage.</p>

### Part 3 Siting the Development

Objectives	Comment
<b>3A Site analysis</b>	
<p>Objective 3A-1 Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.</p>	<p>Refer to the Concept Plans prepared by Becerra Architects, submitted as part of this Planning Proposal.</p>
<b>3B Orientation</b>	
<p>Objective 3B-1 Building types and layouts respond to the streetscape and site while optimising solar access within the development.</p>	<p>Yes. The north-south orientation of Site A presents some constraints to solar access for some units. This is addressed through good design and optimization of unit layouts and setbacks to neighbouring properties where appropriate. A roof top terrace is proposed to provide additional recreational</p>



	areas for residents, particularly those with south facing units.
<p>Objective 3B-2 Overshadowing of neighbouring properties is minimised during mid-winter.</p> <p>Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%.</p> <p>A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings.</p>	<p>Yes. Setbacks and unit orientation are optimised on a site specific basis to achieve maximum solar access to new units and existing dwellings on neighbouring sites.</p> <p>Shadow diagrams will be prepared with the DA to fully address solar amenity.</p>
<b>3C Public Domain Interface</b>	
<p>Objective 3C-1 Transition between private and public domain is achieved without compromising safety and security.</p>	Capable of complying.
<p>Objective 3C-2 Amenity of the public domain is retained and enhanced.</p>	Front setbacks and/or staggered front setbacks ensure amenity to the public domain along New Canterbury Road and a transition between the commercial uses to the east and the residential development to the west.
<b>3D Communal and public open space</b>	
<p>Objective 3D-1 An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.</p> <p>Design Criteria</p>	Allocation of areas for communal and private open are shown the Concept Plans, including communal area as a roof top terrace. This will provide residents with a sunny area and passive space. Detailed plans of the

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Communal open space has a minimum area equal to 25% of the site. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).  The communal open space should have a minimum dimension of 3m.	design, layout, furnishings, screening and landscape treatment of these areas will be submitted with the DA.
Objective 3D-2 Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.	Details of landscaping, including hard stand areas, any furniture or activity space will be provided as part of the DA. The principle communal open space areas are capable of being attractive and inviting places for residents.
Objective 3D-3 Communal open space is designed to maximise safety.	As above.
Objective 3D-4 Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood.	Not applicable to this development. Only private or communal open space is to be provided as part of the Concept. No requirement for public open space.
<b>3E Deep soil zones</b>	
Objective 3E-1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.  Design criteria Deep soil zones are to meet the following minimum requirements:	Areas for deep soil planting are available. Details will be provided at the DA stage. The Concept Plans adequately demonstrate that deep soil areas can be provided to any future development.

<ul style="list-style-type: none"> <li>• 7% of site area</li> <li>• &lt;650m<sup>2</sup> - no min dimensions</li> <li>• 650m<sup>2</sup>-1500m<sup>2</sup> - 3m min dimensions</li> <li>• &gt;1500m<sup>2</sup> - 6m min dimensions</li> </ul>	
<b>3F Visual Privacy</b>	
<p>Objective 3F-1 Adequate building separation distances are shared equitable between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</p> <p>Design Criteria Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: 4 storeys: 6m for habitable rooms and balconies; 3m for non- habitable rooms.</p>	<p>Capable of complying. The UDS identifies the required setbacks which take into consideration the height and the length of the external wall exposed to the residential interface. In some areas 3m setback is proposed whilst other areas require 6+m setbacks. The length of external walls is limited on the western boundary to provide a modulated façade with physical breaks.</p>
<p>Objective 3F-2 Site and building design elements increase privacy without compromising access to light and air, and balance outlook and viewed from habitable rooms and private open space.</p>	<p>The plans demonstrate that the proposal is capable of complying. Details to be submitted at the DA stage.</p>
<b>3G Pedestrian access and entries</b>	
<p>Objective 3G-1 Building entries and pedestrian access connects to and addresses the public domain.</p>	<p>Capable of complying.</p>
<p>Objective 3G-2 Access, entries and pathways are accessible and easy to identify.</p>	<p>Capable of complying.</p>
<p>Objective 3G-3 Large sites provide pedestrian links for access to streets and connection to destinations.</p>	<p>No applicable to this proposal.</p>

<b>3H Vehicle access</b>	
<b>Objective 3H-1</b> Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.	Any redundant crossovers and driveways will be reinstated and one new crossover and driveway is proposed to be constructed along the southern boundary of the development site. Pavement details to be submitted at the DA stage. Details at the DA stage.
<b>3J Bicycle and car parking</b>	
Integrating car parking within apartment buildings has a significant impact on site planning, landscape and building design. On-site parking can be located underground, above ground within a structure or at grade.	Parking for the proposed development is located at the basement directly below the building envelope.
<b>Objective 3J-2</b> Parking and facilities are provided for other modes of transport	No details provided. Capable of complying. Details to be submitted at the DA stage.
<b>Objective 3J-3</b> Car park design and access is safe and secure.	The preliminary traffic report concludes that the proposal is satisfactory in terms of traffic generation, parking provision, circulation and access. Full details at the DA stage.
<b>Objective 3J-4</b> Visual and environmental impacts of underground car parking are minimised.	Complies.
<b>Objective 3J-5</b> Visual and environmental impacts of on-grade car parking are minimised.	Not applicable to the proposal.
<b>Objective 3J-6</b> Visual and environmental impacts of above ground enclosed car parking are minimised.	Not applicable to the proposal.

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In summary, the proposed Concept Plans for Site A either comply with or are capable of complying with the principle provisions of MLEP 2011, the relevant provisions of MDCP 2011 and the principles of SEPP 65. Where any variation arises as a result of the design process at the DA stage, then each variation will be justified as part of the DA documentation submitted to Council.

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### Part 7 Objectives/Intended Outcomes

7.1 The Planning Proposal seeks to:

Rezone No. 183 New Canterbury Road, Lewisham from **IN2 Light Industrial** to **R4 High Density Residential** pursuant to Marrickville Local Environmental Plan 2011 and rezone No. 203 New Canterbury Road Lewisham from **IN2 Light Industrial** to **R2 Low Density Residential**.

The proposed amendment requires changes to the Marrickville LEP 2011 Map \_001 Series – Land Zoning Map; Floor Space Ratio Map and Height of Building Map.

7.2 There is no intended change or modification to any other planning maps, standards, provisions or controls as they relate to the existing sites or the ongoing use or development of the sites in the future, pursuant to MLEP 2011.

7.3 Amendment of MDCP 2011 is proposed to enunciate site specific development guidelines for No. 183 New Canterbury Road (Site A) only given that No. 203 New Canterbury Road (Site C) will fall under the general provisions of the MDCP 2011 in relation to residential development. The DCP amendments for Site A include at a minimum massing profiles, setbacks, number of storeys and development guidelines.

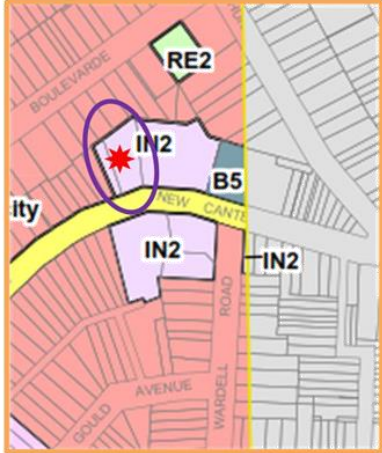


## Part 8 Explanation of the Intended Zone, Height and FSR


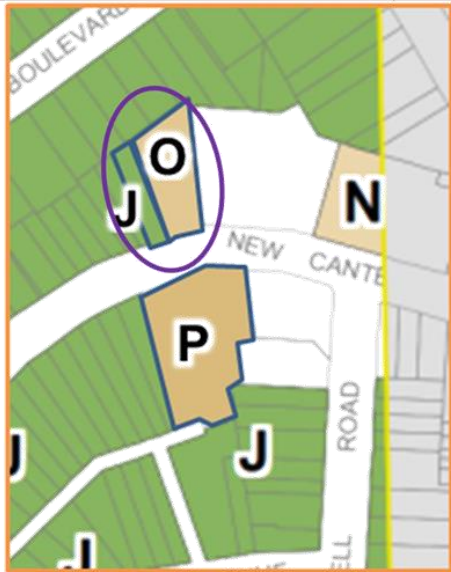
8.1 Marrickville Local Environmental Plan 2011 is to be amended by:

- Amending the Marrickville LEP 2011 maps as follows:

	Name of Map	Delete	Add	Colour	Suggested Lettering
1.	Land Zoning – Site A	IN2	R4 High Density Residential		R4
2.	Land Zoning Site C	IN2	R2 Low Density Residential		R2
3.	Floor Space Ratio	0.95	1.5:1 Site A 0.6:1 Site C	Council to determine colour and lettering	N J
4.	Height of Building	N/A	Site A – 14m	Council to determine colour and lettering	L 14

MLEP 2011 Map Series__001: Existing	MLEP 2011 Map Series_001: Proposed
Map 1: Land Zoning	
	<p>Amend current map to reflect below:</p> <p>Site A - R4 High Density Residential</p> <p>Site C – R2 Low Density Residential</p>

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<b>Map 2: Floor Space Ratio</b>	
 <p><b>M</b> 0.95</p>	<p><b>S1 = 1.5:1 for Site A</b> <b>F = 0.6:1 for Site C</b></p> <p>Site A adopts a 1.5:1 FSR maximum.</p>
<b>Map 3: Height of Building</b>	
 <p><b>O</b> – 14m - O <b>J</b> – 9.5m - J</p> <p>Height to be determined by Council</p>	

## Part 9 Justification

### Section A - Need for the Planning Proposal

#### 1. Is the planning proposal part of any strategic study or report?

No. The proposal is a site specific Planning Proposal to rezone two allotments to facilitate residential development immediately adjoining existing low density development. The sites are within an inner west area of Sydney that is transitioning towards higher residential population and access to employment opportunities with local service industries concentrated in areas more appropriate for the provision of these businesses. The Planning Proposal has taken into account Council's strategic vision and direction for this area of Marrickville and more broadly the goals of the State Government's *A Plan for Growing Sydney* in relation to housing supply, urban renewal and urban infill in areas close to infrastructure and services.

The proponent has engaged a suitably qualified and experienced architectural firm, together with a Town Planning consultant, urban designer, environmental consultant and traffic engineer to develop concept plans for Site A. The development site (Site A) is currently zoned IN2 – Light Industrial. The architect has worked through a number of options for the land seeking to optimize its use for residential purposes (given its locational context) while ensuring the proposal respects the site's interface between the adjoining low density residential development adjoining and adjacent.

Notwithstanding that this is a 'site specific' rezoning, its future development relates closely to the future vision and character that Council has enunciated in Part 9.36 of MDCP 2011 – Petersham Commercial Area. Council's objectives, vision and planning principles for this area are noted.

Council's adopted Vision for this area (that applies to these sites) is:

*"The desired future character for this precinct is:*

- *To ensure that the design of higher density development demonstrates good urban design and environmental sustainability and provides suitable amenity for occupants of those developments.*
- *To ensure that the design of higher density development protects the residential amenity of adjoining and surrounding properties.*
- *To ensure orderly development on masterplan sites in accordance with the principles of the masterplan vision, including allotment amalgamations, where required, that are not detrimental to achieving the overall masterplan structure and achieve an efficient and high quality built outcome.*
- *To ensure that new development considers all potential impacts to biodiversity.*
- *To facilitate efficient parking, loading and access for vehicles that minimises impact to streetscape appearance, commercial viability and vitality and pedestrian safety and amenity."*

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Overall, the Planning Proposal and Concept Plans complement the long term vision and function of the Petersham Commercial area. Clearly the role of the industrial zoned lands in this particular locality is exhausted.

**2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. Advice received from Council officers indicated that Council would be willing to consider an amendment of MLEP 2011 to facilitate a residential development on the subject land. The proposal sets a good precedent for development going forward, reflects the visual and density components of the hierarchy of development from the Petersham Commercial Area to the east of this node and makes a positive contribution to the future character of the area. Any future proposal will need to respond appropriately to the SEPP 65 Apartment Design Guideline. The future DA will include specific details of the façade treatments.

An amendment to the Marrickville LEP 2011 is the only feasible way of achieving the desired future redevelopment of the subject land. It will provide greater certainty and this Planning Proposal includes new planning controls of Council's DCP, informed by an Urban Design Study that has tested the built form outcomes for the site and the immediate area.

***Is there a net community benefit?***

The proposal has a community benefit in the form of housing supply directly adjacent to employment, health and education centres which provide a range of services essential to the local community. The additional housing supply will assist in curtailling the rising rental and housing prices in the area. With a very high level of occupied private dwellings in the area the issue with housing in the area is that demand outstrips supply and this causes prices to rise. Traditionally housing in this area has been a variety of forms of separate dwellings, however there is a social need for more units and apartments as the area's population demographics are changing.

The proposal will also assist in providing demand for local goods and services by virtue of the additional population which in turn provides local jobs.

There is considered to be an overall community benefit given the potential positive economic, social and environmental advantages of the new development.

### Section B - Relationship to Strategic Planning Framework

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

Yes. The proposal is consistent with *A Plan for Growing Sydney*, December 2014. The Plan states:

*"Sydney needs a plan that outlines how to:*

- *make it easier for Sydney's residents to move between their homes, their jobs, the centres where they shop and use local services, and their open spaces;*
- *make a wider variety of housing available to suit the changing make-up of the population - more than one million people will be over the age of 65 years and almost the same number under the age of 15 years by 2031;*
- *deliver new infrastructure which supports our community as it grows, and strategic infrastructure that also strengthens the economy; and*
- *recognise our highly prized environment – the harbour, the coast, our mountains, parks and open spaces – and how to safeguard these places."*

Goal 2 of that Plan reads: A city of housing choice, with homes that meet our needs and lifestyles. The rezoning and development of the consolidated land parcel focuses on achieving that goal, as follows:

- It provides more housing in the Marrickville LGA which is an identified strategic outcome for the State;
- It provides housing choice in a well-serviced location;
- It will help meet changing household needs in the area and a range of lifestyle choices;
- It seeks to address population growth in the immediate area in close proximity to work, shopping, leisure pursuits and community services;
- It will include accessible and adaptable dwellings to assist residents who are aged, disabled or other incumbent by allowing access to families, friends and services;
- It is located in easy walking or short commutes to work, services and a variety of entertainment and social activities;
- It reflects the demographic needs of this local community;
- It is an example of urban renewal and infill development that is appropriate to its location and neighbourhood context.
- It replaces a land use that is fragmented and is no longer required in this particular location as the land is better suited to residential land uses.

The proposal is considered consistent with the following objectives of the strategy:



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- Providing additional housing opportunities adjoining an existing local centre and employment area;
- Boosting development opportunities in the area offering a density and scale of development that optimises the development potential of the land while respecting the residential amenity of adjoining low density properties;
- Maintaining environmental quality;
- Lessening energy costs and ongoing running costs of housing through quality design;
- Reducing car dependence;
- Improving access and proximity to employment opportunities;
- Assisting with metropolitan housing targets;
- Providing diverse and affordable housing to reduce transport costs and inefficiencies;
- Improving environmental sustainability and efficiently using resources and infrastructure.

**4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

Yes. The proposal is consistent with Council's adopted Community Plan – the *Marrickville Community Strategic Plan*. This Plan is the long term strategy that describes the vision for the Marrickville, as part of the Inner West LGA and more broadly, the Central Subregion of the Sydney Metropolitan area.

The Plan contains a number of challenges and opportunities that are relevant to this Planning Proposal, as follows:

**1. Meeting the needs of a growing population**

*Sydney's population is expected to grow to six million people by 2036, with an average annual rise of 56,650 people. As of 30 June 2011 the population of Marrickville was estimated to be 108,371. By 2031 that figure is forecast to reach an estimated 135,508. While these are the forecast figures, Marrickville's popularity is likely to bring even stronger growth than predicted.*

**2. Addressing the needs of a changing population**

*We are living longer with an ever increasing life expectancy. By 2036 the number of people across Sydney over the age of 65 will more than double, to just over one million people, or 17% of the overall population. In keeping with national predictions of an ageing population, figures provide clear predictions of an ageing population in Marrickville. It is estimated the number of people aged over 65 will increase, and represent 15.4% of the population by 2021. We also anticipate an influx of younger residents*

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*moving closer to employment and education opportunities, together with our multicultural population continuing to grow.*

**3. Offering suitable housing options while maintaining the characteristics of our suburbs**

*In 2011 there were 41,755 dwellings in the City of Marrickville. The metropolitan strategy has a target for 12,000 dwellings by 2031. We are witnessing an increasing under supply of housing, with a higher demand for villas, units and rental properties. We are also moving towards smaller households, projections show that from 2007 to 2027 there will be a 43.8% increase in lone person households, making this the dominant housing type within six years.*

**4. Creating a strong economy and employment closer to home**

*There are over 33,000 businesses operating in the City of Marrickville. Our growing City is predicted to create over 21,000 new jobs, amounting to around 80,000 people working in our city by 2031. With increasing opportunities across our booming City we anticipate this predicted number to rise even further. Of the 69,480 people who currently work in the City of Marrickville, 13,643 or 19.6% also live in the area. By 2031 and beyond this is expected to rise significantly as people seek opportunities closer to home."*

The Planning Proposal addresses these community based challenges and achieves Council's local strategy for sustainable growth and economic vitality within the Marrickville LGA.

**5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

There are no State Environmental Planning Policies which would contravene the Planning Proposal. As addressed previously in this Planning Proposal the final development proposal, when submitted as a Development Application will need to address the relevant provisions of any SEPP that applies to the design and construction of a residential development on that land. That includes SEPP 55 and SEPP 65. The Concept Plans submitted as part of this Planning Proposal demonstrate that the land and subsequent development for high density residential development is capable of complying with these provisions.

**6. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?**

Yes. Consistency with the list of Directions (under section 117(2) of the Environmental Planning and Assessment Act 1979 issued by the Minister for Planning) is assessed below.

Direction	Issue Date / Date Effective	Relevance to Planning Proposal
<b>1. Employment and Resources</b>	1 July 2009	
1.1 Business and Industrial Zones		Relevant. Addressed above.
1.2 Rural Zones		Not relevant
1.3 Mining, Petroleum Production and Extractive Industries		Not relevant
1.4 Oyster Aquaculture		Not relevant
1.5 Rural Lands		Not relevant
<b>2. Environment and Heritage</b>	1 July 2009	
2.1 Environment Protection Zones		Not relevant
2.2 Coastal Protection		Not relevant
2.3 Heritage Conservation		Not relevant
2.4 Recreation Vehicle Areas		Not relevant
<b>3. Housing, Infrastructure</b>	1 July 2009 (Except for new Direction 3.6 - effective 16 February 2011)	Relevant  Site A is to be zoned high density residential development. The Concept Plans submitted in support of the Planning Proposal demonstrate that the development site is capable of complying with the relevant development standards and controls while maintaining a satisfactory level of residential amenity to the existing low density development adjoining

		and adjacent the development site.
3.1 Residential Zones		Relevant  No change to the existing LEP provisions, zoning or development standards that currently apply across the LGA.
3.2 Caravan Parks and Manufactured Home Estates		Not relevant
3.3 Home Occupations		Not relevant
3.4 Integrating Land Use and Transport		Relevant. Refer to discussion below.
3.5 Development Near Licensed Aerodromes		Relevant. Refer to discussion below.
3.6 Shooting Ranges		Not relevant
<b>4. Hazard and Risk</b>	1 July 2009	
4.1 Acid Sulfate Soils		Not relevant
4.2 Mine Subsidence and Unstable Land		Not relevant
4.3 Flood Prone Land		Not relevant
4.4 Planning for Bushfire Protection		Not relevant
<b>5. Regional Planning</b>	1 July 2009 (Except for new Direction 5.4 effective 29 Nov 2009 & Direction 5.2 effective 3 Mar 2011 & Direction 5.9 effective 30 Sep 2014)	
5.1 Implementation of Regional Strategies		Not relevant
5.2 Sydney Drinking Water Catchments		Not relevant
5.3 Farmland of State and Regional Significance on the NSW Far North Coast		Not relevant
5.4 Commercial and Retail Development along the Pacific Highway, North Coast		Not relevant

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5.5 (Revoked 18 June 2010)		Not relevant
5.6 (Revoked 10 July 42008)		Not relevant
5.7 (Revoked 10 July 2008)		Not relevant
5.8 Second Sydney Airport: Badgerys Creek		Not relevant
5.9 North west Rail Link Corridor Strategy		Not relevant
<b>6. Local Plan Making</b>	1 July 2009	
6.1 Approval and Referral Requirements		Relevant. This planning proposal is consistent with these provisions. Council will undertake the relevant referrals as part of the Planning Proposal notification.
6.2 Reserving Land for Public Purposes		Not relevant
6.3 Site Specific Provisions		Relevant This Planning Proposal seeks to rezone the subject sites to a zone within the current LEP. The amendment proposes development standards for FSR and height which is the current practice in the MLEP. Currently no height controls apply as the sites are zoned industrial.
<b>7. Metropolitan Planning</b>	14 January 2015 (Except for Direction 7.2 effective 22 September 2015)	
7.1 Implementation of the Metropolitan Plan for Sydney 2036		Relevant  Generally consistent with <i>A Plan for Growing</i>

		Sydney, Dec 2014. Refer to comments in Part 9, Section B (3) above.
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## 1.1 Business and Industrial Zones

### Objectives

(1) The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,
- (b) protect employment land in business and industrial zones, and
- (c) support the viability of identified strategic centres.

### Where this direction applies

(2) This direction applies to all relevant planning authorities.

### When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

### What a relevant planning authority must do if this direction applies

(4) A planning proposal must:

- (a) give effect to the objectives of this direction,
- (b) retain the areas and locations of existing business and industrial zones,
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,
- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and
- (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.

### Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
  - (i) gives consideration to the objective of this direction, and
  - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
  - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) of minor significance.

### Assessment

This direction is relevant to this planning proposal as it proposes the rezoning of land located within an existing industrial zone. The planning proposal aims to rezone land from IN2 Light Industrial to R2 and R4 under the MLEP 2011.

It is considered that the planning proposal is consistent with the objectives of the direction given that the additional housing will provide increased demand for local services which in turn increases jobs and growth of the local area. This growth will counteract any perceived loss of jobs associated with the

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closure of the current businesses. The jobs growth will outstrip the loss in our opinion. Previous studies have confirmed there is no specific requirement to maintain this particular industrial zoned land which represents 0.1% of the total IN zoned land in Marrickville. The inconsistency in relation to the retention of the land under this Direction is minor and must be waived in order to achieve more strategic housing goals for the region which will lead to job growth in local retail sectors in Petersham.

The proposal departs somewhat from the outdated Draft South Subregional Strategy (DSSS). The DSSS designated the subject site and surrounding IN2 Light Industrial zoned sites as land to be retained for industrial purposes to provide for local services. However, this document was released as a draft in 2005 and has not been updated or finalised since this time and is out of date. Council has considered a preliminary concept for this site and has not raised any concerns with this subject acting as a transitional land parcel between the Petersham Commercial area to the east and the low density residential development to the west. Ongoing use of the site for industrial purposes in this location is not considered the highest and best use at this location. Council and the Department considered the same draft strategy and supported the recent rezoning of the Georgiou's Chocolate Factory site thus this proposal is consistent with the current trends and strategic thinking both at Council and the Department of Planning.

On balance, it is considered that any inconsistencies with Direction 1.1 are of minor significance.

### **3.1 Residential Zones**

#### **Objectives**

(1) *The objectives of this direction are:*

- (a) *to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) *to minimise the impact of residential development on the environment and resource lands.*

#### **Where this direction applies**

(2) *This direction applies to all relevant planning authorities.*

#### **When this direction applies**

(3) *This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:*

- (a) *an existing or proposed residential zone (including the alteration of any existing residential zone boundary),*
- (b) *any other zone in which significant residential development is permitted or proposed to be permitted.*

#### **What a relevant planning authority must do if this direction applies**

(4) *A planning proposal must include provisions that encourage the provision of housing that will:*

- (a) *broaden the choice of building types and locations available in the housing market, and*
- (b) *make more efficient use of existing infrastructure and services, and*
- (c) *reduce the consumption of land for housing and associated urban development on the urban fringe, and*
- (d) *be of good design.*

(5) *A planning proposal must, in relation to land to which this direction applies:*



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- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- (b) not contain provisions which will reduce the permissible residential density of land.

**Consistency**

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
  - (i) gives consideration to the objective of this direction, and
  - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
  - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) of minor significance.

**Assessment**

This direction is considered relevant to this planning proposal as it relates to land in any other zone in which residential development is proposed to be permitted. This planning proposal seeks to rezone land from IN2 Light Industrial to R2 and R4 thereby permitting the construction of a residential flat building on Site A. Rezoning of Site C simply confirms the existing residential use and no change is proposed to the current building typology on the site. Therefore, the proposed zones permit residential development.

The planning proposal is consistent with this direction as the subject site is located in close proximity to an existing commercial centre with well-established infrastructure. Therefore, it will reduce the consumption of land for housing as it is located within an existing developed area.

The planning proposal will set development controls for the subject site as deemed suitable within its context. The future development as depicted in the Concept Plans will provide housing choice and diversity and is of good design. Full assessment will occur as part of the future DA applications.

It is considered that the planning proposal is consistent with objectives of this direction.

**3.4 Integrating Land Use and Transport**

**Objective**

(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and
- (b) increasing the choice of available transport and reducing dependence on cars, and
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and

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- (d) supporting the efficient and viable operation of public transport services, and
- (e) providing for the efficient movement of freight.

### **Where this direction applies**

- (2) This direction applies to all relevant planning authorities.

### **When this direction applies**

- (3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

### **What a relevant planning authority must do if this direction applies**

- (4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:
  - (a) Improving Transport Choice - Guidelines for planning and development (DUAP 2001), and
  - (b) The Right Place for Business and Services - Planning Policy (DUAP 2001).

### **Consistency**

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
  - (a) justified by a strategy which:
    - (i) gives consideration to the objective of this direction, and
    - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
    - (iii) is approved by the Director-General of the Department of Planning, or
  - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
  - (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
  - (d) of minor significance.

### **Assessment**

This planning proposal seeks to rezone the subject site to permit residential use of the subject sites. It is considered that this planning proposal is consistent with the objectives of this Direction to improve access to housing, jobs and services by walking, cycling and public transport; increasing the choice of available transport and reducing dependence on cars; reducing travel demand; and supporting viable public transport services. The subject site is located within close proximity of an existing commercial centre. It is well located to services and public transport options, for example Petersham and Lewisham Railway Stations, Lewisham West light rail stop and several bus routes (see UDS report for locational characteristics)

It is considered that this planning proposal is consistent with the aims and objectives of this direction.

### **3.5 Development Near Licensed Aerodromes**

Planning Proposal – 183 & 203 New Canterbury Road Lewisham

**Objectives**

(1) The objectives of this direction are:

- (a) to ensure the effective and safe operation of aerodromes, and
- (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and
- (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.

**Where this direction applies**

(2) This direction applies to all relevant planning authorities.

**When this direction applies**

(3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.

**What a relevant planning authority must do if this direction applies**

(4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:

- (a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,
- (b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,
- (c) for land affected by the OLS:
  - (i) prepare appropriate development standards, such as height, and
  - (ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome
- (d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.

(5) A planning proposal must not rezone land:

- (a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or
- (b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or
- (c) for hotels, motels, offices or public buildings where the ANEF exceeds 30. (6) A planning proposal that rezones land:

- (a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or
- (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or
- (c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.

**Consistency**

(7) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

- (a) justified by a strategy which:
  - (i) gives consideration to the objectives of this direction, and
  - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
  - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) of minor significance.

**Assessment**

This direction states that planning proposal must not rezone land:

*(d) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25.*

This planning proposal is consistent with this part of the direction. The subject site is affected by ANEF 20-25.

The direction also states that a planning proposal that rezones land for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25 must include a provision to ensure that development meets AS2021 regarding interior noise levels.

This part of the direction applies to the subject site as it lies within ANEF 20-25. MLEP 2011 contains Clause 6.5 (Development in areas subject to aircraft noise) which addresses noise attenuation criteria for certain properties in AS 2021 and will apply to any future development proposals submitted to Council. A detailed acoustic report will accompany the future DA prepared by a suitably qualified acoustic engineer.

It is considered that this planning proposal is consistent with this direction.

#### **6.1 Approval and Referral Requirements**

##### **Objective**

*(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.*

##### **Where this direction applies**

*(2) This direction applies to all relevant planning authorities.*

##### **When this direction applies**

*(3) This direction applies when a relevant planning authority prepares a planning proposal.*

##### **What a relevant planning authority must do if this direction applies**

*(4) A planning proposal must:*

- (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and*
- (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:*
  - (i) the appropriate Minister or public authority, and*
  - (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and*
- (c) not identify development as designated development unless the relevant planning authority:*
  - (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and*
  - (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.*

##### **Consistency**



*(5) A planning proposal must be substantially consistent with the terms of this direction.*

### **Assessment**

This Direction aims to minimise approval and referral requirements within planning proposals. This planning proposal does not propose any additional referral or concurrence requirements. Therefore, the planning proposal is consistent with this direction.

### **6.3 Site Specific Provisions**

#### **Objective**

*(1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.*

#### **Where this direction applies**

*(2) This direction applies to all relevant planning authorities.*

#### **When this direction applies**

*(3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.*

#### **What a relevant planning authority must do if this direction applies**

*(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:*

- (a) allow that land use to be carried out in the zone the land is situated on, or*
- (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or*
- (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.*

*(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.*

#### **Consistency**

*(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.*

### **Assessment**

This direction applies to this planning proposal as it aims to allow a site specific development to be carried out on the subject site. The planning proposal seeks to rezone the subject site to another zone – residential.

The proposal is considered to be consistent with this direction of the proposed amendments to MLEP 2011 include development standards and provisions of the MLEP already applicable to R4 High Density Residential developments albeit with site specific heights and FSR based on UDS and site opportunities and constraints.

### **7.1 Implementation of the Metropolitan Plan for Sydney 2036**

#### **Objective**

(1) The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.

#### **Where this direction applies**

(2) This direction applies to land comprising of the following local government areas:  
..... Marrickville

#### **When this direction applies**

(3) This direction applies when a Relevant Planning Authority prepares a planning proposal.

#### **What a Relevant Planning Authority must do if this direction applies**

(4) Planning proposals shall be consistent with:  
- the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan").

#### **Consistency**

(5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the Metropolitan Plan:

- (a) is of minor significance, and
- (b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.

### **Assessment**

This planning proposal assists in the creation of additional residential development well located in close proximity to an existing local centre. This is consistent with the overall objective of the Metropolitan Plan for Sydney 2036 for the majority of new residential development to be located within existing centres. The planning proposal is consistent with this Direction.

## **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?**

No. There is no known critical habitat or threatened species, populations or ecological communities, or their habitats affected by the Planning Proposal.

- 8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No. There are no other likely environmental effects as a result of the Planning Proposal, such as flooding, landslip, bushfire hazard and the like. The documentation submitted with the Planning Proposal includes an Urban Design Study, Concept Plans, Traffic and Parking assessment, Geotechnical assessment, Detailed Site Investigation (preliminary contamination investigation) and Town Planning Assessment.

The combination of these professional reports and architecturally prepared plans demonstrate that Site A is capable and suitable for this level and type of development. Environmental effects during construction and ongoing occupation of the development site has been reviewed and is capable of being adequately managed in this case. This includes physical and social matters relating to items such as groundwater, stormwater, access, parking, safety, privacy, passive recreational space, private open space.

- 9. How has the planning proposal adequately addressed any social and economic effects?**

The Planning Proposal acknowledges that there will be a temporary loss of light industrial employment due to the displacement of the existing employment generating use on the rezoning site. This business will need to be relocated to new premises as a result of the rezoning and this is likely to occur within the LGA given that 187 hectares of industrial GFA exist in the LGA. Conversely this Planning Proposal has also outlined there is a net community benefit of providing new permanent residential units in this location. The reasons why this is appropriate and desirable from a social impact and community benefit perspective are outlined and included throughout this report. Overall, the Concept provides for a logical and pragmatic use of the land and the design, siting and layout represents good quality urban infill development. The site is widely accessible to work, leisure, entertainment and community services. It is anticipated that the existing light industrial premises will be able to continue servicing the region as it does currently, but in a new location within the LGA.

Planning Proposal – 183 &amp; 203 New Canterbury Road Lewisham



### Section D - State and Commonwealth Interests

#### 10. Is there adequate public infrastructure for the planning proposal?

The Planning Proposal is not expected to generate demand for additional state government infrastructure or services. Local services and infrastructure, including water, sewer, energy, road and traffic is provided and can be upgraded as part of the Concept for the development site.

#### 11. What are the views of State and Commonwealth authorities consulted in accordance with the gateway determination?

Council may choose to consult with the Department of Roads and Maritime Services as part of its assessment of this Planning Proposal as the subject site fronts onto New Canterbury Road, a classified *State Road (also refer to traffic and parking report findings)*.

The Gateway Determination will confirm and specify any consultation required with State and Commonwealth authorities on the Planning Proposal.

### Section E – Mapping

The proposed amendment of the Marrickville LEP 2011 will require amendment of the MLEP Map\_001 series as set out in Section 8 - Explanation of Provisions above. This section contains the list and copy of the relevant maps to be amended together with a table listing the necessary changes. The required changes to the mapping are considered minor and can be easily accommodated.

### Section F - Community Consultation

Community consultation will be undertaken by Council as part of its assessment of the planning proposal.

The Gateway Determination will confirm and specify the community consultation that must be undertaken on the Planning Proposal.

### Part 10 Conclusion

This Planning proposal report demonstrates that sound reasoning exists to rezone Site A to R4 High Density Residential and Site C to R2 Low Density Residential. The Planning Proposal includes amending relevant development standards in MLEP 2011 and MDCP 2011 to reflect the Concept Plans and building envelope for Site A, as prepared as part of the Planning Proposal. The standards have been developed in consultation with the UDS.

The proponent engaged suitably qualified Architects, Consultant Town Planner, Urban Designer, Environmental Consultant and Traffic Engineer to design and/or assess the Concept Plans for the development site. Architectural Plans and Professional Reports form part of the Planning Proposal and demonstrate that Site A is suitable for the intended use.

The Concept Proposal is for the demolition of the existing industrial building onsite and construction of residential flat building developments comprising a total of 20 residential units (this number is flexible as the plans are concept). The units are to be constructed over basement parking with setbacks to New Canterbury Road, side and rear boundaries, as appropriate to each site. Access is via New Canterbury Road to Site A. The building is to contain private and communal open space areas that contain facilities for residents use and detailed planting schemes to ensure high residential amenity is achieved.

The new building is to step down from the east to west and appropriately to the rear of the site. The façade will be modulated and the materials and finishes will be detailed at the DA stage. The new building will present as a transition from the commercial uses to the east to the low density residential to the north and west.

The preliminary assessment of the Concept Plans, submitted as part of the Planning Proposal, serves to demonstrate that the development complies or is capable of complying with the primary development standards and controls for a R4 High Density Residential development under the current provisions of MLEP and MDCP. Further that the relevant provisions of MDCP 2011 relating to traffic generation, parking, circulation and access can be complied with and the design principles of SEPP 65 (Apartment Design Guidelines) for residential flat buildings can be satisfied.

Of particular importance to Council and the State Government's review of this Planning Proposal has been the need to demonstrate that the residential amenity of the adjoining properties will not be adversely affected

Planning Proposal – 183 & 203 New Canterbury Road Lewisham



by any residential flat building development on the land, especially a development that is able to achieve the FSR and Height of Building standards that apply to the R4 zone.

The Council has advised the proponent that it is willing to consider the Planning Proposal to rezone the land subject to any submission to Council demonstrating how the proposal would address the existing and future character of the area, together with potential development of the adjoining light industrial land to the south and east. The Concept Plans show that not only can the proposal comply with Council's desired vision for the area,, but that the height, bulk and scale of the development when viewed in juxtaposition with the newly zoned land opposite (Georgiou's Chocolate factory), the proposed height, bulk and scale creates a clear transition from the Petersham local centre area to the east and the existing low density residential areas to the north, west and south-west.

Based on the details contained in this Planning Proposal, as supported by the Architectural Plans and Traffic Report, the proponent requests that Site A be rezoned from IN2 to R4 High Density Residential and that Site C be rezoned to R2 Low Density Residential pursuant to the provisions of MLEP 2011. The only mechanism available for this to occur is to prepare a Planning Proposal and application to Council to amend the relevant MLEP 2011 and Map Series\_001 as relevant to subject sites for zone, FSR and Height. The Concept Plans demonstrate that the development site (Site A) is capable of redevelopment in compliance with these provisions while taking into account and respecting the existing residential amenity enjoyed by residents of the neighbouring low density development and the existing light industrial uses at the corner of Wardell Road.

This Planning Proposal has been prepared pursuant to Section 55 of the *Environmental Planning and Assessment Act 1979*, and the relevant Department of Planning Guidelines including '*A Guide to Preparing Planning Proposals*'.

The proposal is submitted to the Inner West Council for consideration and approval pursuant to the Gateway Determination and Section 56 of the *Environmental Planning and Assessment Act 1979*. The amendment need only apply to the subject sites (being No.s 183 & 203 New Canterbury Road, Lewisham).



Andrew Martin *MPIA*  
Principal

**Part 11 Links to Supporting Material**

- Architectural Plans, including shadow diagrams  
Prepared by Becerra Architects
- *Traffic and Parking Assessment Report*  
Prepared by Varga Traffic Planning
- *Geotechnical Investigation Report*  
Prepared by Benviron Group
- *Detailed Site Investigation (DSI)*  
Prepared by Benviron Group
- *Marrickville LEP 2011*  
<http://www.legislation.nsw.gov.au/#/view/EPL/2011/645>
- *Marrickville DCP 2011*  
<http://www.marrickville.nsw.gov.au/en/development/planning-controls/marrickville-dcp-2011/>
- *Marrickville Social Profile (Quick Stats)*  
<http://www.abs.gov.au/websitedbs/censushome.nsf/home/quickstats>
- *Marrickville 2023 Community Strategic Plan*  
<http://www.marrickville.nsw.gov.au/en/council/forms-and-publications/main-plans/>
- *A Plan for Growing Sydney, December 2014, NSW Government*  
<http://www.planning.nsw.gov.au/Plans-for-Your-Area/Sydney/A-Plan-for-Growing-Sydney>
- *Priorities for the Central Subregion*  
<http://www.planning.nsw.gov.au/Plans-for-Your-Area/Sydney/Sydney-Districts>

Proposed Residential Development

**183 New Canterbury Road,  
Petersham**

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**TRAFFIC AND PARKING ASSESSMENT REPORT**

3 November 2016

Ref 15883

**VARGA TRAFFIC PLANNING** Pty Ltd  
**Transport, Traffic and Parking Consultants** 

Suite 6, 20 Young Street, Neutral Bay NSW 2089 - PO Box 1868, Neutral Bay NSW 2089  
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<b>APPENDIX A</b>	<b>TRAFFIC SURVEY DATA</b>
<b>APPENDIX B</b>	<b>SIDRA MOVEMENT SUMMARIES</b>

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<b>Figure 2</b>	Site
<b>Figure 3</b>	Road Hierarchy
<b>Figure 4</b>	Existing Traffic Controls
<b>Figure 5</b>	Existing Public Transport Services
<b>Figure 6</b>	Existing Parking Restrictions

## Document Verification

<b>Location:</b>	183 New Canterbury Rd, Petersham	<b>Job Number</b>	15883
<b>Revision</b>	<b>Details</b>	<b>Prepared</b>	<b>Approved</b>
		<b>By</b>	<b>Date</b>
Final 01	Final	DL	3/11/16
		RV	3/11/16

## **1. INTRODUCTION**

This report has been prepared to accompany a planning proposal to Council for a residential development to be located at 183 New Canterbury Road, Petersham (Figures 1 and 2).

The planning proposal seeks approval to amend the planning controls on the subject site to the rezoning of the land from IN2 to R4 high density residential, thus allowing the development of a high density residential building.

Car parking will be provided in a single-level basement car parking area, and will ultimately be designed to comply with Council's requirements.

It is understood that the planning proposal also affects 203 New Canterbury Road however this site will change from IN2 to R2 low density residential, thus there is no requirement to review this site as the site already has a dwelling and off-street car parking.

The purpose of this report is to assess the traffic and parking implications of the planning proposal and to that end this report:

- describes the sites and provides details of the planning proposal
- reviews the road network in the vicinity of the sites, and the traffic conditions on that road network
- estimates the traffic generation potential of the planning proposal, and assigns that traffic generation to the road network serving the sites
- assesses the traffic implications of the planning proposal in terms of road network capacity
- reviews the geometric design features of the proposed car parking facilities for compliance with the relevant codes and standards

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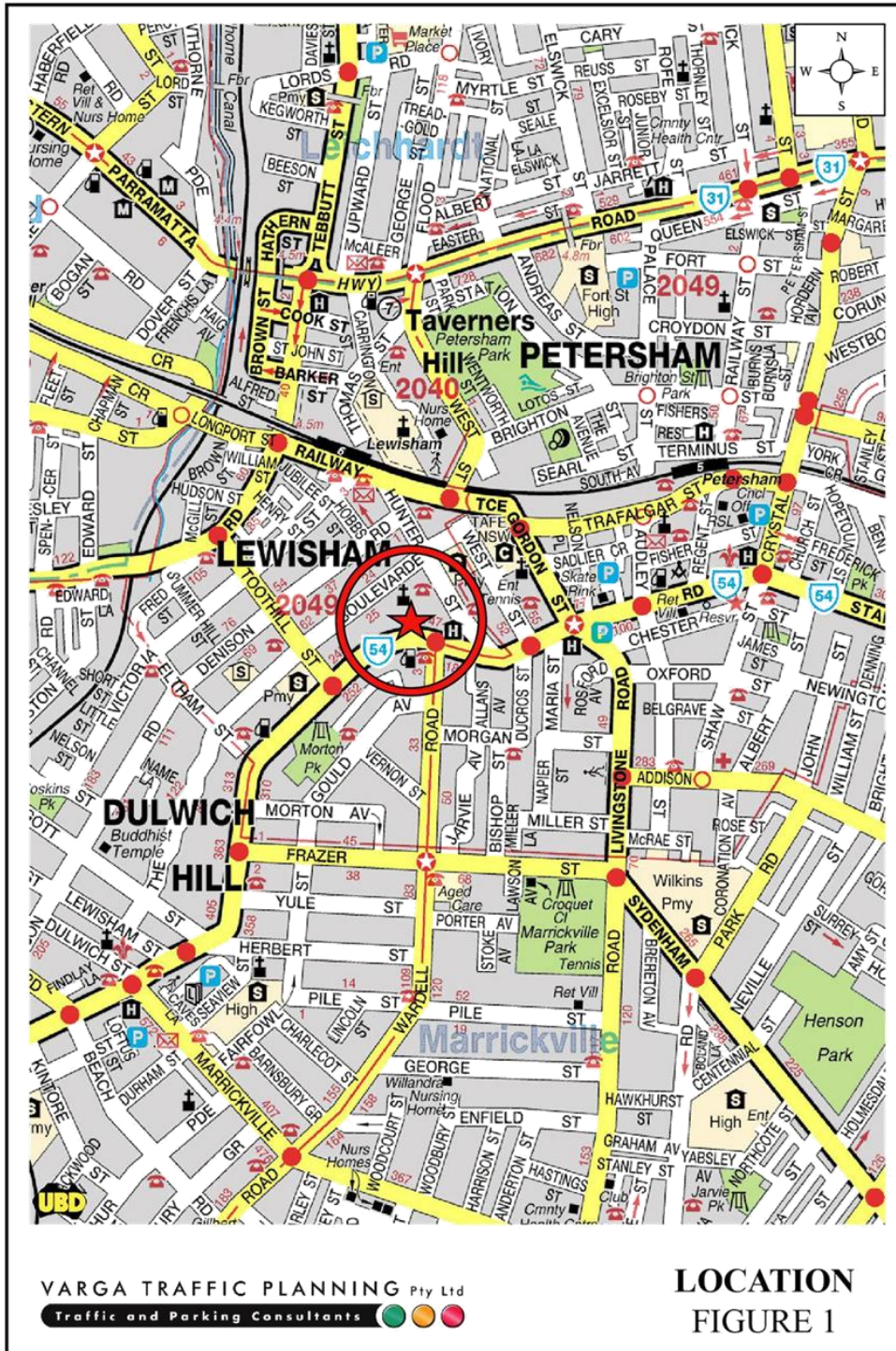
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- assesses the adequacy and suitability of the quantum of off-street car parking provided on the sites.

**Item 6**

**Attachment 1**

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## 2. PLANNING PROPOSAL

### Site

The subject site is located on the northern side of New Canterbury Road in Petersham, adjacent to Lewisham Officeworks. The site has a street frontage of approximately 17 metres in length to New Canterbury Road and occupies an area of approximately 1,110m<sup>2</sup>.

The site is located approximately 750m walking distance south-east of Lewisham Railway Station, and 850m walking distance from Petersham Railway Station.

The site is currently occupied by a two-storey commercial building with a cumulative floor area of approximately 1,800m<sup>2</sup>. Vehicular access to the site is currently provided directly via New Canterbury Road.

### Existing Planning Controls

The primary instrument that governs the mass and scale of the development on the sites are contained within the *Marrickville Local Environmental Plan (MLEP) 2011*. The subject site is currently zoned *IN2 – Light Industrial*, subject to a FSR of 0.95 without height controls.

It is therefore envisaged that a light industrial development comprising a cumulative floor area of 1,055m<sup>2</sup> could be achieved under the current planning controls on No. 183 New Canterbury Road.

### Planning Proposal

The planning proposal seeks approval to amend the planning controls of the site to permit a high density residential development comprising a total of 20 apartments as follows:

Studio apartments:	2
1 bedroom apartments:	9
2 bedroom apartments:	9
<b>TOTAL APARTMENTS:</b>	<b>20</b>
	5



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Off-street car parking will ultimately be provided in a single-level basement car parking area, and will be designed to be provided in accordance with Council's requirements.

Plans of the proposed development have been prepared by *Architects Becerra* and are reproduced in the following pages.

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**1** GROUND FLOOR PLAN  
1:100

B Issued for planning approval A8 Issued for review	VJ 18/7/16 AB 03/06/16	 <p><b>Architects Becerra</b> 1/11-1/12 New Canterbury Rd Camptonville NSW 2050 t 152 2025 2230 e architects@becerra.com.au www.becerra.com.au</p>	Project		Planning proposal 183 & 218 New Canterbury Rd ILLUMINATE LIVING PTY LTD 183 Ground floor		Drawn By	Checked By	Date	Scale	Project No. Drawing No. Revision	
				Client	Title							



### **3. TRAFFIC ASSESSMENT**

#### **Road Hierarchy**

The road hierarchy allocated to the road network in the vicinity of the site by the Roads and Maritime Services is illustrated on Figure 3.

New Canterbury Road/Stammore Road are classified by the RMS as a *State Road* and provide the key road link in the area, linking Hurlstone Park and Newtown. They typically carry two traffic lanes in each direction in the vicinity of the site.

Parramatta Road is classified by the RMS as a *State Road* and also provides the key east-west road link in the area, linking Parramatta and the Sydney CBD. It typically carries three traffic lanes in each in the vicinity of the site, with opposing traffic flows separated by a central concrete median island.

Sydenham Road, Livingstone Road, Gordon Street and Railway Terrace are also classified by the RMS as *State Roads* which provide a key north-south road link in the area, linking Sydenham to Lewisham. They typically carry two traffic lanes in each direction in the vicinity of the site.

Wardell Road is a local, unclassified road which is primarily used to provide vehicular and pedestrian access to frontage properties. Kerbside parking is generally permitted on both sides of Wardell Road.

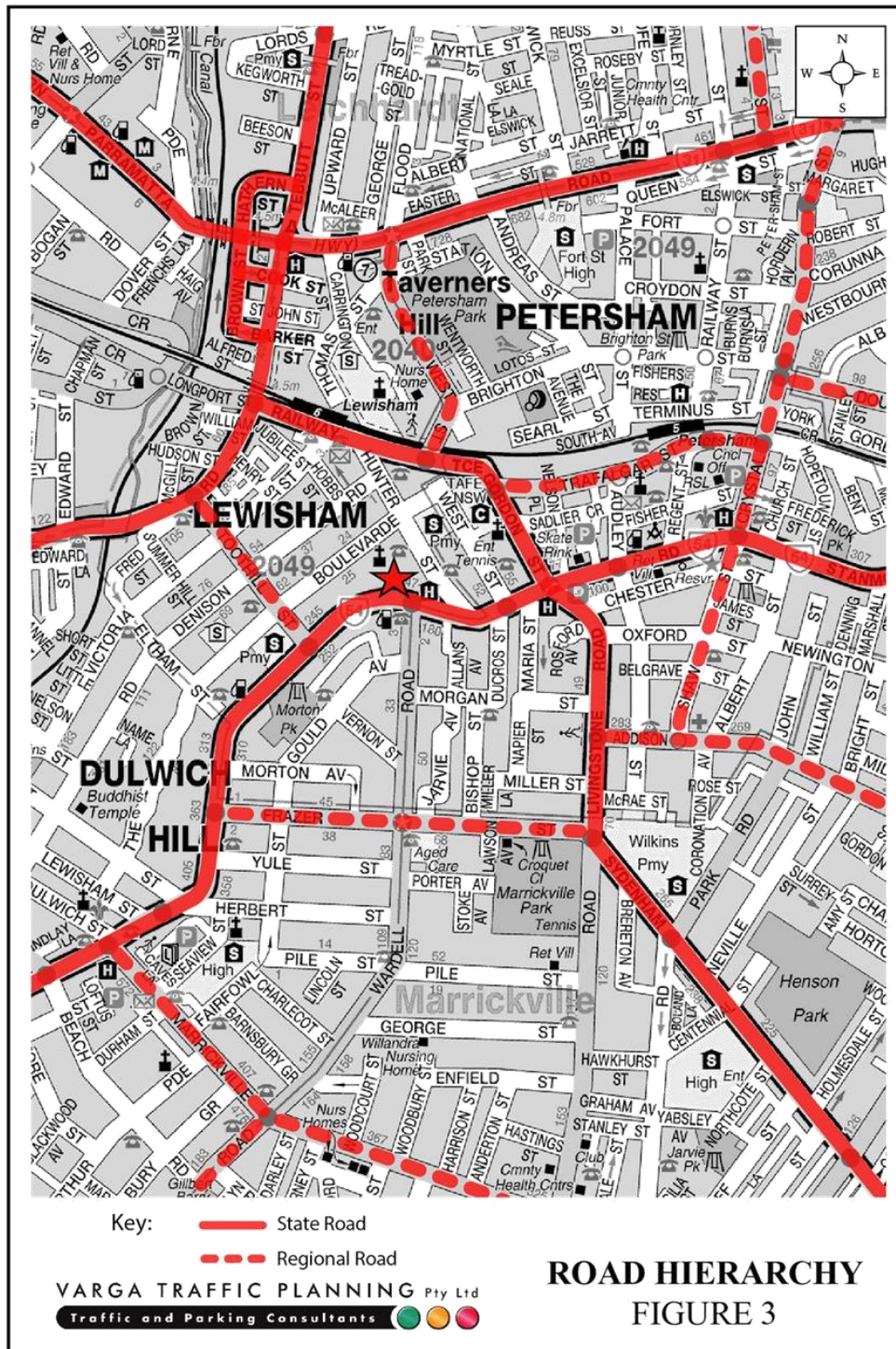
#### **Existing Traffic Controls**

The existing traffic controls which apply to the road network in the vicinity of the site are illustrated on Figure 4. Key features of those traffic controls are:

- a 60 km/h SPEED LIMIT which applies to New Canterbury Road
- a 50 km/h SPEED LIMIT which applies to Wardell Road and all other local roads in the area



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- TRAFFIC SIGNALS in New Canterbury Road where it intersects with Wardell Road, West Street and also Gordon Street
- TURN BAYS at key locations along New Canterbury Road turning into side streets and vice versa.

**Existing Traffic Conditions**

An indication of the existing traffic conditions on the road network in the vicinity of the site is provided by peak period traffic surveys undertaken as part of this traffic study. The traffic surveys were undertaken in New Canterbury Road where it intersects with Wardell Road. The results of the traffic surveys are reproduced in full in Appendix A and reveal that:

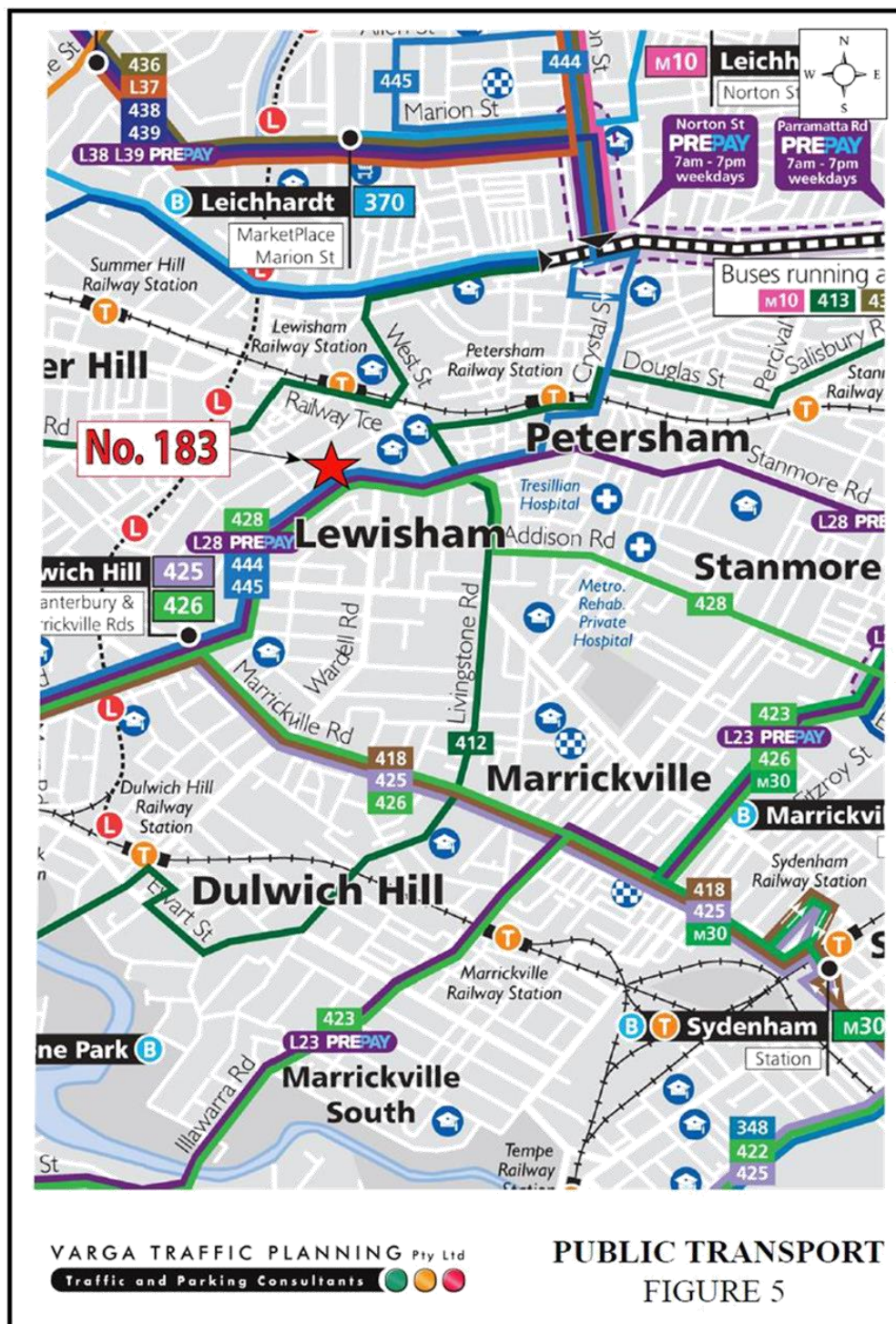
- two-way traffic flows in New Canterbury Road are typically in the order of 1,400-1,700 vehicles per hour (vph) during peak periods
- two-way traffic flows in Wardell Road are typically in the order of 550 vph during peak periods.

**Existing Public Transport Services**

The existing public transport services located in close proximity to the site are illustrated on Figure 5.

The subject site is located approximately 750m walking distance of Lewisham Railway Station and approximately 850m walking distance to Petersham Railway Station.

Both the stations are on the T2 Inner West & South Line which operates services between Sydney CBD and Macarthur, passing by major rail network interchanges at Liverpool, Clyde, Lidcombe, Strathfield, Redfern and Central. Services at Lewisham Railway Station operate at a frequency of approximately 15 minute intervals throughout the day.





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In addition to the train services, there are approximately 270 bus services travelling along New Canterbury Road on weekdays, decreasing to approximately 180 bus services per day on Saturdays and approximately 120 services on Sunday and public holidays, as set out below:

Bus Routes and Frequencies							
Route No.	Route	Weekdays		Saturday		Sunday	
		IN	OUT	IN	OUT	IN	OUT
428	Canterbury to City via Newtown	72	74	51	49	40	37
L28	Canterbury to City via Newtown	8	8	N/A	N/A	N/A	N/A
444	Campsie to Balmain East	37	35	16	9	11	8
445	Campsie to Balmain East	18	20	25	30	15	15
<b>TOTAL</b>		<b>135</b>	<b>137</b>	<b>92</b>	<b>88</b>	<b>66</b>	<b>60</b>

All of the abovementioned bus services provide access to suburban railway stations such as Petersham, Canterbury, Newtown, Town Hall and Central. A number of the abovementioned bus services also provide access to Lilyfield Light Rail Station and Balmain East Wharf.

In the circumstances, it is considered that the site is readily accessible by public services.

### Projected Traffic Generation

An indication of the traffic generation potential of the development proposal is provided by reference to the Roads and Maritime Services publication *Guide to Traffic Generating Developments, Section 3 - Landuse Traffic Generation (October 2002)* and the updated traffic generation rates in the recently published RMS *Technical Direction (TDT 2013/04a)* document.

The *TDT 2013/04a* document specifies that it replaces those sections of the RMS *Guide* indicated, and that it must be followed when RMS is undertaken trip generation and/or parking demand assessments.

The RMS *Guidelines* and the updated *TDT 2013/04a* are based on extensive surveys of a wide range of land uses and nominate the following traffic generation rates which are applicable to the development proposal:

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**High Density Residential Flat Dwellings**

AM:	0.19 peak hour vehicle trips/unit
PM:	0.15 peak hour vehicle trips/unit

Application of the above traffic generation rates to the planning proposal yields a traffic generation potential of approximately 4 vehicle trips per hour (vph) and 3 vph during the AM and PM commuter peak periods respectively.

That projected future traffic generation potential which could occur as a consequence of the planning proposal should however, be offset or *discounted* by the volume of traffic which could reasonably be expected to be generated by a development permitted under the current *MLEP 2011* planning controls.

Application of the *industrial* traffic generation rate of “1.0 peak hour vehicle trips per 100m<sup>2</sup> GFA” nominated in the RMS *Guidelines* to the commercial floor areas permissible under the current *MLEP 2011* planning controls yields a peak hour traffic generation potential of approximately 11 vph during the AM and PM commuter peak periods.

Accordingly, it is clear that the planning proposal would *not* result in *any* increase in the traffic generation potential of the site during both the AM and PM commuter peak periods when compared with a development permissible under the existing planning controls, as set out below:

**Projected Nett Decrease in the Traffic Generation Potential of the Site  
as a Consequence of the Planning Proposal**

	AM	PM
Projected Future Traffic Generation Potential:	3.8 vph	3.0 vph
Less Existing Traffic Generation Potential:	-10.6 vph	-10.6 vph
<b>NETT DECREASE IN TRAFFIC GENERATION POTENTIAL:</b>	<b>-6.8 vph</b>	<b>-7.6 vph</b>

Notwithstanding, for the purposes of this assessment it has been assumed that *all* of the projected future traffic flows of 4 vph and 3 vph in the AM and PM commuter peak periods respectively, will be new or *additional* to the existing traffic flows currently using the adjacent road network.

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That projected increase in the traffic generation potential of the site as a consequence of the planning proposal is minimal and will clearly not have any unacceptable traffic implications in terms of road network capacity, as is demonstrated by the following section of this report.

**Traffic Implications - Road Network Capacity**

The traffic implications of development proposals primarily concern the effects that any *additional* traffic flows may have on the operational performance of the nearby road network. Those effects can be assessed using the SIDRA program which is widely used by the RMS and many LGA's for this purpose. Criteria for evaluating the results of SIDRA analysis are reproduced in the following pages.

The results of the SIDRA analysis of the New Canterbury Road and Wardell Road intersection are summarised on Table 3.1 below, revealing that:

- the intersection currently operates at *Levels of Service "C"* and *"B"* during the AM and PM commuter peak periods respectively
- under the projected future traffic demands which could be generated by a light industrial development permitted under the *existing planning controls*, the intersection would operate at *Levels of Service "C"* and *"B"* during the AM and PM commuter peak periods respectively
- under the projected future traffic demands expected to be generated by the *planning proposal*, the intersection will continue to operate at *Levels of Service "C"* and *"B"* during the AM and PM commuter peak periods respectively, with increases in total average vehicle delays of *less than* 1 second/vehicle.

The SIDRA movement summaries are reproduced in Appendix B.

In summary, the results of the SIDRA capacity analysis confirm that the New Canterbury Road/Wardell Road intersection would continue to operate at current Levels of Service, with no appreciable increase in total average vehicle delays.



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The capacity analysis indicates that no road improvements or intersection upgrades would be required as a consequence of the planning proposal.

<b>TABLE 3.1 - RESULTS OF SIDRA ANALYSIS OF NEW CANTERBURY ROAD &amp; WARDELL ROAD</b>						
<b>Key Indicators</b>	<b>Existing Traffic Demand</b>		<b>Existing Planning Controls Traffic Demand</b>		<b>Planning Proposal Traffic Demands</b>	
	<b>AM</b>	<b>PM</b>	<b>AM</b>	<b>PM</b>	<b>AM</b>	<b>PM</b>
<b>Level of Service</b>	C	B	C	B	C	B
<b>Degree of Saturation</b>	0.535	0.456	0.538	0.477	0.537	0.456
<b>Average Vehicle Delay (secs/veh)</b>						
Wardell Road (South) L	11.9	38.8	11.6	37.2	11.3	38.8
R	39.2	52.2	39.3	50.6	39.2	52.2
New Canterbury Road (East) L	50.1	19.0	51.4	20.2	52.2	19.0
T	44.5	13.5	45.8	14.7	46.6	13.5
New Canterbury Road (West) T	18.9	7.6	19.0	8.5	19.0	7.6
R	26.0	21.3	26.3	22.6	26.3	21.3
<b>TOTAL AVERAGE VEHICLE DELAY</b>	<b>28.1</b>	<b>17.3</b>	<b>28.7</b>	<b>18.4</b>	<b>28.6</b>	<b>17.3</b>
<div>NEW_WAR_Existing      NEW_WAR_Permissible      NEW_WAR_Proposed</div>						

## Criteria for Interpreting Results of Sidra Analysis

### 1. Level of Service (LOS)

LOS	Traffic Signals and Roundabouts	Give Way and Stop Signs
'A'	Good operation.	Good operation.
'B'	Good with acceptable delays and spare capacity.	Acceptable delays and spare capacity.
'C'	Satisfactory.	Satisfactory but accident study required.
'D'	Operating near capacity.	Near capacity and accident study required.
'E'	At capacity; at signals incidents will cause excessive delays. Roundabouts require other control mode.	At capacity and requires other control mode.
'F'	Unsatisfactory and requires additional capacity.	Unsatisfactory and requires other control mode.

### 2. Average Vehicle Delay (AVD)

The AVD provides a measure of the operational performance of an intersection as indicated on the table below which relates AVD to LOS. The AVD's listed in the table should be taken as a guide only as longer delays could be tolerated in some locations (ie inner city conditions) and on some roads (ie minor side street intersecting with a major arterial route).

Level of Service	Average Delay per Vehicle (secs/veh)	Traffic Signals, Roundabout	Give Way and Stop Signs
A	less than 14	Good operation.	Good operation.
B	15 to 28	Good with acceptable delays and spare capacity.	Acceptable delays and spare capacity.
C	29 to 42	Satisfactory.	Satisfactory but accident study required.
D	43 to 56	Operating near capacity.	Near capacity and accident study required.
E	57 to 70	At capacity; at signals incidents will cause excessive delays. Roundabouts require other control mode.	At capacity and requires other control mode.

### 3. Degree of Saturation (DS)

The DS is another measure of the operational performance of individual intersections.

For intersections controlled by traffic signals<sup>1</sup> both queue length and delay increase rapidly as DS approaches 1, and it is usual to attempt to keep DS to less than 0.9. Values of DS in the order of 0.7 generally represent satisfactory intersection operation. When DS exceeds 0.9 queues can be anticipated.

For intersections controlled by a roundabout or GIVE WAY or STOP signs, satisfactory intersection operation is indicated by a DS of 0.8 or less.

<sup>1</sup> The values of DS for intersections under traffic signal control are only valid for cycle length of 120 secs.

## 4. PARKING IMPLICATIONS

### Existing Kerbside Parking Restrictions

The existing kerbside parking restrictions which apply to the road network in the vicinity of the site are illustrated on Figure 6 and comprise:

- CLEARWAY restrictions along New Canterbury Road during commuter peaks
- 2 HOUR parking on the eastern side of Wardell Road
- BUS ZONES at regular intervals along both sides of New Canterbury Road
- generally UNRESTRICTED kerbside parking throughout the local area.

### Off-Street Car Parking Provisions

The off-street parking requirements applicable to the development proposal are specified in Council's *Development Control Plan Part 2 – Generic Provisions 2.10 Parking* and the *SEPP (Affordable Rental Housing) 2009* documents in the following terms:

#### Residential Flat Buildings (Parking Area 2)

studio:	0.4 spaces per unit
1 bedroom:	0.5 spaces per unit
2 bedroom:	1.0 spaces per unit
3+ bedroom:	1.2 spaces per unit
visitors	0.1 space per unit

Application of the above parking requirements to the planning proposal yields an off-street parking requirement of 16 spaces for the proposed development, as set out in the table below:

#### Planning Proposal Off-Street Parking Requirements

DCP Residential Parking:	14.3 spaces
DCP Visitor Parking:	2.0 spaces
<b>TOTAL PARKING REQUIRED:</b>	<b>16.3 spaces</b>

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Preliminary plans prepared for the purpose of the planning proposal have confirmed that the above parking requirements can be satisfied on the subject site.

The geometric design layout of the future car parking facilities have been designed to comply with Standards Australia publication *Parking Facilities Part 1 - Off-Street Car Parking AS2890.1* and *Parking Facilities Part 6 - Off-Street Parking for People with Disabilities AS2890.6*.

In summary, the off-street parking requirements of the planning proposal can be satisfied in accordance with the requirements of Council's DCP and the relevant Australian Standards.

### **Conclusion**

Based on the analysis and discussions presented within this report, the following conclusions are made:

- the planning proposal seeks approval to amend the planning controls of the site to permit a high density residential development on the site, comprising a total of 20 apartments
- the capacity analysis of nearby intersections using the SIDRA capacity analysis program indicates that:
  - the projected additional traffic flows will not have any adverse effects on the operational performance of the nearby intersections, and
  - no road improvements or intersection upgrades would be required as a consequence of the planning proposal
- the future car parking facilities will be provided and designed in accordance with Council's requirements and the relevant Australian Standards
- the future vehicular access arrangements will be developed in close accordance with Council and RMS requirements.

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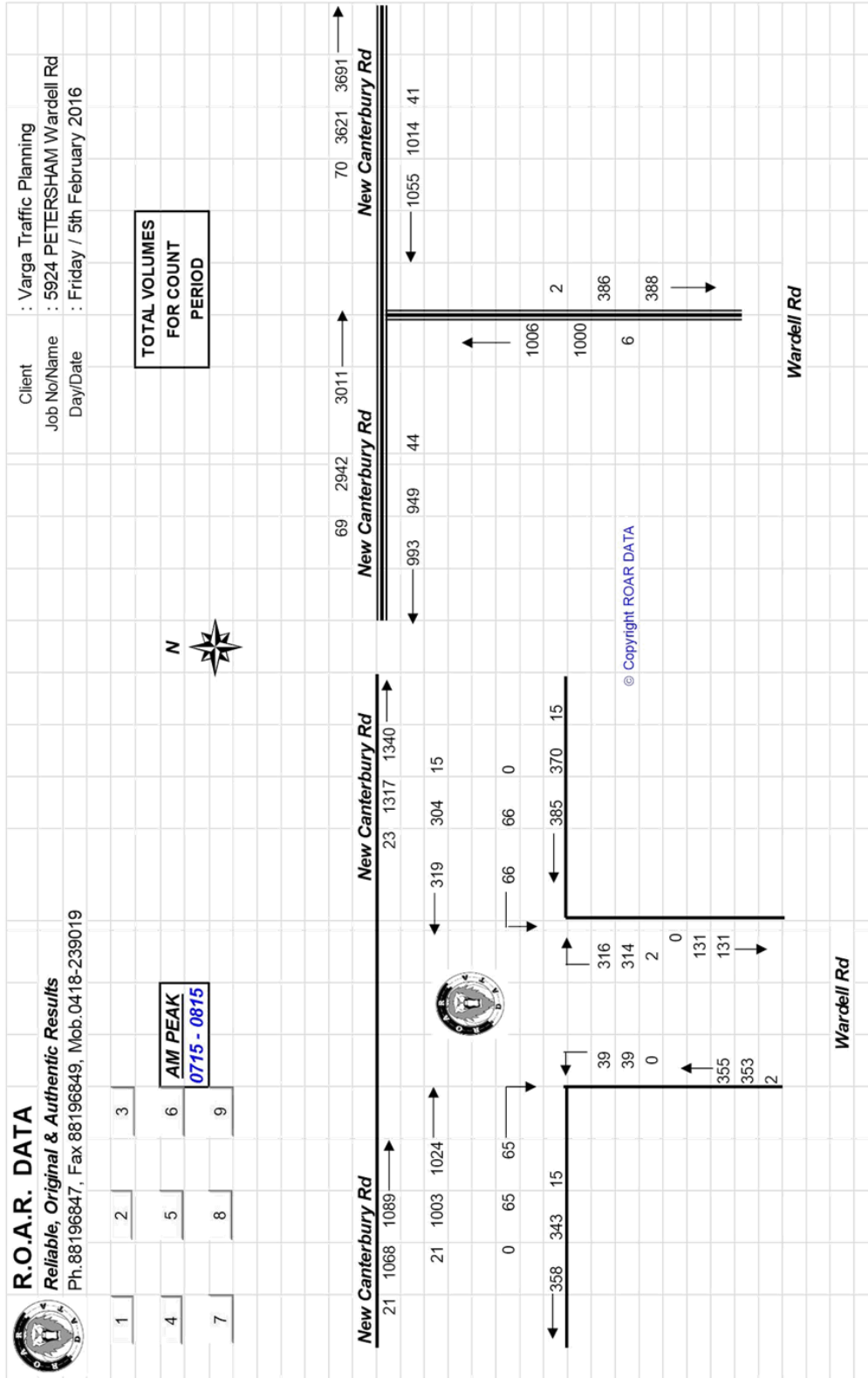
VARGA TRAFFIC PLANNING PTY LTD

**APPENDIX A**

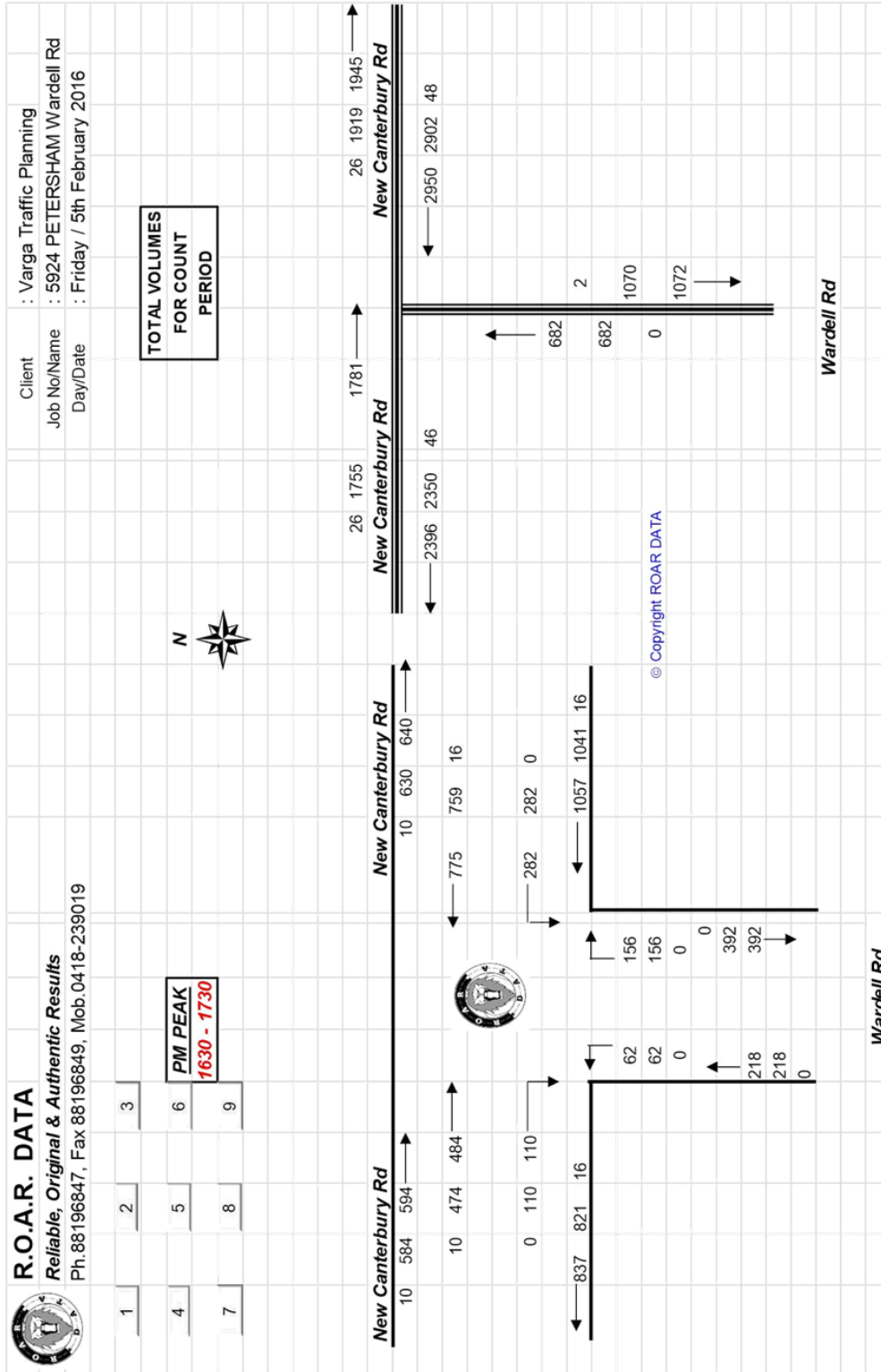
**TRAFFIC SURVEY DATA**

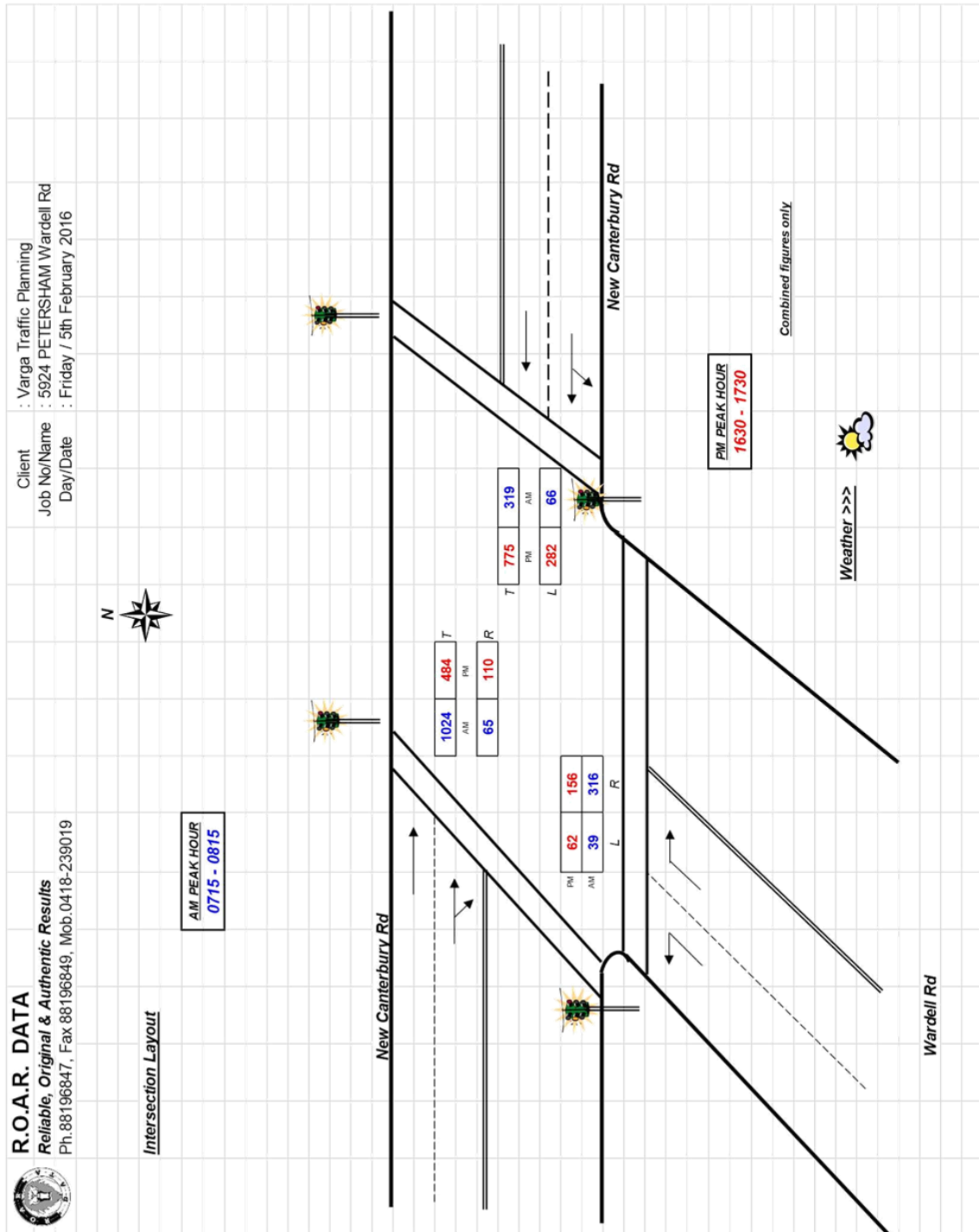


<b>R.O.A.R. DATA</b> <b>Reliable, Original &amp; Authentic Results</b> Ph.88196847, Fax 88196849. Mobile 0418239019  Client : Varga Traffic Planning Job No/Name : 5924 PETERSHAM Wardell Rd Day/Date : Friday / 5th February 2016														
Lights			WEST New Canterbury Rd			SOUTH Wardell Rd			EAST New Canterbury Rd			PEDS		
Time Per	I	R	I	R	L	I	R	L	I	R	L	Peak Per	I	R
0630 - 0645	217	9	6	70	8	53	363					0630 - 0730	13	5
0645 - 0700	255	5	8	65	15	52	400					0645 - 0745	20	7
0700 - 0715	264	16	8	81	11	52	432					0700 - 0800	22	9
0715 - 0730	265	17	10	89	15	81	477					0715 - 0815	26	11
0730 - 0745	247	16	10	72	14	62	421					0730 - 0830	25	10
0745 - 0800	253	14	11	59	19	85	441					0745 - 0845	27	11
0800 - 0815	238	18	8	94	18	76	452					0800 - 0900	23	9
0815 - 0830	192	16	15	69	15	70	377					0815 - 0915	22	7
0830 - 0845	193	20	13	71	26	70	393					0830 - 0930	21	3
0845 - 0900	250	20	17	73	19	52	431					PEAK HR	26	10
0900 - 0915	202	21	21	54	23	74	395							
0915 - 0930	182	12	10	66	19	85	374							
Per End	2758	184	137	863	202	812	4956							
Lights			WEST New Canterbury Rd			SOUTH Wardell Rd			EAST New Canterbury Rd			PEDS		
Time Per	I	R	I	R	L	I	R	L	I	R	L	Peak Per	I	R
0630 - 0645	217	9	6	70	8	53	363					0630 - 0730	13	5
0645 - 0700	255	5	8	65	15	52	400					0645 - 0745	20	7
0700 - 0715	264	16	8	81	11	52	432					0700 - 0800	22	9
0715 - 0730	265	17	10	89	15	81	477					0715 - 0815	26	11
0730 - 0745	247	16	10	72	14	62	421					0730 - 0830	25	10
0745 - 0800	253	14	11	59	19	85	441					0745 - 0845	27	11
0800 - 0815	238	18	8	94	18	76	452					0800 - 0900	23	9
0815 - 0830	192	16	15	69	15	70	377					0815 - 0915	22	7
0830 - 0845	193	20	13	71	26	70	393					0830 - 0930	21	3
0845 - 0900	250	20	17	73	19	52	431					PEAK HR	26	10
0900 - 0915	202	21	21	54	23	74	395							
0915 - 0930	182	12	10	66	19	85	374							
Per End	2758	184	137	863	202	812	4956							
Lights			WEST New Canterbury Rd			SOUTH Wardell Rd			EAST New Canterbury Rd			PEDS		
Time Per	I	R	I	R	L	I	R	L	I	R	L	Peak Per	I	R
0630 - 0645	217	9	6	70	8	53	363					0630 - 0730	13	5
0645 - 0700	255	5	8	65	15	52	400					0645 - 0745	20	7
0700 - 0715	264	16	8	81	11	52	432					0700 - 0800	22	9
0715 - 0730	265	17	10	89	15	81	477					0715 - 0815	26	11
0730 - 0745	247	16	10	72	14	62	421					0730 - 0830	25	10
0745 - 0800	253	14	11	59	19	85	441					0745 - 0845	27	11
0800 - 0815	238	18	8	94	18	76	452					0800 - 0900	23	9
0815 - 0830	192	16	15	69	15	70	377					0815 - 0915	22	7
0830 - 0845	193	20	13	71	26	70	393					0830 - 0930	21	3
0845 - 0900	250	20	17	73	19	52	431					PEAK HR	26	10
0900 - 0915	202	21	21	54	23	74	395							
0915 - 0930	182	12	10	66	19	85	374							
Per End	2758	184	137	863	202	812	4956							
Lights			WEST New Canterbury Rd			SOUTH Wardell Rd			EAST New Canterbury Rd			PEDS		
Time Per	I	R	I	R	L	I	R	L	I	R	L	Peak Per	I	R
0630 - 0645	217	9	6	70	8	53	363					0630 - 0730	13	5
0645 - 0700	255	5	8	65	15	52	400					0645 - 0745	20	7
0700 - 0715	264	16	8	81	11	52	432					0700 - 0800	22	9
0715 - 0730	265	17	10	89	15	81	477					0715 - 0815	26	11
0730 - 0745	247	16	10	72	14	62	421					0730 - 0830	25	10
0745 - 0800	253	14	11	59	19	85	441					0745 - 0845	27	11
0800 - 0815	238	18	8	94	18	76	452					0800 - 0900	23	9
0815 - 0830	192	16	15	69	15	70	377					0815 - 0915	22	7
0830 - 0845	193	20	13	71	26	70	393					0830 - 0930	21	3
0845 - 0900	250	20	17	73	19	52	431					PEAK HR	26	10
0900 - 0915	202	21	21	54	23	74	395							
0915 - 0930	182	12	10	66	19	85	374							
Per End	2758	184	137	863	202	812	4956							



<b>R.O.A.R. DATA</b> <i>Reliable, Original &amp; Authentic Results</i> Ph:88196847, Fax 88196849. Mobile:0418239019 Client : Varga Traffic Planning Job No/Name : 5924 PETERSHAM Wardell Rd Day/Date : Friday / 5th February 2016									
PEDS		WEST New Canterbury Rd		SOUTH Wardell Rd		EAST New Canterbury Rd		PEDS	
Time Per		I		L		I		Peak Per	
1530 - 1545	2	1		0		0		1530 - 1630	12
1545 - 1600	0	8		7		14		1545 - 1645	12
1600 - 1615	4	2		4		20		1600 - 1700	9
1615 - 1630	6	1		2		22		1615 - 1715	8
1630 - 1645	4	1		10		19		1630 - 1730	19
1645 - 1700	6	5		5		20		1645 - 1745	11
1700 - 1715	6	1		2		6		1700 - 1800	6
1715 - 1730	4	2		2		24		1715 - 1815	12
1730 - 1745	4	5		2		26		1730 - 1830	14
1745 - 1800	8	0		0		0		PEAK HR	20
1800 - 1815	8	1		8		19			
1815 - 1830	6	3		4		13			
Per End	58	30		46		134			
Heavies		WEST New Canterbury Rd		SOUTH Wardell Rd		EAST New Canterbury Rd		Combined	
Time Per		I		L		I		Time Per	
1530 - 1545	1	0		0		2		1530 - 1545	121
1545 - 1600	0	0		0		4		1545 - 1600	122
1600 - 1615	2	0		0		5		1600 - 1615	103
1615 - 1630	5	0		0		2		1615 - 1630	109
1630 - 1645	0	0		0		6		1630 - 1645	119
1645 - 1700	6	0		0		3		1645 - 1700	119
1700 - 1715	2	0		0		5		1700 - 1715	129
1715 - 1730	2	0		0		31		1715 - 1730	117
1730 - 1745	4	0		0		3		1730 - 1745	113
1745 - 1800	1	0		0		4		1745 - 1800	122
1800 - 1815	0	0		0		4		1800 - 1815	121
1815 - 1830	3	0		0		6		1815 - 1830	159
Per End	26	0		0		46		Per End	1454
									327
									191
									481
									745
									2205
									5413
Lights		WEST New Canterbury Rd		SOUTH Wardell Rd		EAST New Canterbury Rd		Combined	
Time Per		I		L		I		Time Per	
1530 - 1545	120	24		8		55		1530 - 1545	121
1545 - 1600	122	21		10		45		1545 - 1600	122
1600 - 1615	101	26		25		35		1600 - 1615	103
1615 - 1630	104	30		14		28		1615 - 1630	109
1630 - 1645	119	21		10		42		1630 - 1645	119
1645 - 1700	113	30		17		71		1645 - 1700	119
1700 - 1715	127	28		20		37		1700 - 1715	129
1715 - 1730	115	31		15		50		1715 - 1730	117
1730 - 1745	109	30		22		39		1730 - 1745	113
1745 - 1800	121	24		17		54		1745 - 1800	122
1800 - 1815	121	35		16		45		1800 - 1815	121
1815 - 1830	156	27		17		47		1815 - 1830	159
Per End	1428	327		191		491		Per End	1454
									327
									191
									481
									745
									2205
									5413
Lights		WEST New Canterbury Rd		SOUTH Wardell Rd		EAST New Canterbury Rd		Combined	
Time Per		I		L		I		Time Per	
1530 - 1630	447	101		57		150		1530 - 1630	455
1545 - 1645	446	98		59		150		1545 - 1645	453
1600 - 1700	437	107		66		132		1600 - 1700	450
1615 - 1715	463	109		61		134		1615 - 1715	476
1630 - 1730	474	110		62		156		1630 - 1730	484
1645 - 1745	464	119		74		153		1645 - 1745	478
1700 - 1800	472	113		70		180		1700 - 1800	481
1715 - 1815	466	120		70		188		1715 - 1815	473
1730 - 1830	507	116		72		185		1730 - 1830	515
PEAK HR	474	110		62		156		PEAK HR	484
									110
									156
									282
									775
									1869





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**APPENDIX B**

**SIDRA MOVEMENT SUMMARIES**



## MOVEMENT SUMMARY

 **Site: Existing AM**

New Canterbury Road & Wardell Road Intersection

Signals - Fixed Time Isolated Cycle Time = 120 seconds (Optimum Cycle Time - Minimum Delay)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: Wardell Road (south)											
1	L2	39	0.0	0.031	11.9	LOS A	0.7	5.0	0.34	0.64	49.0
3	R2	316	0.6	0.531	39.2	LOS C	14.6	103.1	0.85	0.82	35.8
Approach		355	0.6	0.531	36.2	LOS C	14.6	103.1	0.79	0.80	36.9
East: New Canterbury Road (east)											
4	L2	66	0.0	0.471	50.1	LOS D	9.9	71.1	0.92	0.78	33.5
5	T1	319	4.7	0.471	44.5	LOS D	10.0	72.5	0.92	0.77	34.4
Approach		385	3.9	0.471	45.5	LOS D	10.0	72.5	0.92	0.77	34.2
West: New Canterbury Road (west)											
11	T1	1024	2.1	0.535	18.9	LOS B	20.9	148.8	0.70	0.63	45.6
12	R2	65	0.0	0.535	26.0	LOS B	20.3	144.5	0.73	0.65	43.6
Approach		1089	1.9	0.535	19.3	LOS B	20.9	148.8	0.70	0.63	45.5
All Vehicles		1829	2.1	0.535	28.1	LOS B	20.9	148.8	0.77	0.69	40.8

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians								
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped
P1	South Full Crossing	10	42.5	LOS E	0.0	0.0	0.84	0.84
P2	East Full Crossing	11	33.0	LOS D	0.0	0.0	0.74	0.74
P4	West Full Crossing	26	33.0	LOS D	0.1	0.1	0.74	0.74
All Pedestrians		47	35.1	LOS D			0.76	0.76

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.


Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

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Organisation: VARGA TRAFFIC PLANNING | Processed: Monday, 8 February 2016 2:41:06 PM

Project: Z:\Data\Jobs\01\Jobs\Thomas\Sidra\15883 183&218 New Canterbury Rd, Petersham\NEW\_WAR\_Existing.sip6

## MOVEMENT SUMMARY

 **Site: Existing PM**

New Canterbury Road & Wardell Road Intersection

Signals - Fixed Time Isolated Cycle Time = 120 seconds (Optimum Cycle Time - Minimum Delay)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: Wardell Road (south)											
1	L2	62	0.0	0.114	38.8	LOS C	2.6	18.5	0.77	0.73	36.1
3	R2	156	0.0	0.452	52.2	LOS D	8.2	57.2	0.93	0.80	31.7
Approach		218	0.0	0.452	48.4	LOS D	8.2	57.2	0.88	0.78	32.8
East: New Canterbury Road (east)											
4	L2	282	0.0	0.456	19.0	LOS B	16.3	115.1	0.58	0.66	46.2
5	T1	775	2.1	0.456	13.5	LOS A	16.6	118.4	0.58	0.57	48.5
Approach		1057	1.5	0.456	14.9	LOS B	16.6	118.4	0.58	0.59	47.9
West: New Canterbury Road (west)											
11	T1	484	2.1	0.331	7.6	LOS A	9.8	70.2	0.42	0.39	53.1
12	R2	110	0.0	0.331	21.3	LOS B	4.6	32.6	0.63	0.70	44.2
Approach		594	1.7	0.331	10.1	LOS A	9.8	70.2	0.46	0.45	51.2
All Vehicles		1869	1.4	0.456	17.3	LOS B	16.6	118.4	0.58	0.57	46.4

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians									
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped	
P1	South Full Crossing	9	12.2	LOS B	0.0	0.0	0.45	0.45	
P2	East Full Crossing	19	47.7	LOS E	0.1	0.1	0.89	0.89	
P4	West Full Crossing	20	47.7	LOS E	0.1	0.1	0.89	0.89	
All Pedestrians		48	41.1	LOS E			0.81	0.81	

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

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## MOVEMENT SUMMARY

 **Site: Permissible AM**

New Canterbury Road & Wardell Road Intersection

Signals - Fixed Time Isolated Cycle Time = 120 seconds (Optimum Cycle Time - Minimum Delay)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: Wardell Road (south)											
1	L2	39	0.0	0.030	11.6	LOS A	0.7	4.9	0.33	0.64	49.2
3	R2	320	0.6	0.538	39.3	LOS C	14.9	104.7	0.85	0.82	35.7
Approach		359	0.6	0.538	36.3	LOS C	14.9	104.7	0.79	0.80	36.8
East: New Canterbury Road (east)											
4	L2	84	0.0	0.513	51.4	LOS D	10.5	75.5	0.94	0.79	33.0
5	T1	319	4.7	0.513	45.8	LOS D	10.6	77.3	0.94	0.78	33.9
Approach		403	3.7	0.513	47.0	LOS D	10.6	77.3	0.94	0.78	33.7
West: New Canterbury Road (west)											
11	T1	1026	2.0	0.538	19.0	LOS B	21.0	149.7	0.70	0.63	45.5
12	R2	65	0.0	0.538	26.3	LOS B	20.1	143.0	0.73	0.66	43.3
Approach		1091	1.9	0.538	19.5	LOS B	21.0	149.7	0.71	0.63	45.3
All Vehicles		1853	2.1	0.538	28.7	LOS C	21.0	149.7	0.77	0.70	40.5

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians								
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped
P1	South Full Crossing	10	43.4	LOS E	0.0	0.0	0.85	0.85
P2	East Full Crossing	11	33.0	LOS D	0.0	0.0	0.74	0.74
P4	West Full Crossing	26	33.0	LOS D	0.1	0.1	0.74	0.74
All Pedestrians		47	35.2	LOS D			0.77	0.77

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

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## MOVEMENT SUMMARY

 **Site: Permissible PM**

New Canterbury Road & Wardell Road Intersection

Signals - Fixed Time Isolated Cycle Time = 120 seconds (Optimum Cycle Time - Minimum Delay)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: Wardell Road (south)											
1	L2	62	0.0	0.108	37.2	LOS C	2.6	18.0	0.75	0.73	36.6
3	R2	174	0.0	0.477	50.6	LOS D	9.0	63.0	0.92	0.80	32.2
Approach		236	0.0	0.477	47.1	LOS D	9.0	63.0	0.88	0.78	33.2
East: New Canterbury Road (east)											
4	L2	286	0.0	0.471	20.2	LOS B	17.1	120.7	0.61	0.67	45.5
5	T1	775	2.1	0.471	14.7	LOS B	17.4	124.2	0.61	0.59	47.8
Approach		1061	1.5	0.471	16.2	LOS B	17.4	124.2	0.61	0.61	47.1
West: New Canterbury Road (west)											
11	T1	493	2.0	0.345	8.5	LOS A	10.6	75.8	0.45	0.41	52.4
12	R2	110	0.0	0.345	22.6	LOS B	4.9	34.4	0.65	0.71	43.5
Approach		603	1.7	0.345	11.1	LOS A	10.6	75.8	0.49	0.47	50.5
All Vehicles		1900	1.4	0.477	18.4	LOS B	17.4	124.2	0.60	0.58	45.7

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement.

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians								
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped
P1	South Full Crossing	9	13.1	LOS B	0.0	0.0	0.47	0.47
P2	East Full Crossing	19	46.0	LOS E	0.1	0.1	0.88	0.88
P4	West Full Crossing	20	46.0	LOS E	0.1	0.1	0.88	0.88
All Pedestrians		48	39.8	LOS D			0.80	0.80

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.

Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

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## MOVEMENT SUMMARY

 **Site: Proposed AM**

New Canterbury Road & Wardell Road Intersection

Signals - Fixed Time Isolated Cycle Time = 120 seconds (Optimum Cycle Time - Minimum Delay)

### Movement Performance - Vehicles

Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: Wardell Road (south)											
1	L2	39	0.0	0.030	11.3	LOS A	0.7	4.7	0.32	0.64	49.5
3	R2	316	0.6	0.531	39.2	LOS C	14.6	103.1	0.85	0.82	35.8
Approach		355	0.6	0.531	36.1	LOS C	14.6	103.1	0.79	0.80	36.9
East: New Canterbury Road (east)											
4	L2	66	0.0	0.510	52.2	LOS D	10.1	72.8	0.94	0.79	32.9
5	T1	319	4.7	0.510	46.6	LOS D	10.2	74.3	0.94	0.78	33.7
Approach		385	3.9	0.510	47.6	LOS D	10.2	74.3	0.94	0.78	33.6
West: New Canterbury Road (west)											
11	T1	1026	2.0	0.537	19.0	LOS B	21.0	149.5	0.70	0.63	45.5
12	R2	67	0.0	0.537	26.3	LOS B	20.0	142.1	0.73	0.66	43.3
Approach		1093	1.9	0.537	19.5	LOS B	21.0	149.5	0.70	0.63	45.3
All Vehicles		1833	2.1	0.537	28.6	LOS C	21.0	149.5	0.77	0.70	40.5

Level of Service (LOS) Method: Delay (RTA NSW).

Vehicle movement LOS values are based on average delay per movement.

Intersection and Approach LOS values are based on average delay for all vehicle movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

### Movement Performance - Pedestrians

Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Distance m	Prop. Queued	Effective Stop Rate per ped
P1	South Full Crossing	10	44.2	LOS E	0.0	0.0	0.86	0.86
P2	East Full Crossing	11	33.0	LOS D	0.0	0.0	0.74	0.74
P4	West Full Crossing	26	33.0	LOS D	0.1	0.1	0.74	0.74
All Pedestrians		47	35.4	LOS D			0.77	0.77

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)

Pedestrian movement LOS values are based on average delay per pedestrian movement.


Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

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## MOVEMENT SUMMARY

 **Site: Proposed PM**

New Canterbury Road & Wardell Road Intersection  
Signals - Fixed Time Isolated Cycle Time = 120 seconds (Optimum Cycle Time - Minimum Delay)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
South: Wardell Road (south)											
1	L2	62	0.0	0.114	38.8	LOS C	2.6	18.5	0.77	0.73	36.1
3	R2	156	0.0	0.452	52.2	LOS D	8.2	57.2	0.93	0.80	31.7
Approach		218	0.0	0.452	48.4	LOS D	8.2	57.2	0.88	0.78	32.8
East: New Canterbury Road (east)											
4	L2	282	0.0	0.456	19.0	LOS B	16.3	115.1	0.58	0.66	46.2
5	T1	775	2.1	0.456	13.5	LOS A	16.6	118.4	0.58	0.57	48.5
Approach		1057	1.5	0.456	14.9	LOS B	16.6	118.4	0.58	0.59	47.9
West: New Canterbury Road (west)											
11	T1	486	2.1	0.333	7.6	LOS A	9.9	70.7	0.43	0.39	53.1
12	R2	111	0.0	0.333	21.3	LOS B	4.7	32.7	0.63	0.70	44.1
Approach		597	1.7	0.333	10.1	LOS A	9.9	70.7	0.46	0.45	51.2
All Vehicles		1872	1.4	0.456	17.3	LOS B	16.6	118.4	0.58	0.57	46.4

Level of Service (LOS) Method: Delay (RTA NSW).  
Vehicle movement LOS values are based on average delay per movement.  
Intersection and Approach LOS values are based on average delay for all vehicle movements.  
SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.  
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).  
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Movement Performance - Pedestrians								
Mov ID	Description	Demand Flow ped/h	Average Delay sec	Level of Service	Average Back of Queue Pedestrian ped	Queue Distance m	Prop. Queued	Effective Stop Rate per ped
P1	South Full Crossing	9	12.2	LOS B	0.0	0.0	0.45	0.45
P2	East Full Crossing	19	47.7	LOS E	0.1	0.1	0.89	0.89
P4	West Full Crossing	20	47.7	LOS E	0.1	0.1	0.89	0.89
All Pedestrians		48	41.1	LOS E			0.81	0.81

Level of Service (LOS) Method: SIDRA Pedestrian LOS Method (Based on Average Delay)  
Pedestrian movement LOS values are based on average delay per pedestrian movement.  
Intersection LOS value for Pedestrians is based on average delay for all pedestrian movements.

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**Item No:** C0317 Item 7

**Subject:** **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (SEPP) FOR EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES**

**File Ref:** 17/4718/26970.17

**Prepared By:** Gill Dawson - Manager Environment and Urban Planning

**Authorised By:** Simon Manoski - Group Manager Strategic Planning

### **SUMMARY**

On 6 February 2017 the Department of Planning and Environment placed on public exhibition the draft State Environmental Planning Policy (SEPP) (**see Attachment 1**) for Educational Establishments and Child Care Facilities. The SEPP includes proposed changes to the NSW planning system intended to make it easier for schools, TAFEs, universities and child-care providers to build new facilities and refurbish / add to existing structures and sites.

Council officers have reviewed the draft against existing Council policies to determine the potential impacts and outcomes.

This report provides a summary of the draft amendments and a draft submission (**see Attachment 2**) on the amendments is attached to this report for the Council's consideration.

---

### **RECOMMENDATION**

**That Council receive and endorse this report which forms the basis of the submission to the Department of Planning and Environment on the draft SEPP for Educational Establishments and Child Care Facilities.**

---

### **BACKGROUND**

The background documents to the SEPP indicate that population growth in NSW is forecast to increase by 28% to almost ten million people by 2036. The number of children under five will climb 18 percent to over 600,000, and the total population under 15 years of age will grow by 23 per cent to more than 1.8 million. It is estimated this will result in demand for:

- an additional 15 new schools a year until 2031 (235 schools);
- refurbishment or replacement of one-third of existing school assets;
- an additional 2,700 long day child care centres required by 2036 to meet shortages and projected demand; and
- expansion of existing TAFE and universities to cater for increases in student numbers.

To deal with the significant additional pressure to be placed on existing social infrastructure the Department of Planning has produced the draft SEPP for Educational Establishments and Child Care Facilities which aims to:

- create a standalone NSW policy for all educational establishments and childcare to cover all applicable planning provisions;
- urgently accommodate additional capacity in child care facilities and schools; and

- streamline approval processes by allowing more education and childcare development to proceed without consent or without the need for a full development application (eg. exempt & complying development)

To ensure all new and refurbished social infrastructure is of high quality and consistent across the State, principles and guidelines have been proposed in the following drafts:

- Better Schools Design Guide
- Child Care Planning Guideline

### **SUMMARY OF KEY CHANGES**

The draft SEPP includes a range of controls and changes to existing provisions which the Department of Planning and Environment and the NSW Government predict will allow for significant expansion of the existing networks of schools and child care centres across Sydney. There are:

- **Site Compatibility Certificate** – These provisions will permit a school site to adopt the zoning of adjoining land to enable development that is permissible on adjoining land to also be carried out on the school site despite the provisions of the applicable LEP. These provisions will also facilitate the disposal of surplus educational sites.
- **Mandated childcare** - Requires 'centre-based childcare' as a permitted land use in IN2 (Light Industrial) and R2 (Low Density Residential).
- **Land use definitions** – New definitions for childcare facilities for inclusion in the Local Environmental Plan (LEP) Standard Template and all Inner West LEPs (Leichhardt / Marrickville / Ashfield)
- **Changing status of non-government private schools** – Non-government schools to be prescribed as public authorities through amendment to *Environmental Planning and Assessment Regulations 2000* to enable them to use development without consent provisions
- **Significant increases in the education and childcare land uses and development which can be undertaken as development without consent (including exempt development) and through the complying development certificate (CDC) process** – Greater allowance for development without consent and full development applications. Works permitted will include:
  - one storey building such as library, classroom and cafeteria (exempt)
  - car park (of not more than one storey) (exempt)
  - demolition of buildings / structures (exempt)
  - mobile childcare (exempt)
  - emergency temporary relocations of childcare services (exempt)
  - secondary/supporting building up to four (4) storeys or 22 metres (CDC)

Development without consent provisions will permit development that will allow for an increase in the numbers of student and staff numbers at the existing school that is not greater than 10% of the numbers at the site during the previous 12 months and that does not contravene any existing development condition. In other instances complying developments resulting in more than 50 new students will require an assessment by Roads and Maritime Services (RMS).

These provisions will apply to both public and private schools.

3. **Replacing Council Development Controls Plan (DCP) provisions** – The proposed SEPP and associated changes will replace similar planning controls that some development control plans have. Some of these are drawn from State and National standards, for the purpose of centre-based child care:

- numbers of children;
- age ratios of children;
- glazed areas (windows);
- operational or management plans or arrangements;
- demonstrated need or demand for child care services;
- proximity of facility to other early childhood education and care facilities;
- fencing;
- laundry and hygiene facilities;
- space requirements – indoor space;
- space requirements – outdoor space (including natural environment and shade);
- toilet and hygiene facilities;
- ventilation and natural light;
- administrative space;
- nappy change facilities; and
- any matter provided for in the *Child Care Planning Guideline*

Attachment 3 (**see attached**) summarises the key differences between existing Inner West Council (IWC) DCP provisions and the draft SEPP.

Where the draft SEPP does not replace important DCP provisions such as plans of management and hours of operation, it is recommended the final SEPP should be supplemented with requirements that replicate key DCP controls that would otherwise be lost. If this proposal is not accepted then the final SEPP should be amended to leave these DCP controls in place.

## **DISCUSSION OF KEY CHANGES**

### **1. Zoning of schools sites**

The proposed SEPP would include provisions allowing site compatibility certificates to be issued to permit a school site to adopt the zoning of adjoining land to enable development and specifically facilitate the disposal of surplus educational sites.

This provision contradicts the listed aims and objectives of the SEPP which include an urgent need for new schools (15 a year for 20 years) and additional capacity within existing schools. This was an issue during the translation of Council LEPs into the NSW government Standard Template. The varied and inconsistent zoning of many schools across Sydney is a result of that process. Council's submission objects to this proposed provision on the basis that SP2 (Infrastructure) is the most appropriate zoning for educational facilities.

In former Leichhardt, Ashfield and Marrickville Councils educational establishments are currently zoned SP2 (Infrastructure) within existing local environmental plans.

### **2. Mandates 'centre-based childcare' as a permitted land use in IN2 (Light Industrial)**

As identified in former Leichhardt Council's Industrial Lands study it is essential that these lands zoned for employment generating purposes be retained for job provision now and into the future. Currently the LEPs of former Marrickville and Ashfield Councils permit childcare facilities within the IN2 zone with consent. When the three LEPs are consolidated these designations will be the subject of review. Mandating childcare in the IN2 zone could result in further loss or fragmentation of industrial lands and increases the propensity for land use conflicts. Adjoining industrial uses and the associated pollution, noise, truck movements etc could have significant detrimental

impacts upon the amenity and possibly health of children attending proposed new facilities.

Council's submission object's to this provision because of the risk it poses for the loss of industrial land and potential impacts on children's health.

### **3. Expansion of education and childcare development without consent and exempt and complying provisions**

The significant range of land uses, development and works allowed using these provisions could see a substantial increase in the capacity of existing school sites and establishment of new school and child care facilities. This would include private schools recognised as public authorities. The same provisions may also remove a consent authority's ability to mitigate the impacts or refuse elements / whole proposals that would have unacceptable amenity impacts on neighbouring residents and businesses, plus the future users of these facilities. For example under the Draft SEPP:

- No masterplanning is required for individual sites or precincts to determine the long-term needs and cumulative impacts
- The SEPP does not explicitly state that its provisions do not apply to existing or draft heritage items and heritage conservation areas.
- Bush fire prone land and coastal wetlands are not excluded from new development without consent and exempt & complying provisions
- Councils do not retain the ability to set conditions on developments to minimise impacts on existing local communities, including hours of operation and size of car parking facilities
- Non-discretionary development standards, such as locations, proximity to other facilities and site area/coverage/dimensions is not a matter for consideration.

These provisions, under the changes, will apply to both public and private schools. Council should express concern about how this provision could lead to poor development outcomes with adverse impacts on surrounding communities and on the pupils and teachers of schools that expand without consent using exempt and complying provisions.

### **4. Development Controls Plans (DCPs)**

The draft SEPP provisions aim to replace the planning objectives and controls for child care and education that are in some development control plans (see examples page 3). This would reduce Council's ability to implement controls specific to local areas and assess the merits and need for individual proposals. On particular the proposed SEPP would supersede the Leichhardt DCP that sets a maximum capacity of 90 childcare places. This will likely substandard development outcomes which do not best serve the established community.

### **5. Unencumbered indoor and outdoor space requirements**

The draft SEPP encourages the early involvement of the relevant regulatory authority, which is supported. The proposed mechanism whereby consent authorities can submit centre-based childcare development applications for regulatory authority concurrence seeking a reduction in established base minimum requirements is opposed. Minimum space allocations per child are set to facilitate child welfare and learning and should not be able to be varied on a case by case basis, as this would result in a lack of consistency and equality across the sector.

### **6. Need for capacity limits**

Eliminating strict numerical limits for expanding schools while listing more potential development/works as development without consent or exempt/complying development will restrict consent authorities ability to mitigate the cumulative impacts. Growing cumulative impacts emphasise the need for master planning of precincts to determine long-term infrastructure need. This could result in further overcrowding and deterioration of school infrastructure as well as greater environmental impacts and should be moderated to facilitate Council involvement.

For any changes to standard metrics there needs to be evidence that demonstrates the proposed reduce metrics would result in beneficial outcomes for children and the surrounding community.

## **7. Consultation with Councils**

Requirements of the SEPP for consultation are vague and open to interpretation by the relevant public authority including designated non-government schools, to determine whether there will be development impacts on Council infrastructure and/or services.

This draft SEPP will reduce Councils involvement in educational establishment provision, through more State Significant Development and possible introduction of JRPP / Sydney Planning Panels decisions. This will make it difficult for local government to ensure that schools are well-placed and that their impacts upon existing residents and businesses are not detrimental. This includes clause 36, which allows State significant development to ignore local environmental plans which have already been endorsed by the Minister and publicly exhibited.

This provision should be revised to ensure that Councils can challenge adverse development impacts that are understated by public authorities.

## **8. Zoning matters to be addressed**

- Opposition to 'centre-based child care' within IN1 (General Industrial) zone due to potential amenity impacts on children including noise and pollution.
- 'Mobile child care' as exempt development should be limited to certain zones.
- Exempt and Complying development in existing schools should only be allowed within prescribed zones.

## **9. Land use / LEP issues to be addressed**

- 'Staff accommodation' should be restricted in same way as student accommodation.
- The draft SEPP should exclude land identified in clause 5.3 of the Standard Instrument (Development near zone boundaries), including land within a coastal zone.
- Section 14 (6) of the draft SEPP should be reviewed or removed, which categorises land as adjacent to other land even if separated by a road as this is inconsistent with other instruments. At the least 'classified roads' should be excluded.
- The draft SEPP needs to include Australian Noise Exposure Forecast (ANEF) exclusions for certain land identified in clause 1.19 (1)(h) of the Exempt and Complying Codes SEPP and section 117 Direction 3.5 (Development near Licensed Aerodromes).
- Schedule 1 should be consistent with other NSW government legislation and directions, for example the Standard Instrument and the Exempt and Complying

Codes SEPP. Currently Schedule 1 permits development for carports and fences which is inconsistent with the Codes SEPP.

- Schedule 2 – Should include a definition for ‘habitable room’ and ‘principle private open space’.
- Schedule 3 Section 3 (1) and (2) will potentially allow for multiple buildings within university grounds to fall under complying development provisions. The controls should relate to FSR control set as per clause 40 (2)(c) of the draft SEPP, drawn from a local environmental plan (LEP).

#### **10. Amenity / urban design issues to be addressed**

- Solar access requirements for existing TAFE establishments differ from those for schools. To ensure consistency these standards should be incorporated into a separate schedule similar to those for other development types.
- Schedule 2 – Using a mean ground level as the draft SEPP proposes is a crude tool if setting development parameters and will lead to poor development outcomes.
- Allowing building heights for new schools to 4 storeys / 22 metres as complying development is excessive. Schools are quite often located within low rise residential neighbourhoods and ensuring an acceptable interface between the school and adjoining properties is of an appropriate size and scale is not possible under the current draft SEPP.

#### **FINANCIAL IMPLICATIONS**

Nil.

#### **OTHER STAFF COMMENTS**

Nil.

#### **PUBLIC CONSULTATION**

The Draft SEPP was on public exhibition until 24 March 2017.

The Department of Planning and Environment has agreed that Councils can make submissions up to 7 April 2017.

#### **CONCLUSION**

The challenges posed by rapid population growth in Sydney and the need to cater for the corresponding large demand for new educational facilities and child care centres is acknowledged.

New policy and new plans are needed to provide this social infrastructure which addresses the need while not detrimentally affecting existing local suburbs and ensuring the quality of the schools and child care centres on offer is not continually compromised.

The draft SEPP would greatly expand development without consent provisions and exempt and complying development controls. It would also facilitate more State Significant Development and possible appointment of Joint Regional / Sydney Planning Panels to further exclude local government from the decision-making process.

The resultant cumulative increases in school capacity and new child care centres will result in further pressure on existing infrastructure and increased traffic/parking issues. The deployment of development without consent and exempt and complying development provisions to achieve these objectives will not allow consent authorities to minimise the negative impacts through development application consent conditions and proposed mitigation



measures. The consequent urban form changes of greater size and scale of building in residential neighbourhoods will have negative impacts upon local streetscapes.

Mandating child care centres across all Sydney land zoned for light industrial purposes could result in further losses of valuable employment generating lands, which the Department of Planning has previously set aside for retention (Inner West Subregional Plan, July 2008) to ensure jobs are not lost and future economic growth can be accommodated.

Much of the currently varied and inconsistent zoning of schools across Sydney is due to Department of Planning and Environment directions and guidelines during the process of standardizing all local environmental plans across the State to zone all educational facilities to whatever the adjoining zoning was, usually for residential purposes. The proposed SEPP includes site compatibility certificate provisions which would allow the zoning of educational facilities to adopt adjoining zones to facilitate the disposal of school sites. This contradicts the stated aims and objectives of the Policy, which is to deal with a deficit in land for the purpose of educational facilities and child care centres.

The weakening of development controls and the compatibility certificate provisions could result in more haphazard educational establishment and child care centre development with many negative impacts for existing residents, students, children and their families.

There is an opportunity to introduce some of these measures alongside a targeted program of precinct master planning to identify locations for these new facilities according to best practice while minimising potential detrimental impacts. Urban Growth is the NSW Government's urban transformation agency, charged primarily with facilitating residential and commercial development across Sydney and NSW. The opportunity exists that while undertaking research and investigations into locations for residential and commercial expansion, working alongside the Department of Education, Urban Growth identify locations for schools and child care centres according to evidence-based local and regional need. By removing development pressures on identified sites by including them in programs such as the Parramatta Road Urban Transformation Plan the NSW government would provide much needed clarity and certainty for the ongoing delivery of these critical items of social infrastructure.

## **ATTACHMENTS**

1. [!\[\]\(e40bb48ad1470e3a14017c64c5673877\_img.jpg\)](#) Draft SEPP for Educational Establishments and Child Care Facilities
2. [!\[\]\(de28875f44a359ca6d30bbb1d9f6cdbd\_img.jpg\)](#) Establishments and Child Care Facilities (March 2017)
3. [!\[\]\(2d84cfc19096ca16fe323c530253896b\_img.jpg\)](#) Summary of key differences between Inner West Council Development Control Plans and the draft SEPP

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New South Wales

## **State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017**

under the

Environmental Planning and Assessment Act 1979

*[The following enacting formula will be included if this Policy is made:]*

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning.

Minister for Planning

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e2016-234.d10 14 December 2016

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
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Part 1 Preliminary

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**State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017**

under the

Environmental Planning and Assessment Act 1979

**Part 1 Preliminary**

**1 Name of Policy**

This Policy is *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*.

**2 Commencement**

This Policy commences on the day on which it is published on the NSW legislation website.

**3 Aims of Policy**

The aim of this Policy is to facilitate the effective delivery of educational establishments and early childhood education and care facilities across the State by:

- (a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early childhood education and care facilities, and
- (b) simplifying and standardising planning approval pathways for educational establishments and early childhood education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and
- (c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early childhood education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and
- (d) allowing for the efficient development, redevelopment or use of surplus government-owned land, and
- (e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and
- (f) aligning the NSW planning framework with the National Quality Framework that regulates early childhood education and care services, and
- (g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early childhood education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process.

**4 Land to which Policy applies**

This Policy applies to the State.

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
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## 5 Definitions

- (1) A word or expression used in this Policy has the same meaning as it has in the Standard Instrument unless it is otherwise defined in this Policy.

**Note.** In particular, the following terms are as defined by the Standard Instrument:

**centre-based child care** means a building or place used for the education and care of children that provides any one or more of the following:

- (a) long day care,
- (b) occasional child care,
- (c) out-of-school-hours care (including vacation care),
- (d) preschool care,
- (e) a family day care service (within the meaning of the *Children (Education and Care Services) National Law (NSW)*),

but does not include:

- (f) a building or place used for home-based child care or school-based child care, or
- (g) an office of a family day care service, or
- (h) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (i) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (j) a service that is concerned primarily with the provision of private tutoring, or lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
- (k) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

**early childhood education and care facility** means a building or place used for the education and care of children, and includes any of the following:

- (a) centre-based child care,
- (b) home-based child care,
- (c) school-based child care.

**educational establishment** means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

**gross floor area** means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:
  - (i) storage, and
  - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and



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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
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- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

**ground level (existing)** means the existing level of a site at any point.

**home-based child care** means:

- (a) a family day care residence (within the meaning of the *Children (Education and Care Services) National Law (NSW)*), or
- (b) a dwelling used for the purposes of a home based education and care service (within the meaning of the *Children (Education and Care Services) Supplementary Provisions Act 2011*),

if the number of children (including any children who reside at the dwelling) does not at any one time exceed 7 children under the age of 13 years, including no more than 4 who do not ordinarily attend school.

**school** means a government school or non-government school within the meaning of the *Education Act 1990*.

**school-based child care** means a building or place within a school that is used to provide out-of-school-hours care (including vacation care) for school children.

- (2) In this Policy:

**appropriately qualified arborist** means an arborist with a minimum AQF level 5 in Arboriculture under the Australian Qualifications Framework (within the meaning of section 7 of the *Higher Education Act 2001*).

**Blue Book** means *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004), as in force at the commencement of this Policy.

**Child Care Planning Guideline** means the document titled *Child Care Planning Guideline: Planning and designing quality child care facilities in NSW*, published in the Gazette by the Secretary on [date to be inserted].

**consent** means development consent.

**draft heritage conservation area** means an area of land identified as a heritage conservation area or place of Aboriginal heritage significance in a local environmental plan that has been subject to community consultation.

**draft heritage item** means a building, work, place, tree, archaeological site or Aboriginal object that is identified as a heritage item in a local environmental plan that has been subject to community consultation.

**environmental management works** means:

- (a) works for the purpose of avoiding, reducing, minimising or managing the environmental effects of development (including effects on water, soil, air, biodiversity, traffic or amenity), and
- (b) environmental protection works.

**heritage conservation area** means land identified as a heritage conservation area or place of Aboriginal significance (or by a similar description) in an environmental planning instrument.

**local heritage item** means:

- (a) a building, work, place, relic, tree, archaeological site or Aboriginal object that is identified as a heritage item (or by a similar description) in a local environmental plan, or
- (b) an item of local heritage significance, as defined by the *Heritage Act 1977*, that is the subject of an interim heritage order in force under that Act or is listed as an item of local heritage significance on the State Heritage Inventory under that Act.

**National Quality Framework** means the national education and care services quality framework within the meaning of the *Children (Education and Care Services) National Law (NSW)*.

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Part 1 Preliminary

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**rail corridor** means land:

- (a) that is owned, leased, managed or controlled by a public authority for the purpose of a railway or rail infrastructure facilities, or
- (b) that is zoned under an environmental planning instrument predominantly or solely for development for the purpose of a railway or rail infrastructure facilities, or
- (c) in respect of which the Minister has granted approval under Part 3A or Part 5.1 or (before its repeal) Division 4 of Part 5 of the Act, or consent under Part 4 of the Act, for the carrying out of development (or for a concept plan for a project comprising or including development) for the purpose of a railway or rail infrastructure facilities.

**Note.** Copies of the Minister's approvals are available on the website of the Department of Planning.

**rail infrastructure facilities** include:

- (a) railway tracks, associated track structures, cuttings, drainage systems, fences, tunnels, ventilation shafts, emergency accessways, bridges, embankments, level crossings and roads, pedestrian and cycleway facilities, and
- (b) signalling, train control, communication and security systems, and
- (c) power supply (including overhead power supply) systems, and
- (d) railway stations, station platforms and areas in a station complex that commuters use to get access to the platforms, and
- (e) public amenities for commuters, and
- (f) associated public transport facilities for railway stations, and
- (g) maintenance, repair and stabling facilities for rolling stock, and
- (h) refuelling depots, garages, maintenance facilities and storage facilities that are for the purposes of a railway, and
- (i) railway workers' facilities, and
- (j) rail freight terminals, sidings and freight intermodal facilities,

but do not include buildings or works that are for residential, retail or business purposes and unrelated to railway purposes.

**railway station** includes any station for a metro railway (within the meaning of the *Transport Administration Act 1988*).

**site compatibility certificate** means a certificate issued under clause 13 (5).

**Standard Instrument** means the standard local environmental planning instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006* made under the Act.

**State heritage item** means an item of State heritage significance, as defined by the *Heritage Act 1977*, that is the subject of an interim heritage order in force under that Act or listed on the State Heritage Register under that Act.

**State land** means:

- (a) Crown land within the meaning of the *Crown Lands Act 1989*, or
- (b) any other land of the Crown or vested in a Minister on behalf of the Crown, or
- (c) land owned by a public authority other than:
  - (i) a council or other body established under the *Local Government Act 1993*, or
  - (ii) (to the extent that it is prescribed as a public authority under the Act) a non-government school.

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Part 1 Preliminary

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**TAFE establishment** has the same meaning as in the *Technical and Further Education Commission Act 1990*.

**tertiary institution** means a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

**the Act** means the *Environmental Planning and Assessment Act 1979*.

**the Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

**university** means an Australian university within the meaning of the *Higher Education Act 2001*.

- (3) If this Policy provides that development for a particular purpose that may be carried out without consent includes **construction works**, the following works or activities are (subject to and without limiting that provision) taken to be construction works if they are carried out for that purpose:
  - (a) accessways,
  - (b) temporary construction yards,
  - (c) temporary lay-down areas for materials or equipment,
  - (d) temporary structures,
  - (e) conduct of investigations,
  - (f) subject to any other law, clearing of vegetation (including any necessary cutting, lopping, ringbarking or removal of trees) and associated rectification and landscaping,
  - (g) demolition,
  - (h) relocation or removal of infrastructure,
  - (i) extraction of extractive materials at the construction site solely for the purpose of the construction.
- (4) A reference in this Policy to an existing educational establishment or early childhood education and care facility or other building or facility is a reference to one that is being lawfully used for the purpose concerned.
- (5) A reference in this Policy:
  - (a) to a development application, includes a reference to an application for modification to a development consent, and
  - (b) to development consent, includes a reference to the grant of an application for modification to a development consent.
- (6) A reference in this Policy to a lot or to land in a named land use zone is a reference:
  - (a) to land that, under an environmental planning instrument made as provided by section 33A (2) of the Act, is in a land use zone specified in the Standard Instrument, and
  - (b) to land that, under an environmental planning instrument that is not made as provided by section 33A (2) of the Act, is in a land use zone in which equivalent land uses are permitted to those permitted in the named land use zone.
- (7) For the purposes of this Policy, and despite any other provision of this Policy, development that is subject to a precondition that must be satisfied before it may be carried out is not development that may be carried out without consent under this Policy until the precondition is satisfied.

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Part 1 Preliminary

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- (8) Notes included in this Policy do not form part of this Policy.  
**Note.** The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Policy.

### 6 Relationship to other environmental planning instruments

- (1) Subject to subclause (2), if there is an inconsistency between this Policy and another environmental planning instrument, whether made before or after the commencement of this Policy, this Policy prevails to the extent of the inconsistency.
- (2) If there is an inconsistency between this Policy and any of the following Policies, the other Policy prevails to the extent of the inconsistency:

*State Environmental Planning Policy (Coastal Management) 2016 [On exhibition],*

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**Drafting note 2.1** *The State Environmental Planning Policy (Coastal Management) 2016 has not been made but is currently on exhibition.*

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*State Environmental Planning Policy (State and Regional Development) 2011,*  
*State Environmental Planning Policy (Three Ports) 2013.*

- (3) The fact that another environmental planning instrument (other than one referred to in subclause (2)) and this Policy specify the same development as either exempt or complying development does not of itself make this Policy and the instrument inconsistent for the purposes of subclause (1). Accordingly, that development may be carried out under this Policy or that other instrument.

**Note.** The *Environmental Planning and Assessment Regulation 2000* specifies that a person must refer to the environmental planning instrument under which the development is complying development in an application for a complying development certificate.

### 7 Review of Policy

The Minister must ensure that the provisions of this Policy are reviewed:

- (a) as soon as is reasonably practicable after the first anniversary of the commencement of this Policy, and
- (b) as soon as is reasonably practicable:
- (i) after any review of the National Quality Framework undertaken by the Federal, State and Territory Governments, or
  - (ii) after the end of each 5-year period following the commencement of this Policy, if no review of the National Quality Framework referred to in subparagraph (i) occurs within that period.



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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Part 2 General

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### Part 2 General

#### Division 1 Consultation and notification

##### 8 Consultation with councils—development with impacts on council-related infrastructure or services

- (1) This clause applies to development carried out by or on behalf of a public authority that this Policy provides may be carried out without consent if, in the opinion of the public authority, the development:
  - (a) will have a substantial impact on stormwater management services provided by a council, or
  - (b) is likely to generate traffic to an extent that will strain the capacity of the road system in a local government area, or
  - (c) involves connection to, and a substantial impact on the capacity of, any part of a sewerage system owned by a council, or
  - (d) involves connection to, and use of a substantial volume of water from, any part of a water supply system owned by a council, or
  - (e) involves the installation of a temporary structure on, or the enclosing of, a public place that is under a council's management or control that is likely to cause a disruption to pedestrian or vehicular traffic that is not minor or inconsequential, or
  - (f) involves excavation that is not minor or inconsequential of the surface of, or a footpath adjacent to, a road for which a council is the roads authority under the *Roads Act 1993* (if the public authority that is carrying out the development, or on whose behalf it is being carried out, is not responsible for the maintenance of the road or footpath).
- (2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this clause applies unless the authority or the person has:
  - (a) given written notice of the intention to carry out the development (together with a scope of works) to the council for the area in which the land is located, and
  - (b) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.

##### 9 Consultation with councils—development with impacts on local heritage

- (1) This clause applies to development carried out by or on behalf of a public authority if the development:
  - (a) is likely to affect the heritage significance of a local heritage item, or of a heritage conservation area, that is not also a State heritage item in a way that is more than minimal, and
  - (b) is development that this Policy provides may be carried out without consent.
- (2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this clause applies unless the authority or the person has:
  - (a) had an assessment of the impact prepared, and
  - (b) given written notice of the intention to carry out the development, with a copy of the assessment and a scope of works, to the council for the area in which the heritage item or heritage conservation area (or the relevant part of such an area) is located, and

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Part 2 General

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- (c) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.

**10 Notification of councils and State Emergency Service—development on flood liable land**

- (1) A public authority, or a person acting on behalf of a public authority, must not carry out, on flood liable land, development that this Policy provides may be carried out without consent and that will change flood patterns other than to a minor extent unless the authority or person has:
  - (a) given written notice of the intention to carry out the development (together with a scope of works) to the council for the area in which the land is located and the State Emergency Service, and
  - (b) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.
- (2) In this clause, **flood liable land** means land that is susceptible to flooding by the probable maximum flood event, identified in accordance with the principles set out in the manual titled *Floodplain Development Manual: the management of flood liable land* published by the New South Wales Government and as in force from time to time.

**11 Consultation with public authorities other than councils**

- (1) A public authority, or a person acting on behalf of a public authority, must not carry out specified development that this Policy provides may be carried out without consent unless the authority or person has:
  - (a) given written notice of the intention to carry out the development (together with a scope of works) to the specified authority in relation to the development, and
  - (b) taken into consideration any response to the notice that is received from that authority within 21 days after the notice is given.
- (2) For the purposes of subclause (1), the following development is **specified development** and the following authorities are **specified authorities** in relation to that development:
  - (a) development adjacent to land reserved under the *National Parks and Wildlife Act 1974* or acquired under Part 11 of that Act—the Office of Environment and Heritage,
  - (b) development adjacent to a marine park declared under the *Marine Estate Management Act 2014*—the Marine Estate Management Authority,
  - (c) development adjacent to an aquatic reserve declared under the *Marine Estate Management Act 2014*—the Department of Industry, Skills and Regional Development,
  - (d) development in the foreshore area within the meaning of the *Place Management NSW Act 1998*—Place Management NSW,
  - (e) development for the purposes of an educational establishment or school-based child care in an area that is bush fire prone land (as defined by the Act)—the NSW Rural Fire Service,

**Note.** The Act defines **bush fire prone land**, in relation to an area, as land recorded for the time being as bush fire prone land on a map certified as referred to in section 146 (2) of the Act.

**Note.** When carrying out development of a kind referred to in paragraph (e), consideration should be given to the publication of the NSW Rural Fire Service, titled *Planning for Bush Fire Protection*, 2006.



## public consultation draft

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Part 2 General

- (f) development for the purpose of an existing school:
    - (i) that is adjacent to a classified road, and
    - (ii) that will result in the school being able to accommodate 50 or more additional students,
 Roads and Maritime Service,
  - (g) development on land immediately adjacent to a rail corridor that:
    - (i) is likely to have an adverse effect on rail safety, or
    - (ii) if the rail corridor concerned is used by electric trains, involves the placing of a metal finish on a structure, or
    - (iii) involves the use of a crane in air space above any rail corridor,
 the chief executive officer of the rail authority for the rail corridor,
  - (h) development that may increase the amount of artificial light in the night sky and that is on land within the dark sky region as identified on the dark sky region map—the Director of the Observatory,
 

**Note.** The dark sky region is land within 200 kilometres of the Siding Spring Observatory.
  - (i) development on land in a mine subsidence district within the meaning of the *Mine Subsidence Compensation Act 1961*—the Mine Subsidence Board.
- (3) In this clause:
- ARTC** means Australian Rail Track Corporation Ltd (ACN 081 455 754).
- ARTC arrangement** means a lease, licence agreement or other arrangement under Part 8A of the *Transport Administration Act 1988*.
- dark sky region map** means the map marked “Dark Sky Region Map” held in the head office of the Department of Planning and Environment.
- rail authority** for a rail corridor means:
- (a) in relation to a rail corridor that is vested in or owned by ARTC or is the subject of an ARTC arrangement—the chief executive officer of ARTC, and
  - (b) in relation to a rail corridor that is vested in or owned by RailCorp—the Chief Executive of RailCorp, and
  - (c) in relation to any other rail corridor—the Secretary of the Department of Transport.
- RailCorp** means Rail Corporation New South Wales constituted under the *Transport Administration Act 1988*.
- Note.** Clause 18A (2) of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* requires public authorities (or persons acting on their behalf) to consult with the Department of Planning and Environment before carrying out any development comprising the clearing of native vegetation on certain land within a growth centre (within the meaning of that Policy). The land concerned is land other than the subject land (within the meaning of Part 7 of Schedule 7 to the *Threatened Species Conservation Act 1995*). The subject land is generally land to which precinct plans apply under that Policy.

### 12 Exceptions

- (1) Clauses 8–11 do not apply with respect to development to the extent that:
  - (a) they would require notice of the intention to carry out the development to be given to a council or public authority from whom an approval is required in order for the development to be carried out lawfully, or
  - (b) they would require notice to be given to a council or public authority with whom the public authority that is carrying out the development, or on whose behalf it is being carried out, has an agreed consultation protocol that applies to the development, or

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- (c) they would require notice to be given to a council or public authority that is carrying out the development or on whose behalf it is being carried out, or
  - (d) the development is exempt development under any environmental planning instrument (including this Policy), or
  - (e) the development comprises emergency works that:
    - (i) involve no greater disturbance to soil or vegetation than necessary, and
    - (ii) are carried out in accordance with all applicable requirements of the Blue Book, or
  - (f) the development is in connection with a registered non-government school and is carried out in accordance with an approved code (within the meaning of section 111A of the Act) that applies to the development.
- (2) In this clause:
- approval** means any licence, permission or any form of authorisation, other than development consent, under any other law.
- consultation protocol** means an arrangement that:
- (a) is about when and how the parties to the arrangement will consult one another about proposed development, and
  - (b) is recorded in writing, and
  - (c) is approved in writing on behalf of any public authority that is a party to the arrangement by a person who is authorised to do so.
- emergency works** means works for the purpose of maintaining or restoring an educational establishment or early childhood education and care facility, or equipment, in order to ensure public safety or to protect buildings or the environment due to:
- (a) a sudden natural event, including a storm, flood, tree fall, bush fire, land slip or coastal inundation, or
  - (b) accident, equipment failure or structural collapse, or
  - (c) damage caused by vandalism or arson.

### Division 2 Site compatibility certificates

#### 13 Site compatibility certificates

- (1) An application for a site compatibility certificate for the purpose of clause 14 may be made to the relevant planning panel:
  - (a) by the owner of the land on which the development is proposed to be carried out, or
  - (b) by any other person with the consent of the owner of that land.
- (2) An application under this clause:
  - (a) must be in writing in the form approved by the relevant planning panel, and
  - (b) must be accompanied by:
    - (i) information demonstrating that the proposal is not inconsistent with the relevant district plan made under Part 3B of the Act (*district plan*), and
    - (ii) any other document or information required by the relevant planning panel to accompany the application, and
  - (c) must be accompanied by the fee, if any, prescribed by the regulations.
- (3) The relevant planning panel may request further documents and information to be furnished in connection with an application under this clause.

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- (4) Within 7 days after the application is made, the relevant planning panel must provide a copy of the application to the council for the area in which the development concerned is proposed to be carried out, unless the relevant planning panel refuses, before those 7 days have elapsed, to issue a certificate.
- (5) Subject to subclause (6), the relevant planning panel may determine the application by issuing a certificate or refusing to do so.
- (6) The relevant planning panel must not issue a certificate unless the relevant planning panel:
  - (a) has taken into account any comments received from the council within 21 days after the application for the certificate was made, and
  - (b) is of the opinion that the development concerned is compatible with the surrounding land uses having regard to the following matters:
    - (i) the existing uses and approved uses of land in the vicinity of the development,
    - (ii) the impact that the development (including its bulk and scale) is likely to have on the existing uses, approved uses and uses that, in the opinion of the relevant planning panel, are likely to be the preferred future uses of that land,
    - (iii) the services and infrastructure that are or will be available to meet the demands arising from the development, and
  - (c) is of the opinion that the development concerned is not likely to have an adverse effect on the environment and does not cause any unacceptable environmental risks to the land, and
  - (d) is of the opinion that the development concerned is in the public interest, and will deliver social, economic and environmental benefits to the wider community, and
  - (e) is of the opinion that the development concerned is consistent with the relevant district plan.
- (7) A certificate may certify that the development to which it relates is compatible with the surrounding land uses only if it satisfies certain requirements specified in the certificate.
- (8) A certificate continues to apply to the land in respect of which it was issued despite any change in the ownership of that land.
- (9) A certificate is valid for 5 years or such other period specified in the certificate.
- (10) In this clause:  
**relevant planning panel** means the following:
  - (a) a joint regional planning panel constituted under section 23G of the Act for the particular part of the State concerned,
  - (b) (by operation of Part 3 of the *Greater Sydney Commission Act 2015*) a Sydney planning panel constituted for the part of the Greater Sydney Region concerned.

**Note.** Part 3 of the *Greater Sydney Commission Act 2015* provides that a Sydney planning panel constituted under that Part is taken to be a joint regional planning panel under and for the purposes of the *Environmental Planning and Assessment Act 1979* and the instruments made under that Act (including this Policy).

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### **Division 3 Additional uses of State land**

**Note.** Consent for development under this Division may be granted only if the development is the subject of a certificate of the relevant planning panel certifying that the development is compatible with surrounding land uses.

#### **14 Additional uses of certain State land permitted**

- (1) In this clause, *prescribed State land* means State land that is:
  - (a) not zoned for conservation purposes under an environmental planning instrument, and
  - (b) not a forestry area within the meaning of the *Forestry Act 2012*, and
  - (c) not reserved under the *National Parks and Wildlife Act 1974*, and
  - (d) not reserved under the *Crown Lands Act 1989* for a public purpose that, in the opinion of the relevant planning panel, is an environmental protection or nature conservation purpose.
- (2) Development for a purpose that is permitted without consent on land by the zoning of that land may be carried out without consent on adjacent land that is prescribed State land despite any local environmental plan applying to that adjacent land.
 

**Note.** This subclause and subclause (3) apply whether or not the land to which the relevant zoning applies and the adjacent State land (or former State land) are subject to the same environmental planning instruments.
- (3) Development for a purpose that is permitted with consent on land by the zoning of that land may be carried out with consent on adjacent land, despite any local environmental plan applying to that adjacent land, if:
  - (a) there is a valid site compatibility certificate applying to the development, and
  - (b) the adjacent land was prescribed State land when the relevant planning panel issued the certificate.
- (4) However, subclause (3) does not apply in relation to the development if the adjacent land concerned is no longer prescribed State land because it is:
  - (a) a forestry area within the meaning of the *Forestry Act 2012*, or
  - (b) reserved under the *National Parks and Wildlife Act 1974*, or
  - (c) reserved under the *Crown Lands Act 1989* for a public purpose that, in the opinion of the relevant planning panel, is an environmental protection or nature conservation purpose.
- (5) This Policy does not:
  - (a) prevent a consent authority from:
    - (i) granting consent for development on land by reference to site and design features that are more stringent than those identified in a site compatibility certificate for the same land, or
    - (ii) refusing to grant consent for development on the grounds of the consent authority's own assessment of the compatibility of the development with the surrounding land uses, or
  - (b) otherwise limit the matters to which a consent authority may have regard in determining a development application for development to which this clause applies.
- (6) Land is adjacent to other land for the purpose of this clause even if it is separated from that other land by a road, or road related area, as defined by the *Road Transport Act 2013*.



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- (7) In this clause, a reference to land ***zoned for conservation purposes*** means land in any of the following land use zones:
  - (a) Zone RE1 Public Recreation,
  - (b) Zone E1 National Parks and Nature Reserves,
  - (c) Zone E2 Environmental Conservation,
  - (d) Zone W1 Natural Waterways.
- (8) In this clause:  
***relevant planning panel*** has the same meaning as it has in clause 13.

### Division 4 Exempt development

**Note 1.** Section 76 of the Act contains requirements applying to exempt development.

**Note 2.** In addition to the requirements set out in this Policy in relation to exempt development, adjoining owners' property rights, the applicable common law and other legislative requirements for approvals, licences, permits and authorities still apply. For example, requirements relevant to the kind of exempt development concerned may be contained in the Act, the *Environmental Planning and Assessment Regulation 2000*, various State environmental planning policies, the *Protection of the Environment Operations Act 1997*, the *Roads Act 1993* and Acts applying to various infrastructure authorities. If the development is in proximity to infrastructure, including water, stormwater and sewer mains, electricity power lines and telecommunications facilities, the relevant infrastructure authority should be contacted before commencing the development.

#### 15 General requirements for exempt development

- (1) This clause applies to any development that this Policy provides is exempt development.  
**Note.** Clause 16 and other provisions of this Policy identify kinds of development that are exempt development if they meet the requirements of this clause.
- (2) Development that is specified in an exempt development code that meets the standards specified for that development and that complies with the requirements of this Division for exempt development is exempt development for the purposes of this Policy.
- (3) To be exempt development, the development:
  - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, or if there are no such relevant provisions, must be structurally adequate, and
  - (b) must not, if it relates to an existing building:
    - (i) cause the building to contravene the *Building Code of Australia*, or
    - (ii) compromise the fire safety of the building or affect access to any fire exit, and
  - (c) must be carried out in accordance with all relevant requirements of the Blue Book, and
  - (d) must not be designated development, and  
**Note.** Designated development is defined in section 77A of the Act as development that is declared to be designated development by an environmental planning instrument or the regulations.
  - (e) if it is likely to affect a State or local heritage item or a heritage conservation area—must involve no more than minimal impact on the heritage significance of the item or area, and be in accordance with any applicable heritage conservation management plan, and
  - (f) must be installed in accordance with the manufacturer's specifications, if applicable, and

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- (g) must not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent, and  
**Note.** A permit for the removal or pruning of a tree or other vegetation may be granted under a local environmental plan. A development consent for the removal of native vegetation may be granted under the *Native Vegetation Act 2003*.
- (h) must not involve the removal of asbestos, unless that removal is undertaken in accordance with *How To Safely Remove Asbestos: Code of Practice* (ISBN 978-0-642-33317-9) published by Safe Work Australia.
- (4) In this clause:  
**exempt development code** means any of the following codes:
  - (a) the General Exempt Development Code set out in Division 1 of Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*,
  - (b) the Advertising and Signage Exempt Development Code set out in Division 2 of Part 2 of that Policy,
  - (c) the Temporary Uses and Structures Exempt Development Code set out in Division 3 of Part 2 of that Policy.**Note.** A service approval is required to operate an early childhood education and care facility that is an education and care service to which the *Children (Education and Care Services) National Law (NSW)* applies or a State regulated education and care service to which the *Children (Education and Care Services) Supplementary Provisions Act 2011* applies. Approved services are subject to various operational requirements under that legislation, including requirements for the physical environment of the approved service.

### **16 Exempt development for Schedule 1 purposes carried out by public authorities in connection with educational establishments**

Development for a purpose specified in Schedule 1 is exempt development if:

- (a) it is carried out by or on behalf of a public authority in connection with an existing educational establishment, and
- (b) it meets the development standards for the development specified in Schedule 1.

**Note.** Exempt development must also comply with the general requirements in clause 15.

## **Division 5 Complying development**

### **17 General requirements for complying development**

- (1) This clause applies to any development that this Policy provides is complying development.
- (2) To be complying development, the development must:
  - (a) meet the general requirements for complying development set out in clause 1.17A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, and
  - (b) not be exempt development under this Policy, and
  - (c) be permissible, with consent, under an environmental planning instrument applying to the land on which the development is carried out, and  
**Note.** Accordingly, development that is permitted to be carried out without consent is not complying development.
  - (d) meet the relevant provisions of the *Building Code of Australia*, and



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- (e) before the complying development certificate is issued, have written consent from the relevant roads authority, if required by the *Roads Act 1993*:
    - (i) for each opening of a public road required by the development, and
    - (ii) to operate or store machinery, materials or waste required by the development on a road or footpath reserve, and
  - (f) if it is the alteration or erection of improvements on land in a mine subsidence district within the meaning of the *Mine Subsidence Compensation Act 1961*, have the prior approval of the Mine Subsidence Board, and
 

**Note.** Information about mine subsidence is information that is a prescribed matter for the purpose of a planning certificate under section 149 (2) of the Act.
  - (g) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent, and
 

**Note.** A permit for the removal or pruning of a tree or other vegetation may be granted under a local environmental plan. A development consent for the removal of native vegetation may be granted under the *Native Vegetation Act 2003*.
  - (h) not be carried out within 1 metre of any public sewer, if the development comprises the erection of a building, except with the written approval of the authority that has management or control of that sewer, and
  - (i) if it is on land that is:
    - (i) within or above a rail corridor, or
    - (ii) within 25 metres (measured horizontally) of a rail corridor, or
    - (iii) within 25 metres (measured horizontally) of the ground directly above an underground rail corridor,
 not involve excavation to a depth greater than 2 metres below ground level (existing) on the land, and
  - (j) if it is on land that is in or immediately adjacent to a rail corridor, must not involve the use of a crane in the air space above any rail corridor.
- Note.** A service approval is required to operate an early childhood education and care facility that is an education and care service to which the *Children (Education and Care Services) National Law (NSW)* applies or a State regulated education and care service to which the *Children (Education and Care Services) Supplementary Provisions Act 2011* applies. Approved services are subject to various operational requirements under that legislation, including requirements for the physical environment of the approved service.

### 18 Development affecting certain trees or vegetation

Complying development under this Policy is not required to satisfy the requirements of clause 17 (2) (g) in respect of the removal or pruning of a tree or other vegetation if:

- (a) in the case of any tree, it is not listed on a significant tree register or register of significant trees kept by the council, and
- (b) the tree or vegetation is within 3 metres of the development, and
- (c) the tree or vegetation has a height that is less than 8 metres.

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**19 General conditions of complying development certificates**

**Note.** The *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Noise Control) Regulation 2008* contain provisions relating to noise.

(1) **General**

A complying development certificate for complying development under this Policy is subject to the conditions specified in this clause.

**Note.** The regulations made under the Act contain additional conditions of a complying development certificate, including conditions relating to the *Building Code of Australia*, requirements under the *Home Building Act 1989*, BASIX and asbestos removal.

(2) **Conditions applying before works commence**

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining land before the works begin and must be kept in place until after the completion of works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining land by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

**Note.** See the entry for hoardings in Schedule 1. See also the entry for scaffolding, hoardings and temporary construction site fences in the General Exempt Development Code in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

(3) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

(4) Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

(5) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.

(6) **Conditions applying during works**

Construction or demolition may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction or demolition is to be carried out at any time on a Sunday or a public holiday.

(7) Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.

(8) Run-off and erosion controls must be effectively maintained until the site has been stabilised and landscaped.

(9) Building, or demolition, materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

(10) Demolition materials and waste materials must be sorted, and must be disposed of at a waste or resource management facility.

(11) The work site must be left clear of waste and debris at the completion of the works.

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(12) **Utility services**

If the complying development requires alteration to, or the relocation of, utility services on the lot on which the complying development is carried out, the complying development is not complete until all such works are carried out.

(13) **Post-works requirements**

If:

- (a) the development involves the erection or change of use of a building within a water supply authority's area of operations, and
- (b) the water supply authority requires a certificate of compliance to be obtained with respect to the erection or change of use of the building,

the building cannot be occupied before such a certificate has been obtained.

(14) In this clause:

**certificate of compliance**, in relation to a water supply authority, means a certificate of compliance issued by the water supply authority under the Act under which the water supply authority is constituted.

**water supply authority** means:

- (a) the Sydney Water Corporation, the Hunter Water Corporation or a water supply authority within the meaning of the *Water Management Act 2000*, or
- (b) a council or county council exercising water supply, sewerage or stormwater drainage functions under Division 2 of Part 3 of Chapter 6 of the *Local Government Act 1993*.

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### **Part 3 Early childhood education and care facilities—specific development controls**

**Note.** A service approval is required to operate an early childhood education and care facility that is an education and care service to which the *Children (Education and Care Services) National Law (NSW)* applies or a State regulated education and care service to which the *Children (Education and Care Services) Supplementary Provisions Act 2011* applies. Approved services are subject to various operational requirements under that legislation, including requirements for the physical environment of the approved service.

**Note.** Complying development controls specifically for school-based child care, and centre-based child care in connection with TAFE establishments, are provided for in clauses 34 and 50, respectively.

#### **20 Centre-based child care—concurrence of Regulatory Authority required for certain development**

- (1) This clause applies to development for the purpose of centre-based child care if:
  - (a) the floor area of the building or place does not comply with clause 107 (indoor unencumbered space requirements) of the *Education and Care Services National Regulations*, or
  - (b) the outdoor space requirements for the building or place do not comply with clause 108 (outdoor unencumbered space requirements) of those Regulations.
- (2) The consent authority must not grant consent to development to which this clause applies except with the concurrence of the Regulatory Authority.
- (3) The consent authority must, within 7 days of receiving a development application for development to which this clause applies:
  - (a) forward a copy of the development application to the Regulatory Authority, and
  - (b) notify the Regulatory Authority in writing of the basis on which the Authority's concurrence is required and of the date it received the development application.
- (4) In determining whether to grant or refuse concurrence, the Regulatory Authority is to consider any requirements applicable to the proposed development under the *Children (Education and Care Services) National Law (NSW)*.
- (5) The Regulatory Authority is to give written notice to the consent authority of the Authority's determination within 28 days after receiving a copy of the development application under subclause (3).
 

**Note.** The effect of section 79B (11) of the Act is that if the Regulatory Authority fails to inform the consent authority of the decision concerning concurrence within the 28 day period, the consent authority may determine the development application without the concurrence of the Regulatory Authority and a development consent so granted is not voidable on that ground.
- (6) The consent authority must forward a copy of its determination of the development application to the Regulatory Authority within 7 days after making the determination.
- (7) In this clause:

**Regulatory Authority** means the Regulatory Authority for New South Wales under the *Children (Education and Care Services) National Law (NSW)* (as declared by section 9 of the *Children (Education and Care Services National Law Application) Act 2010*).

**Note.** Concurrence to development may be granted subject to conditions. A development consent subject to concurrence may be voidable if it is granted not subject to any conditions of the concurrence. (See section 79B of the Act.)



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### 21 Centre-based child care—matters for consideration by consent authorities

The consent authority:

- (a) must take into consideration Part 2 of the *Child Care Planning Guideline*, and
- (b) may take into consideration Part 3 of the *Child Care Planning Guideline*, before determining a development application for development for the purpose of centre-based child care.

### 22 Centre-based child care in Zone IN1 or IN2—additional matters for consideration by consent authorities

- (1) The object of this clause is to minimise land use conflicts with existing developments on surrounding land and to ensure the safety and health of people using or visiting centre-based child care on land in Zone IN1 General Industrial or Zone IN2 Light Industrial.
- (2) The consent authority must consider the following matters before determining a development application for development for the purpose of centre-based child care on land in Zone IN1 General Industrial or Zone IN2 Light Industrial:
  - (a) whether the proposed development is compatible with neighbouring land uses, including its proximity to restricted premises, sex services premises or hazardous land uses,
  - (b) whether the proposed development has the potential to restrict the operation of existing industrial land uses,
  - (c) whether the location of the proposed development will pose a health or safety risk to children, visitors or staff.
- (3) The matters referred to in subclause (2) are in addition to any other matter that the consent authority must consider before determining a development application for development for the purpose of centre-based child care.

### 23 Centre-based child care—non-discretionary development standards

- (1) The object of this clause is to identify development standards for particular matters relating to centre-based child care that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.
- (2) The following are non-discretionary development standards for the purposes of section 79C (2) and (3) of the Act in relation to the carrying out of development for the purposes of centre-based child care:
  - (a) **location**—the development may be located at any distance from an existing or proposed early childhood education and care facility,
  - (b) **indoor or outdoor space**
    - (i) for development to which clause 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the *Education and Care Services National Regulations* applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those clauses, or
    - (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the *Children (Education and Care Services) Supplementary Provisions Regulation 2012* applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,

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- (c) **site area, site coverage and site dimensions**—the development may be located on a site of any size, cover any part of the site and have any length of street frontage or any allotment depth,
- (d) **colour of building materials or shade structures**—the development may be of any colour or colour scheme unless it is a heritage item or in a heritage conservation area,
- (e) **design**—the development satisfies the design criteria in the *Child Care Planning Guideline*.
- (3) To remove doubt, this clause does not prevent a consent authority from:
  - (a) refusing a development application in relation to a matter not specified in subclause (2), or
  - (b) granting development consent even though any standard specified in subclause (2) is not complied with.

### 24 Centre-based child care—development control plans

- (1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of centre-based child care:
  - (a) glazed areas,
  - (b) operational or management plans or arrangements (including hours of operation),
  - (c) demonstrated need or demand for child care services,
  - (d) proximity of facility to other early childhood education and care facilities,
  - (e) fencing,
  - (f) laundry and hygiene facilities,
  - (g) indoor space requirements,
  - (h) outdoor space requirements (including natural environment and shade),
  - (i) toilet and hygiene facilities,
  - (j) ventilation and natural light,
  - (k) administrative space,
  - (l) nappy change facilities,
  - (m) any matter provided for in the *Child Care Planning Guideline*,
  - (n) any other matter relating to development for the purpose of centre-based child care for which provision is made by or under the *Children (Education and Care Services) National Law (NSW)* or the *Children (Education and Care Services) Supplementary Provisions Act 2011*.
- (2) This clause applies regardless of when the development control plan was made.

### 25 Mobile child care—exempt development

- (1) Development for the purpose of mobile child care is exempt development for the purposes of this Policy if it meets the standards specified for the development in subclause (2).  
**Note.** Exempt development must also comply with the general requirements in clause 15.
- (2) If the development involves the erection of a temporary structure, it:
  - (a) must not restrict any car parking required to be provided by a condition of a development consent applying to the land or any vehicular or pedestrian



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access to or from the land unless that parking and access is on land owned, controlled or managed by a council or public authority and that council or public authority has given its written consent to the temporary use of the land for the erection of the temporary structure, and

- (b) must not redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property, and
- (c) must be erected on a surface that is sufficiently firm and level to sustain the structure while in use, and
- (d) must meet any development standard imposed by a local environmental plan applying to the land that sets a separation distance to a side or rear boundary with adjoining land that is under different ownership.

**Note.** In addition to the requirements set out in this Policy in relation to exempt development, adjoining owners' property rights, the applicable common law and other legislative requirements for approvals, licences, permits and authorities still apply.

- (3) Subclause (2) (d) does not apply in respect of adjoining land that is owned by the council or other public authority if the council or public authority has consented in writing to the development standard not applying.
- (4) In this clause:

**education and care service** means a service that provides care (other than residential care) or care and education, whether directly or indirectly, for one or more children under the age of 6 years who do not ordinarily attend school (disregarding any children who are related to the person providing the care).

**mobile child care** means an education and care service that visits premises, an area or a place for the purpose of providing child care, but does not include any of the following:

- (a) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned,
- (b) a service involving medical or clinical care provided by a hospital,
- (c) a service that is concerned primarily with the provision of private tutoring, or lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity.

### 26 Emergency relocation of early childhood education and care facility—exempt development

- (1) Development for the purpose of an early childhood education and care facility is exempt development for the purposes of this Policy if:
  - (a) the building or place to be used for the development already exists, and
  - (b) the development:
    - (i) is necessary to enable an early childhood education and care facility to be relocated following, or in anticipation of, an emergency, and
    - (ii) meets the standards specified for the development in subclause (2).

**Note.** Exempt development must also comply with the general requirements in clause 15.

- (2) The development must:
  - (a) have the consent of the owner of the land on which the development is carried out or, if a council or public authority has the control and management of the land, the consent, in writing of the council or public authority, and
  - (b) be carried out within 12 months from the date on which a service approval to operate the relocated early childhood education and care facility is granted.

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- (3) The use of the building or place for the purpose of the relocated early childhood education and care facility must cease within 12 months from the date on which a service approval to operate the relocated facility is granted.
- (4) In this clause:  
*emergency* means an emergency due to an actual or imminent occurrence (such as fire, flood, storm, earthquake, explosion, terrorist act, accident, epidemic or warlike action) which endangers, or threatens to endanger, the safety or health of persons in the early childhood education and care facility or destroys or damages, or threatens to destroy or damage, the facility.

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## **Part 4 Schools—specific development controls**

### **27 Definition of “prescribed zone”**

In this Part:

*prescribed zone* means any of the following land use zones:

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RU4 Primary Production Small Lots,
- (d) Zone RU5 Village,
- (e) Zone RU6 Transition,
- (f) Zone R1 General Residential,
- (g) Zone R2 Low Density Residential,
- (h) Zone R3 Medium Density Residential,
- (i) Zone R4 High Density Residential,
- (j) Zone R5 Large Lot Residential,
- (k) Zone B1 Neighbourhood Centre,
- (l) Zone B2 Local Centre,
- (m) Zone B3 Commercial Core,
- (n) Zone B4 Mixed Use,
- (o) Zone B5 Business Development,
- (p) Zone B6 Enterprise Corridor,
- (q) Zone B7 Business Park,
- (r) Zone B8 Metropolitan Centre,
- (s) Zone SP1 Special Activities,
- (t) Zone SP2 Infrastructure,
- (u) Zone E4 Environmental Living.

### **28 Development for the purpose of student accommodation**

In this Part, development for the purpose of a school does not include development for the purpose of student accommodation associated with a school, regardless of whether, or the extent to which, the school is involved in, or exercises control over, the activities and life of the students living in the accommodation.

### **29 Schools—development permitted with consent**

- (1) Development for the purpose of a school may be carried out by any person with consent on land in a prescribed zone.
- (2) Development for a purpose specified in clause 33 (1) or 34 (2) (e) may be carried out by any person with consent on land within the boundaries of an existing school.
- (3) The following development may be carried out by any person with consent on the following land that is not in a prescribed zone:
  - (a) development for the purpose of a school—on land within the boundaries of an existing school,
  - (b) development for the purpose of the expansion of an existing school—on land adjacent to land within the boundaries of an existing school.

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- (4) A school (including any part of its site and any of its facilities) may be used, with consent, for any community purpose, whether or not it is a commercial use of the establishment.
- (5) Before determining a development application for development of a kind referred to in subclause (1), (3) or (4), the consent authority must take into consideration the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4.
- (6) Subclause (3) does not require consent to carry out development on land if that development could, but for this Policy, be carried out on that land without consent.

**30 Schools—development permitted without consent**

- (1) Development for any of the following purposes may be carried out by or on behalf of a public authority without consent on land in a prescribed zone if the development is in connection with an existing school:
  - (a) construction, operation or maintenance, more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone, of:
    - (i) a library or an administration building that is not more than one storey high, or
    - (ii) a portable classroom (including a modular or prefabricated classroom) that is not more than one storey high, or
    - (iii) a permanent classroom that is not more than one storey high to replace an existing portable classroom and that is used for substantially the same purpose as the portable classroom, or
    - (iv) a kiosk, cafeteria or bookshop for students and staff that is not more than one storey high, or
    - (v) a car park that is not more than one storey high,
  - (b) minor alterations or additions, such as:
    - (i) internal fitouts, or
    - (ii) alterations or additions to address work health and safety requirements or to provide access for people with a disability, or
    - (iii) alterations or additions to the external facade of a building that do not increase the building envelope (for example, porticos, balcony enclosures or covered walkways),
  - (c) restoration, replacement or repair of damaged facilities,
  - (d) security measures, including fencing, lighting and security cameras,
  - (e) demolition of buildings or structures.
- (2) However, subclause (1) applies only to development that:
  - (a) does not require an alteration of transport or traffic arrangements, and
  - (b) in the case of development referred to in subclause (1) (a)—does not allow for an increase in:
    - (i) the number of students the school can accommodate, or
    - (ii) the number of staff employed at the school,
 that is greater than 10% (compared with the average of each of those numbers for the 12-month period immediately before the commencement of the development).
- (3) Nothing in this clause authorises the carrying out of development in contravention of any existing condition of a development consent (other than a complying

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development certificate) that applies to any part of the school, relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.

- (4) A reference in this clause to development for a purpose referred to in subclause (1) (a), (b) or (c) includes a reference to development for the purpose of construction works if that development is in connection with the purpose referred to in subclause (1) (a), (b) or (c).

### **31 Notification of carrying out of certain development without consent**

- (1) This clause applies to development to which clause 30 (1) (a) applies.
- (2) Before development to which this clause applies is carried out, the proponent of the development must:
- (a) give written notice of the intention to carry out the development to the council for the area in which the land is located (unless the proponent is that council) and to the occupiers of adjoining land, and
  - (b) take into consideration any response to the notice that is received within 21 days after the notice is given.

### **32 Existing schools—exempt development**

- (1) Development for any of the following purposes is exempt development if it is in connection with an existing school and complies with any requirements in this subclause that apply to the development:
- (a) an awning or canopy that is more than 1 metre from any property boundary,
  - (b) the removal or lopping of a tree that has been assessed by an appropriately qualified arborist as posing a risk to human health or safety or of damage to infrastructure,
  - (c) landscaping, including irrigation schemes (whether using recycled or other water),
  - (d) play equipment where adequate safety provisions (including soft landing surfaces) are provided, but only if any structure is more than 1.2 metres from any fence,
  - (e) routine maintenance (including earthworks associated with playing field regrading or landscaping),
  - (f) walking paths (including raised walking paths), boardwalks, ramps, minor pedestrian bridges, stairways, gates, seats, barbecues, shelters and shade structures,
  - (g) a sporting field, tennis court, basketball court or any other type of court used for sport, and associated awnings or canopies, if the development does not involve the clearing of more than 2 hectares of native vegetation,
  - (h) directional signage for pedestrians and information boards,
  - (i) the use of existing facilities or buildings for the purposes of school-based child care for primary school students, or for community purposes (whether or not it is a commercial use of the establishment),
  - (j) an amenities building, workshop or storage shed that is not more than one storey high and is more than 5 metres from any property boundary,
  - (k) environmental management works,
  - (l) a portable classroom (including its removal):
    - (i) that is not more than one storey high, and



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- (ii) that is more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone,
- (m) demolition of development that would be exempt development under this or any other environmental planning instrument if it were being constructed or installed, if it is not carried out on or in a heritage item or in a heritage conservation area.

**Note.** Exempt development must also comply with the general requirements in clause 15.

- (2) Clause 15 (3) (g) does not apply in relation to development carried out under subclause (1) (b).
- (3) Development for a purpose specified in Schedule 1 that is carried out by a person other than a public authority is exempt development if:
  - (a) it is carried out on land within the boundaries of an existing school, and
  - (b) it meets the development standards for the development specified in Schedule 1.

**Note 1.** Exempt development must also comply with the general requirements in clause 15.

**Note 2.** Clause 16 covers development carried out by or on behalf of a public authority.

### 33 Existing schools—complying development

- (1) Development carried out by or on behalf of any person on land within the boundaries of an existing school is complying development if:
  - (a) it consists of the construction of, or alterations or additions to, any of the following:
    - (i) libraries, administration buildings or office premises,
    - (ii) gyms, indoor sporting facilities or halls,
    - (iii) classrooms, lecture theatres, laboratories, trade or training facilities,
    - (iv) cafeterias that are carried out in accordance with *AS 4674—2004 Design, construction and fit-out of food premises*, published by Standards Australia on 11 February 2004,
    - (v) kiosks or bookshops for students or staff (or both),
    - (vi) halls with associated covered outdoor learning areas or kiosks,
    - (vii) an outdoor learning or play area and associated awnings or canopies,
    - (viii) demolition of buildings (unless the building is a State or local heritage item or is within a heritage conservation area), if the footprint of the building covers an area no greater than 250 square metres,
    - (ix) minor alterations or additions such as internal fitouts, or alterations or additions to address work health and safety requirements or to provide access for people with a disability,
    - (x) restoration, replacement or repair of damaged facilities,
    - (xi) an at-grade car park, and
  - (b) it complies with this clause.
- Note.** Complying development must also comply with the general requirements in clause 17.
- (2) Development carried out by or on behalf of any person on land within the boundaries of an existing school is complying development if:
  - (a) it is an alteration or addition referred to in subclause (1) or clause 34 (2) (e) that is carried out for the purpose of a change of use to another use specified in subclause (1), and



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(b) it complies with this clause.

**Note.** Complying development must also comply with the general requirements in clause 17.

- (3) The development standards for complying development under this clause (other than for development referred to in subclause (1) (a) (viii), (ix) or (x)) are set out in Schedule 2.
- (4) Clause 17 (2) (g) does not apply in relation to development carried out under this clause.
- (5) Nothing in this clause authorises the carrying out of development in contravention of any existing condition of a development consent (other than a complying development certificate) that applies to any part of the school, relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.
- (6) Nothing in this clause authorises development (including excavation) that is for the purpose of underground facilities or usable spaces located underground.

**34 School-based child care—complying development**

- (1) Development carried out by or on behalf of any person for the purpose of school-based child care is complying development for the purposes of this Policy if it complies with this clause.

**Note.** Complying development must also comply with the general requirements in clause 17.

- (2) The standards specified for the development are as follows:

- (a) the development must be carried out within the boundaries of an existing school,
- (b) the development must not be on bush fire prone land,
- (c) the current use of the premises must not be an existing use within the meaning of section 106 of the Act,
- (d) if there is no existing condition on development consent applying to the school relating to the hours of operation—the school-based child care must not operate on a Saturday or Sunday, or before 7.00 am or after 7.00 pm on a weekday.
- (e) if the development consists of the construction of, or alterations or additions to, school-based child care—the development must comply with the standards set out in Schedule 2 (other than clause 11 of that Schedule),

**Note.** A service approval is required to operate an early childhood education and care facility that is an education and care service to which the *Children (Education and Care Services) National Law (NSW)* applies or a State regulated education and care service to which the *Children (Education and Care Services) Supplementary Provisions Act 2011* applies. Approved services are subject to various operational requirements under that legislation, including requirements for the physical environment of the approved service (for example, minimum requirements for indoor and outdoor space).

- (3) Clause 17 (2) (g) does not apply to development referred to in subclause (2) (a) that is carried out under this clause.
- (4) Nothing in this clause authorises the carrying out of development in contravention of any existing condition of a development consent (other than a complying development certificate) that applies to any part of the school, relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.

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**35 Complying development certificates—additional conditions**

A complying development certificate for development that is complying development under this Division is subject to the following conditions (in addition to the conditions set out in clause 19):

- (a) any demolition work must be carried out in accordance with *AS 2601—2001 The demolition of structures*, published by Standards Australia on 13 September 2001,
- (b) any removal or lopping of vegetation must be carried out in accordance with *AS 4970—2009 Protection of trees on development sites*,
- (c) development must be carried out in accordance with all relevant requirements of the Blue Book,
- (d) the person having the benefit of the complying development certificate must give at least 2 days' notice in writing of the intention to commence the works to the owner or occupier of any dwelling that is situated within 20 metres of the lot on which the works will be carried out.

**36 State significant development for the purpose of schools—application of development standards in local environmental plans**

Development consent may be granted to development for the purpose of a school that is state significant development even though the development would contravene a development standard imposed by the local environmental plan under which the consent is granted.

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## **Part 5 Universities—specific development controls**

### **37 Definition of “prescribed zone”**

In this Part:

*prescribed zone* means:

- (a) any land within the boundaries of an existing university, or
- (b) any of the following land use zones:
  - (i) Zone B2 Local Centre,
  - (ii) Zone B3 Commercial Core,
  - (iii) Zone B4 Mixed Use,
  - (iv) Zone B5 Business Development,
  - (v) Zone B6 Enterprise Corridor,
  - (vi) Zone B7 Business Park,
  - (vii) Zone B8 Metropolitan Centre,
  - (viii) Zone SP1 Special Activities,
  - (ix) Zone SP2 Infrastructure.

### **38 Development for the purpose of student accommodation**

In this Part, development for the purpose of a university does not include development for the purpose of student accommodation associated with a university, regardless of whether, or the extent to which, the university is involved in, or exercises control over, the activities and life of the students living in the accommodation.

### **39 Universities—development permitted with consent**

- (1) Development for the purpose of a university may be carried out by any person with consent on land in a prescribed zone.
- (2) Development for a purpose specified in clause 43 (1) may be carried out by any person with consent on land within the boundaries of an existing university.
- (3) The following development may be carried out by any person with consent on the following land that is not in a prescribed zone:
  - (a) development for the purpose of a university—on land within the boundaries of an existing university,
  - (b) development for the purpose of the expansion of an existing university—on land adjacent to land within the boundaries of an existing university.
- (4) A university (including any part of its site and any of its facilities) may be used, with consent, for any community purpose, whether or not it is a commercial use of the establishment.
- (5) Subclause (3) does not require consent to carry out development on land if that development could, but for this Policy, be carried out on that land without consent.

### **40 Universities—development permitted without consent**

- (1) Development for any of the following purposes may be carried out by or on behalf of a public authority without consent on land in a prescribed zone if the development is in connection with an existing university:
  - (a) construction, operation or maintenance, more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone, of:

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- (i) a library or an administration building that is not more than one storey high, or
    - (ii) a portable classroom that is not more than one storey high, or
    - (iii) a permanent classroom that is not more than one storey high to replace an existing portable classroom and that is used for substantially the same purpose as the portable classroom, or
    - (iv) a kiosk, cafeteria or bookshop for students and staff that is not more than one storey high, or
    - (v) a car park that is not more than one storey high, or
    - (vi) an outdoor learning or play area and associated awnings or canopies,
  - (b) minor alterations or additions, such as:
    - (i) internal fitouts, or
    - (ii) alterations or additions to address work health and safety requirements or to provide access for people with a disability,
  - (c) restoration, replacement or repair of damaged facilities,
  - (d) demolition of buildings or structures.
- (2) However, subclause (1) applies only to development that:
- (a) does not require an alteration of transport or traffic arrangements, and
  - (b) does not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the university relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers, and
  - (c) complies with:
    - (i) any development standard that sets a maximum floor space ratio, and
    - (ii) any development standard that sets a maximum gross floor area, for a building on the land, imposed by a local environmental plan, and
  - (d) if the development involves an alteration or addition to a building:
    - (i) does not extend the gross floor area of the existing building by more than 50%, and
    - (ii) does not result in the building having a gross floor area of more than 2,000 square metres, and
  - (e) if the development is on a site with an area of:
    - (i) 2,000 square metres or less—does not result in the floor space ratio for all buildings on the site exceeding 1:1, or
    - (ii) more than 2,000 square metres— does not extend the existing gross floor area for all buildings on the site by more than 2,000 square metres.
- (3) A reference in this clause to development for a purpose referred to in subclause (1) (a), (b) or (c) includes a reference to development for the purpose of construction works if that development is in connection with the purpose referred to in subclause (1) (a), (b) or (c).
- (4) In this clause:  
*site* means one or more lots that are contiguous and owned by the same entity.

### **41 Notification of carrying out of certain development without consent**

- (1) This clause applies to development to which clause 40 (1) (a) applies.



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- (2) Before development to which this clause applies is carried out, the proponent of the development must:
  - (a) give written notice of the intention to carry out the development to the council for the area in which the land is located (unless the proponent is that council) and to the occupiers of adjoining land, and
  - (b) take into consideration any response to the notice that is received within 21 days after the notice is given.

### 42 Existing universities—exempt development

- (1) Development for any of the following purposes is exempt development if it is in connection with an existing university and complies with any requirements in this subclause that apply to the development:
  - (a) an awning or canopy that is more than 5 metres from any property boundary,
  - (b) the removal or lopping of a tree that has been assessed by an appropriately qualified arborist as posing a risk to human health or safety or of damage to infrastructure,
  - (c) landscaping, including irrigation schemes (whether using recycled or other water),
  - (d) play equipment where adequate safety provisions (including soft landing surfaces) are provided, but only if any structure is more than 1.2 metres from any fence,
  - (e) routine maintenance (including earthworks associated with playing field regrading or landscaping, and maintenance of existing access roads),
  - (f) cycleways, walking paths (including raised walking paths), boardwalks, ramps, minor pedestrian bridges, stairways, gates, seats, barbecues, shelters and shade structures,
  - (g) a recreation facility (outdoor), including a playing field (but not including a grandstand or other viewing structure), if:
    - (i) the development does not involve the clearing of more than 2 hectares of native vegetation, and
    - (ii) any structure is located at least 200 metres from any property boundary with land in a residential area,
  - (h) a viewing platform:
    - (i) with an area not exceeding 100 square metres, and
    - (ii) with a height above ground level (existing) not exceeding 3 metres, and
    - (iii) that is located behind the building line, and
    - (iv) that is set back at least 5 metres from any boundary with land in a residential zone,
  - (i) directional signage for pedestrians and information boards,
  - (j) an amenities building that is not more than one storey high and is more than 5 metres from any property boundary,
  - (k) environmental management works,
  - (l) a portable or temporary classroom, a temporary office or portable or temporary amenities, (including its removal):
    - (i) that is not more than one storey high, and
    - (ii) that is more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone, and

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(iii) that is removed within 7 days after the use ends,

**Note.** See Schedule 1 for the development standards for a portable office.

(m) demolition of development that would be exempt development under this or any other environmental planning instrument if it were being constructed or installed, if it is not carried out on or in a heritage item or a draft heritage item or in a heritage conservation area or a draft heritage conservation area.

**Note.** Exempt development must also comply with the general requirements in clause 15.

(2) Clause 15 (3) (g) does not apply in relation to development carried out under subclause (1) (b).

(3) Development for a purpose specified in Schedule 1 that is carried out by a person other than a public authority is exempt development if:

(a) it is carried out on land within the boundaries of an existing university, and

(b) it meets the development standards for the development specified in Schedule 1.

**Note 1.** Exempt development must also comply with the general requirements in clause 15.

**Note 2.** Clause 16 covers development carried out by or on behalf of a public authority.

### 43 Existing universities—complying development

(1) Development carried out by or on behalf of any person in connection with an existing university is complying development if:

(a) it is carried out on land in a prescribed zone, other than land:

(i) that is, or on which is located, a draft heritage item, or

(ii) that is within a heritage conservation area or a draft heritage conservation area, and

(b) it consists of the construction of, or alterations or additions to, any of the following:

(i) a library or an administration building or office premises,

(ii) a recreation facility (indoor) or recreation facility (outdoor),

(iii) a classroom, lecture theatre, laboratory, trade or training facility,

(iv) a cafe, cafeteria or take away food and drink premises to provide for students or staff (or both) that is carried out in accordance with *AS 4674—2004 Design, construction and fit-out of food premises*, published by Standards Australia on 11 February 2004,

(v) a kiosk or bookshop to provide for students or staff (or both),

(vi) a hall, including a hall with an associated covered outdoor learning area or kiosk,

(vii) an environmental facility, including a greenhouse or glass house,

(viii) an information and education facility,

(ix) a community facility,

(x) a storage or maintenance facility,

(xi) an amenities building,

(xii) if the development is not on bush fire prone land or if the educational establishment is not, or does not contain, a heritage item—an outdoor learning or play area and associated awnings or canopies,

(xiii) demolition of buildings (unless the building is a State or local heritage item or is within a heritage conservation area), if the footprint of the building covers an area no greater than 250 square metres,



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- (xiv) minor alterations or additions such as internal fitouts, or alterations or additions to address work health and safety requirements or to provide access for people with a disability,
  - (xv) restoration, replacement or repair of damaged facilities,
  - (xvi) a car park, and
  - (c) it complies with:
    - (i) any development standard that sets a maximum floor space ratio, and
    - (ii) any development standard that sets a maximum gross floor area, for a building on the land, imposed by a local environmental plan, and
  - (d) for development that involves an alteration or addition to a building:
    - (i) it does not extend the gross floor area of the existing building by more than 50%, and
    - (ii) it does not result in the building having a gross floor area of more than 2,000 square metres, and
  - (e) for development that is on a site with an area of:
    - (i) 2,000 square metres or less—it does not result in the floor space ratio for all buildings on the site exceeding 1:1, or
    - (ii) more than 2,000 square metres—it does not extend the existing gross floor area for all buildings on the site by more than 2,000 square metres, and
  - (f) it complies with this clause.
- Note.** Complying development must also comply with the general requirements in clause 17.
- (2) Development carried out by or on behalf of any person in connection with an existing university is complying development if:
    - (a) it is carried out on land in a prescribed zone, and
    - (b) it is an alteration or addition referred to in subclause (1) that is carried out for the purpose of a change of use to another use specified in subclause (1), and
    - (c) it complies with this clause.

**Note.** Complying development must also comply with the general requirements in clause 17.
  - (3) The development standards for complying development under this clause are set out in Schedule 3.
  - (4) Development that will result in the erection of a building over a registered easement is not complying development under this clause.
  - (5) Clause 17 (2) (g) does not apply in relation to development carried out under this clause.
  - (6) In this clause:
 

**site** means one or more lots that are contiguous and owned by the same entity.

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## **Part 6 TAFE establishments—specific development controls**

### **44 Definition of “prescribed zone”**

In this Part:

**prescribed zone** means any of the following land use zones:

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone RU4 Primary Production Small Lots,
- (d) Zone RU5 Village,
- (e) Zone RU6 Transition,
- (f) Zone R1 General Residential,
- (g) Zone R2 Low Density Residential,
- (h) Zone R3 Medium Density Residential,
- (i) Zone R4 High Density Residential,
- (j) Zone R5 Large Lot Residential,
- (k) Zone B1 Neighbourhood Centre,
- (l) Zone B2 Local Centre,
- (m) Zone B3 Commercial Core,
- (n) Zone B4 Mixed Use,
- (o) Zone B5 Business Development,
- (p) Zone B6 Enterprise Corridor,
- (q) Zone B7 Business Park,
- (r) Zone B8 Metropolitan Centre,
- (s) Zone SP1 Special Activities,
- (t) Zone SP2 Infrastructure,
- (u) Zone E4 Environmental Living.

### **45 Development for the purpose of student accommodation**

In this Part, development for the purpose of a TAFE establishment does not include development for the purpose of student accommodation associated with a TAFE establishment, regardless of whether, or the extent to which, the TAFE establishment is involved in, or exercises control over, the activities and life of the students living in the accommodation.

### **46 TAFE establishments—development permitted with consent**

- (1) Development for the purpose of a TAFE establishment may be carried out by any person with consent on land in a prescribed zone.
- (2) Development for a purpose specified in clause 50 (1) may be carried out by any person with consent on land within the boundaries of an existing TAFE establishment.
- (3) The following development may be carried out by any person with consent on the following land that is not in a prescribed zone:
  - (a) development for the purpose of a TAFE establishment—on land within the boundaries of an existing TAFE establishment,

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- (b) development for the purpose of the expansion of an existing TAFE establishment—on land adjacent to land within the boundaries of an existing TAFE establishment.
- (4) A TAFE establishment (including any part of its site and any of its facilities) may be used, with consent, for any community purpose, whether or not it is a commercial use of the establishment.
- (5) Subclause (3) does not require consent to carry out development on land if that development could, but for this Policy, be carried out on that land without consent.

**47 TAFE establishments—development permitted without consent**

- (1) Development for any of the following purposes may be carried out by or on behalf of a public authority without consent on land in a prescribed zone if the development is in connection with an existing TAFE establishment:
  - (a) construction, operation or maintenance, more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone, of:
    - (i) a library or an administration building that is not more than one storey high, or
    - (ii) a portable classroom that is not more than one storey high, or
    - (iii) a permanent classroom that is not more than one storey high to replace an existing portable classroom and that is used for substantially the same purpose as the portable classroom, or
    - (iv) a kiosk, cafeteria or bookshop for students and staff that is not more than one storey high, or
    - (v) a car park that is not more than one storey high,
  - (b) minor alterations or additions, such as:
    - (i) internal fitouts, or
    - (ii) alterations or additions to address work health and safety requirements or to provide access for people with a disability,
  - (c) restoration, replacement or repair of damaged facilities,
  - (d) demolition of buildings or structures.
- (2) However, subclause (1) only applies to development that:
  - (a) does not require an alteration of transport or traffic arrangements, and
  - (b) in the case of subclause (1) (a), does not allow for an increase in:
    - (i) the number of students the TAFE establishment can accommodate, or
    - (ii) the number of staff employed at the TAFE establishment,
 that is greater than 10% (compared with the average of each of those numbers for the 12-month period immediately prior to the commencement of the development).
- (3) Nothing in this clause authorises the carrying out of development in contravention of any existing condition of a development consent (other than a complying development certificate) that applies to any part of the TAFE establishment, relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.
- (4) A reference in this clause to development for a purpose referred to in subclause (1) (a), (b) or (c) includes a reference to development for the purpose of construction works if that development is in connection with the purpose referred to in subclause (1) (a), (b) or (c).

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### **48 Notification of carrying out of certain development without consent**

- (1) This clause applies to development to which clause 47 (1) (a) applies.
- (2) Before development to which this clause applies is carried out, the proponent of the development must:
  - (a) give written notice of the intention to carry out the development to the council for the area in which the land is located (unless the proponent is that council) and to the occupiers of adjoining land, and
  - (b) take into consideration any response to the notice that is received within 21 days after the notice is given.

### **49 Existing TAFE establishments—exempt development**

- (1) Development for any of the following purposes is exempt development if it is in connection with an existing TAFE establishment and complies with any requirements in this subclause that apply to the development:
  - (a) an awning or canopy that is not within 5 metres of any property boundary,
  - (b) the removal or lopping of a tree that has been assessed by an appropriately qualified arborist as posing a risk to human health or safety or of damage to infrastructure,
  - (c) landscaping, including irrigation schemes (whether using recycled or other water),
  - (d) play equipment where adequate safety provisions (including soft landing surfaces) are provided, but only if any structure is more than 1.2 metres from any fence,
  - (e) routine maintenance (including earthworks associated with playing field regrading or landscaping, and maintenance of existing access roads),
  - (f) cycleways, walking paths (including raised walking paths), boardwalks, ramps, minor pedestrian bridges, stairways, gates, seats, barbecues, shelters and shade structures,
  - (g) a recreation facility (outdoor), including a playing field (but not including a grandstand or other viewing structure), if the development does not involve the clearing of more than 2 hectares of native vegetation,
  - (h) directional signage for pedestrians and information boards,
  - (i) the use of existing facilities or buildings for the purposes of providing out-of-school hours care (including vacation care) for primary school students,
  - (j) an amenities building that is not more than one storey high and is more than 5 metres from any property boundary,
  - (k) environmental management works,
  - (l) a portable or temporary classroom, a temporary office or portable or temporary amenities:
    - (i) that is not more than one storey high, and
    - (ii) that is more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone.
- (m) demolition of development that would be exempt development under this or any other environmental planning instrument if it were being constructed or installed, if it is not carried out on or in a heritage item or in a heritage conservation area.

**Note.** See Schedule 1 for the development standards for a portable office.

**Note.** Exempt development must also comply with the general requirements in clause 15.



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- (2) Clause 15 (3) (g) does not apply in relation to development carried out under subclause (1) (b).
- (3) Development for a purpose specified in Schedule 1 that is carried out by a person other than a public authority is exempt development if:
  - (a) it is carried out on land within the boundaries of an existing TAFE establishment, and
  - (b) it meets the development standards for the development specified in Schedule 1.

**Note 1.** Exempt development must also comply with the general requirements in clause 15.

**Note 2.** Clause 16 covers development carried out by or on behalf of a public authority.

### 50 Existing TAFE establishments—complying development

- (1) Development carried out by or on behalf of any person on land within the boundaries of an existing TAFE establishment is complying development if:
    - (a) it consists of the construction of, or alterations or additions to, any of the following:
      - (i) a library or an administration building or office premises,
      - (ii) a recreation facility (indoor) or recreation facility (outdoor),
      - (iii) a classroom, lecture theatre, laboratory, trade or training facility,
      - (iv) a cafe, cafeteria or take away food and drink premises to provide for students or staff (or both) that is carried out in accordance with *AS 4674—2004 Design, construction and fit-out of food premises*, published by Standards Australia on 11 February 2004,
      - (v) centre-based child care,
      - (vi) a kiosk or bookshop for students or staff (or both),
      - (vii) a hall, including a hall with an associated covered outdoor learning area or kiosk,
      - (viii) an environmental facility, including a greenhouse or glass house,
      - (ix) an information and education facility,
      - (x) a community facility,
      - (xi) a storage or maintenance facility,
      - (xii) an outdoor learning or play area and associated awnings or canopies
      - (xiii) demolition of buildings (unless the building is a State or local heritage item or is within a heritage conservation area), if the footprint of the building covers an area no greater than 250 square metres,
      - (xiv) minor alterations or additions such as internal fitouts, or alterations or additions to address work health and safety requirements or to provide access for people with a disability,
      - (xv) restoration, replacement or repair of damaged facilities,
      - (xvi) a car park, and
    - (b) it complies with this clause.
- Note.** Complying development must also comply with the general requirements in clause 17.
- (2) Development carried out by or on behalf of any person on land within the boundaries of an existing TAFE establishment is complying development if:
    - (a) it is an alteration or addition referred to in subclause (1) that is carried out for the purpose of a change of use to another use specified in subclause (1), and
    - (b) it complies with this clause.
- Note.** Complying development must also comply with the general requirements in clause 17.

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- (3) The following are the development standards for complying development under this clause:
- (a) **Building height standard**—the building height of a building must not exceed 12 metres.
  - (b) **Side and rear setback standard**—a building must be located at least 5 metres from any side or rear property boundary with land in a residential zone and at least 1 metre from side or rear property boundary with land in any other zone.
  - (c) **Materials standard**—any new external walls or roof of a building must be constructed of non-reflective material.
  - (d) **Overshadowing standard**—a building must not overshadow any adjoining residential property so that:
    - (i) solar access to any habitable room on the adjoining property is reduced to less than the minimum level (being 2 hours of solar access between 9:00 am and 3:00 pm at the winter solstice) or is reduced in any manner (if solar access to any habitable room on the adjoining property is already below the minimum level), or
    - (ii) solar access to the principal private open space of the adjoining property is reduced to less than the minimum level (being 3 hours of solar access to not less than 50% of that principal private open space between 9:00 am and 3:00 pm at the winter solstice) or is reduced in any manner (if solar access to the principal private open space of the adjoining property is already below the minimum level).
- (4) The following additional development standard applies to development for the purpose of centre-based child care:
- Design standard**—the development must satisfy the design criteria in the *Child Care Planning Guideline*.



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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Part 7 General development controls

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## Part 7 General development controls

### 51 Traffic-generating development

- (1) This clause applies to development for the purpose of an educational establishment that involves:
  - (a) new premises of the relevant capacity, or
  - (b) an enlargement or extension of existing premises, being an alteration or addition of the relevant capacity,
 on a site that has direct vehicular or pedestrian access to any road.
- (2) Before determining a development application for development to which this clause applies, the consent authority must:
  - (a) give written notice of the application to Roads and Maritime Services (**RMS**) within 7 days after the application is made, and
  - (b) take into consideration the matters referred to in subclause (3).
- (3) The consent authority must take into consideration:
  - (a) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, RMS advises that it will not be making a submission), and
  - (b) the accessibility of the site concerned, including:
    - (i) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
    - (ii) the potential to minimise the need for travel by car, and
  - (c) any potential traffic safety, road congestion or parking implications of the development.
- (4) The consent authority must give RMS a copy of the determination of the application within 7 days after the determination is made.
- (5) In this clause:  
**relevant capacity** means capable of accommodating 50 or more students.

### 52 Development on land identified as coastal wetlands

- (1) This clause applies to land identified as “coastal wetlands” on the Coastal Wetlands and Littoral Rainforests Area Map within the meaning of *State Environmental Planning Policy (Coastal Management) 2016 [On exhibition]*.
- (2) Development for the purpose of bush fire hazard reduction work in connection with an educational establishment may be carried out by any person without consent on land to which this clause applies if:
  - (a) the land is within 20 metres of an educational establishment, and
  - (b) the bush fire hazard reduction work does not involve the use of fire, and
  - (c) the bush fire hazard reduction work is carried out under section 66, 70, 73 or 74E of the *Rural Fires Act 1997*, and
  - (d) the bush fire hazard reduction work is consistent with the standards relating to bush fire hazard reduction set out in the Department’s and NSW Rural Fire Service’s joint publication *Standards for Bush Fire Hazard Reduction Works in SEPP 14—Coastal Wetlands* published on the website of the Department.
- (3) Development for the purpose of maintaining a fire trail in connection with an educational establishment may be carried out by a public authority without consent on land to which this clause applies if:

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Part 7 General development controls

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- (a) the development is consistent with the applicable bush fire risk management plan under the *Rural Fires Act 1997*, and
  - (b) the fire trails are recorded as being fire trails on a publicly available Bush Fire Management Committee Fire Trail Register maintained by a Bush Fire Management Committee, and
  - (c) the development does not involve the use of fire, the widening of a fire trail, any clearing of vegetation (other than of regrowth on a fire trail) or any excavation.
- (4) In this clause:  
***Bush Fire Management Committee*** means a Bush Fire Management Committee established under the *Rural Fires Act 1997*.

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Schedule 1 Exempt development—general

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## Schedule 1 Exempt development—general

(Clause 16)

Development purpose	Development standards
<b>General provisions</b>	
Access ramps for persons with a disability	<ul style="list-style-type: none"> <li>Ramps must provide access to public transport, outdoor recreational areas or the ground floor of buildings or car parks.</li> <li>Grade must not exceed 1:14 and must comply with AS 1428.1–2001, <i>Design for access and mobility—General requirements for access—New building work</i>.</li> <li>Ramp structures must not create a traffic or pedestrian hazard or be part of a State or local heritage item.</li> </ul>
Air conditioning units	<ul style="list-style-type: none"> <li>Must have a Minimum Energy Performance Standard consistent with AS/NZS 3823.2:2013, <i>Performance of electrical appliances—Airconditioners and heat pumps—Energy labelling and minimum energy performance standard (MEPS) requirements</i>.</li> <li>Noise level must not exceed 5dB(A) above ambient background noise level measured at property boundary.</li> </ul>
Building external alterations including re-cladding roofs or walls	<ul style="list-style-type: none"> <li>Must involve only repair or renovation, or painting, plastering or other decoration, of building.</li> <li>Must not result in enlargement or extension of building or increase in load-bearing capacity of any load-bearing component of building.</li> <li>Any re-cladding must involve only replacing existing materials with similar materials and not involve structural alterations.</li> </ul>
Building internal alterations	<ul style="list-style-type: none"> <li>Must be non-structural alterations to existing building only, such as: <ul style="list-style-type: none"> <li>(i) replacement of doors, wall, ceiling or floor linings or deteriorated frame members with equivalent or improved quality materials, or</li> <li>(ii) inclusion of built-in fixtures.</li> </ul> </li> <li>Must not affect load-bearing capacity of any load-bearing component of building.</li> </ul>

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Schedule 1 Exempt development—general

Development purpose	Development standards
Car parks	<ul style="list-style-type: none"> <li>• Must be open (unenclosed) car parking (but may include associated gates including security booths and boom gates).</li> <li>• Must not reduce car parking spaces.</li> <li>• Must be constructed or installed so that any surface water or runoff is disposed of by a drainage system that is connected to the existing stormwater drainage system.</li> <li>• Must be constructed in accordance with AS/NZS 2890.1:2004, <i>Parking facilities, Part 1: Off-street car parking</i> or AS 2890.2—2002, <i>Parking facilities, Part 2: Off-street commercial vehicle facilities</i>.</li> <li>• Must not require cut or fill more than 1m below or above ground level (existing).</li> <li>• Must not be carried out on land within a growth centre (within the meaning of <i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</i>) that is not <b>subject land</b> within the meaning of clause 17 of Schedule 7 to the <i>Threatened Species Conservation Act 1995</i>.</li> </ul>
Carports associated with an existing building	<ul style="list-style-type: none"> <li>• Surface area must not exceed 36m<sup>2</sup>.</li> <li>• Height must not exceed 3.5m above ground level (existing) and external wall height must not exceed 3m above ground level (existing).</li> <li>• Must be located behind any relevant building setback.</li> <li>• Must be no part of structure within 500mm of any side or rear boundary.</li> <li>• Stormwater drainage or run-off must be via connection to existing stormwater system.</li> </ul>
Decks (unroofed and attached to a building that is not located on bush fire prone land)	<ul style="list-style-type: none"> <li>• Surface area must not exceed 10m<sup>2</sup>.</li> <li>• Finished surface level must not be more than 1m above ground level (existing).</li> <li>• Boundary setbacks for existing building to be maintained.</li> </ul>
Demolition of buildings or structures the erection of which is exempt development under this Policy	<ul style="list-style-type: none"> <li>• Building or structure must not be a heritage item or within a heritage conservation area.</li> <li>• Must be carried out in accordance with AS 2601—2001, <i>Demolition of structures</i> and must not cover an area of more than 100m<sup>2</sup>.</li> </ul>
Fences—erection of security fences	<ul style="list-style-type: none"> <li>• Must be for infrastructure facility and erected along road frontage or non-road boundary.</li> <li>• Height must not exceed 3m above ground level (existing).</li> </ul>
Fences (other than security fences or fences covered by the <i>Swimming Pools Act 1992</i> )	<ul style="list-style-type: none"> <li>• Must be constructed so as not to prevent natural flow of stormwater drainage or run-off.</li> <li>• If in a residential zone, height of boundary fence must not exceed 1.8m above ground level (existing) if behind front building line and 1.2m if forward of that line.</li> <li>• Must not include masonry construction to a height of more than 900mm above ground level (existing).</li> </ul>

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Schedule 1 Exempt development—general

### Development purpose

### Development standards

Fire fighting emergency equipment—construction or maintenance of emergency equipment including replacement or augmentation of fire systems and fire water tanks	<ul style="list-style-type: none"> <li>If located within a residential care facility for seniors (within the meaning of <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</i>), a fire sprinkler system must comply with the Fire Sprinkler Standard (within the meaning of Division 7B in Part 9 of the <i>Environmental Planning and Assessment Regulation 2000</i>).</li> </ul>
Flagpoles	<ul style="list-style-type: none"> <li>Height must not exceed 6m above ground level (existing) or above an existing building.</li> <li>Must not display commercial advertising.</li> <li>Flagpole structure and any attached flag must not project over public road.</li> </ul>
Hoardings to restrict unauthorised entry to construction sites—erection in conjunction with erection or demolition of, or carrying out of alterations or additions to, a building or carrying out of maintenance or repairs (for which, in each case, any required consent has been obtained)	<ul style="list-style-type: none"> <li>Must not encroach onto footpath or public thoroughfare.</li> <li>Must be removed immediately on completion of work if removal will not give rise to safety risk.</li> </ul>
Landscaping (including paving and turfing and access tracks) carried out in conjunction with other development which is exempt under this Policy	
Lighting—installation, construction, maintenance or operation	<ul style="list-style-type: none"> <li>Construction and maintenance of external lighting if light spill is contained within site and in accordance with AS 4282-1997, <i>Control of the obtrusive effects of outdoor lighting</i> and AS/NZS 1158:2007, <i>Lighting for Roads and Public Spaces</i>.</li> <li>Construction and maintenance of lighting at or in vicinity of air transport facilities if consistent with <i>Manual of Standards (MOS)—Part 139—Aerodromes</i> published by the Civil Aviation Safety Authority (established under <i>Civil Aviation Act 1988</i> of the Commonwealth).</li> </ul>
Offices—portable	<ul style="list-style-type: none"> <li>Height must not exceed 1 storey.</li> <li>Setbacks must be in accordance with any applicable setback provisions of development control plan applying to site.</li> <li>Must not be carried out on land within a growth centre (within the meaning of <i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</i>) that is not <b>subject land</b> within the meaning of clause 17 of Schedule 7 to the <i>Threatened Species Conservation Act 1995</i>.</li> </ul>
Pergolas and storm blinds	<ul style="list-style-type: none"> <li>Surface area must not exceed 20m<sup>2</sup>.</li> <li>Height must not exceed 2.4m above ground level (existing).</li> <li>Must maintain all required boundary setbacks for the associated building and no part of structure must be within 900mm of any property boundary.</li> </ul>



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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Schedule 1 Exempt development—general

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Development purpose	Development standards
Rainwater and bore water tanks	<ul style="list-style-type: none"> <li>Height (including any stand) must not exceed 2.4m above ground level (existing).</li> <li>No part of structure must be within 450mm of any property boundary or situated no closer to street than any associated building.</li> <li>Rainwater tank must be fitted with first-flush device that causes initial run-off of any rain to bypass tank to reduce pollutants entering tank.</li> <li>Installation must not involve excavation of more than 1m from ground level (existing), or filling of more than 1m above ground level (existing).</li> <li>Must not be installed over any structure or fittings used by public authority to maintain water or sewer main.</li> <li>Must be sign affixed to tank, clearly stating that water in tank is rainwater or bore water (as appropriate).</li> </ul>
Retaining walls	<ul style="list-style-type: none"> <li>Must not provide for retaining of fill to height above ground level (existing) of more than 2m or excavation to depth below ground level (existing) of more than 1m.</li> <li>Must not prevent the natural flow of stormwater drainage/run-off.</li> </ul>
Scaffolding—erection in conjunction with erection or demolition of, or carrying out of alterations or additions to, a building or carrying out of maintenance or repairs (for which, in each case, any required consent has been obtained)	<ul style="list-style-type: none"> <li>Must not encroach onto footpath or public thoroughfare.</li> <li>Temporary fencing must be provided to restrict unauthorised access to site if scaffolding is within 3m of any boundary.</li> <li>Must be removed immediately on completion of work if removal will not give rise to safety risk.</li> </ul>
Security cameras—installation for security purposes	
Sheds	<ul style="list-style-type: none"> <li>Must be free-standing, prefabricated and constructed of non-reflective materials.</li> <li>Development must not result in shed with a total floor area exceeding 30m<sup>2</sup>.</li> <li>Height must not exceed 2.5m above ground level (existing).</li> <li>Must be located in rear of infrastructure facility.</li> </ul>
Skylight or roof windows	<ul style="list-style-type: none"> <li>Area of skylight must not exceed 2m<sup>2</sup>.</li> <li>Must not be located within 900mm of any property boundary or within 900mm of any wall separating attached dwellings.</li> <li>Work must not reduce structural integrity of building or involve structural alterations.</li> </ul>
<b>Signs</b>	
Existing signs—maintenance, replacement or change in display if existing sign is exempt under this Policy	<ul style="list-style-type: none"> <li>Must not involve a change in area, form or shape.</li> </ul>



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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Schedule 1 Exempt development—general

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### Development purpose

Identification, directional, community information or safety signs but not including roof-top signs or commercial advertising or signs associated with the use of road infrastructure (including signs associated with level crossings)

Identification, directional, community information or safety signs associated with the use of road infrastructure

Temporary signs advertising an event and associated relevant details including sponsorship of the event

### Development standards

- Surface area must not exceed 3.5m<sup>2</sup>.
- Must be located wholly within property boundary or be attached to existing boundary fence and not projecting more than 100mm from fence.
- Obtrusive effects of outdoor lighting must be controlled in accordance with AS 4282–1997, *Control of the obtrusive effects of outdoor lighting*.
- Must be consistent with road safety policies and guidelines on outdoor advertising approved by the Secretary for the purpose of this standard and published in the Gazette.
- Surface area must not exceed 3.5m<sup>2</sup>.
- Must be located wholly within property boundary.
- Must not be displayed earlier than 28 days before event and must be removed within 14 days after event.
- Obtrusive effects of outdoor lighting must be controlled in accordance with AS 4282–1997 *Control of the obtrusive effects of outdoor lighting*.

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Schedule 2 Schools—complying development

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## Schedule 2 Schools—complying development

(Clauses 33 (3) and 34 (2) (e))

### 1 Definitions

- (1) A word or expression used in this Schedule has the same meaning as it has in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* unless it is otherwise defined in this Schedule.
- (2) In this Schedule:
  - ground level (finished)** means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.
  - ground level (mean)** means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building.

### 2 Building height

The building height of a building (whether a new building, or an existing building as a result of an addition or alteration):

- (a) must not exceed 4 storeys, and
- (b) must not exceed 22m from ground level (mean).

### 3 Side and rear setback

A building (whether a new building, or an existing building as a result of an addition or alteration) must comply with the following side and rear setbacks:

- (a) if the building height is 12m or less—the building must be located more than 5m from any side or rear property boundary with land in a residential zone or more than 1m from any side or rear property boundary with land in any other zone,
- (b) if the building height is more than 12m but no more than 15m—the building must be located more than 8m from any side or rear property boundary with land in a residential zone or more than 2.5m from any side or rear property boundary with land in any other zone,
- (c) if the building height is more than 15m but no more than 22m—the building must be located more than 10m from any side or rear property boundary with land in a residential zone or more than 4m from any side or rear property boundary with land in any other zone.

### 4 Design and materials

A new building or an alteration or addition to an existing building must comply with the following:

- (a) any new external walls or roof of the building must be constructed of non-reflective material,
- (b) any external walls of the building that face a public road or reserve must contain windows.

### 5 Overshadowing

A new building or an alteration or addition to an existing building must not overshadow any adjoining residential accommodation so that solar access to any habitable room or principal private open space on the adjoining property:

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Schedule 2 Schools—complying development

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- (a) is reduced to less than 3 hours of solar access between 9:00 am and 3:00 pm at the winter solstice, or
- (b) is reduced in any manner if solar access to any habitable room on the adjoining property is already less than 3 hours.

**6 Privacy**

A window in a new building, or a new window in any alteration or addition to an existing building, must have a privacy screen for any part of the window that is less than 1.5m above finished floor level if:

- (a) the finished floor level is more than 1.5m above ground level (mean), and
- (b) the window faces a building used for residential accommodation on an adjoining lot, and
- (c) the wall in which the window is located has a setback of less than 5m from the boundary of that adjoining lot.

**7 Landscape**

Landscaping must be provided for a new building constructed adjacent to the boundary of land in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential, as follows:

- (a) the landscaped area must be 3m wide and along the common boundary,
- (b) the landscaped area must contain trees or shrubs (that grow to a mature height of 3m or more) that are:
  - (i) suitable for screening, and
  - (ii) not likely to pose a safety or health risk.

**8 Waste**

- (1) A garbage and waste storage area for recyclable and non-recyclable waste materials and receptacles for those materials must:
  - (a) be provided as part of the development, and
  - (b) be located entirely within the lot on which the development is being carried out and not on a road or road reserve, and
  - (c) comply with the following appendices in the document titled *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (ISBN 978-1-74293-944-5), published by the NSW Environment Protection Authority in December 2012:
    - (i) Appendices A and B, for the size and location of garbage and storage areas and the size of waste receptacles,
    - (ii) Appendices C and D, for the design of openings of waste storage areas and loading bay turning circles for waste removal vehicles,
    - (iii) Appendix E, for standard signs for waste storage areas,
    - (iv) Appendix F, for the design and operational capacity of waste storage areas.
- (2) The waste storage area must:
  - (a) be screened, and
  - (b) be located behind the primary road frontage building line, and
  - (c) not be located in any car parking, loading or landscaped area, and

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- (d) not be located on any side of the building that faces an adjoining lot on which there is residential accommodation.
- (3) Despite subclause (1) (a), the waste storage area may be part of an existing facility on the site that has capacity.

**9 Earthworks**

- (1) Earthworks for the purposes of the development must:
  - (a) be structurally supported in accordance with subclause (2), and
  - (b) if the land is not identified as Class 3 or Class 4 on the Acid Sulfate Soils Map—not be more than 3m below ground level (existing), and
  - (c) if the land is identified as Class 3 or Class 4 on the Acid Sulfate Soils Map—not be more than 1m below ground level (existing), and
  - (d) be carried out at least 40m from any waterbody (natural), and
  - (e) if the works are on a lot adjacent to a rail corridor—have a setback at least 3m from the corridor.
- (2) Structural support for earthworks more than 1m above or below ground level (existing) must take the form of a retaining wall or other form of structural support that:
  - (a) has been certified by a professional engineer, and
  - (b) has adequate drainage lines connected to an existing stormwater drainage system for the site, and
  - (c) does not redirect the flow of any water or cause sediment to be transported onto an adjoining property, and
  - (d) is not higher than 3m, and
  - (e) is separated from any other structural support on the site by at least 2m, measured horizontally.
- (3) Fill, for the purpose of the development, must:
  - (a) not raise the ground level (existing) more than 2m, and
  - (b) be wholly contained by structural support in accordance with subclause (2), and
  - (c) be located at least 40m from any waterbody (natural).

**10 Drainage**

- (1) All stormwater drainage collecting as a result of the development must be conveyed by a gravity fed or charged system to:
  - (a) a public drainage system, or
  - (b) an inter-allotment drainage system, or
  - (c) an on-site disposal system.
- (2) All stormwater drainage systems within a lot and the connection to a public or an inter-allotment drainage system must:
  - (a) if an approval is required under section 68 of the *Local Government Act 1993*, be approved under that Act, or
  - (b) if an approval is not required under section 68 of the *Local Government Act 1993*, comply with any requirements for the disposal of stormwater drainage contained in a development control plan that is applicable to the land.

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### 11 Bush fire prone land

- (1) This clause applies:
  - (a) to all development on a lot that is wholly or partly bush fire prone land, and
  - (b) in addition to all other development standards specified for complying development under this Policy.
- (2) The development may be carried out on the lot only if:
  - (a) the development conforms to the specifications and requirements of the following that are relevant to the development:
    - (i) *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6) published by the NSW Rural Fire Service in December 2006,
    - (ii) *Addendum: Appendix 3* (ISBN 0 9751033 2 6, published by NSW Rural Fire Service in 2010) to *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6),
    - (iii) if another document is prescribed by the regulations for the purposes of section 79BA of the Act—that document, and
  - (b) the part of the lot on which the development is to be carried out is not in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ), and
  - (c) the lot has direct access to a public road or a road vested in or maintained by the council, and
  - (d) a reticulated water supply is connected to the lot, and
  - (e) a fire hydrant is located less than 60m from the location on the lot of the proposed development, and
  - (f) mains electricity is connected to the lot, and
  - (g) reticulated or bottled gas on the lot is installed and maintained in accordance with AS/NZS 1596:2008, *The storage and handling of LP Gas* and the requirements of relevant authorities (such as the requirement that metal piping must be used), and
  - (h) any gas cylinders on the lot that are within 10m of a dwelling:
    - (i) have the release valves directed away from the dwelling, and
    - (ii) are enclosed on the hazard side of the installation, and
    - (iii) have metal connections to and from the cylinders, and
  - (i) there are no polymer sheathed flexible gas supply lines to gas meters adjacent to any dwelling on the lot or an adjoining lot.

**Note.** The requirements of AS 3959—2009, *Construction of buildings in bushfire-prone areas* set out in the *Building Code of Australia* also apply.

- (3) A standard specified in subclause (2) (b) is satisfied if one of the following certifies that the development is not in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ):
  - (a) a person who is recognised by the NSW Rural Fire Service as a suitably qualified consultant in bush fire risk assessment, or
  - (b) the council.

**Note.** More information about the categories of bush fire attack, including the flame zone, can be found in Table A3.4.2 of *Addendum: Appendix 3* (ISBN 0 9751033 2 6 and published by NSW Rural Fire Service in 2010) to the publication titled *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6) published by NSW Rural Fire Service in 2006.



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### 12 Flood control lots

- (1) This clause applies:
  - (a) to all development that is to be carried out on a flood control lot, and
  - (b) in addition to all other development standards specified for complying development under this Policy.
- (2) The development must not be on any part of a flood control lot unless that part of the lot has been certified, for the purposes of the issue of the relevant complying development certificate, by the council or a professional engineer who specialises in hydraulic engineering, as not being any of the following:
  - (a) a flood storage area,
  - (b) a floodway area,
  - (c) a flow path,
  - (d) a high hazard area,
  - (e) a high risk area.
- (3) The development must, to the extent it is within a flood planning area:
  - (a) have a minimum floor level no lower than the floor levels set by the council for that lot, and
  - (b) have the part of the development at or below the flood planning level constructed of flood compatible material, and
  - (c) be able to withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or, if on-site refuge is proposed, the probable maximum flood level), and
  - (d) not increase flood affectation elsewhere in the floodplain, and
  - (e) have reliable access for pedestrians and vehicles from the development, at a minimum level equal to the lowest floor level of the development, to a safe refuge, and
  - (f) have open car parking spaces or carports that are no lower than the 20-year flood level, and
  - (g) have driveways between car parking spaces and the connecting public roadway that will not be inundated by a depth of water greater than 0.3m during a 1:100 ARI (average recurrent interval) flood event.
- (4) A standard specified in subclause (3) (c) or (d) is satisfied if a joint report by a professional engineer who specialises in hydraulic engineering and a professional engineer who specialises in civil engineering confirms that the development:
  - (a) can withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or, if on-site refuge is proposed, the probable maximum flood level), or
  - (b) will not increase flood affectation elsewhere in the floodplain.
- (5) If a word or expression used in this clause is defined in the Floodplain Development Manual, the word or expression has the same meaning as it has in that Manual unless it is otherwise defined in this clause.
- (6) In this clause:
 

***flood compatible material*** means building materials and surface finishes capable of withstanding prolonged immersion in water.

***flood control lot*** means a lot to which flood related development controls apply in respect of development for the purposes of industrial buildings, commercial premises, dwelling houses, dual occupancies, multi dwelling housing or residential



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flat buildings (other than development for the purposes of group homes or seniors housing).

**Note.** This information is a prescribed matter for the purpose of a certificate under section 149 (2) of the Act.

**Floodplain Development Manual** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

**flow path** means a flow path identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.

**high hazard area** means a high hazard area identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.

**high risk area** means a high risk area identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.

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Schedule 3 Universities—complying development

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### Schedule 3 Universities—complying development

(Clause 43 (3))

#### 1 Definitions

- (1) A word or expression used in this Schedule has the same meaning as it has in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* unless it is otherwise defined in this Schedule.
- (2) In this Schedule:
  - ground level (mean)** means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building.
  - ground level (finished)** means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.

#### 2 Building height

The building height of a building (whether a new building, or an existing building as a result of an addition or alteration):

- (a) must not exceed 3 storeys, and
- (b) must not exceed 15m from ground level (mean).

#### 3 Maximum gross floor area

- (1) The maximum gross floor area of a new building is:
  - (a) the maximum gross floor area for a building on the land, imposed by an environmental planning instrument, or
  - (b) if no environmental planning instrument imposes a development standard referred to in paragraph (a)—2,000m<sup>2</sup>.
- (2) If the development is an alteration or addition to an existing building, the maximum gross floor area of the building as altered or added to is:
  - (a) the maximum gross floor area for a building on the land, imposed by an environmental planning instrument, or
  - (b) if no environmental planning instrument imposes a development standard referred to in paragraph (a)—the lesser of:
    - (i) 2,000m<sup>2</sup>, or
    - (ii) 50% of the gross floor area of the existing building.

#### 4 Side and rear setback

- (1) A new building must be located at least 5m from any side or rear property boundary with land in a residential zone or at least 1m from any side or rear property boundary with land in any other zone.
- (2) Alterations or additions to an existing building must not:
  - (a) if the existing setback is less than 5m from a side or rear boundary—result in any decrease in the existing set back of the building from that boundary, or
  - (b) if the existing setback is 5m or more from a side or rear boundary—result in the building being located less than 5m from any side or rear property boundary with land in a residential zone or less than 1m from any side or rear property boundary with land in any other zone.

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### 5 Front setback

- (1) A new building must have a front setback:
  - (a) that is not less than the average distance of the front setbacks of all existing development that is located within 70m of the building, or
  - (b) if there is no development located within 70m of the building—of at least 5m.
- (2) Alterations or additions to an existing building must not result in the building having a front setback:
  - (a) that is less than the average distance of the front setbacks of all existing development that is located within 70m of the building, or
  - (b) if there is no development located within 70m of the building—of less than 5m.

### 6 Design and materials

A new building or an alteration or addition to an existing building must comply with the following:

- (a) any new external walls or roof of the building must be constructed of non-reflective material,
- (b) any external walls of the building that face a public road or reserve must contain windows.

### 7 Noise

A new building or (if the development is an alteration or addition to an existing building for the purpose of changing its use) an existing building that is to be used for the purpose of a recreation facility (indoor) or a community facility must:

- (a) if the building adjoins land used for residential accommodation—be located at least 20m from any boundary of the land, and
- (b) be designed so as not to emit noise exceeding an LAeq of 5 dB(A) above background noise when measured at any lot boundary.

### 8 Overshadowing

A new building or an alteration or addition to an existing building must not overshadow any adjoining residential accommodation so that solar access to any habitable room or principal private open space on the adjoining property:

- (a) is reduced to less than 3 hours of solar access between 9:00 am and 3:00 pm at the winter solstice, or
- (b) is reduced in any manner if solar access to any habitable room on the adjoining property is already less than 3 hours.

### 9 Privacy

A window in a new building, or a new window in any alteration or addition to an existing building, must have a privacy screen for any part of the window that is less than 1.5m above finished floor level if:

- (a) the finished floor level is more than 1.5m above ground level (mean), and
- (b) the window faces a building used for residential accommodation on an adjoining lot, and
- (c) the wall in which the window is located has a setback of less than 10m from the boundary of that adjoining lot.

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**10 Landscape**

Landscaping must be provided for a new building constructed adjacent to the boundary of land in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential, as follows:

- (a) the landscaped area must be 3m wide and along the common boundary,
- (b) the landscaped area must contain trees or shrubs (that grow to a mature height of 3m or more) that are:
  - (i) suitable for screening, and
  - (ii) not likely to pose a safety or health risk.

**11 Waste**

- (1) A garbage and waste storage area for recyclable and non-recyclable waste materials and receptacles for those materials must:
  - (a) be provided as part of the development, and
  - (b) be located entirely within the lot on which the development is being carried out and not on a road or road reserve, and
  - (c) comply with the following appendices in the document titled *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (ISBN 978-1-74293-944-5), published by the NSW Environment Protection Authority in December 2012:
    - (i) Appendices A and B, for the size and location of garbage and storage areas and the size of waste receptacles,
    - (ii) Appendices C and D, for the design of openings of waste storage areas and loading bay turning circles for waste removal vehicles,
    - (iii) Appendix E, for standard signs for waste storage areas,
    - (iv) Appendix F, for the design and operational capacity of waste storage areas.
- (2) The waste storage area must:
  - (a) be screened, and
  - (b) be located behind the primary road frontage building line, and
  - (c) not be located in any car parking, loading or landscaped area, and
  - (d) not be located on any side of the building that faces an adjoining lot on which there is residential accommodation.
- (3) Despite subclause (1) (a), the waste storage area may be part of an existing facility on the site that has capacity.

**12 Earthworks**

- (1) Earthworks for the purposes of the development must:
  - (a) be structurally supported in accordance with subclause (2), and
  - (b) if the land is not identified as Class 3 or Class 4 on the Acid Sulfate Soils Map—not be more than 3m below ground level (existing), and
  - (c) if the land is identified as Class 3 or Class 4 on the Acid Sulfate Soils Map—not be more than 1m below ground level (existing), and
  - (d) be carried out at least 40m from any waterbody (natural), and
  - (e) if the works are on a lot adjacent to a rail corridor—have a setback at least 3m from the corridor.

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- (2) Structural support for earthworks more than 1m above or below ground level (existing) must take the form of a retaining wall or other form of structural support that:
  - (a) has been certified by a professional engineer, and
  - (b) has adequate drainage lines connected to an existing stormwater drainage system for the site, and
  - (c) does not redirect the flow of any water or cause sediment to be transported onto an adjoining property, and
  - (d) is not higher than 3m, and
  - (e) is separated from any other structural support on the site by at least 2m, measured horizontally.
- (3) Fill, for the purpose of the development, must:
  - (a) not raise the ground level (existing) more than 2m, and
  - (b) be wholly contained by structural support in accordance with subclause (2), and
  - (c) be located at least 40m from any waterbody (natural).

### 13 Drainage

- (1) All stormwater drainage collecting as a result of the development must be conveyed by a gravity fed or charged system to:
  - (a) a public drainage system, or
  - (b) an inter-allotment drainage system, or
  - (c) an on-site disposal system.
- (2) All stormwater drainage systems within a lot and the connection to a public or an inter-allotment drainage system must:
  - (a) if an approval is required under section 68 of the *Local Government Act 1993*, be approved under that Act, or
  - (b) if an approval is not required under section 68 of the *Local Government Act 1993*, comply with any requirements for the disposal of stormwater drainage contained in a development control plan that is applicable to the land.

### 14 Bush fire prone land

- (1) This clause applies:
  - (a) to all development on a lot that is wholly or partly bush fire prone land, and
  - (b) in addition to all other development standards specified for complying development under this Policy.
- (2) The development may be carried out on the lot only if:
  - (a) the development conforms to the specifications and requirements of the following that are relevant to the development:
    - (i) *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6) published by the NSW Rural Fire Service in December 2006,
    - (ii) *Addendum: Appendix 3* (ISBN 0 9751033 2 6, published by NSW Rural Fire Service in 2010) to *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6),
    - (iii) if another document is prescribed by the regulations for the purposes of section 79BA of the Act—that document, and



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- (b) the part of the lot on which the development is to be carried out is not in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ), and
  - (c) the lot has direct access to a public road or a road vested in or maintained by the council, and
  - (d) a reticulated water supply is connected to the lot, and
  - (e) a fire hydrant is located less than 60m from the location on the lot of the proposed development, and
  - (f) mains electricity is connected to the lot, and
  - (g) reticulated or bottled gas on the lot is installed and maintained in accordance with AS/NZS 1596:2008, *The storage and handling of LP Gas* and the requirements of relevant authorities (such as the requirement that metal piping must be used), and
  - (h) any gas cylinders on the lot that are within 10m of a dwelling:
    - (i) have the release valves directed away from the dwelling, and
    - (ii) are enclosed on the hazard side of the installation, and
    - (iii) have metal connections to and from the cylinders, and
  - (i) there are no polymer sheathed flexible gas supply lines to gas meters adjacent to any dwelling on the lot or an adjoining lot.
- Note.** The requirements of AS 3959—2009, *Construction of buildings in bushfire-prone areas* set out in the *Building Code of Australia* also apply.
- (3) A standard specified in subclause (2) (b) is satisfied if one of the following certifies that the development is not in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ):
    - (a) a person who is recognised by the NSW Rural Fire Service as a suitably qualified consultant in bush fire risk assessment, or
    - (b) the council.

**Note.** More information about the categories of bush fire attack, including the flame zone, can be found in Table A3.4.2 of *Addendum: Appendix 3* (ISBN 0 9751033 2 6 and published by NSW Rural Fire Service in 2010) to the publication titled *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6) published by NSW Rural Fire Service in 2006.

### 15 Flood control lots

- (1) This clause applies:
  - (a) to all development that is to be carried out on a flood control lot, and
  - (b) in addition to all other development standards specified for complying development under this Policy.
- (2) The development must not be on any part of a flood control lot unless that part of the lot has been certified, for the purposes of the issue of the relevant complying development certificate, by the council or a professional engineer who specialises in hydraulic engineering, as not being any of the following:
  - (a) a flood storage area,
  - (b) a floodway area,
  - (c) a flow path,
  - (d) a high hazard area,
  - (e) a high risk area.
- (3) The development must, to the extent it is within a flood planning area:
  - (a) have a minimum floor level no lower than the floor levels set by the council for that lot, and



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- (b) have the part of the development at or below the flood planning level constructed of flood compatible material, and
  - (c) be able to withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or, if on-site refuge is proposed, the probable maximum flood level), and
  - (d) not increase flood affectation elsewhere in the floodplain, and
  - (e) have reliable access for pedestrians and vehicles from the development, at a minimum level equal to the lowest floor level of the development, to a safe refuge, and
  - (f) have open car parking spaces or carports that are no lower than the 20-year flood level, and
  - (g) have driveways between car parking spaces and the connecting public roadway that will not be inundated by a depth of water greater than 0.3m during a 1:100 ARI (average recurrent interval) flood event.
- (4) A standard specified in subclause (3) (c) or (d) is satisfied if a joint report by a professional engineer who specialises in hydraulic engineering and a professional engineer who specialises in civil engineering confirms that the development:
- (a) can withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or, if on-site refuge is proposed, the probable maximum flood level), or
  - (b) will not increase flood affectation elsewhere in the floodplain.
- (5) If a word or expression used in this clause is defined in the Floodplain Development Manual, the word or expression has the same meaning as it has in that Manual unless it is otherwise defined in this clause.
- (6) In this clause:
- flood compatible material*** means building materials and surface finishes capable of withstanding prolonged immersion in water.
- flood control lot*** means a lot to which flood related development controls apply in respect of development for the purposes of industrial buildings, commercial premises, dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (other than development for the purposes of group homes or seniors housing).
- Note.** This information is a prescribed matter for the purpose of a certificate under section 149 (2) of the Act.
- Floodplain Development Manual*** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.
- flow path*** means a flow path identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.
- high hazard area*** means a high hazard area identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.
- high risk area*** means a high risk area identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
Schedule 4 Schools—design quality principles

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### **Schedule 4 Schools—design quality principles**

(Clause 29 (5))

#### **Principle 1—context, built form and landscape**

Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.

Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.

#### **Principle 2—sustainable, efficient and durable**

Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.

Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.

#### **Principle 3—accessible and inclusive**

School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.

**Note.** Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.

Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.

#### **Principle 4—health and safety**

Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.

#### **Principle 5—amenity**

Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.

Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.

#### **Principle 6—whole of life, flexible and adaptive**

School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.

#### **Principle 7—aesthetics**

School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding

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neighbourhood and have a positive impact on the quality and character of a neighbourhood.

The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.

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Schedule 5 Amendment of environmental planning instruments

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**Schedule 5 Amendment of environmental planning instruments**

**5.1 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**

**[1] Clause 2.45**

Omit “if it is not carried out on bush fire prone land”.

**[2] Clause 2.46**

Omit the clause. Insert instead:

**2.46 Development standards**

- (1) The standards specified for that development, if located on bush fire prone land, are as follows:
  - (a) an asset protection zone must be established for the dwelling used for home-based child care (the *dwelling*), that is not on a slope exceeding 18 degrees and that is in accordance with *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6) published by the NSW Rural Fire Service in December 2006,
  - (b) a bush fire emergency management and evacuation plan must be prepared and a copy provided to the local fire service,
  - (c) the dwelling and any associated access way must not be in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ),
  - (d) the lot on which the dwelling is located (the *lot*) must have direct access to a public road or a road vested in or maintained by the council,
  - (e) either a reticulated water supply must be connected to the lot or a dedicated water supply of at least 10,000L must be stored in a tank on site for fire fighting purposes,
  - (f) the dwelling must be located within 60m of a fire hydrant,
  - (g) mains electricity must be connected to the lot,
  - (h) reticulated or bottled gas on the lot must be installed in accordance with AS/NZS 1596:2008, *The storage and handling of LP Gas* and the requirements of relevant authorities (such as the requirement that metal piping be used),
  - (i) any gas cylinders on the lot that are within 10m of the dwelling must:
    - (i) have their release valves directed away from the dwelling, and
    - (ii) be enclosed on the hazard side of the installation, and
    - (iii) have metal connections to and from the cylinders, and
  - (j) there must be no polymer sheathed flexible gas supply lines to gas meters adjacent to the dwelling.

**Note.** The requirements of AS 3959—2009, *Construction of buildings in bushfire-prone areas* set out in the *Building Code of Australia* also apply.

- (2) In this clause:
 

*bush fire attack level-40 (BAL-40)* has the same meaning as it has in AS 3959—2009, *Construction of buildings in bushfire-prone areas*.

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## public consultation draft

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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
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*flame zone (BAL-FZ)* has the same meaning as it has in AS 3959—2009, *Construction of buildings in bushfire-prone areas*.

**Note 1.** The elements that must comprise this type of development are specified in the definition for this development in the Standard Instrument. If all the elements are not present, the development is not development to which this Division applies.

**Note 2.** A service approval is required to operate an early childhood education and care facility that is an education and care service to which the *Children (Education and Care Services) National Law (NSW)* applies or a State regulated education and care service to which the *Children (Education and Care Services) Supplementary Provisions Act 2011* applies.

**Note 3.** More information about the categories of bush fire attack, including the flame zone, can be found in Table A3.4.2 of *Addendum: Appendix 3* (ISBN 0 9751033 2 6 and published by NSW Rural Fire Service in 2010) to the publication titled *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6) published by NSW Rural Fire Service in 2006.

**[3] Clause 2.64**

Omit clause 2.64 (1) (a) (i) and (4).

**[4] Clause 2.64 (1) (a) (ii)**

Omit “in any other case—”.

**[5] Clause 2.72**

Omit “child care centre” from clause 2.72 (b) (ii) and (iii) and (l).

Insert instead “centre-based child care”.

**[6] Clauses 5.2 (1A) and 5.4 (1A)**

Insert after clause 5.2 (1) and 5.4 (1):

- (1A) Despite subclause (1), subclause (1) (e) does not apply to development in connection with a tertiary institution.

**[7] Clause 5.2**

Insert after clause 5.2 (2):

- (3) Subclause (2) (b) is also a standard specified for that development if the alteration involves an area of more than 500m<sup>2</sup> of a tertiary institution.

**[8] Clause 5.3**

Insert “tertiary institution” in appropriate order in the matter relating to **Category 2** in Columns 1 and 2 of the Table to the clause.

**[9] Clause 5.3 (3)**

Insert after clause 5.3 (2):

- (3) Despite subclause (1), a change in use from a tertiary institution or to a tertiary institution, as specified in category 2 in Columns 1 and 2 of the Table to this clause, is development specified for this code only if the gross floor area of the premises does not exceed 60m<sup>2</sup>.

**[10] Clause 5.5**

Insert after clause 5.5 (1) (k):

- (l) a tertiary institution.

**[11] Clauses 5.13 and 5.16**

Insert “or building identification sign” after “business identification sign” wherever occurring.



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**[12] Clause 5.14**

Omit clause 5.14 (a). Insert instead:

- (a) not result in more than 4 business identification signs (which may refer to more than 1 business within the building) or building identification signs (or both) of this type for the building so long as only one sign is visible on each elevation of the building, and

**[13] Clauses 5.14 (g) and 5.15 (i)**

Insert “is a business identification sign and” after “if the sign”.

**[14] Clause 5.14 (2)**

Insert at the end of clause 5.14:

- (2) Despite subclause (1), subclause (1) (c) does not apply to development in connection with a tertiary institution.

**[15] Clause 5A.1**

Insert at the end of the clause:

- (2) This code also applies to development that is specified in clause 5A.2 (1) (d) or (e) on any lot in Zone SP1 or SP2 if that development is in connection with a tertiary institution.

**[16] Clause 5A.24**

Insert after clause 5A.24 (2):

- (3) If car parking is in connection with a tertiary institution, the following additional development standards apply:
  - (a) must not increase or reduce the number of car spaces currently approved for the land,
  - (b) if the parking area is on grade, provide at least 1 tree with a mature height of at least 8m for every 6 cars.

**Note.** Consent from the relevant roads authority may be required under section 138 of the *Roads Act 1993* for the building of any kerb, crossover or driveway. See clause 1.18 (1) (e).

**5.2 State Environmental Planning Policy (State and Regional Development) 2011**

**Schedule 1 State significant development—general**

Omit clause 15. Insert instead:

**15 Educational establishments**

- (1) Development for the purpose of a new school (regardless of the capital investment value).
- (2) Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school.
- (3) Any other development for the purpose of educational establishments (including associated research facilities) that has a capital investment value of more than \$30 million.



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State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 [NSW]  
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### 5.3 State Environmental Planning Policy (Infrastructure) 2007

**[1] Clause 16 Consultation with public authorities other than councils**

Omit “an educational establishment,” from clause 16 (2) (f). Insert instead “a”.

**[2] Clause 20A Exempt development carried out by public authorities for purposes in Schedule 1**

Insert at the end of the clause:

- (2) This clause does not apply to development carried out by public authorities in connection with an existing educational establishment.

**Note.** The *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2016* provides for exempt development carried out by public authorities in connection with an existing educational establishment.

**[3] Part 3 Development controls**

Omit Division 3 (Educational establishments).

**[4] Clause 48B Development on land to which SEPP 14 applies**

Omit “educational establishment,” from clause 48B (2) (a).

**[5] Clause 48B (2) (a)**

Omit “child care centre”. Insert instead “centre-based child care”.

**[6] Clauses 87 (1) (d) and 102 (1) (d)**

Omit “child care centre” wherever occurring. Insert instead “centre-based child care”.

**[7] Schedule 1 Exempt development—general**

Insert above the column headings “**Development purpose**” and “**Development standards**”:

**Note.** Clause 20A and this Schedule do not apply to development carried out by public authorities in connection with an existing educational establishment. Exempt development of that kind is provided for in *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2016*.

**[8] Schedule 1**

Omit “(except for an educational establishment)” from the development standard relating to awnings, canopies, pergolas and storm blinds.

**[9] Schedule 3 Traffic generating development to be referred to the RTA**

Omit from Columns 1 and 2, respectively, the matter relating to educational establishments.

Contact: S.Roseland  
Phone: 9367 9279

28 March 2017

Director, Industry and Infrastructure  
NSW Department of Planning & Environment  
PO Box 39  
SYDNEY NSW 2001

**RE: PUBLIC EXHIBITION – DRAFT STATE ENVIRONMENTAL PLANNING  
POLICY (SEPP) FOR EDUCATIONAL ESTABLISHMENTS AND CHILD  
CARE FACILITIES**

Thank you for the opportunity to comment on the draft SEPP for Educational Establishments / Child Care Facilities and supporting documents.

At the Ordinary Council meeting held on 28 March 2017 Council approved the attached report on the draft SEPP. In particular Council would like to raise the following issues of concern and objections.

**Zoning of schools sites**

The proposed SEPP includes provisions to allow site compatibility certificates to be issued to permit school sites to adopt the zoning of adjoining land. This would often involve rezoning to residential and would facilitate the disposal of educational sites.

This was an issue during the translation of Council LEPs into the NSW government Standard Template. The varied and inconsistent zoning of many schools across Sydney is a result of this process.

This element of the SEPP contradicts its own objective of addressing a deficit of land for educational facilities and childcare centres.

Council objects to this proposed provision on the basis that SP2 (Infrastructure) is the most appropriate zoning for educational facilities. Where the Department of Education intends to cease operation at a particular site and introduce a new land use, their process should be as it is for private land and require a full and transparent analysis of environmental, social and economic impacts.

**Mandates ‘centre-based childcare’ as a permitted land use in IN2 (Light Industrial)**

Council objects to this provision due to the risk it poses for the loss of industrial land and potential impacts on children's health. The former Leichhardt Council's 2016 Industrial Lands study stresses how critical it is that the diminished quantum of lands zoned for employment generating purposes be retained for job provision and future economic growth.

Mandating childcare in the IN2 zone could result in further loss or fragmentation of industrial lands and land use conflicts. Adjoining industrial uses and the associated pollution, noise and truck/traffic movements could have significant detrimental impacts on the amenity and health of children attending proposed new facilities.

### **Expansion of education and childcare development without consent and exempt and complying provisions**

The range of land uses, development and works allowed using these provisions could see a substantial increase in the capacity of existing school sites and establishment of new school and child care facilities. These would include private schools recognised as public authorities.

The same provisions may also remove a consent authority's ability to mitigate the impacts or refuse elements / whole proposals that would have an unacceptable amenity impacts on neighbouring residents and businesses, plus the future users of these facilities. For example under the Draft SEPP;

- No masterplanning is required for individual sites or precincts to determine the long-term needs and cumulative impacts
- The SEPP does not explicitly state that its provisions do not apply to existing or draft heritage items and heritage conservation areas.
- Bush fire prone land and coastal wetlands are not excluded from new development without consent and exempt & complying provisions
- Councils do not retain the ability to set conditions on developments to minimise impacts on existing local communities, including hours of operation and size of car parking facilities
- Non-discretionary development standards, such as locations, proximity to other facilities and site area/coverage/dimensions is not a matter for consideration.

These provisions, under the changes, will apply to both public and private schools. Council is concerned about how this provision could lead to poor development outcomes with adverse impacts on surrounding communities and on the pupils and teachers of schools that expand without consent using exempt and complying provisions.

### **Development Controls Plans (DCPs)**

The draft SEPP provisions aim to replace DCP planning objectives and controls for childcare and education. This will reduce councils' ability to implement DCP controls that are specific to particular areas and assess the merits and need for individual proposals. This could result in poor development outcomes which do not best serve the community.

### **Unencumbered indoor and outdoor space requirements**

The draft SEPP encourages the early involvement of the relevant regulatory authority, which is supported. The proposed mechanism whereby consent authorities can submit centre-based childcare development applications for regulatory authority concurrence seeking a reduction in established base minimum requirements is opposed. Minimum space allocations per child are set to facilitate child welfare and learning and should not be varied on a case by case basis as this would result in a lack of consistency and equality across the sector.

### **Need for capacity limits**

Eliminating strict numerical limits on expanding schools while listing more potential development/works as development without consent or exempt/complying development will restrict consent authorities' ability to mitigate cumulative impacts. Growing cumulative impacts emphasise the need for masterplanning of precincts to

determine long-term need. This will likely result in further overcrowding and deterioration of school infrastructure as well as greater traffic impacts and should be moderated to facilitate Council involvement.

#### **Consultation with Councils**

Requirements of the SEPP are vague and open to interpretation by the relevant public authority including designated non-government schools, to determine whether there will be development impacts on Council infrastructure and/or services.

This draft SEPP will reduce Councils involvement in educational establishment provision through more State Significant Development and the possible involvement of JRPP / Sydney Planning Panels. This will make it difficult for local government to ensure that schools are well-placed and their impacts upon existing residents and businesses are not detrimental. This includes clause 36, which allows State Significant Development to ignore local environmental plans which have already been endorsed by the Minister and publicly exhibited.

This provision should be revised to ensure that councils can challenge adverse development impacts that are understated by these public authorities.

#### **Zoning matters to be addressed**

Council opposes the following proposed process with regard to zoning:

- Opposition to 'centre-based child care' within IN1 (General Industrial) zone due to potential amenity impacts on children including noise and pollution.
- 'Mobile child care' as exempt development should be limited to certain prescribed zones.
- Exempt and Complying development in existing schools should only be allowed within prescribed zones.

#### **Land use / LEP issues to be addressed**

- 'Staff accommodation' should be restricted in same way as student accommodation.
- The draft SEPP should exclude land identified in clause 5.3 of the Standard Instrument (Development near zone boundaries), including land within a coastal zone.
- Section 14 (6) of the draft SEPP should be reviewed or removed, which categorises land as adjacent to other land even if separated by a road as this is inconsistent with other instruments. At the least 'classified roads' should be excluded.
- The draft SEPP needs to include Australian Noise Exposure Forecast (ANEF) exclusions for certain land identified in clause 1.19 (1)(h) of the Exempt and Complying Codes SEPP and section 117 Direction 3.5 (Development near Licensed Aerodromes).
- Schedule 1 should be consistent with other NSW government legislation and directions, for example the Standard Instrument and the Exempt and Complying Codes SEPP. Currently Schedule 1 permits development for carports and fences which is inconsistent with the Codes SEPP.
- Schedule 2 – Should include a definition for 'habitable room' and 'principle private open space'.
- Schedule 3 Section 3 (1) and (2) will potentially allow for multiple buildings within university grounds to fall under complying development provisions. The



controls should relate to FSR control set as per clause 40 (2)(c) of the draft SEPP, drawn from a local environmental plan (LEP).

**Amenity / urban design issues to be addressed**

- Solar access requirements for existing TAFE establishments differ from those for schools. To ensure consistency these standards should be incorporated into a separate schedule similar to those for other development types.
- Schedule 2 – Using a mean ground level as the draft SEPP proposes is a crude tool if setting development parameters and will lead to poor development outcomes.
- Allowing building heights for new schools to 4 storeys / 22 metres as complying development is excessive. Schools are quite often located within low rise residential neighbourhoods and ensuring the interface between schools and adjoining properties is of an appropriate size and scale is not possible under the current draft SEPP.

**Urban Growth Involvement**

The weakening of development controls and the proposed site compatibility certificate provisions could result in a more haphazard development of educational establishments and child care centre with many negative impacts for existing residents, students, children and their families.

There is an opportunity to introduce some of these measures alongside a targeted program of precinct master planning to identify locations for these new facilities and to align with best practice while minimising potential detrimental impacts. Urban Growth is the NSW Government's urban transformation agency, charged primarily with facilitating residential and commercial development across Sydney and NSW.

The opportunity exists that while undertaking research and investigations into locations for residential and commercial expansion, working alongside the Department of Education, UrbanGrowth identify locations for schools and child care centres according to evidence-based local and regional need. By removing development pressures on identified sites by including them in programs such as the Parramatta Road Urban Transformation Plan the NSW government could provide, much needed clarity and certainty for future land use across the city and State.

To highlight the importance of this issue, the Ministerial imperatives which guide the work of UrbanGrowth should be amended to make specific reference to the importance of social infrastructure provisions, improvement and expansion, with special emphasis on education and health.

Should you wish to further discuss this submission please contact Steve Roseland, Senior Strategic Planner on 9367 9279 or email [steve.roseland@innerwest.nsw.gov.au](mailto:steve.roseland@innerwest.nsw.gov.au).

Yours sincerely

Simon Manoski  
**GROUP MANAGER - STRATEGIC PLANNING**

**Item 7**

**Attachment 2**



**ATTACHMENT 3: Summary of key differences between Inner West Council Development Control Plans and the draft SEPP**

<b>LEICHHARDT COUNCIL</b>		<b>Draft SEPP Educational Establishments and Child Care</b>
<b>Number of children</b>	<ul style="list-style-type: none"> <li>Child care centres do not exceed 90 places.</li> </ul>	Planning Circular on Student Caps allows / encourages Councils to move away from establishing prescriptive numerical caps in development consents and relying more on objectives to facilitate flexibility and school provision.
<b>Allocation of child care places</b>	<ul style="list-style-type: none"> <li>A minimum of 33% of places are for under 2 year olds</li> </ul>	No equivalent control included in the SEPP.
<b>Location restrictions</b>	<ul style="list-style-type: none"> <li>Child care centres are not permitted in close proximity to cooling towers.</li> <li>Child care centres are not permitted within 300m of a source of significant electromagnetic radiation.</li> <li>Child care centres are not permitted adjacent to car park exhaust systems.</li> <li>Child care centres are not permitted within sight of sex services premises, drug clinics and other such uses.</li> </ul>	No equivalent restrictions included in the SEPP and a number conflict with location flexibility objectives.
<b>Surrounding land uses</b>	<ul style="list-style-type: none"> <li>Council will take into account the impact of surrounding land uses including whether the proposed site adjoins an industrial zone, is on a busy road or land subject to high level of aircraft noise.</li> </ul>	Centre-based child care is proposed to be a mandated use within Light Industrial (IN2) zone.
<b>Outdoor play areas</b>	<ul style="list-style-type: none"> <li>Outdoor play areas will provide a minimum of 7sqm of usable outdoor space per child.</li> </ul>	The draft controls include an option where consent authorities can submit centre-based childcare development applications for regulatory authority concurrence seeking a reduction in established base minimum requirements. Controls still applicable however may be subject to variation and inconsistency.
<b>Internal layout</b>		No equivalent restrictions included in the SEPP and may conflict with

<ul style="list-style-type: none"> <li>Single storey child care centres are preferred over multistorey centres, to assist in addressing evacuation requirements.</li> <li>Two storey centres are to locate children's areas on the ground floor and staff/ancillary and office uses on the second floor.</li> </ul>	objectives of Policy.
<b>Indoor play areas</b> <ul style="list-style-type: none"> <li>Indoor play areas will provide a minimum of 3.25sqm of usable indoor space per child.</li> </ul>	The draft controls include option where consent authorities can submit centre-based childcare development applications for regulatory authority concurrence seeking a reduction in established base minimum requirements. Control still applicable however may be subject to variation an inconsistency.
<b>Within Mixed Use developments</b> <ul style="list-style-type: none"> <li>Child care centres which are co-located with residential developments and/or mixed use developments are to have a separate, well-lit and accessible entry and exit points.</li> </ul>	No equivalent control included in the SEPP.
<b>Operation and Management</b> <ul style="list-style-type: none"> <li>Hours of operation are limited to 6:30am to 7pm Monday to Friday, except public holidays.</li> </ul>	Conflicts with clause 24 of draft SEPP therefore will not apply to a development application for centre-based child care.
<b>Traffic</b> <ul style="list-style-type: none"> <li>An off-street drop-off zone/area for the centre is to be provided.</li> <li>A traffic report be prepared by a suitably qualified professional</li> </ul>	No equivalent control and requirement included in the SEPP. Relevant DAs to be forwarded to RMS for comment and concurrence.
<b>ASHFIELD COUNCIL</b>	
<b>Operational Aspects</b> <ul style="list-style-type: none"> <li>A Centre Plan of Management is to be submitted with each development application for a Child Care Centre (both new and existing)</li> </ul>	Conflicts with clause 24 of draft SEPP therefore will not apply to a development application for centre-based child care.
<b>Location Criteria</b>	No equivalent control and requirement included in the SEPP.

<ul style="list-style-type: none"> <li>• in areas which have good vehicular access without unduly affecting traffic flow or parking provision in surrounding streets. Where a new child care centre is to be established in a cul-de-sac or other no-through road, the applicant must clearly demonstrate that there will be no significant impact to residential amenity or vehicular manoeuvrability.</li> <li>• Centres proposed on sites adjoining a classified road are not to have vehicular access from that road unless it can be adequately demonstrated that alternative vehicular access to that development is neither practicable nor can be provided by another road. Requirement for Classified Roads report.</li> <li>• proximity to Dangerous Goods - new Child Care Centres must not be located within 100m of a dangerous good of a quantity requiring a license to be held under the Dangerous Goods Act 1975 and Regulation as measured from the location of the dangerous good to the nearest point of the subject site.</li> <li>• existing and potential on and off-site electromagnetic fields (50Hz and radio frequency fields 3KHz – 300GHz). Requirement for Mobile Phone Base Stations and High Voltage Power Lines reports.</li> <li>• Do not locate child care centres in close proximity to brothels.</li> </ul>	<p>Relevant DAs to be forwarded to RMS for comment and concurrence.</p>
<p><b>Site Planning</b></p> <ul style="list-style-type: none"> <li>• FSR (residential zones) - Ashfield LEP currently states that the maximum permitted FSR for Child Care Centres in residential zones is 0.75:1 however in residential zones compliance with the specific controls may mean that the maximum achievable FSR is lower.</li> <li>• Height (residential zones) - Child Care Centres shall be single storey in scale within low-density zones and a maximum two storey scale within medium/high density residential zones.</li> </ul>	<p>Conflicts with draft SEPP.</p>
<p><b>Sustainability, Energy Efficiency &amp; Solar Access requirements</b></p> <ul style="list-style-type: none"> <li>• Range of controls for design of indoor space including nappy change facilities, ventilation and toilets</li> </ul>	<p>Elements conflict with clause 24 of draft SEPP therefore will not apply to a development application for centre-based child care.</p>

<ul style="list-style-type: none"> <li>Range of controls for design and placement of outdoor space including fencing and shading devices.</li> </ul>	
<b>Accessibility</b> <ul style="list-style-type: none"> <li>Child Care Centres must be located on the ground floor of the building that they occupy.</li> </ul>	No equivalent restrictions included in the SEPP and may conflict with objectives of Policy.
<b>MARRICKVILLE COUNCIL</b>	
<b>Planning context</b> <ul style="list-style-type: none"> <li>All development applications for child care centres in the Low Density Residential (R2) and Light Industrial (IN2) zones required to be assessed against section 4.1 and section 7.1 of DCP respectively.</li> </ul>	Clause 24 sets out the matters which, if in a DCP, will not apply to a development application for centre-based child care. All DCP controls which do not align and/or conflict with SEPP controls will have no validity.
<b>Centre location</b> <ul style="list-style-type: none"> <li>Child Care Centre not to be located on State road.</li> </ul>	No equivalent restrictions included in the SEPP and may conflict with objectives of Policy.
<b>ANEF (Aircraft noise)</b> <ul style="list-style-type: none"> <li>Do not locate a child care centre on land that is in an ANEF contour of 25 or greater</li> </ul>	No equivalent restrictions included in the SEPP and may conflict with objectives of Policy.
<b>Clustering</b> <ul style="list-style-type: none"> <li>If within 200 metres of another child care centre demonstrate that concentration of facilities will not have adverse impact upon noise, privacy, traffic generation and parking</li> </ul>	Conflicts with clause 23 of draft SEPP therefore will not apply to a development application for centre-based child care.

**Item No:** C0317 Item 8

**Subject:** **PROPOSED AMENDMENTS TO ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

**File Ref:** 17/6091/9918.17

**Prepared By:** Kieren Lawson - Student Town Planner

**Authorised By:** Simon Manoski - Group Manager Strategic Planning

### **SUMMARY**

On 10 January 2017 the NSW Government released proposed amendments to the Environmental Planning and Assessment Act 1979 (EP&A Act) for exhibition and comment. These amendments include a number of changes to the strategic and assessment operations of councils and other planning bodies across NSW. This report provides a summary of the draft amendments and a draft submission on the amendments is attached to this report for the Council's consideration.

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### **THAT:**

- 1. Council receive and note this report including the draft submission at Attachment 1;**
  - 2. That the submission be sent to the Department of Planning and Environment.**
- 

### **BACKGROUND**

In 2016, the Department of Planning and Environment (DPE) undertook consultation with stakeholders as part of a review of the NSW planning system.

On 10 January 2017 the NSW Government released draft amendments to the Environmental Planning and Assessment Act 1979 (EP&A Act) for exhibition and comment. The proposed amendments attempt to contemporise the NSW planning system under an updated strategic and urban governance framework; improve development and consultative processes for the community; and include a number of "house-keeping" amendments to create a more legible and refined EP&A Act.

The public consultation period for the draft Bill is from **10 January 2017 to 31 March 2017.**

### **SUMMARY OF KEY CHANGES**

The stated key elements of the draft amendments are summarised as follows:

- enhancing community participation: establishing a new part of the Act that consolidates community consultation provisions, and requiring decision-makers to give reasons for their decisions
- completing the strategic planning framework: through local strategic planning statements, up to date Local Environment Plans and more consistent and workable Development Control Plans
- development pathways: improvements to the various development pathways and preventing the misuse of modifications
- State significant development: through better environmental impact assessment and more effective conditions of consent



- clearer building provisions: simplified and consolidated building provisions, allowing conditions on construction certificates and ensuring consistency with development approvals
- elevating the role of design: through a new design object in the act, and a Design-Led Planning Strategy
- improving enforcement: with the introduction of enforceable undertakings in compliance actions.

## **DISCUSSION ON KEY CHANGES**

### **1. Update Objects and elevate the role of Design**

A new object has been proposed to be inserted that promotes good design in the built environment is to be included. The updated objects have no change in intent or effect, and the emphasis to be placed on good design in the built environment. through a design object in the Act is a positive change. While this change is commended it is not supported by any other changes to the provisions within the Act and Council's submission calls for the new object to be supported by relevant provisions.

### **2. Planning Decisions**

The draft amendments propose a provision that will allow the Minister to direct a Council to appoint a local planning panel for carrying out the function of determining development applications. The Inner West Council has already established an Independent Hearing and Assessment Panel (IHAP) as a decision body, which is based on a four person panel model. Concern is raised with the proposed imposition of a mandatory three person panel with mandated model charter and operating procedures set by the State Government, in conjunction with a proposal that existing panels must transition to this model within 12 months.

Council's experience through both the former Leichhardt Planning Panel and the recently formed Inner West Planning Panel is that flexibility to create a panel with more than 3 members is necessary as a means to bring in specialist expertise that is relevant to some development applications (such as arboricultural or contamination expertise). In addition, local planning panels need support from the local community (and councillors) and this is often achieved through the development of localised and tailored operating procedures. Matters such as whether or not the panel deliberates in private or not, and the procedure for delivering decisions is a matter that the Inner West Council strongly believes should not be mandated.

The draft amendments also require decision makers to give reasons for planning decisions. Support is expressed for any changes that promote transparent decision making, although more guidance is sought from the DPE around the format that the statement of reasons for decisions will need to take and the method envisaged for the public reporting of the reasons. Currently every decision of the Inner West Council regarding a development application (whether delegated or otherwise) is the subject to a written officer's assessment report which contains a detailed analysis of the reasons for the decision. Concern is raised that the requirement to provide reasons will represent an unnecessary duplication of effort and risk overuse of unhelpful and broad reasons. Guidance is also sought from the DPE as to the process to be followed when Council or an IHAP / local planning panel do not follow the assessing officer's recommendation.



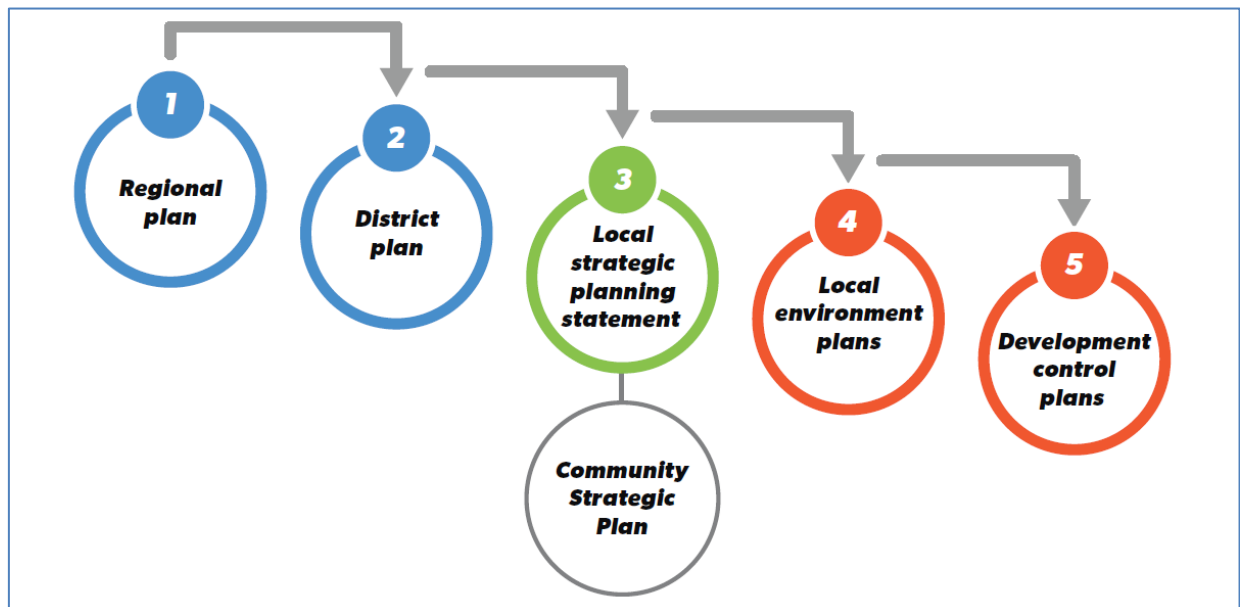
### 3. Community Participation Plan

Under the proposed amendments, each planning authority will have to prepare a community participation plan that will explain how the authority will engage the community in plan-making and development decisions. As part of the introduction of the requirements for community participation plans, it is also proposed to update the current minimum public exhibition requirements.

While support is expressed for the establishment of community participation plans, concern is raised with the mandatory 14 day exhibition period for all development applications. The mandatory exhibition period may require very minor development applications (such as tree removal applications) to be notified and this could have a negative impact on assessment times. It is considered that similar to Section 96 applications, the notification period (if any) for minor development applications should be determined by the consent authority when developing the community participation plan.

### 4. Strategic Planning Framework

The draft amendments will require Councils to develop and publish local strategic planning statements. The vision presented by the statement is to take a 20 year horizon (consistent with regional and district plans) and must be reviewed by Council at least every 5 years. The purpose of these statements is to complete the line of sight from regional and district plan as is evidenced in the diagram below:



*Source: Planning Legislation Updates – Summary of Proposals issued by DPE*

The development of these statements will inform rezoning decisions and guide development thereby creating more informed decisions – this will assist when considering both Council and privately led planning proposals.

The draft amendments will also require all Councils to undertake a five yearly review of local environmental plans. This change is also supported as it will ensure LEPs are current, reflecting regional / district planning and any local changes (changes in demographics, infrastructure investment, community views etc.) and has the potential to reduce the number of spot rezonings.

### 5. Development Control Plans

The proposed amendments will enable the Minister to require DCPs to follow a standard format. This change is supported in principle, however the standard format will need to be developed in consultation with councils to ensure there is the right balance of consistency and flexibility.

In addition, the DPE is looking to develop an online library of model provisions. This is a non-legislative action and councils will be able to access and use these model provisions on an optional basis. The creation of a library of optional model provisions available through the NSW Planning Portal is supported.

## **6. Early consultation between neighbours**

The DPE is exploring incentives for early consultation between neighbours. While support is expressed for any changes that would encourage early consultation between neighbours (i.e. prior to lodging a development application), incentives for reduced fees will only work where direct neighbours confirm their agreement (e.g. sign the architectural plans to be submitted with the DA) stating that they have reviewed the plans and raise no objections. It is noted that the DPE will be conducting a pilot with selected local council's to trial different incentive mechanisms and administrative approaches which will inform any changes to the regulations.

Any approach to be adopted cannot be mandated and should be reasoned on good practice only. Early consultation/ negotiation will not be able to be undertaken by all landowners and for all DA's.

## **7. Integrated Development**

The proposed amendments include changes to the integrated development provisions that will give the Secretary of the DPE the reserve power to prevent delays and resolve conflicts between agencies. The time taken to receive advice from NSW Government Agencies can significantly delay the assessment of development applications, and Council supports any actions that will expedite this advice. However, the proposed amendments do not include any guidance on the timeframe after which Council or an applicant can seek the Planning Secretary to act on behalf of the approval body.

## **8. Section 96 applications**

In seeking to strengthen the deterrence for unauthorised building works, the Act is being amended to prevent planning authorities from approving a modification in relation to works already completed, other than in limited circumstances (i.e. to correct a minor error, misdescription or miscalculation).

While Council supports any actions aimed at deterring unauthorised building works, concern is raised with the amendments that would prevent planning authorities from approving a Section 96 modification application for works already completed. A more appropriate deterrence would involve changes to legislation to make it easier to prosecute land owners when unauthorised building work occurs. Whether retrospective approval is granted via Section 96 application or a Building Certificate seems irrelevant in deterring the carrying out of the unauthorised works. In addition, a Building Certificate is not an approval and does not provide the same level of certainty, nor is it a mechanism to carry out a merit assessment, in the way a Section 96 application does.

It is also proposed to amend clause 96(3) of the Act to require planning authorities to consider the statement of reasons for the original consent when considering a modification application. The purpose of this change is to ensure important elements of a development and / or conditions of consent are not lost with subsequent Section 96 applications. This change is supported.

## **9. Voluntary Planning Agreements**

The proposed amendments provide the ability for planning agreements to be entered into for complying development proposals. It is unclear as to the circumstances under which a planning agreement would be required for a CDC. Furthermore, as planning agreements need to be publicly exhibited and CDC's are fast track approvals it is unclear how a planning agreement can be entered into when issuing a CDC, noting that the planning agreement would most likely be with Council and the CDC may be issued by a private certifier. In the absence of further information and clarification on this matter from the DPE, Council does not support this proposal.

New provisions are also proposed allowing the Minister to make determinations or give directions about the method of determining the extent of the provision of public benefit to be made under a planning agreement. Council's submission seeks clarification around the proposed powers of the Minister to direct VPA negotiations and the impact this may have on Council's abilities to achieve the best outcome for the community.

## **10. Complying Development**

The draft amendments include new investigative powers for Council in relation to complying development. Where a complying development certificate (CDC) has been issued, councils will be able to issue a temporary stop work order on the project in order to investigate whether it is being constructed in line with the CDC. Work will be able to be stopped for 7 days, however the power will be limited to genuine complaints about building work not complying with a CDC.

Concern is raised with the imposition of these investigation requirements on Council which could have significant resourcing implications. Monitoring the actions of private certifiers should rest with the body that is responsible for private certifiers, not councils. While it is noted that the government proposes to establish a compliance levy to support councils in the role of enforcing complying development standards, with the continued expansion of complying development, there may be a necessity to establish a State body charged with the investigation and compliance of CDC matters.

### **FINANCIAL IMPLICATIONS**

Nil

### **OTHER STAFF COMMENTS**

Comments on the draft EP&A Act Amendments were received from all relevant areas of Council, most notably from the Group Manager, Development Assessment and Regulatory Services.

### **PUBLIC CONSULTATION**

Public consultation of the draft EP&A Act Amendments is being undertaken by the DPE, with the exhibition closing on 31 March 2017.

### **CONCLUSION**

The draft amendments to the EP&A Act are generally supported subject to the issues raised in this report and Council's submission being addressed by the DPE.

**ATTACHMENTS**

1. [Download](#) Draft submission on the proposed EP&A Act amendments for Council consideration



17/555

XX XXXX 2017

ALISON FRAME  
DEPUTY SECRETARY  
POLICY AND STRATEGY  
NSW DEPARTMENT OF PLANNING & ENVIRONMENT  
GPO BOX 39  
SYDNEY NSW 2001

Dear Alison,

**Draft Amendments to Environmental Planning and Assessment Act**

The Inner West Council has reviewed the draft amendments to the Environmental Planning and Assessment Act and makes the following comments:

- The Inner West Council welcomes the strengthening of the emphasis to be placed on good design in the built environment through a design object in the Act. While this change is commended it is not supported by any other provisions within the Act. This omission should be rectified given the need for rectified emphasis in design quality and outcomes within an increasingly dense urban environment and emphasis on infill housing.
- The Inner West Council supports the provisions that can require a Council to establish a local planning panel. Concern is however raised with the proposed imposition of a mandatory three person panel with mandated model charter and operating procedures set by the State Government, in conjunction with a proposal that existing panels must transition to this model within 12 months. Council's experience through both the former Leichhardt Planning Panel and the recently formed Inner West Planning Panel is that flexibility to create a panel with more than three members is necessary as a means to bring in specialist expertise that is relevant to some development applications (such as arboricultural or contamination expertise). In addition, local planning panels need support from the local community (and councillors) and this is often achieved through the development of localised and tailored operating procedures. Matters such as whether or not the panel deliberates in private or not, and the procedure for delivering decisions is a matter that the Inner West Council strongly believes should not be mandated.
- While the Inner West Council supports the establishment of Community Participation Plans, concern is raised with the mandatory 14 day exhibition period required for all development applications. The mandatory exhibition period may require very minor development applications (such as tree removal applications) to be notified and this could have a negative impact on assessment times. It is considered that similar to Section 96 applications, the

**Customer Service Centres**

**Petersham** | P (02) 9335 2222 | E [council@marrickville.nsw.gov.au](mailto:council@marrickville.nsw.gov.au) | 2-14 Fisher Street, Petersham NSW 2049

**Leichhardt** | P (02) 9367 9222 | E [leichhardt@lmc.nsw.gov.au](mailto:leichhardt@lmc.nsw.gov.au) | 7-15 Wetherill Street, Leichhardt NSW 2040

**Ashfield** | P (02) 9716 1800 | E [info@ashfield.nsw.gov.au](mailto:info@ashfield.nsw.gov.au) | 260 Liverpool Road, Ashfield NSW 2131



notification period (if any) for minor development applications should be determined by the consent authority when developing the community participation plan.

- The Inner West Council supports transparent decision making, although more guidance is sought from the DPE around the format that the statement of reasons for decisions will need to take and the method envisaged for the public reporting of the reasons. Currently every decision of the Inner West Council regarding a development application (whether delegated or otherwise) is the subject of a written officer's assessment report which contains a detailed analysis of the reasons for the decision. Concern is raised that the requirement to provide reasons will represent an unnecessary duplication of effort and risk overuse of unhelpful and broad reasons. Guidance is also sought from the DPE as to the process to be followed when Council or an IHAP / local planning panel do not follow the assessing officer's recommendation (i.e. will Council or the IHAP need to expressively refer to clauses 2(c) and (d) when making the decision?).
- The Inner West Council supports the requirement for Council to prepare a '*local strategic planning statement*' at least every 5 years. The development of these statements will inform rezoning decisions and guide development thereby creating more informed decisions – this will assist in the assessment of both Council and privately led planning proposals.
- The Inner West Council supports a mandatory 5 year review of all Local Environmental Plans.
- The Inner West Council supports the concept of a standard DCP format and the development of local provisions. As highlighted in the *Summary of Proposals* the standard format must be developed in consultation with councils to ensure there is the right balance of consistency and flexibility. The creation of a library of optional model provisions available through the NSW Planning Portal is also supported.
- Council supports any incentives that would encourage early consultation between neighbours (i.e. prior to lodging a development application). However, incentives for reduced fees will only work where direct neighbours confirm agreements (e.g. sign the architectural plans to be submitted with the DA) stating that they have reviewed the plans and raise no objections.
- The Inner West Council supports any actions that that will expedite approvals and advice from NSW Government Agencies. However, the proposed amendments do not include any guidance on the timeframe after which Council or an applicant can seek the Planning Secretary to act on behalf of the approval body, or the timeframe, within which the DPE will ascertain a formal response.
- While Council supports any actions aimed at deterring unauthorised building works, concern is raised with the amendments that would prevent planning authorities from approving a Section 96 modification application for works already completed. A more appropriate deterrence would involve changes to legislation to make it easier to prosecute land owners when unauthorised building work occurs. Whether retrospective approval is granted via Section 96 application or a Building Certificate seems irrelevant in deterring the carrying out of the unauthorised works. In addition, a Building Certificate is not an approval and does not provide the same level of certainty, nor is it a mechanism to carry out a merit assessment, in the way a Section 96 application does.
- It is unclear as to the circumstances under which a planning agreement would be required for a CDC. Furthermore, as planning agreements need to be publicly exhibited and CDC's are fast track approvals it is unclear how a planning agreement can be entered into when issuing a CDC, noting that the

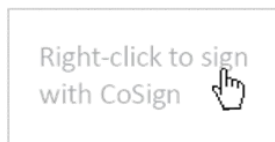


planning agreement would most likely be with Council and the CDC may be issued by a private certifier. In the absence of further information and clarification on this matter from the DPE Council does not support this proposal.

- The Inner West Council welcomes improved guidance from the State Government on the role of VPA's and how they should be applied, however the purpose of Clause 93k(b1) is unclear. Clarification is sought around the proposed powers of the Minister to direct VPA negotiations and the impact this may have Council abilities to achieve the best outcome for the community.
- Concern is raised with the imposition of CDC investigation requirements on Council which would likely have significant resourcing implications. Monitoring the actions of private certifiers should rest with the body that is responsible for private certifiers, not councils. While it is noted that the government proposes to establish a compliance levy to support councils in the role of enforcing complying development standards, with the continued emphasis on the use and expansion of complying development, there is a necessity to establish a State body charged with the investigation and compliance of CDC matters.

If you wish to discuss the contents of this submission, please contact Marcus Rowan, Manager Planning Services on 9335 2274.

Yours faithfully



Simon Manoski  
**Group Manager Strategic Planning**

**Item No:** C0317 Item 9**Subject:** STATEMENT OF VISION AND PRIORITIES**File Ref:** 16/6060/24777.17**Prepared By:** Kathryn Ridley - Corporate Strategy Planner**Authorised By:** Simon Manoski - Group Manager Strategic Planning**SUMMARY**

Council is required to develop a Statement of Vision and Priorities to provide high level guidance until the creation of a new Community Strategic Plan (CSP) for the Inner West. The Statement of Vision and Priorities is considered a first step in the development of the CSP. A first draft CSP will be completed by September 2017 at which point it will be presented to the newly elected Council for consideration. The Draft Statement of Vision and Priorities was developed following a three month period of community engagement and adopted by Council in December for the purpose of community review. The Draft was then made available for comment from 12 December 2016 to 8 February 2017. A final version was presented to the Local Advisory Committee (LRAC) on 14 March 2017. It is proposed that the Statement of Vision and Priorities be adopted by Council as an interim piece of work until the implementation of a Community Strategic Plan.

**RECOMMENDATION****THAT:**

1. The report be received and noted.
2. The Statement of Vision and Priorities, inclusive of the amendments, be adopted as an interim document until the development and implementation of the Community Strategic Plan.

**BACKGROUND**

The Department of Premier and Cabinet (DPC) requires all newly amalgamated councils to prepare a statement of vision and priorities. The Statement is described as a succinct statement to "provide high level guidance for the early period of the new council, until the adoption of the first community strategic plan". (DPC Managing Change: Guidance for Key Staff p.32). The draft Statement was prepared following a three-month period of community, LRAC and staff engagement. Over 1,700 people participated in the process. On 6 December 2016 Council adopted the Statement for the purpose of community review. The draft Statement of Vision and Priorities was displayed from 12 December to 8 February at:

- Your Say Inner West online engagement hub
- Council's service centres
- Council's Australia Day event in Enmore Park
- Presentations to Council's Strategic Reference Groups (SRGs)

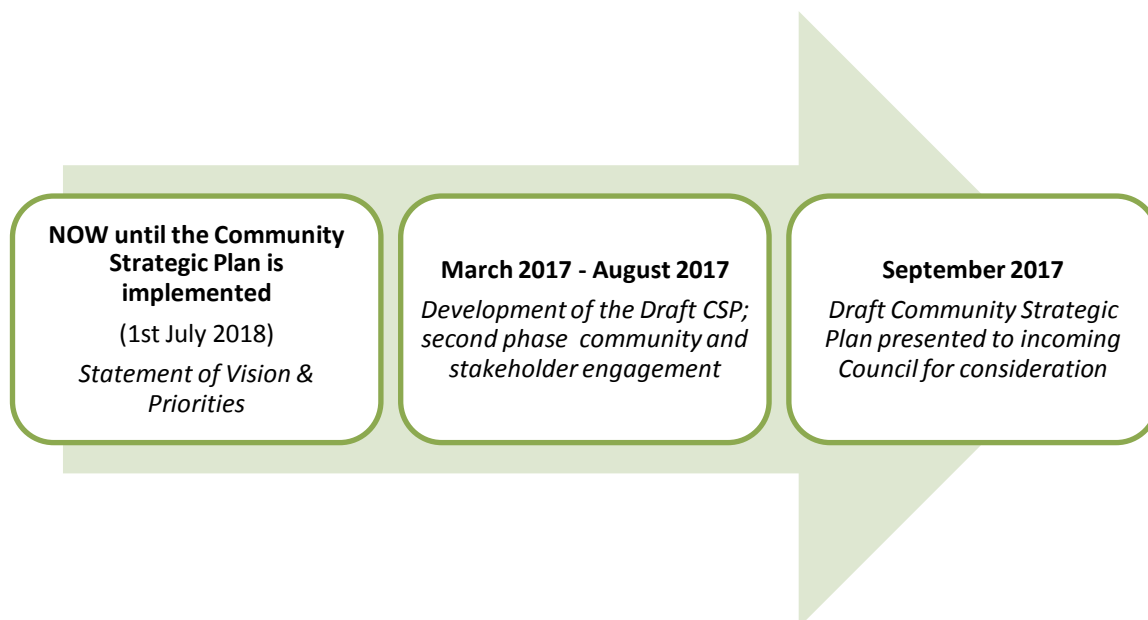
The Statement is an interim piece that will expire in July 2018 - or earlier, depending on the adoption date of the new Community Strategic Plan (CSP).

**DEVELOPING THE CSP**

The Inner West Community Strategic Plan will;

- Establish a vision for the future;
- Identify the priority issues impacting the community, now and into the future;
- Propose strategies to address the issues;
- Establish an evidence based advocacy agenda;

- Identify stakeholders responsible for delivering the CSP;
- Identify opportunities for sector partnerships;
- Identify integration with State and Regional Plans;
- Identify a series of community indicators and targets to help monitor and evaluate the effectiveness of strategy implementation;
- Be based on the social justice principles of equity, access, participation, and rights; and
- Be a minimum of ten years.



Community engagement for the CSP will launch at the Carnival of Cultures on 19 March 2017 and be informed by the community engagement strategy currently in development. The Local Representation Advisory Committee (LRAC) and the Strategic Reference Groups (SRGs) are considered key stakeholders in the process. The engagement strategy is being developed to incorporate roles for the LRAC and SRG throughout the development of the CSP.

### THE INTERIM VISION

The interim Vision reflects the most commonly identified values and ideas for the future as expressed by the community during the broader engagement process. Three Vision statements, based on community feedback, were presented to the LRAC for consideration. Following input from LRAC members, who observed that recognition of our Aboriginal heritage should form the focus of our Vision, Option 3 was revised. This option was then presented at the Aboriginal and Torres Strait Islander (ATSI) meeting on 22 November at Leichhardt Town Hall. The following interim Vision was supported;

*We are Inner West, land of the Gadigal and Wangal peoples, whose rich cultures, heritage and history we acknowledge and respect. Together we are an inclusive, passionate, creative, vibrant community united in our desire to build a great future for all who live and do business here.*

### THE INTERIM PRIORITIES

The community satisfaction survey alone attracted over 1,000 participants. The results showed that the majority of people were concerned about the longer-term impacts of “development in the area and the flow-on effects of traffic, congestion, population growth, public transport, parking, green spaces, environmental concerns and infrastructure.” (Micromex Research 2016). Overall, eight high level Priorities emerged as a result of the community engagement. They were;

1. Planning and Development
2. Transport

3. Social vitality and quality of life
4. Sustainability and environment
5. One Council
6. Local business and industry
7. Advocacy
8. Local democracy

The purpose of the interim Priorities is to provide high level guidance to Council and inform development of an Operational Plan and Budget for 17/18.

### **COMMUNITY REVIEW RESULTS**

In December, Council adopted the Draft Statement of Vision and Priorities for the purpose of community review. During the review period, 37 individual responses were received via Your Say Inner West. Of the 37 submissions received, 27 supported the Statement, 10 did not support it. (Please refer to the *Community Engagement Summary Report* attached for further information)

The Strategic Reference Groups (SRGs) were also formally invited to review the Statement. The SRGs convened for the first time in February 2017. Officers invited the SRGs to provide input after the formal closing date to accommodate their meeting schedule.

#### Feedback on the Priorities

Based on community and SRG feedback, some amendments to the dot points within the Priorities have been made. Amendments were made in cases whereby it was determined the changes would not require additional community consultation, i.e. they did not change the intent. Most changes were made to provide further clarification. No changes were made to the high-level Priorities, only to the supporting dot points providing the level of detail.

Two new dot points were added based on both individual and SRG feedback. They are;

Under Priority 2; Transport – “Encouraging active transport”

Under Priority 6; Local business and industry – “Encouraging socially and environmentally responsible business practises”

Where potential gaps in the Priorities have been identified it is proposed these findings be used to inform the second phase of community engagement activities informing the CSP commencing in March. This will allow Council to feedback to the broader community the ideas captured online and begin the process of taking the Priorities to the next level; i.e. confirming the gaps, developing specific objectives, strategies (to achieve these objectives) and targets.

***Please refer to the Community Engagement report (attached) for the summary of the recommended amendments.***

#### Feedback on the Interim Vision

While feedback was largely supportive, some submissions indicated differing perspectives on what the focus of the longer term (or CSP) Vision could be. It is proposed that the interim Vision be adopted and that feedback received be used to inform the development of the longer-term Vision for the Inner West as part of the CSP process. This allows for an inclusive revisit of the Vision where a broader community perspective can be considered.

### **FINANCIAL IMPLICATIONS**

The Operational Plan and Budget 17/18 will factor in any specific programs and projects that specifically support implementation of the priorities. It should be noted that the current Operational Plan and Budget 16/17 supports many of the priorities as they remain largely

reflective of the outcomes articulated in the community strategic plans, and therefore delivery programs, of the former councils.

### **PUBLIC CONSULTATION**

Council implemented a community engagement program in the creation of the Vision and Priorities. Input was gathered through:

- A community engagement forum held on 5 September 2016 at Ashfield Town Hall.
- Focus groups with members of the Aboriginal & Torres Strait Islander, Youth and Access communities.
- Festivals and events held throughout October at Ashfield, Summer Hill and Marrickville, with Leichhardt's Norton Street Festa.
- A survey on Council's online engagement hub, [Your Say Inner West](#).
- A Community Satisfaction Survey facilitated by Micromex Research.
- Staff engagement through an online and paper-based survey.
- Workshop with LRAC (Local Representation Advisory Committee – former councillors).
- Final review of by Aboriginal and Torres Strait Islander (ATSI) meeting participants on 22<sup>nd</sup> November at Leichhardt Town Hall.

The draft Statement of Vision and Priorities was displayed for the purpose of review from 12 December to 8 February at:

- *Your Say Inner West* online engagement hub.
- Council's service centres.
- Council's Australia Day event in Enmore Park.
- Presentations to Council's Strategic Reference Groups (SRGs).

Over 1,700 people participated across a range of face-to-face and online methods.

### **CONCLUSION**

The Community Strategic Plan community engagement program will commence in March. The first draft CSP will be prepared for the consideration of the incoming Council (September 2017). The Statement of Vision and Priorities is a first step in the development of the CSP and will provide direction to Council in the meantime. It will also serve to inform the Operational Plan 2017/18. Feedback received during the review period will be considered in the CSP Issues Paper and be used to inform the next phase of community engagement.

### **ATTACHMENTS**

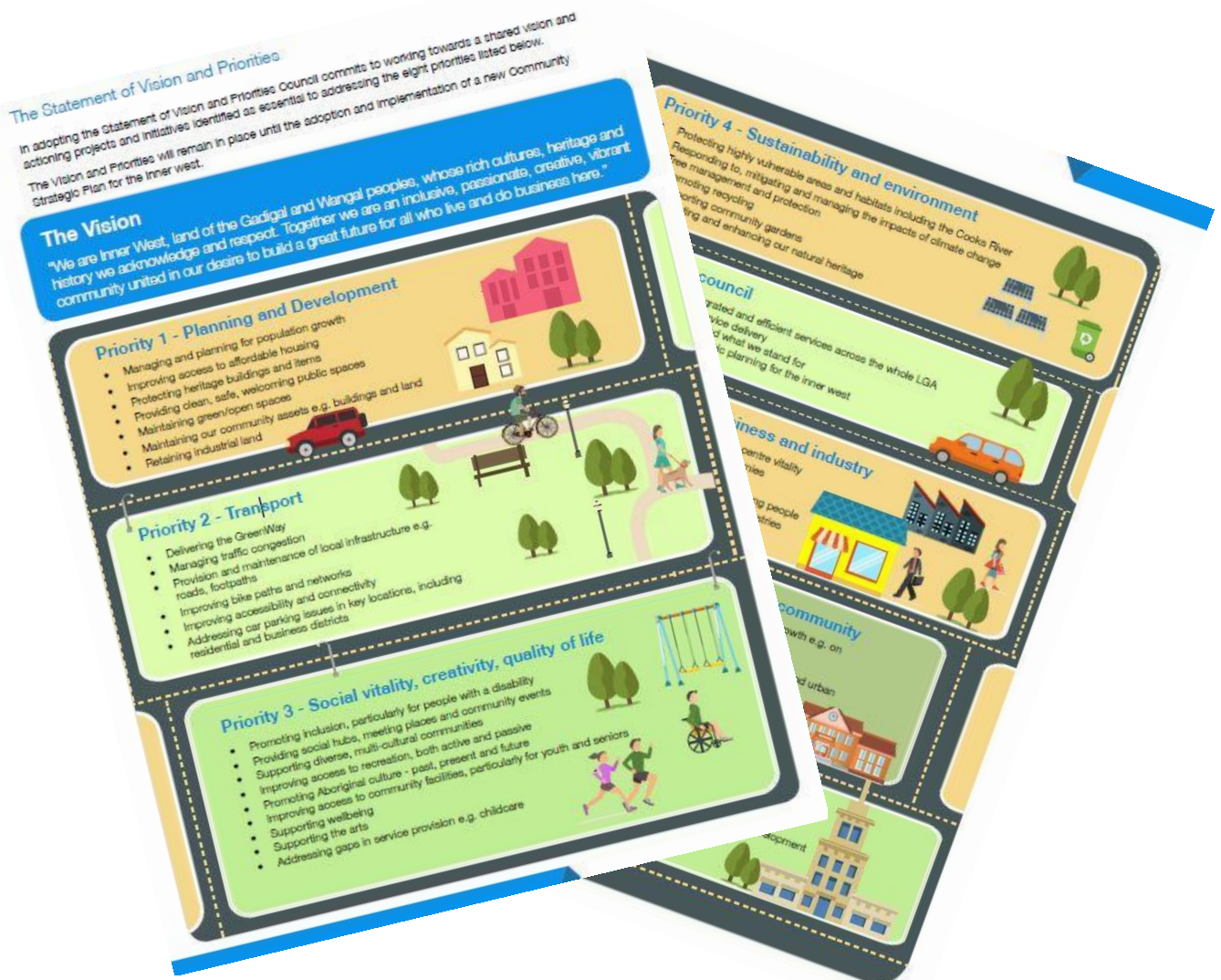
1. [Statement of Vision and Priorities - Engagement Report for Community Review of Draft - March 2017](#)
2. [STATEMENT OF VISION AND PRIORITIES v7\\_Council March 2017](#)





## Community Review of Draft Statement of Vision and Priorities – Engagement Report

March 2017





## Overview

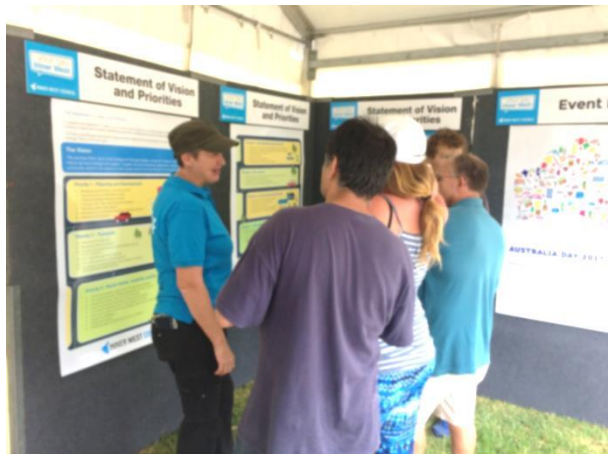
Inner West Council developed a draft Statement of Vision and Priorities following broad community engagement September–November 2016. The draft was displayed for community review December 2016–February 2017 and 37 responses were received. The Strategic Reference Groups were also invited to provide responses.

## Engagement program

Engagement was undertaken from 12/01/16–08/02/2017.

The draft Statement of Vision and Priorities was displayed at:

- *Your Say Inner West* online engagement hub
- Council's service centres
- Council's Australia Day event in Enmore Park
- Presentations to Council's Strategic Reference Groups (SRGs)

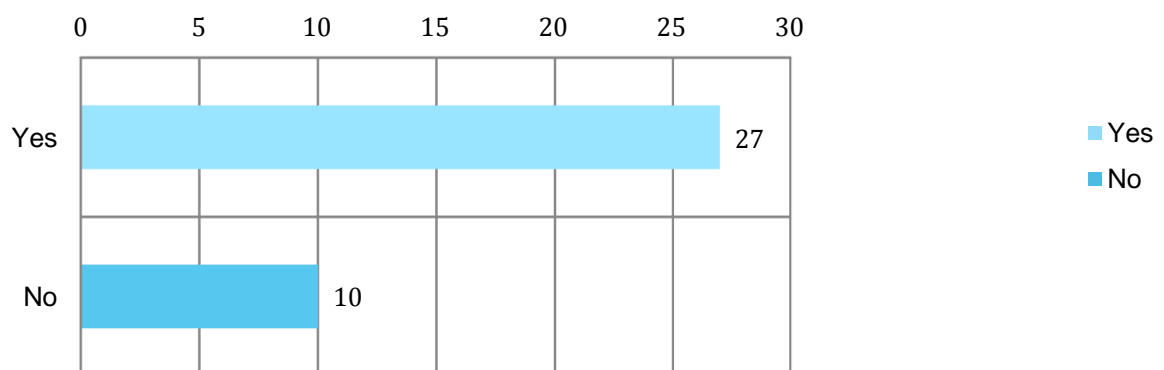


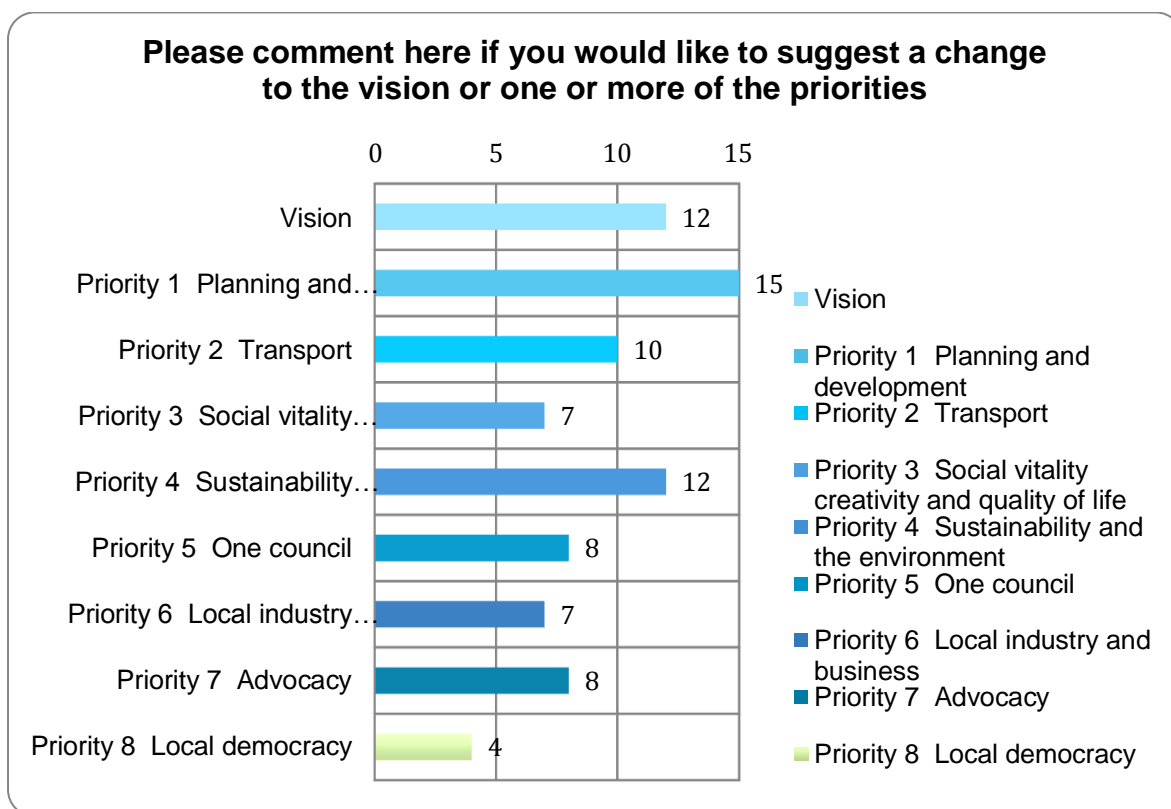
## Responses

During the review period, 37 responses were received through the *Your Say Inner West* online engagement hub, and submissions from the SRGs.

The tables below show the questions asked and responses received through *Your Say Inner West*. Key themes from the comment analysis follow.

**Do you support Council's Statement of Vision and Priorities**





## Analysis of comments

Comments received were individually analysed and themes, issues or gaps were identified and summarised below. Comments will be further analysed, in their entirety in the next stage of engagement for the development of the Community Strategic Plan.

	#	Comments	Staff Response
<b>Vision</b>	12	<ul style="list-style-type: none"> <li>Acknowledge those who work, visit, study and socialise; current and future community</li> <li>Protect the existing flavour and unique nature of the inner west</li> <li>Sustainable future, ...healthy community, ...care for the environment/land and each other</li> <li>We are THE Inner West not "we are inner west"</li> <li>More succinct</li> </ul>	Vision to be considered as part of CSP engagement
<b>Planning and development</b>	15	<ul style="list-style-type: none"> <li>Strengthen the language of this priority to reflect community concerns and acknowledge the impact of key development projects on the community</li> </ul>	Dot point 5 updated to reflect the need to not only maintain but protect, increase and improve open space. Now reads;

		<ul style="list-style-type: none"> <li>Protecting the character and cohesion of the area's unique localities</li> <li>Increasing and improving open space and facilities rather than 'maintaining'.</li> <li>Promoting sustainable development / best environmental practice</li> <li>Facilitating integrated planning for the LGA - education, recreational / green space, health care</li> <li>Retaining employment land, supporting high street activation</li> </ul>	<p>"Protecting, increasing and improving green/open spaces" instead of maintaining</p> <p>Final dot point changed to "retaining diversity of industrial lands and employment generating uses"</p> <p>All other comments noted and will inform CSP engagement and discussion paper</p>
<b>Transport</b>	10	<ul style="list-style-type: none"> <li>Managing traffic congestion and encouraging reduction in private vehicle use, supporting active transport (walking/cycling) and improving public transport"</li> <li>GreenWay is more than transport – e.g. "delivering the GreenWay as a bush corridor with foot and cycle paths"</li> </ul>	<p>"Promoting active transport" added as a new dot point.</p> <p>All other comments noted and will inform CSP engagement and discussion paper</p>
<b>Social vitality, creativity and quality of life</b>	7	<ul style="list-style-type: none"> <li>Address service needs for all population groups including people from CALD backgrounds, children, frail aged, homeless, people with invisible disabilities</li> <li>Inclusion and social connection for all; visual representations of inclusive communities</li> <li>Supporting health and wellbeing</li> </ul>	<p>All recommendations incorporated</p> <p>Inclusion for "everyone" added to first dot point.</p> <p>"Health" included alongside dot point 7 to now read "Health &amp; wellbeing"</p> <p>Last dot point changed to "addressing service needs of <b>all</b> population groups"</p>
<b>Sustainability and the environment</b>	12	<ul style="list-style-type: none"> <li>This priority moves between major policy areas and specific projects; if specific projects are included then the list should be more comprehensive eg community gardens included but Our Solar Future omitted</li> <li>Environmental sustainability should be addressed in all priority areas</li> <li>Protecting and enhancing our natural heritage, including biodiverse green space, waterways, and vulnerable areas; reduce water run-off</li> </ul>	<p>Dot point "Supporting local sustainability projects and initiatives" now replaces "Supporting community gardens"</p> <p>Dot point 2 has been revised to incorporate biodiversity and water</p> <p>All other comments noted and will inform CSP engagement and discussion</p>

**Item 9**

		<ul style="list-style-type: none"> <li>Supporting clean modes of transport</li> <li>Improving air quality with more vegetation rejuvenation</li> <li>Renewable energy facilitation and targets</li> <li>Zero waste policy – promoting waste avoidance, reuse and recycling</li> <li>More ethical and eco-sustainable products and services</li> <li>Greener streets and places, protect and enhance park and street tree coverage, mitigation of heat islands, enhanced habitat</li> <li>Reduce noise, water and air pollution through environmental sustainability</li> <li>Stronger focus on sustainability in development</li> <li>Acting to mitigate and manage the causes and effects of climate change</li> <li>Add “the Greenway and other bush areas” to the Cooks River</li> </ul>	paper
<b>One council</b>	8	<ul style="list-style-type: none"> <li>Harmonise and improve quality of services from three former Council areas; provide basic and necessary services and amenities to residents at a reasonable cost to residents, by effective and efficient delivery and control of costs</li> <li>One Council should not be a priority; the other priorities can be achieved with one or more Councils; stop the merger of local councils</li> <li>Commit to being a carbon-neutral council - “Planning for transition to a 100% renewable organisation”.</li> </ul>	<p>No changes made</p> <p>All comments noted and will inform CSP engagement and discussion paper</p>
<b>Local industry and business</b>	7	<ul style="list-style-type: none"> <li>More support for shared economies that encourage renewable energy</li> <li>More support and provision of ethical and socially/environmentally responsible businesses;</li> <li>Support community organisations based in our area which provide employment opportunities for local people, and ensure local community services.</li> <li>Creating a central marketing plan run and managed by each local Chamber group for their respective areas. Funds could be raised by an</li> </ul>	<p>Encouraging socially and environmentally responsible business practices has been added as a new dot point.</p> <p>All other comments noted and will inform CSP engagement and discussion paper</p>

**Attachment 1**

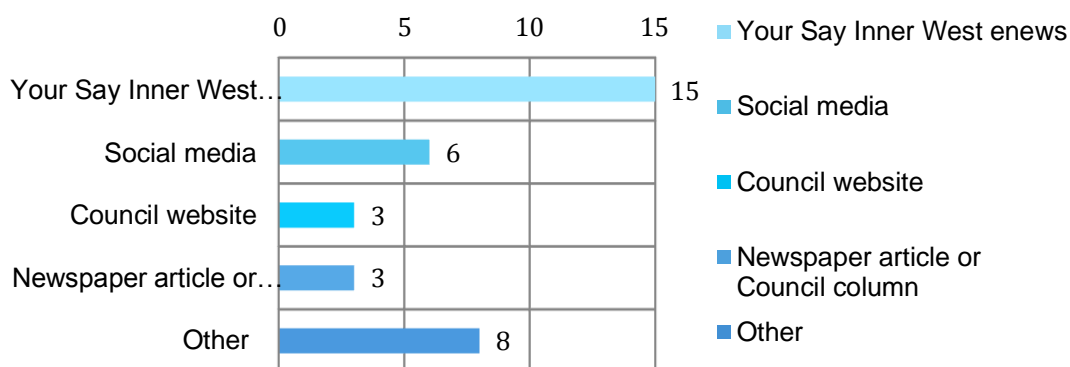
		additional business council Levy. • “Promoting environmentally sustainable business practice”.	
<b>Advocacy</b>	8	• Addressing negative impacts of planning and development on quality of life; saving existing suburbs; population stabilisation • Change title; Advocacy for our Community • Engage community members and stakeholders in Council’s advocacy work; Council should be proactive not reactive • “Requiring all development and infrastructure projects within and affecting our area be well-justified and environmentally sustainable.” • “Local and urban projects” is unclear - “local, regional and Greater Sydney projects”? • Add Sydenham to Bankstown corridor, the Bays Precinct, Parramatta Road development, and air quality and noise issues at the White Bay Cruise Ship Terminal	Dot point 1 amended to reflect impact on quality of life and suburbs now reads; “Minimising negative impacts of development and population growth for example on quality of life, environment, infrastructure, liveability, & existing suburbs”  Last dot point amended replacing the word “urban” with “regional”. List of examples expanded to include Bays Precinct, Sydenham to Bankstown corridor, Parramatta Road development and White Bay Cruise Ship Terminal  All other comments noted and will inform CSP engagement and discussion paper
<b>Local democracy</b>	4	• No democracy without elected representatives • Range of mediums/mechanisms required to reach a broad section of community to participate in engagement processes • Vague and jargonish – partnerships, pathways; suggest “Communicating council deliberations, plans and projects clearly and openly to all potentially interested residents”. • Include commitment to evidence of this in Community Strategic Plan eg “Ensuring participatory community engagement and having the ability to provide evidence of this”.	“Communicating council deliberations, plans and projects clearly and openly” now replaces “Providing accessible, transparent communication”.  All other comments noted and will inform CSP engagement and discussion paper

### Participants’ information – suburb of residence

Ashfield	1	Marrickville South	1
Balmain	3	Newtown	1
Birchgrove	1	Rozelle	3
Dulwich Hill	9	St Peters	4
Enmore	2	Stanmore	1

Leichhardt	1	Sydenham	1
Lilyfield	3	Tempe	1
Marrickville	5	TOTAL	37

### How did you hear about the Statement of Vision and Priorities



## Strategic Reference Groups

Council's Strategic Reference Groups (SRGs) met for the first time in February 2017 and were presented with the draft Statement of Vision and Priorities. Due to the timing, members were invited to comment as individuals and many have done so, as well as submitting a formal response on behalf of the SRG.

SRG feedback is summarised below. No amendments were made against the Vision (as previously noted). All comments will be carried forward into the next round of engagement.

SRG	Comments	Staff response
Aboriginal and Torres Strait Islander Tuesday, 21 February 2017	No amendments requested. The Statement was received and noted.	Noted
Economic Development Wednesday, 8 February 2017	The Economic Development SRG supported the Statement of Vision and Priorities and did not have suggestions for amendments; however the Group noted that "There was some confusion in relation to the priorities – Is Priority 1 higher than Priority 5 and 8 for example".	Noted
Environment Thursday, 9 February 2017	The Environment SRG suggested the vision be reworded to: <i>We are Inner West, land of the Gadigal and Wangal peoples, whose rich cultures, heritage and history we acknowledge and respect. Together we are an inclusive, <b>passionate</b>, creative, vibrant community</i>	Vision to be considered as part of CSP engagement

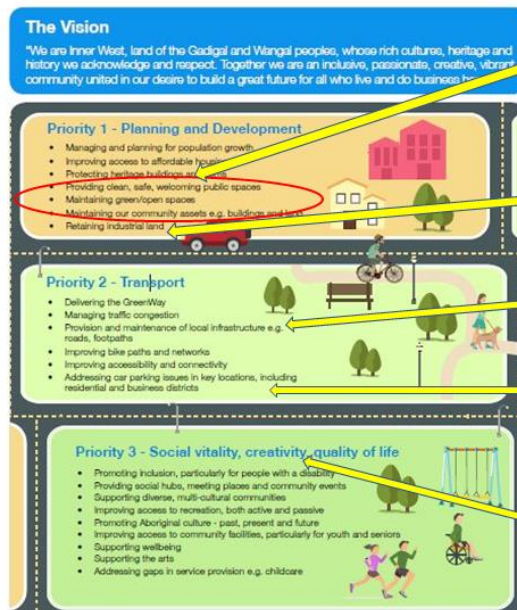


	<p><i>united in our <b>desire commitment</b> to build a great <b>and sustainable</b> future for all who live and do business here.</i></p> <p>The Environment SRG thought that using the word priority and then a number indicates that one area has preference over another and that it might be better to use a different system of referring to the priorities.</p> <p>Generally most members of the SRG thought that the words were fluffy and repetitive, one thought it was lovely and would be proud to live in that place.</p> <p>One comment was that the expression was simplistic and repetitive and not reflective of the maturity or levels in the former council's documents</p>	
Housing and Affordability  Monday, 13 February 2017	No comments received	Not applicable
Planning and Heritage  Thursday, 9 February 2017	<ul style="list-style-type: none"> <li>First concern, Heritage is not one of the 8 high level priorities</li> <li>We need to protect heritage buildings/items, conservation areas, state heritage objects</li> <li>List of gazetted items (both tangible and intangible) in Schedule 5 of Marrickville LEP 2011, Leichhardt LEP 2013 and Ashfield LEP 2013</li> <li>Heritage is an ongoing investigation, compare current insight to 1980's, strong industrial heritage of Inner West</li> <li>Community Strategic Plan – more needs to be protected; if it is not in the vision statement, then where will heritage be identified in the documents flowing down</li> <li>Priority 5 of “one council”, a bit of “window dressing”, doesn't mean we can't tell the different stories of each former council</li> </ul>	<p>Vision to be considered as part of CSP engagement</p> <p>Request to change the “Retaining industrial land” was made as per the recommendation to “Retaining diversity of industrial lands and employment generating land uses”</p> <p>All other comments noted and will inform CSP engagement and discussion paper</p>

	<ul style="list-style-type: none"> <li>• Need for Vision statement to address Aboriginal heritage as well as post-settlement heritage and history.</li> <li>• Vision Statement should be short, simple.</li> <li>• <b>RESOLUTION:</b> Changes agreed by group to the Vision Statement in Draft Statement of Vision and Priorities:  <i><b>We are the Inner West, with rich cultures, heritage and history. We acknowledge and respect the land of the Cadigal and Wangal peoples. Together we are a diverse and inclusive community. We are a creative and vibrant community united in our desire to <u>plan</u> a great future for all who live and do business here.</b></i></li> <li>• <b>RESOLUTION:</b> Group agreed that the emphasis in Priority 1 needed to be on both industrial and employment generating lands, as follows:  <i><b>“Retaining diversity of industrial lands and employment generating land uses” instead of “Retaining industrial land”</b></i></li> <li>• <b>RESOLUTION:</b> Rewording of final bullet point Priority 4:  <i><b>Conserve our historic places as integral to sustainability and resilience.</b></i></li> <li>• Discussion on selection of major projects in IWC area under Priority 7. Yasmar Estate, WestConnex, Callan Park, why not Cooks River? Cooks River is a local item of significance, other items are State significant.</li> <li>• Agreed that the feedback on the Vision and Priorities would be forwarded to</li> </ul>	
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	Corporate Planning who are responsible for preparing the Community Strategic Plan. This feedback to be considered as a formal submission.	
Social Inclusion Wednesday, 8 February 2017	No comments received	Not applicable
Transport Wednesday, 15 February 2017	<p>The members discussed the "Draft Statement of Vision and Priorities" and agreed with 'The Vision' and also recommended the inclusion of the word '<i>diverse</i>' after the word 'inclusive' in 'The Vision' statement.</p> <p>The members also suggested some changes to Priority 2 – Transport. These were:</p> <ul style="list-style-type: none"> <li>• New dot point - Encourage Active Transport</li> <li>• Add Safety and Transport Information to dot point 'Improving accessibility and connectivity' so it reads 'Improving accessibility, safety, connectivity and transport information.'</li> </ul> <p>Also, a 'road hierarchy mode' should be added where pedestrians are listed as a first priority, followed by other users, with the motor vehicle being listed as a last priority.</p>	<p>Vision to be considered as part of CSP engagement</p> <p>"Encouraging active transport" now included as a new dot point</p> <p>All other comments noted and will inform CSP engagement and discussion paper</p>
Young Leaders Monday, 13 February 2017	The Young Leaders SRG supported the Statement of Vision and Priorities without amendment.	Noted

**Additional comments from one member of the Environment SRG as outlined above:**



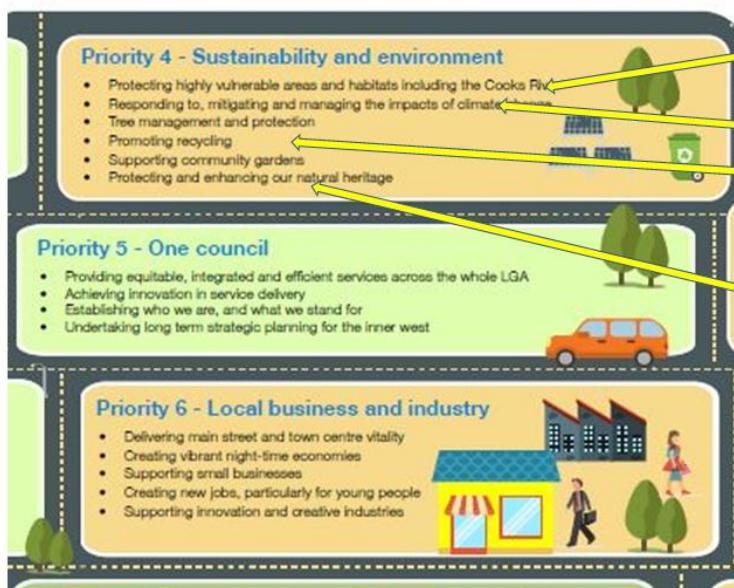
Dot points 4,5,6 seem to overlap – public spaces includes green spaces. And all such spaces should be welcoming, safe and maintained. "clean" sounds a bit out of place. 'well maintained' could cover that?

Retaining industrial land doesn't convey the actual intent – "retain diverse employment lands" is, I think, what is meant here?

"local infrastructure" is more than roads so it reads oddly expressed in this particular theme box (dot point 3) – add "transport" in front of infrastructure.

Last dot point is too generic and vague – car parking – its motherhood without clearly stating intent

• Community Gardens fits logically here – they are, essentially a form of social hub



Nominating one particular location feels unbalanced.

Cooks River presumably includes the margins too – where does one draw the line

Suggest Climate Change item be top of the list

"Promoting recycling" is too shallow – resource conservation and recovery is a better catch-all

Dot point 6 already referenced in dot point 1 and 3







Should be able to cluster / express as one dot point capturing vegetation, habitat, biodiversity

Currently:








- No reference to water as a resource to conserve/value
- No reference to water quality
- No reference to biodiversity

## Summary of amendments




Based on community and SRG feedback the following amendments have been recommended .

Original	Revised
<b>Priority 1 - Planning and Development</b>  <ul style="list-style-type: none"> <li>Managing and planning for population growth</li> <li>Improving access to affordable housing</li> <li>Protecting heritage buildings and items</li> <li>Providing clean, safe, welcoming public spaces</li> <li>Maintaining green/open spaces</li> <li>Maintaining our community assets e.g. buildings and land</li> <li>Retaining industrial land</li> </ul>	<b>Priority 1 - Planning and Development</b>  <ul style="list-style-type: none"> <li>Managing and planning for population growth</li> <li>Improving access to affordable housing</li> <li>Protecting heritage buildings and items</li> <li>Providing <u>well maintained</u>, safe, welcoming public spaces</li> <li><u>Protecting, increasing and improving</u> green/open spaces</li> <li>Maintaining our community assets e.g. buildings and land</li> <li>Retaining <u>diversity of industrial lands and employment generating uses</u></li> </ul>
<b>Priority 2 - Transport</b>  <ul style="list-style-type: none"> <li>Delivering the GreenWay</li> <li>Managing traffic congestion</li> <li>Provision and maintenance of local infrastructure e.g. roads, footpaths</li> <li>Improving bike paths and networks</li> <li>Improving accessibility and connectivity</li> <li>Addressing car parking issues in key locations, including residential and business districts</li> </ul>	<b>Priority 2 - Transport</b>  <ul style="list-style-type: none"> <li>Delivering the GreenWay</li> <li>Managing traffic congestion</li> <li>Provision and maintenance of local <u>transport</u> infrastructure e.g. roads, footpaths</li> <li>Improving bike paths and networks</li> <li>Improving accessibility and connectivity</li> <li>Addressing car parking issues in key locations, including residential and business districts</li> <li><u>Encouraging active transport</u> (NEW)</li> </ul>
<b>Priority 3 - Social vitality, creativity, quality of life</b>  <ul style="list-style-type: none"> <li>Promoting inclusion, particularly for people with a disability</li> <li>Providing social hubs, meeting places and community events</li> <li>Supporting diverse, multi-cultural communities</li> <li>Improving access to recreation, both active and passive</li> <li>Promoting Aboriginal culture - past, present and future</li> <li>Improving access to community facilities, particularly for youth and seniors</li> </ul>	<b>Priority 3 - Social vitality, creativity, quality of life</b>  <ul style="list-style-type: none"> <li>Promoting inclusion <u>for everyone</u>, particularly for people with a disability</li> <li>Providing social hubs, meeting places and community events</li> <li>Supporting diverse, multi-cultural communities</li> <li>Improving access to recreation, both active and passive</li> <li>Promoting Aboriginal culture - past, present and future</li> <li>Improving access to community facilities, particularly for youth and seniors</li> </ul>



<ul style="list-style-type: none"> <li>Supporting wellbeing</li> <li>Supporting the arts</li> <li>Addressing gaps in service provision e.g. childcare</li> </ul>	<ul style="list-style-type: none"> <li>Supporting <u>health</u> and wellbeing</li> <li>Supporting the arts</li> <li>Addressing service needs of <u>all population groups</u></li> </ul>
<b>Priority 4 - Sustainability and environment</b>  <ul style="list-style-type: none"> <li>Protecting highly vulnerable areas and habitats including the Cooks River</li> <li>Responding to, mitigating and managing the impacts of climate change</li> <li>Tree management and protection</li> <li>Promoting recycling</li> <li>Supporting community gardens</li> <li>Protecting and enhancing our natural heritage</li> </ul>	<b>Priority 4 - Sustainability and environment</b>  <ul style="list-style-type: none"> <li>Responding to, mitigating and managing the impacts of climate change</li> <li>Protecting and enhancing our natural heritage including highly vulnerable areas, <u>habitats, biodiversity and waterways</u> for example, the Cooks River</li> <li>Tree management and protection</li> <li><u>Promoting waste avoidance, reuse and recycling</u></li> <li>Supporting local <u>sustainability projects and initiatives</u></li> <li>Protecting and enhancing our natural heritage</li> </ul>
<b>Priority 5 - One council</b>  <ul style="list-style-type: none"> <li>Providing equitable, integrated and efficient services across the whole LGA</li> <li>Achieving innovation in service delivery</li> <li>Establishing who we are, and what we stand for</li> <li>Undertaking long term strategic planning for the Inner West</li> </ul>	<b>Priority 5 - One council</b>  <ul style="list-style-type: none"> <li>Providing equitable, integrated and efficient services across the whole LGA</li> <li>Achieving innovation in service delivery</li> <li>Establishing who we are, and what we stand for</li> <li>Undertaking long term strategic planning for the Inner West</li> </ul>
<b>Priority 6 - Local business and industry</b>  <ul style="list-style-type: none"> <li>Delivering main street and town centre vitality</li> <li>Creating vibrant night-time economies</li> <li>Supporting small businesses</li> <li>Creating new jobs, particularly for young people</li> <li>Supporting innovation and creative industries</li> </ul>	<b>Priority 6 - Local business and industry</b>  <ul style="list-style-type: none"> <li>Delivering main street and town centre vitality</li> <li>Creating vibrant night-time economies</li> <li>Supporting small businesses</li> <li>Creating new jobs, particularly for young people</li> <li>Supporting innovation and creative industries</li> <li><u>Encouraging socially and environmentally responsible business practises</u> (NEW)</li> </ul>
<b>Priority 7 – Advocacy; representing our community</b>	<b>Priority 7 – Advocacy for our community</b>  <ul style="list-style-type: none"> <li>Minimising negative impacts of development and</li> </ul>



 <ul style="list-style-type: none"> <li>• Minimising negative impacts of development and population growth e.g. on environment, infrastructure, liveability</li> <li>• Improving access to key services e.g. public transport, education</li> <li>• Achieving better community and environmental outcomes on local and urban projects e.g. WestConnex, Callan Park, Yasmar estate</li> </ul>	<p>population growth for example on <u>quality of life</u>, environment, infrastructure, liveability, &amp; <u>existing suburbs</u></p> <ul style="list-style-type: none"> <li>• Improving access to key services e.g. public transport, education</li> <li>• Achieving better community and environmental outcomes on local, and regional projects examples include; WestConnex, Callan Park, Yasmar estate, <u>Bays Precinct, Sydenham to Bankstown corridor</u>, <u>Parramatta Road development and White Bay Cruise Ship Terminal</u></li> </ul>
<p><b>Priority 8 - Local democracy</b></p>  <ul style="list-style-type: none"> <li>• Ensuring participatory community engagement</li> <li>• Creating opportunities for youth engagement and pathways development</li> <li>• Developing partnerships</li> <li>• Providing accessible, transparent communication</li> </ul>	<p><b>Priority 8 - Local democracy</b></p>  <ul style="list-style-type: none"> <li>• Ensuring participatory community engagement</li> <li>• Creating opportunities for youth engagement and pathways for youth involvement <u>in local democracy</u></li> <li>• Developing partnerships to <u>deliver community outcomes</u></li> <li>• <u>Communicating council deliberations, plans and projects clearly and openly</u></li> </ul>

**STATEMENT OF VISION AND PRIORITIES****INNER WEST COUNCIL****Message from the Administrator**

I am pleased to present Inner West Council's 'Statement of Vision and Priorities'. The Statement was developed over a three month period in close consultation with the community of the inner west and council staff. The Statement was also placed on a period of public review. The Statement sets out strategic priorities that will provide high level guidance to Council until the development of a single Community Strategic Plan (CSP) for the inner west. The CSP will establish a common direction for the new Council as we continue to work towards achieving better outcomes for the people who choose to live, work and invest in the inner west.

In preparing the Statement we asked the community what the key issues and challenges are for the inner west and what Council needed to focus on in the next 12 to 18 months. These issues formed the basis of our eight high level priorities. They are;

1. Planning and Development
2. Transport
3. Social vitality, creativity and quality of life
4. Sustainability and the environment
5. One council
6. Local industry and business
7. Advocacy
8. Local democracy.

The priorities will be further explored as we develop the Community Strategic Plan. Community engagement on the CSP is due to commence in March of 2017 with an Issues Paper designed to help us better understand the more complex challenges that we face. It will also serve to open dialogue with potential partners and stakeholders as we investigate opportunities to work together in the best interests of the Inner West.

We are in the process of identifying a set of performance indicators that will tell us whether or not we are achieving better outcomes for the community across the eight priority areas. We will be reporting against these indicators on our website. If you would like to follow our progress please visit [www.innerwest.nsw.gov.au](http://www.innerwest.nsw.gov.au).



### **About the Statement**

The Statement has been designed to provide high level direction and guidance for Council until the adoption of a single Community Strategic Plan for the Inner West. It will also serve to inform the development of the Operational Plan and Budget for 2017/18.

The Statement supports an outcomes based agenda for engaging stakeholders and developing partnerships, ensures the continuity of the projects commenced by the former councils and provides a shared vision for the future.

### **Developing the Statement**

Council implemented a community engagement program in the creation of the Statement of Vision and Priorities ensuring representation consistent with our demographics. Input was gathered through;

- A community engagement forum held on 5 September 2016 at Ashfield Town Hall
- Focus groups with members of the Aboriginal & Torres Strait Islander, Youth and Access communities
- Festivals and events held throughout October at Ashfield, Summer Hill, Marrickville, and Leichhardt's Norton Street Festa
- A survey on Council's online engagement hub, Your Say Inner West
- A Community Satisfaction Survey facilitated by Micromex Research
- Staff engagement through an online and paper-based survey
- A workshop with our Local Representation Advisory Committee (LRAC)
- Review by the Aboriginal and Torres Strait Islander (ATSI) meeting participants, 22<sup>nd</sup> November at Leichhardt Town Hall
- A period of public review from 12 December 2016 to 8 February 2017

The community satisfaction survey was the most comprehensive engagement exercise undertaken with over 1000 residents participating. The survey showed that people are mostly concerned about the longer term impacts of *"development in the area and the flow-on effects of traffic, congestion, population growth, public transport, parking, green spaces, environmental concerns and infrastructure."* – Micromex Research 2016.

Staff also examined the Community Strategic Plans (CSPs) of the former local government areas. This was to ensure that the intention and direction of the current plans were not lost. Analysis showed that the top of mind issues in the CSPs were largely reflective of those identified by the Inner West community during the engagement process.

### **Delivering on the priorities**

Council staff are identifying the key pieces of work, planned or already in train, that support the priorities. Many have already been identified including the development and implementation of a Disability Inclusion Action Plan (supporting Priority 1), delivering the Stronger Communities Fund (supporting Priorities 2, 3 & 4) and development of a single Community Strategic Plan for the Inner

West (supporting Priority 5). Some activities will address more than one priority, therefore achieving multiple community outcomes. Where gaps are identified, Council will consider any new actions required or projects that might be accelerated.

It is important to note that addressing the priorities is not solely the responsibility of Council. As is the case with the Community Strategic Plans, Council is one of several key stakeholders responsible for achieving better outcomes for the local community. Council will therefore assign high level indicators against the priorities allowing us to measure whether or not we, and our partners, are on the right track.

These indicators, along with details of Council's key supporting projects, will be available on our website from early 2017. The Operational Plan and Budget 2017/18 will identify the relevant Council service units and programs contributing to the priorities. A draft Operational Plan and Budget will be available for community comment in April 2017. Formal reporting against the Operational Plan will continue on a bi-annual basis.

### **The Statement of Vision and Priorities**



In adopting this Statement of Vision and Priorities Council commits to working towards a shared vision and actioning projects and initiatives identified as essential to addressing the eight priorities listed below.

The Vision and Priorities will remain in place until the adoption and implementation of a new Community Strategic Plan for the Inner West.

### **The Vision**

*We are Inner West, land of the Gadigal and Wangal peoples, whose rich cultures, heritage and history we acknowledge and respect. Together we are an inclusive, passionate, creative, vibrant community united in our desire to build a great future for all who live and do business here.*

### **The Priorities**

<p><b>Priority 1 - Planning and Development</b></p>  <ul style="list-style-type: none"> <li>• Managing and planning for population growth</li> <li>• Improving access to affordable housing</li> <li>• Protecting heritage buildings and items</li> <li>• Providing well maintained, safe, welcoming public spaces</li> <li>• Protecting, increasing and improving green/open spaces</li> <li>• Maintaining our community assets e.g. buildings and land</li> <li>• Retaining diversity of industrial lands and employment generating uses</li> </ul>	<p><b>Priority 2 - Transport</b></p>  <ul style="list-style-type: none"> <li>• Delivering the GreenWay*</li> <li>• Managing traffic congestion</li> <li>• Provision and maintenance of local transport infrastructure e.g. roads, footpaths</li> <li>• Improving bike paths and networks</li> <li>• Improving accessibility and connectivity</li> <li>• Addressing car parking issues in key locations, including residential and business districts</li> <li>• Encouraging active transport</li> </ul>
<p><b>Priority 3 - Social vitality, creativity, quality of life</b></p>	<p><b>Priority 4 - Sustainability and environment</b></p>

**Item 9**


- Promoting inclusion for everyone, particularly for people with a disability
- Providing social hubs, meeting places and community events
- Supporting diverse, multi-cultural communities
- Improving access to recreation, both active and passive
- Promoting Aboriginal culture - past, present and future
- Improving access to community facilities, particularly for youth and seniors
- Supporting health and wellbeing
- Supporting the arts
- Addressing service needs of all population groups



- Responding to, mitigating and managing the impacts of climate change
- Protecting and enhancing our natural heritage including highly vulnerable areas, habitats, biodiversity and waterways for example, the Cooks River
- Tree management and protection
- Promoting waste avoidance, reuse and recycling
- Supporting local sustainability projects and initiatives

**Priority 5 - One council**


- Providing equitable, integrated and efficient services across the whole LGA
- Achieving innovation in service delivery
- Establishing who we are, and what we stand for
- Undertaking long term strategic planning for the Inner West

**Priority 6 - Local business and industry**


- Delivering main street and town centre vitality
- Creating vibrant night-time economies
- Supporting small businesses
- Creating new jobs, particularly for young people
- Supporting innovation and creative industries
- Encouraging socially and environmentally responsible business practises

**Priority 7 – Advocacy for our community**


- Minimising negative impacts of development and population growth for example on quality of life, environment, infrastructure, liveability, existing suburbs
- Improving access to key services e.g. public transport, education
- Achieving better community and environmental outcomes on local, and regional projects examples include; WestConnex, Callan Park, Yasmar estate, Bays Precinct, Sydenham to Bankstown corridor, Parramatta Road development and White Bay Cruise Ship Terminal

**Priority 8 - Local democracy**


- Ensuring participatory community engagement
- Creating opportunities for youth engagement and pathways for youth involvement in local democracy
- Developing partnerships to deliver community outcomes
- Communicating council deliberations, plans and projects clearly and openly

For the purpose of this Statement, the GreenWay is represented within Priority 2 - Transport. It is acknowledged that, as is the case with many major projects, the GreenWay will achieve multiple community outcomes and therefore meets more than one of the Priority areas.





**Item No:** C0317 Item 10**Subject:** HOMELESSNESS POLICY**File Ref:** 17/6032/22201.17**Prepared By:** Sue Pym - Social Planning Coordinator**Authorised By:** Erla Ronan - Group Manager Community Services and Culture**SUMMARY**

The Homelessness Policy (Attachment 1) presents a policy framework and suite of strategies for addressing homelessness in the Inner West community. The feedback from the public exhibition period has been positive and the policy is presented to Council for adoption.

**RECOMMENDATION**

**THAT Council adopts the Homelessness Policy and incorporates its strategies and actions in future operational plans.**

**BACKGROUND**

On 6 December 2016 Council determined that the Draft Homelessness Policy be released for public exhibition. A summary of the Your Say Inner West online feedback from this process shows considerable interest in, and support for, the Homelessness Policy. 177 people visited the Homelessness Policy page, 93 people downloaded the document and 10 people provided feedback. Feedback received is outlined in (Attachment 2).

All but one of the responses supported the draft Homelessness policy. The one response not supporting the policy cited the policy's focus on treating the symptoms rather than causes of homelessness. The policy make reference to the many complex causes of homelessness, most of which fall primarily under the responsibility of state and commonwealth governments. One exception is the issue of housing affordability where Council can play a role through the local planning system. Council has made a strong commitment in this area through continuing to build its affordable housing stock and the development of a draft affordable housing policy.

Comments made by respondents who supported the policy included suggestions about ways to improve housing affordability, supported and temporary accommodation; the need to work collaboratively with other agencies including mental health services; aligning Council's response with broader government initiatives; recognising the high numbers of boarding houses in the Inner West; recognising the vulnerability of women to homelessness; and considering the impact of extreme weather events on people who are homeless. This feedback is welcomed and reinforces the need for Council to continue with its collaborative, multi-agency approach to address this complex issue, as outlined in the Homelessness Policy. With issues such as extreme weather events, Council will discuss appropriate responses internally through the homelessness working group and with local homelessness services.

The recent establishment of a Multi-Agency Outreach Team is an excellent example of Council's collaborative approach to this issue. Representatives from FACS, Housing, The Haymarket Centre; Exodus; Commonground; NSW Health and Council provide monthly early morning outreach in Pratten Park and other areas around the Ashfield Town Centre (Strategy 2.1 action G). In just a few months this team has assisted 2 people to find permanent housing, including a frail, older man who has been homeless for many years and the person referenced in the attached Inner West Courier article (Attachment 3). This is in addition to the other 5 people sleeping rough around Ashfield's parks who have been assisted to exit homelessness over the past 12 months. After constant occupancy of the Pratten Park grandstand over the past 18 months or more, there are no rough sleepers currently staying there.

Council has utilised its evidence of the extent of homelessness to make representations to relevant organisations and government departments about the need for services to address unmet needs. Consequently, Mission Australia has recently created a new 6 month Outreach position to service the Inner West Council area, operating as part of Missionbeat (Strategy 1.2 Actions D and E). This is a major step forward in recognition of the extent of the Inner West homelessness issue and gap in outreach services, however Council will need to continue to gather evidence and will make the case for continued support for this position.

### **FINANCIAL IMPLICATIONS**

The current response to homelessness across the inner west is undertaken through existing resources. Further allocation of resources to support and implement the policy are being considered through the staff restructure process.

### **OTHER STAFF COMMENTS**

Nil.

### **PUBLIC CONSULTATION**

Council determined on 6 December 2016 to place the Draft Homelessness Policy on public exhibition from 14 December until 30 January 2017. The policy was promoted through Council's website and Your Say Inner West; the attached Inner West Courier article; emails to stakeholders; and provision of hard copies of the policy in libraries and customer services areas. The policy was also discussed at the Housing and Affordability Reference Group on 13 February 2017.

### **CONCLUSION**

While the initiatives above represent important steps forward in addressing the homelessness issue in the Inner West, there will need to be ongoing attention to this issue and Council has more to do to continue implementing the strategies and actions outlined in the Homelessness Policy.

### **ATTACHMENTS**

1. [↓](#) Draft Homelessness Policy
2. [↓](#) Comments received from public exhibition period
3. [↓](#) Inner West Courier article 13 December 2016



**Homelessness Policy:  
Responding to the needs of  
people who are homeless in the  
Inner West community**

This policy will be reviewed by: Community Services and Culture  
Next review date: March 2019

<b>Title:</b>	Homelessness Policy: Responding to the needs of people who are homeless in the Inner West community
<b>Summary:</b>	The policy outlines appropriate roles and strategies for Council in addressing the complex issues associated with people sleeping rough in public places.
<b>TRIM Record Number:</b>	
<b>Date of Issue:</b>	
<b>Approval:</b>	
<b>Version Control:</b>	
<b>Contact Officer:</b>	Sue Pym
<b>Relevant References:</b>	Refer to Appendix 4
<b>Main Legislative or Regulatory References:</b>	
<b>Applicable Delegation of Authority:</b>	
<b>Related Council Policy:</b>	
<b>Related Council Procedure:</b>	Homelessness Protocol

## **Purpose**

Inner West Council (IWC) recognises the NSW Government's "Protocol for Homeless People in Public Places", August 2014, and thereby respects the rights of people who are homeless to be in public places, to participate in public activities and to be treated in a non-discriminatory, respectful manner. The purpose of this policy is to formulate an appropriate role for Council in addressing the complex issues associated with homelessness, and thereby give local expression to the principles contained in the NSW Protocol. In addition to the Protocol for Homeless People in Public Places, a number of policies and protocols from other councils have informed the development of this policy. These references are outlined in Appendix 4.

While homelessness takes many forms, the main focus of this policy is primary homelessness, which often takes the form of rough sleeping. The policy aims to address issues associated with the increasing prevalence of people who are homeless in public places, and in doing so assist Council to meet its obligation to manage these areas appropriately.

Other forms of homelessness (secondary and tertiary) include people living in temporary shelters, severely crowded dwellings, supported accommodation, emergency accommodation, boarding houses, refuges or temporarily staying with others (couch surfing). These forms of homelessness are significant and more prevalent than rough sleeping, however are not the primary subject of this policy.

## **Context**

Homelessness is often the consequence of broad scale social and economic policies that result in homelessness triggers such as housing affordability, unemployment and loss of income support. While homelessness is primarily the responsibility of state and commonwealth governments, local government has a significant role to play as custodians of public open space and other community assets which are used by people who are homeless and others.

In addition, in light of the national crisis in housing affordability and the interventions possible through the local planning system, Council also has a role to play in sustaining and endeavouring to expand the provision of affordable housing. The high incidence of housing stress and possible strategies for the Inner West Council to increase affordable housing are outlined in Council's *Draft Affordable Housing Policy, 2016*.

The causes of homelessness are complex and varied. Men, women and children of all ages are now finding themselves homeless due to a diverse range of problems. Homelessness can result from drug, alcohol and gambling addiction; mental illness; family breakdown; shortage of stable and affordable housing; financial or housing stress; health issues; long term unemployment; domestic and family violence; loss of social and family

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networks; and people leaving healthcare services, child protection and correctional facilities.

While the majority of rough sleepers recorded in the local area are men, there are increasing numbers of less visible older women experiencing homelessness. Poverty and lack of housing affordability are significant factors leading older women to seek out less visible options such as couch surfing, sleeping in cars and sleeping rough in the relatively safer daylight hours, thereby not being counted in late night homelessness street counts (McFerran, 2010). Young people can also be relatively invisible, despite comprising 42% of the homeless population. This is in part due to couch surfing being the dominant form of homelessness amongst young people (Flatau et al).

### **Nature and extent of homelessness in the Inner West**

The 2011 Census indicated that homelessness is increasing nationally, with 105,237 people recorded as being homeless, representing an 8% increase on 2006 figures.<sup>1</sup> These increased trends are also reflected in the Inner West Council area. Rough sleepers have been reported in parks; in parked cars; in stairwells associated with public car parks; on verges and footpaths; on private property under eaves and other semi-sheltered areas. Occasionally, tents have been erected in parks, footpaths and nature reserves in both residential and commercial areas.

Council undertook three late night street counts of people sleeping rough between March 2016 and February 2017:

- March 2016 - street count in Ashfield, Summer Hill and Haberfield identified 20 people
- August 2016 - broader Inner West street count identified 23 people primarily in Ashfield, Summer Hill, Marrickville and Newtown with smaller numbers in Camperdown and Enmore
- February 2017- Inner West street count identified 10 people in Ashfield, Summer Hill, Tempe, Newtown and Leichhardt

It is likely that this under represents the true extent of rough sleeping, however provides a useful benchmark and highlights locations where the extent of homelessness was previously unknown. Quantifying the number of people sleeping rough through street counts is inherently difficult due to some people being deliberately hidden from public view; people still being mobile at the time of the count; and the resources that would be required to check every street and public place in the municipality.

The experience of The Exodus Foundation suggests that the number of people who are homeless in the Inner West is significant and growing. The Exodus Foundation's Loaves

<sup>1</sup> Information Paper 2049.0 - Census of Population and Housing: Estimating homelessness, 2011

and Fishes Restaurant serves 600 free breakfasts and lunches each day to people who are homeless and disadvantaged. Early results from a recent survey by Health NSW in conjunction with Exodus found that 20% of the 200 people interviewed at Exodus were sleeping rough. Outreach services such as Missionbeat have also noticed increased numbers of people who are homeless in the Inner West.

While many people who are homeless have little adverse impact on others, there have been issues in some areas where nearby residents and other park users have complained about rubbish, the spread of belongings, drug and alcohol consumption, human waste, feeling unsafe and alienation of parkland through the erection of tents and other structures. In addition, Police have reported a number of incidents associated with some of the people who are sleeping rough in local parks, including behaviours which compromise community safety. This heightened level of community and Police concern has highlighted the need for Council to be clear about its role and appropriate responses.

### **Current Approach to Homelessness**

- The Inner West Council Operational Plan reflects a continued commitment to the objectives of providing an inclusive, equitable and socially just community. Respect for people who are homeless and recognition of their rights to fully participate in the local community and access Council facilities gives expression to these values.
- A Protocol for Homeless People in Public Places has been developed and is being progressively implemented across the IWC. This protocol aims to guide the actions of staff in respecting the rights and needs of both people who are homeless and the other residents who share Council's public places. It applies to indoor and outdoor public places including parks and other open spaces, libraries and customer services areas. The Protocol draws upon the principles contained in the NSW Government Protocol for Homeless People in Public Places.
- A collaborative approach with both internal and external stakeholders underpins Council's Protocol for Homeless People in Public Places, which acts as a guide for staff in responding to people sleeping rough in the area. This Protocol recognises the valuable information staff have concerning the location of people who are homeless, and enables this information to be referred to the services offered by specialist homelessness services. In this way people who are homeless may be offered welfare checks as well as information about accommodation and other support services.
- The Protocol also reinforces Council's partnership with Police in addressing any behaviour that threatens the safe and peaceful use of parks by the community. For example, local Police were very helpful in working with Council's Rangers to address antisocial behaviour associated with the tents that were present in Allman Park towards the end of 2015.

- As part of the 2014 NSW Government's Specialist Homelessness Reform, the Department of Family and Community Services (FACS) provides funding to 14 homelessness services which service the Inner West Council area. A list of these, as well as other homelessness services not part of the FACS funding program, are listed in Appendix 1.

### **Policy Principles**

- People who are homeless represent some of the most disadvantaged and vulnerable in our society. Homelessness is first and foremost an issue for the people who find themselves without shelter, and the obvious ramifications for them in terms of health, wellbeing, dignity and exclusion from society. The Universal Declaration on Human Rights recognises that everyone has the right to a standard of living adequate for the health and wellbeing of themselves and their family, including access to housing (Article 25).
- All members of the community, including people who are homeless, have the same right to be in public places. Equally, all members of the community have a shared responsibility to respect other users of public spaces and not unduly infringe on the safe and peaceful use of the public domain by others.
- In the interest of promoting a socially inclusive society, all members of the community, including people who are homeless, have the right to participate in community events and activities, and use public facilities.
- People who are homeless have the right to carry with them and store their own belongings, and are responsible for ensuring their belongings do not impair the safe and peaceful use of public spaces by others.
- People who are homeless are not a homogenous group. As such, assumptions should not be made about the reasons people become homeless; the types of people who experience homelessness; and whether or not they may be interested in accessing homelessness services.
- Where possible, vulnerable people in public places should be supported by specialist homelessness services and supported to exit homelessness.
- Council's Homelessness Policy does not override existing laws, statutory requirements or regulations; nor does it diminish the ability of agencies to enforce them. The Policy does not prevent relevant authorities from taking appropriate action where health or safety is threatened, or where a breach of the peace or unlawful behaviour has occurred.



## Council Role

- **Management of public places:** ensuring public places are accessible and able to be safely and peacefully enjoyed by all residents.
- **Information:** Council may provide information to people who are homeless, Council staff and other interested residents concerning the homelessness services available in the area.
- **Advocacy:** It is appropriate for Council to play an advocacy role concerning the provision of relevant state and commonwealth government supported services and policies that impact on homelessness. This may include policies regarding housing affordability; social housing; income support; and homelessness support services.
- **Community education:** Council has the potential to increase community understanding about homelessness through the way it responds to the issue and the way it is communicated to the public
- **Monitoring:** Council has a role in recording and monitoring the nature, extent and location of homelessness within the municipality
- **Facilitation:** Council plays a facilitating role, through its Community Grants Program, in assisting programs that are targeted towards people who are homeless.
- **Training:** It is appropriate for Council to provide training opportunities for staff who are in contact with people who are homeless through the normal course of their work
- **Planning:** Council has a role to play in encouraging more affordable housing options through its planning strategies and instruments

## Policy Objectives and Strategies

The following table sets out Council's three policy objectives and six supporting strategies to respond to homelessness. Corresponding actions are listed in Appendix 2.

1. **Improve the wellbeing of people who are homeless in the Inner West Council by:**
  - 1.1. **Promoting social inclusion and encouraging participation in community life**
  - 1.2. **Identifying gaps and advocating for the services and funding needed to address local needs.**

2. Reduce the numbers of people sleeping rough in the Inner West Council area by:
  - 2.1. Assisting to connect people who are homeless with the homelessness services that can support them to exit homelessness and access other relevant support
  - 2.2. Encouraging the provision of affordable housing as a means of addressing one of the major underlying causes of homelessness
3. Minimise any negative impacts of homelessness on local residents and other users of public places by:
  - 3.1. Managing Council's services and programs to facilitate accessibility while at the same time ensuring users do not infringe upon the safe and peaceful enjoyment of public places by others
  - 3.2. Monitoring the nature and extent of primary homelessness and responding accordingly

### **Implementation**

Council staff from across all departments are already involved with dealing with this issue during the normal course of their work. Specifically, this issue impacts on staff from areas such as regulatory services, parks, waste, libraries, customer services and community services. Consequently, an interdisciplinary approach across Council's functional areas has proved to be an effective model for responding to this issue. The Homelessness Working Group will continue to meet quarterly to review homelessness data and the effectiveness of policies and procedures in addressing the issue. The Group Manager Community Services and Culture will be responsible for the monitoring, evaluation and implementation of this policy, together with its review in two years.

### **Appendix 1 – Homelessness Services**

The following list outlines the 14 homeless services operating in the Inner West Council area that are funded by the Family and Community Services Department.

- The Inner West Youth Homelessness Service. Lead provider: Youth Off The Streets Ltd. Clients: young people
- Sydney District Boarding House Outreach Service. Lead provider: Newtown Neighbourhood Centre Inc. Clients: women, men, families<sup>2</sup>
- Sydney Homelessness Early Intervention Service. Lead provider: Mission Australia (Missionbeat). Clients: young people, men, women, families
- Inner West Family Homelessness Support Service. Lead provider: St Vincent de Paul Society NSW. Clients: families. Also provides refuge and crisis accommodation for women with children at Elsie Women's Refuge and Marian Centre
- Sydney District Young Parents Homelessness Service. Lead provider: Launchpad Youth Community Inc. Clients: families, specifically young parents 16-24 years.
- Sydney District West Family Homelessness Support Service. Lead provider: Women's and Girl's Emergency Centre Incorporated (WAGEC). Clients: families
- Transgender Homelessness Support Service. Lead provider: The Gender Centre in Annandale. Clients: transgender people 18+.
- Lesbian, Gay, bisexual, Transgender, Intersex or Queer Youth Homelessness Project. Lead provider: The Twenty ten Association Incorporated. Clients: young people under 25 who identify as lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ).
- Medium Term Homelessness Services for Girls and Young Women: Youth off the Streets. Clients: girls under 16 years requiring medium term accommodation and support

<sup>2</sup> Newtown Neighbourhood Centre is concerned with the security of boarding house residents in the Inner West, and provides the Boarding House Outreach Service and a Boarders and Lodgers Project. There are significant numbers of boarding houses in the IWC, particularly in Marrickville and Ashfield. Boarding Houses form an important part of the local context of homelessness as many rough sleepers originate from and transition to boarding houses.



- Homelessness Support Service for Girls and Young Women with Complex Needs: Detour House. Clients: girls under 16 years requiring crisis support
- Aboriginal Women and Children's Crisis Service: Marrickville Women's Refuge. Clients: Aboriginal women and girls requiring accommodation and support leaving DV
- Aboriginal Outreach Casework Project: Aboriginal Corporation for Homelessness: Early intervention and post crisis support for Aboriginal people
- Sydney and South Eastern Sydney Districts Single Persons Homelessness Support Service- Mental health. Lead Provider: Uniting Church in Australia Property Trust through Wesley Mission. Service includes case management and supported transitional accommodation, as well as pathways to move from homelessness to long-term accommodation with appropriate mental health support.
- Multidisciplinary Outreach Post-Crisis Support (MOPS). Lead Provider: Wesley. Assistance and support for chronic rough sleepers who have been allocated housing. Targets men, women & families.

In addition to the FACS funded specialist homelessness services, there are several other organisations providing services in the Inner West:

- The Better Pathways to Housing for People with Severe and Enduring Mental Illness is led by the Sydney Local Health District, FACS and Partners in Recovery to improve pathways to accommodation for people with severe mental illness. The project will map pathways to housing for people with severe mental illness for a range of housing providers and will plan and implement ways to improve this experience.
- The Exodus Foundation provides meals, dental, medical, laundry, showers, referral and social services for people who are homeless and other vulnerable people. Several of the people sleeping rough in Ashfield's parks are regular clients at Exodus, and it is possible that at least some of the people who are homeless are based in local parks to enable them to easily access Exodus services.
- There are a range of other community organisations and churches providing food pantries and meals in the Inner West, including the mobile food pantry at the All Saints Church in Petersham; The Food Shed Enmore at Enmore Church of the Nazarene ; the Pop Up Pantry at Rozelle

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Neighbourhood Centre; the Tucker and Land Justice Food Pantry in the Addison Road Community Centre, Marrickville; weekday lunches at St Constantine's Greek Church, Newtown; meals and food parcels at the Newtown Mission; and the weeknight Hare Krishna food van outside the Newtown Neighbourhood Centre.

---

The Department of Family and Community Services also funds the state-wide homelessness phone service, Link2home. Link2home operates 24 hours a day, 7 days a week and provides information and referral to homelessness services.

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## Appendix 2 - Strategies and Actions

The following tables set out 17 actions that Council will implement to deliver the six strategies identified in the Homelessness Policy.

1.1 Promoting social inclusion and encouraging participation in community life		
Action A: Promote Council's services and programs through the Exodus Foundation and Newtown Neighbourhood Centre		
Action B: Investigate ways in which Council's services and programs can be more readily accessed by people who are homeless		
Action C: Prioritise applications under Council's Grants Program that seek to involve homeless people in community activities		
1.2 Identifying gaps and advocating for the services and funding needed to address local needs.		
Action D: Utilise the NSW Health survey of people using Exodus services together with Council data to identify local demand and service needs		
Action E: Liaise with existing outreach services regarding their capacity to meet local needs and where appropriate make representations to relevant government departments and community organisations to address any unmet demand		

### 2.1 Assisting to connect homeless people with the homelessness services that can support them to exit homelessness and access other relevant support

Action F: Disseminate the Homeless Assistance card to homeless people, staff, local community groups and interested residents

Action G: Foster cooperative relationships with Exodus, Newtown Neighbourhood Centre, Missionbeat, Youth Off the Streets and any other relevant services as they continue to assist Council in responding to rough sleepers

Action H: Keep abreast of the range of services available through the joint Homelessness Forums or networks convened by Exodus in partnership with Council

Action I: Council will undertake an annual street count of rough sleepers to record the location and extent of homelessness and thereby enable homelessness services to respond accordingly

### 2.2 Encouraging the provision of affordable housing as a means of addressing one of the major underlying causes of homelessness

Action J: Develop and adopt an Affordable Housing Policy for the Inner West Council



### **3.1 Managing Council's services and programs to facilitate accessibility while at the same time ensuring users do not infringe upon the safe and peaceful enjoyment of public places by others**

Action K: Plans of management prepared for Council's parks will encourage accessibility while minimising any negative consequences of rough sleepers

Action L: Explore the potential for the Homelessness Protocol to be adapted for use throughout the Inner West Council.

Action M: The Homelessness Protocol will continue to be implemented and monitored to ensure Council's response to homelessness is consistent with the provision of accessible, safe and peaceful open space.

Action N: The Homelessness Working Group will continue to monitor rough sleeping across the Inner West Council area and the implementation of the Homelessness Protocol.

Action O: Council will provide training opportunities for staff who encounter people who are homeless through the normal course of their work, including staff from Rangers, Waste, Parks, Libraries and Customer Services areas.

### **3.2 Monitoring the nature and extent of primary homelessness and responding accordingly**

Action P: Utilise the information from the street count to help shape the response by Council's operational and regulatory staff to any issues stemming from rough sleeping in Council managed places

Action Q: Maintain a Homeless Incident Spreadsheet in order to record and where necessary respond to incidents of homelessness reported by staff, residents and others.

**Appendix 3 - ABS Definitions and Statistics**

- When a person does not have suitable accommodation alternatives they are considered homeless if their current living arrangement:
  - is in a dwelling that is inadequate; or
  - has no tenure, or if their initial tenure is short and not extendable; or
  - does not allow them to have control of, and access to space for social relations.

(ABS Reference: 4922.0 - Information Paper - A Statistical Definition of Homelessness, 2012)

- The key national homelessness estimates from the 2011 Census are:
  - there were 105,237 people enumerated in the Census who are classified as being homeless on Census night (up from 89,728 in 2006);
  - the homeless rate was 49 persons for every 10,000 persons enumerated in the 2011 Census, up 8% from the 45 persons in 2006 but down on the 51 persons in 2001;
  - the homelessness rate rose by 20% or more in New South Wales, Victoria, Tasmania and the ACT, with the largest fall being in the Northern Territory down 8%.

(ABS Reference: 2049.0 - Census of Population and Housing: Estimating homelessness, 2011)

DRAFT



#### **Appendix 4 - References**

- Department of Family and Community Service  
Protocol for Homeless People in Public Places, Aug 2014
- Department of Family and Community Service (FACS)  
Specialist Homelessness Services Fact Sheet, Sydney District, August 2015
- City of Sydney Street Count, Volunteer Manual
- City of Sydney Homelessness website
- Parramatta City Council Homelessness Policy, November 2011
- Byron Shire Council Policy No 14/007, Homelessness
- Manly Council, Homeless Persons Protocol
- City of Boroondara, Homelessness Protocol
- Waverley Council Library, Procedure and guidelines for working with people who are homeless
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- ABS Reference: 4922.0 - Information Paper - A Statistical Definition of Homelessness, 2012
- ABS Reference: 2049.0 - Census of Population and Housing: Estimating homelessness, 2011
- Inner West Council, Draft Affordable Housing Policy: Background Paper, 2016

**Attachment 2**

Do you support the draft Homelessness Policy	Please comment here if required
Yes	It is a well written clear policy with a focus on the most vulnerable people who experience homelessness - rough sleepers.
Yes	
Yes	As I read through the policy I was aware of the breadth of the good things being done by Council and related organisations. I did have the confronting awareness that I have a large house, and apart from when grandchildren stay overnight, we have vacant rooms. Both my wife and I would find it challenging to provide space for a homeless person but I'm sure there are a long way more empty rooms in the local area than there are homeless people. I don't want to be simplistic as I am aware that homelessness is complex but this is what confronts me.
Yes	It is great that there is a Homelessness Policy that addresses human rights. The policy is also useful because it describes the scale of homelessness in the Inner West, and informs its readers of what services exist to address it. There are not enough services. The policy could be improved by making "Planning affordable housing" as the first goal, along with advocacy. I would also change the wording of "exit homelessness" to the more positive and Plain English "find a home".
No	As I view it, the proposed draft primarily addresses the symptoms of homeless. Could it be a good idea to address the systemic issues of these people also, why are they homeless? Is this because of trauma and low self esteem resulting from abuse which then may lead to self medication? Lack of education, lack of family support? Addressing issues of mental health and immediate security may then result in less homelessness and the resulting symptoms. The salvation army address the cause of homeless here.  <a href="http://www.salvationarmy.org.au/en/Who-We-Are/our-work/Homelessness/Why-are-people-homeless/?gclid=CjwKEAIAm8nCBRD7xLj-2aVfYz8SJAQNALaVi04LT4Vhn_GTG1rODjjhYrQLrEFYjs9BQ5aENWwRoC27_w_wcB">http://www.salvationarmy.org.au/en/Who-We-Are/our-work/Homelessness/Why-are-people-homeless/?gclid=CjwKEAIAm8nCBRD7xLj-2aVfYz8SJAQNALaVi04LT4Vhn_GTG1rODjjhYrQLrEFYjs9BQ5aENWwRoC27_w_wcB</a>  and see the primary response required for homelessness is stability from here other issues maybe addressed.  Thank you.
Yes	Could Council please investigate Tiny Homes as a solution to providing temporary accommodation for homeless people and giving unemployed youth an opportunity to acquire vocational skills (ref Gosford Council joint venture with <a href="http://tinyhomesfoundation.org.au">tinyhomesfoundation.org.au</a> )
Yes	
Yes	It is important that Council view this as a local issue. ALSO important to highlight the pervasive increase on a National level. While local initiatives are important..... It would be good to have it aligned with a broader/Government initiatives (if the government initiatives are worthy....) ?????
Yes	As indicated rough sleepers form only a small portion of people regarded as homeless or at risk of homelessness. I hope Council will look at its role in preventing homelessness in a separate policy in the not too distant future  The draft policy proposals provide important assistance to protect street homeless people and to keep in touch with SHS operating in the inner west. Other suggestions would be partnering with FACS and the relevant NFPs to bring the showerbus and mobile laundry facilities to the inner west and examining genuine housing first accommodation alongside affordable housing being provided via VPAs and proposed inclusionary zoning targets in the future.
Yes	Opportunities to work with mental health services on supported accommodation initiatives like HASI and a focus on the increasing numbers of older women living in marginal accommodation/ on the street should be further explored.  I would want to derailed the potential for a modest number of supported housing with wrap around services in the non heritage buildings at the former Rozelle Hospital site as part of the master plan and future resolution of the use of this site Direct Council support for local tenancy advice and rental brokerage and support services should be considered for street homeless people who are initially housed in supported accommodation. Such efforts by Council should feature in any further policy that aims to prevent homelessness
	Summary of oral feedback received from one person (confirmed via email)
Yes	<ul style="list-style-type: none"> <li>• Supports IWC Homeless Policy as a robust policy for people sleeping rough with the additional points for consideration:</li> <li>• The policy should recognize Link2home is a valuable resource both as a prevention means and strategy for supporting people who are sleeping rough</li> <li>• The policy should recognize women are increasingly more vulnerable to homelessness, especially after a relationship breakdown and limited or no access to superannuation, older women who are socially isolated as highlighted in a recent Leichhardt LGA survey and women who have experienced family and domestic violence. Women from our LGA who become homeless and sleep rough tend to do outside our LGA as they feel safer with larger cohorts such as in the City of Sydney LGA or sleeping on trains Staff training regarding homelessness is a positive initiative</li> <li>• Inner West has the highest number of boarding house residents in NSW Development of Park Plans of Management should always consider the IWC homelessness policy</li> <li>• Homeless health service provided from St Vincents is a valuable service coordinated across agencies and local government addressing safety checks, physical health and wellbeing for rough sleepers and linking them to support services. The IWC needs to participate with related inter-agencies across the LGA supporting those who sleep rough. Participation of Council can assist with sustainability and expansion of existing services, given we have the highest number of boarding house residents in NSW, and many living one-pay away from homelessness Needs of homeless people in extreme weather events should be considered by the IWC policy.</li> </ul>

ATTACHMENT 3.

**04 NEWS**

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**ASHFIELD**

# Park problem home truth

**David Barwell**

A REVOLVING door of occupants have hampered efforts by authorities to have a homeless man's tent removed from an Ashfield park. The two-man tent was set up in a small park on the corner of Liverpool Rd and Elizabeth St last month, and has since generated complaints from residents to the Inner West Council.

The council said it was in regular contact with the original occupant, and after collaborating with the Exodus Foundation and Mission Australia, found him permanent housing.

But as the original occupant moved out of the tent, another homeless man moved in.

A council spokeswoman said it was now trying to con-

tact the occupant to establish his circumstances.

Bill Crews from the Exodus Foundation supported the tent in the location.

"People worry about their house prices but it's an issue that shouldn't be hidden from sight," he said.

"It's good (the tent) is there because the more people we see in need the better we can bring it into the light."

Former Ashfield Liberal councillor Julie Passas said that residents had contacted her with concerns about the tent.

She said it was an issue across the council area and called for the council to redirect funds from kitchen refurbishments at Pratten Park to establish homeless

housing on the site.

"Instead of having people sleeping under a grandstand why not give them somewhere decent to sleep?" she said.

It comes as the Inner West Council is developing a new homelessness policy that includes protocols for addressing homelessness in public places. The strategy includes collaboration with police and aims to respect the rights of homeless people and residents who share public places.

Mr Crews said legislation being considered in the UK - that would force councils to offer long-term housing for homeless people - should be enacted in Australia.

"It would pressure all



Residents are concerned about homeless people sleeping in a tent in an Ashfield park.

three levels of government to start taking the issue seriously," he said.

☒ What do you think the solution is? Write to: [editor@innerwestcounciler.com.au](mailto:editor@innerwestcounciler.com.au)



**Item No:** C0317 Item 11**Subject:** PROPOSED NAME OF THE NEW MARRICKVILLE LIBRARY SITE**File Ref:** 17/4718/26978.17**Prepared By:** Caroline McLeod - Group Manager Library and History Services**Authorised By:** John Warburton - Deputy General Manager Community and Engagement

---

**SUMMARY**

Inner West Council has entered into a partnership with Mirvac to deliver the community a new Marrickville Library and community spaces at the end of 2018. It is proposed the site be named '*Patyegarang*' Place in recognition of Bajaragang or '*Patyegarang*', an Aboriginal woman who lived at the time the first fleet arrived in Australia. A public artwork reflecting Bajaragang/*'Patyegarang'* would be commissioned for the site.

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**RECOMMENDATION**

**THAT Council endorse the proposed naming of the new Marrickville Library site as Patyegarang Place in recognition of Bajaragang or '*Patyegarang*', an Aboriginal woman who lived at the time the first fleet arrived in Australia.**

---

**BACKGROUND**

Inner West Council has entered into a partnership with Mirvac to deliver the community a new Marrickville Library and community spaces at the end of 2018. The new facilities will be located on the old Marrickville Hospital site on the corner of Marrickville and Livingstone Roads, Marrickville.

The new Marrickville Library and community spaces provide an opportunity to promote Aboriginal history and contributions by Aboriginal communities and culture to local residents and the broader Sydney community.

Community and Engagement Directorate staff liaised with Dr Jakelin Troy, Director, Aboriginal and Torres Strait Islander Research, The University of Sydney and author of *The Sydney Language* regarding suitable names. It was her recommendation that the site be known as Patyegarang Place.

It is envisaged that Marrickville Library and the community meeting facility (name to be determined) would be located within Patyegarang Place.

**Bajaragang or '*Patyegarang*'**

Bajaragang or '*Patyegarang*' was a powerful Aboriginal woman - a key figure in local Aboriginal culture and community who lived at the time the first fleet arrived in Australia. Bajaragang/*'Patyegarang'* taught Lieutenant William Dawes, a scientist with the first fleet, about her language and culture. Dawes recorded the language in his diary, creating a written record of the Aboriginal language for the first time on record.

In addition to being a strong and influential Aboriginal women associated with language, learning and culture – factors fitting to a contemporary library, community gathering, learning and cultural hub - the name *Patyegarang* is also a variation of the Aboriginal name for the '*eastern large grey kangaroo*' - linking the name back to the area's former reputation of "Kangaroo Grounds."

**Public art**

The former Marrickville Council resolved to appoint an artist to create a site specific public artwork that reflects the Aboriginal naming/co-naming of the site. A formal Expression of Interest process seeking a public artist will take place. This report was considered at the LRAC Meeting of 14 March and the recommendation was supported by LRAC.

**FINANCIAL IMPLICATIONS**

Funds have been allocated for the public art component of the project.

**PUBLIC CONSULTATION**

Officers have contacted the Metropolitan Local Aboriginal Lands (MLALC) Council seeking formal approval for the proposed naming of the site. This request has been followed up via email on a number of occasions, but no formal response has been received from MLALC to date.

This proposal was presented and supported by the newly formed Inner West Aboriginal and Torres Strait Islander Reference Group in March 2017.

**ATTACHMENTS**

1. [↓](#) Aboriginal Naming / Co Naming Policy



## ABORIGINAL NAMING / CO NAMING POLICY

Directorate:	Community Services	Date Adopted:	1 March 2016
Responsibility:	Community Development	Date Last Changed:	-
Trim Reference:	114421.15	Last Review Date:	8 October 2015
Classification:	Council	Next Review Date:	March 2019

### COMMUNITY STRATEGIC PLAN REFERENCE

<b>Our Place, Our Vision – Marrickville Community Strategic Plan 2023</b>	
2.4	Increased awareness and appreciation of Aboriginal Art, Culture and History in Marrickville
2.4.1	Protect Aboriginal Culture and History in Marrickville
2.4.2	Increase public connection and respect for Aboriginal culture and history in Marrickville

### BACKGROUND AND OBJECTIVE

At the Services Committee on 21 October 2008 (Item NM 29), Council resolved:

*THAT relevant Council staff work in conjunction with the Marrickville Aboriginal Consultative Committee (MACC) to:*

- find appropriate Aboriginal names for the four wards of Marrickville;*
- undertake a process to give names of Aboriginal origin to unnamed streets, roads, and lanes;*

The Aboriginal Naming Project had two components: phase one included the co naming of Council wards and phase two includes the Aboriginal naming of unnamed streets, road and lanes in the LGA.

Phase one of the project (co naming of Council wards) was completed in 2012. Phase two included identification of unnamed streets, lanes or roads within LGA and a process for naming them.

At the Infrastructure, Planning and Environmental Services Committee Meeting (April, 2015) Council resolved to:

- reconfirm its commitment to naming, renaming or dual naming Council streets and roads to recognise the Traditional Aboriginal Owners of the Marrickville Local Government Area and the contribution of Aboriginal Australians to the Marrickville Local Government Area. This includes through the potential use of Aboriginal language names or the recognition of significant Aboriginal historical figures or events;*
- also confirms its ongoing commitment to recognise important historical figures who lived in or contributed to the Marrickville Local Government Area through the naming of local streets and roads, noting that this should not be limited to historical landowners but where possible include others who have made significant contributions to Marrickville's social and political history;*
- seeks the advice of the Marrickville Aboriginal Consultation Committee (the MACC) and the Metropolitan Local Aboriginal Council in relation to relevant Council naming policies, including but not limited to streets and roads; and*
- urgently review the '(draft) Naming of Unnamed Roads / Lanes and Renaming of Roads / Lanes' policy (c2007) in order to reflect these decisions, or develop a replacement policy, to be presented to Council for consideration as soon as possible.*

**The objective of this policy is to:**

- provide Council with a process for the application of appropriate Aboriginal words or names for the Aboriginal co-naming of unnamed streets, roads, parks or the naming of Council facilities or rooms as identified;
- detail the roles of Council, MACC and other stakeholders; and
- establish an enduring framework that can be revised over time to assist Council to achieve its aims under Our Place, Our Vision – Marrickville Community Strategic Plan 2023.



**POLICY STATEMENT**

Marrickville Council understands the important role that the Aboriginal naming or co naming of significant places such as parks, unnamed streets, roads or facilities can play towards preserving and promoting Aboriginal culture and heritage in the Marrickville local government area (LGA).

It is one way of acknowledging and respecting the long history and the ongoing connection, custodianship and contribution of Aboriginal people and the local landscape.

**SCOPE**

This policy may be applicable to Council staff, Councillors, the MACC and other stakeholders working on matters related to Aboriginal naming and co naming.

**POLICY****The Role of the Marrickville Aboriginal Consultative Committee (MACC)**

The role of the committee is to:

1. *Promote an increased knowledge and understanding of Aboriginal culture and society in the wider community and develop the interests of Aboriginal people in the local area;*
2. *Advise Council on issues relating to Aboriginal people;*
3. *Act as a representative of Council on issues relating to the Aboriginal community; and*
4. *Advise on the development and implementation of Council's Aboriginal Services Strategy under the Belonging In Marrickville Social Plan and other relevant plans.*

As such, the MACC play a fundamental role in working with Council on all Aboriginal naming matters:

- The MACC will be consulted on all Aboriginal naming proposals, and may also put forward their own recommendations;
- The MACC will be given sufficient time to make comment, investigate and discuss all proposals. All applications for dual naming must be formally endorsed by the MACC and recorded in the Committee's minutes;
- All applications must meet the requirements of the associated overarching government Acts;
- The Strategic Community Projects Officer, Aboriginal Inclusion may work with the MACC to seek further support or advice on Aboriginal naming matters from other Aboriginal community members and/or the Metropolitan Local Aboriginal Lands Council (MLALC);
- The use of 'The Sydney Language' by Jakelin Troy as a source document. This provides Council officers, or the MACC, with the scope to propose a list of names that have been sourced from an approved document (MLALC have confirmed the document's appropriateness);
- In endorsing any proposal to name or co name a site within the local government area, MACC will consider whether the Aboriginal word is culturally appropriate and whether the MACC have any reservations about the proposal in terms of image and/or reputation of the Aboriginal and Torres Strait Islander residents of the Marrickville local government area and beyond. For instance, the MACC have agreed that "places should not be given Aboriginal names as quick fixes or easy solutions" (MACC AGM, 22 November 2010).

**RELATED LEGISLATION, POLICIES AND PROCEDURES**

- Geographical Names Act, 1966
- Dual Naming – Supporting Cultural Recognition, Information kit 1 May 2004 (Geographical Names Board of NSW)
- Roads Act, 1993
- Local Government Act, 1993
- Marrickville Council's Our Place, Our Vision – Marrickville Community Strategic Plan 2023
- Marrickville Council's Naming of Unnamed Roads and Lanes Policy, 1997

## DEFINITIONS

*According to the Geographical Names Board of NSW Dual Naming means “preferencing traditional Aboriginal place names or names with Aboriginal origin wherever it can and restoring traditional Aboriginal names to features with introduced names through its dual naming policy and recognising important traditional Aboriginal placenames alongside longstanding introduced names” (Geographical Names Board, 2004)*

Through an extensive and complex consultation process the Aboriginal Naming Project has been called at various stages, ‘dual naming’ and ‘renaming’ of Council Wards. Neither of these terms reflects the original intent of the project. The process of dual naming and renaming of Wards has legal and regulatory implications.

The Geographical Names Board indicates that Dual Naming is a particular term given to geographical features and cultural sites only. This includes rivers, creeks, waterfalls, beaches, harbours, islands, mountains, caves and those cultural and environmental features of significance to the local Indigenous community.

In response to this particular technical significance around Dual Naming, terminology was revised during the Aboriginal Naming Project to the use of ‘Aboriginal naming’ or ‘Co-naming’ to describe when an Aboriginal word ‘to sit side by side’ with existing names.

## APPROVALS

The MACC formally approved of this policy at the Committee meeting held on 19 October 2015 and put forward a recommendation for Council to adopt this policy.

## REFERENCES

Geographical Names Board: *Preserving the History, Culture and Identity of New South Wales*  
© 2004 NSW Department of Lands

Troy, J. (1994). *The Sydney Language*. Canberra, Australia: Panther Publishing. Available at: [http://spot/teams/commdev/SiteAssets/troy\\_sydney\\_language\\_publication.pdf](http://spot/teams/commdev/SiteAssets/troy_sydney_language_publication.pdf)

## POLICY HISTORY:

Version	Summary of Changes Made	Date Changed	Document Reference #
1	Policy adopted by Council at CC0316 Item 5	1 March 2015	25354.16

**Item No:** C0317 Item 12

**Subject:** LOCAL TRAFFIC COMMITTEE MEETING HELD ON 2 MARCH 2017

**File Ref:** 17/4718/27888.17

**Prepared By:** John Stephens - Traffic Manager

**Authorised By:** Wal Petschler - Group Manager Footpaths, Roads, Traffic and Stormwater

### **SUMMARY**

The minutes of the Local Traffic Committee Meeting held on 2 March 2017 are presented for Council consideration.

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### **RECOMMENDATION**

**THAT the Minutes of the Local Traffic Committee Meeting held on 2 March 2017 be received and the recommendations be adopted.**

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### **BACKGROUND**

A meeting of the Inner West Council Local Traffic Committee was held on 2 March 2017 at Leichhardt. The minutes of the meeting are shown at **ATTACHMENT 1.**

### **FINANCIAL IMPLICATIONS**

Projects proposed for implementation in 2016/17 are funded within existing budget allocations.

### **OTHER STAFF COMMENTS**

Nil.

### **PUBLIC CONSULTATION**

Members of the public attended the meeting to address the committee on specific items.

### **CONCLUSION**

Nil.

### **ATTACHMENTS**

1. [↓](#) Traffic Minutes - 2 March 2017

**Minutes of Local Traffic Committee Meeting  
Held at Leichhardt Town Hall, 107 Norton Street, Leichhardt  
on Thursday, 2 March 2017**

**Meeting commenced at 10:10am**

**ACKNOWLEDGEMENT OF COUNTRY BY CHAIRPERSON**

Acknowledgement by Chairman:

*"I acknowledge the Gadigal and Wangal people of the Eora nation on whose country we are meeting today and their elders past and present"*

**COMMITTEE REPRESENTATIVES PRESENT**

Mr John Stephens	IWC's Traffic Manager, Leichhardt (Chair)
Mr Chris Woods	Representative for Ron Hoenig MP, Member for Heffron
Ms Cathy Peters	Representative for Jenny Leong MP, Member for Newtown
Sgt Dan Chilvers	NSW Police – Leichhardt
SC Stephen Flanagan	NSW Police – Marrickville
SC Sam Tohme	NSW Police – Ashfield

**OFFICERS IN ATTENDANCE**

Mr Jason Scoufis	IWC's Team Leader Traffic, Leichhardt
Mr Joe Di Cesare	IWC's Acting Manager, Design and Investigation, Marrickville
Mr George Tsaprounis	IWC's Coordinator Traffic Engineering Services, Marrickville
Mr Boris Muha	IWC's Traffic Project Engineer, Ashfield
Mr Davide Torresan	IWC's Acting Senior Engineer, Ashfield
Ms Nina Fard	IWC's Senior Traffic Engineer, Leichhardt
Mr Manod Wickramasinghe	IWC's Traffic & Parking Engineer, Leichhardt
Mr Emilio Andari	IWC's Traffic Engineer, Marrickville
Mr Alan Nassau	IWC's Team Leader Parking Enforcement

**VISITORS**

Mr Andrew Hulse	Item 2 Traffic Consultant ARUP
Mr Raja Jamal	Item 2 EG Funds Management
Ms Georgia Macintosh	Item 2 EG Funds Management
Mr Richard Yates	Item 2 James Taylor & Associates

**APOLOGIES:**

Mr Bill Holliday	Representative for Jamie Parker MP, Member for Balmain (emailed comments)
Mr Brandon Morson	Roads & Maritime Services (emailed comments)
SC Anthony Kenny	NSW Police – Newtown (emailed comments)
Mr Matthew Howard	Representative for Jo Haylen MP, Member for Summer Hill
Mr Wal Petschler	Group Manager Roads, Traffic & Stormwater

**DISCLOSURES OF INTERESTS:**

Jason Scoufis declared a non-pecuniary interest in Item 2 as a local resident.

**CONFIRMATION OF MINUTES**

That the Minutes of the Local Traffic Committee Meeting held on Thursday, 2 February 2017 were adopted at the Council's Ordinary Meeting held on Tuesday 28 February 2017, including Items 1-35 and Item 38 of the Minutes of Local Traffic Committee Meeting held on 1 December 2016.

**MATTERS ARISING FROM COUNCIL'S RESOLUTION OF MINUTES**

Nil.

**T0317 Item 1 Simmons Street, Newtown - Proposed Kerb Extension Design Plans (Stanmore Ward/Newtown Electorate/Newtown LAC)****SUMMARY**

A detailed design plan has been finalised for the proposed traffic calming improvements in Simmons Street, Newtown as part of Council's Capital Works Program for Footpaths. The proposal for a kerb extension with a new kerb alignment and associated signs will improve pedestrian safety and traffic conditions at this location.

**Officer's Recommendation**

THAT the detailed design plan of the kerb extension with a new kerb alignment and associated signs in Simmons Street, Newtown between Sarah Street and property no. 41 Simmons Street (as per the attached design plan No. 6137) be APPROVED.

**DISCUSSION**

The Police representative (Newtown LAC), in an email dated 1 March 2017, supported the Officer's recommendation.

An email objection dated 26 February 2017 from a resident of 40 Simmons Street, Newtown was tabled at the meeting, raising the following concerns in regards to the proposal:

- Reducing the carriageway to a single lane will greatly increase the risk of traffic accidents and damage to parked vehicles.
- Residents of Simmons Street do not have the option of rear lane access and parking is difficult outside business hours and on Enmore Theatre nights.
- Simmons Street is one of the streets most impacted by the Enmore Theatre traffic and is inundated by frustrated drivers unfamiliar with the area on theatre nights. Reducing the width of the street to a single lane will exacerbate traffic risks.

Council Officers noted that the above concerns have been considered in their report under officer's response to public consultation.

The RMS representative, in an email dated 2 March 2017, supported the recommendation.

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT the detailed design plan of the kerb extension with a new kerb alignment and associated signs in Simmons Street, Newtown between Sarah Street and property no. 41 Simmons Street (as per the attached design plan No. 6137) be APPROVED.

**For motion:** Unanimous



**T0317 Item 2 Introduction of Roundabout at Intersection of Smith, Edward and Chapman Streets and Median Island in Smith Street, Summer Hill - Condition of Development Application - Nos.2-32 Smith Street, Summer Hill - Former Allied (Flour) Mills Site (Ashfield Ward/Summer Hill Electorate/Ashfield LAC)**

**SUMMARY**

The Development Application (DA) for the former Allied Mills site, 2-32 Smith Street, Summer Hill, was approved by the Department of Planning & Infrastructure on 7 December 2012. This report seeks conditional support for the construction of a roundabout at the intersection of Smith Street/Edward Street/Chapman Street, Summer Hill and an associated median island treatment in Smith Street adjacent to the internal private road.

These treatments were approved under concept. Local community consultation was carried out on the detailing of the treatments with residential issues being addressed in the report and the recommendation made below.

**Officer's Recommendation**

THAT under the approved condition of Development Consent for the Former Allied (Flour) Mills Site 2-32 Smith Street, Summer Hill, the following traffic facilities be supported:

1. The construction of a roundabout at the intersection of Smith Street/Edward Street/Chapman Street, Summer Hill, in accordance with the attached amended plan C13.G, further to condition:
  - a. That lighting of the roundabout is provided to Australian Standards AS/NZS 1158- "lighting for roads and public spaces".
  - b. That 3 resident parking spaces be allocated to the eastern side of Edward Street, south of Smith Street.
2. The construction of the median island in Smith Street at Nos.17-21 Smith Street, Summer Hill at the intersection of the new private internal road of the development, in accordance to the attached amended plan X1.C further to conditions:
  - a. that the median island be painted with white reflective paint and 10m of double white centreline (BB) marking with associated rrpms be provided to the approaches to the median; and
  - b. that Give-Way signs and (TB) marking and an ALL TRAFFIC LEFT sign be provided at the private road exit to Smith Street.

**DISCUSSION**

Council Officers briefed the Committee members with the following information:

- Traffic Calming in the form of a roundabout has been proposed at the intersection of Smith Street/Edward Street/Chapman Street, Summer Hill as part of the condition of the Development Consent for 2-32 Smith Street, Summer Hill.
- Initial consultation phase proposed Chapman Street as a one-way street. In response to objections received from the local residents, the design was amended to maintain Chapman Street, Summer Hill as a two-way street.
- During the initial consultation phase concerns were also raised regarding the loss of parking in an area where parking is limited. In response to the concerns raised, further changes were made to the roundabout design to reduce the net parking loss to 4 spaces in the area. No further reduction of 'No Stopping' zones are warranted as this will cause safety concerns.



An email objection dated 1 March 2017 from Rachel O'Loughlin, resident of No. 34 Smith Street, Summer Hill was tabled at the meeting, requesting that the Committee discuss the following:

- The limited width of the footpath, combined with the fact that No. 34 Smith Street, Summer Hill is built right to the boundary, is the fundamental reason why the roundabout design is flawed.
- There are many examples of additional islands with greenery around the Inner West Council area which are used to direct traffic flow. This intersection is certainly large enough to accommodate such islands. This will be a more considerate and sympathetic solution and highly appropriate given that this is Summer Hill's main arterial road.

An email objection dated 1 March 2017 from LRAC member, Caroline Stott on behalf of the residents of 34 Smith Street, Summer Hill was tabled at the meeting, raising the following concerns in regards to the roundabout design and proposed guard rail outside their property:

- Additional islands with greenery should be considered to divert the flow of traffic away from the property instead of ugly metal guard rails that contribute to the devaluation of the property.
- This roundabout is to facilitate the redevelopment of the Miller Site and the existing residents that have to put up with the redevelopment and the increased parking and traffic issues are also having ugly barriers placed outside their homes.

*Public speaker: Mr Richard Yates from James Taylor & Associates*

- Mr Yates commented that further changes to the roundabout design would require relocation of the existing pits which will cause issues with maintaining drainage flow. In that regards using low-point landscaping can also interfere with drainage.
- There is insufficient road reserve to accommodate a concrete kerb blister, reducing the width of the footpath will be the only way to gain more land space.
- The existing speed hump on the approach to the proposed roundabout on Smith Street is expected to reduce the speeds of conflicting vehicles. The speed hump would also focus the flow of traffic around the roundabout by reducing the speed of approaching west bound vehicles.
- The subject guard rail has been included at the request of the residents and is not a technical requirement of the design of the roundabout and as such, can be changed to a pedestrian fence.

The RMS representative, in an email dated 2 March 2017, supported the recommendation.

The following points were raised by Council's Acting Senior Engineer – Infrastructure Design & Traffic Services:

- That all roads leading into and out of the development into the surrounding street network be constructed with a continuous footpath at the intersection of the adjacent streets, as per the continuous footpath on Smith Street and constructed to RMS requirements.
- It is noted that some of the intersections have already been constructed by the builder; however, to ensure pedestrian safety around the development and light rail, the continuous footpaths should be installed at these locations. (The road that intersects with Edward Street has already been constructed without a continuous footpath).

**COMMITTEE RECOMMENDATION**

THAT under the approved condition of Development Consent for the Former Allied (Flour) Mills Site 2-32 Smith Street, Summer Hill, the following traffic facilities be supported:

1. The construction of a roundabout at the intersection of Smith Street/Edward Street/Chapman Street, Summer Hill, in accordance with the attached amended plan C13.G, further to condition:
  - a. That lighting of the roundabout is provided to Australian Standards AS/NZS 1158- "lighting for roads and public spaces".
  - b. That 3 resident parking spaces be allocated to the eastern side of Edward Street, south of Smith Street.
2. The construction of the median island in Smith Street at Nos.17-21 Smith Street, Summer Hill at the intersection of the new private internal road of the development, in accordance to the attached amended plan X1.C further to conditions:
  - a. that the median island be painted with white reflective paint and 10m of double white centreline (BB) marking with associated rpms be provided to the approaches to the median; and
  - b. that Give-Way signs and (TB) marking and an ALL TRAFFIC LEFT sign be provided at the private road exit to Smith Street.
3. That alternative treatments, including possible landscaping on the south-west corner of Smith Street and Edward Street be investigated e.g. pedestrian fence or bollards and that RMS support be sought.
4. That the applicant be requested to construct continuous footpaths at all future private roads intersecting with public roads and constructed to RMS requirements.

**For motion:** Unanimous

**T0317 Item 3     Rowntree Street at Curtis Road, Balmain - Raised Pedestrian Crossing  
(Balmain Ward/Balmain Electorate/Leichhardt LAC)**

**SUMMARY**

As part of the 2016-17 traffic facilities program, it is proposed to upgrade the existing pedestrian (zebra) crossing facility in Rowntree Street immediately south of Curtis Road, Balmain to a raised pedestrian (zebra) crossing.

**Officer's Recommendation**

THAT:

1. Drawing No.A1-897 detailing the proposed upgrade of the existing pedestrian (zebra) crossing to a raised pedestrian (zebra) crossing in Rowntree Street on the southern approach to Curtis Road, Balmain be supported, as detailed in [Attachment 1](#); and
2. the cost of upgrading the pedestrian (zebra) crossing in Rowntree Street be funded from Council's allocated LATM budget and RMS Active Transport funding.

**DISCUSSION**

The RMS representative, in an email dated 2 March 2017, supported the proposal subject to a review of the traffic volumes at this location. The raised threshold may affect the continuous flow of traffic through the roundabout.

Council Officers advised that the existing at grade pedestrian (zebra) crossing has had no

**Local Traffic Committee Meeting  
2 March 2017**

major impact on traffic flow and it is not expected that the proposed upgrades (raising the crossing) will have a significant impact on the traffic flow.

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT:

1. Drawing No.A1-897 detailing the proposed upgrade of the existing pedestrian (zebra) crossing to a raised pedestrian (zebra) crossing in Rowntree Street on the southern approach to Curtis Road, Balmain be supported, as detailed in [Attachment 1](#); and
2. the cost of upgrading the pedestrian (zebra) crossing in Rowntree Street be funded from Council's allocated LATM budget and RMS Active Transport funding.

**For motion:** Unanimous

**T0317 Item 4    Balmain Road at Stanley Street, Leichhardt - Speed Cushions on approach to Pedestrian (Zebra) Crossing (Leichhardt Ward/Balmain Electorate/Leichhardt LAC)**

**Officer's Recommendation**

THAT:

1. the installation of speed cushions (narrow profile) on both approaches to the existing pedestrian (zebra) crossing on Balmain Road, south of Stanley Street, Leichhardt be supported, as detailed in [Attachment 1](#); and
2. the cost of the above works be funded from Council's allocated LATM budget and RMS Active Transport funding.

**DISCUSSION**

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT:

1. the installation of speed cushions (narrow profile) on both approaches to the existing pedestrian (zebra) crossing on Balmain Road, south of Stanley Street, Leichhardt be supported, as detailed in [Attachment 1](#); and
2. the cost of the above works be funded from Council's allocated LATM budget and RMS Active Transport funding.

**For motion:** Unanimous

**T0317 Item 5    Whites Creek Lane and Macquarie Street, Leichhardt - 'Proposed  
10km/h Shared Zone'  
(Leichhardt & Balmain Wards/Balmain Electorate/Leichhardt LAC)**

**SUMMARY**

Council is proposing to install a '10 km/h Shared Zone' in Whites Creek Lane and part of Macquarie Street (near Albion Street) as part of the redevelopment of No.13 Hearn Street, Leichhardt, into a public park and playground. The new park has two frontages, Hearn Street and Whites Creek Lane and there is a pedestrian path running through the park which connects Hearn Street to Whites Creek Lane. During the consultation for the park a number of residents in the street requested implementation of a 'Shared Zone' to improve pedestrian safety in Whites Creek Lane adjacent to the new park.

**Officer's Recommendation**

THAT:

1. a '10km/h Shared Zone' be installed in Whites Creek Lane and adjacent section of Macquarie Street, Leichhardt with associated traffic calming devices, subject to RMS approval; and
2. the cost of the proposed traffic treatments be funded from Council's current budget allocation for 13 Hearn Street, Leichhardt.

**DISCUSSION**

The RMS representative, in an email dated 2 March 2017, supported the proposal subject to speed signage and line marking being installed by RMS after inspection.

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT:

1. a '10km/h Shared Zone' be installed in Whites Creek Lane and adjacent section of Macquarie Street, Leichhardt with associated traffic calming devices, subject to RMS approval; and
2. the cost of the proposed traffic treatments be funded from Council's current budget allocation for 13 Hearn Street, Leichhardt.

**For motion:** Unanimous

**T0317 Item 6    Darling Street between Mort Street and Curtis Road, Balmain - Road  
Occupancy       -    ANZAC       Day       Dawn       Service  
(Leichhardt Ward/Balmain Electorate/Leichhardt LAC)**

**SUMMARY**

In preparation to mark ANZAC Day DAWN SERVICE 2017 on Tuesday 25<sup>th</sup> April, Inner West Council is organising an event at the Loyalty Square War Memorial, Balmain. To facilitate the event, it is proposed to close Darling Street between Mort Street and Curtis Road between 2:30am and 9:30am.



**Officer's Recommendation**

THAT the road closure application for the 'ANZAC Day Dawn Service' on Darling Street (Mort Street to Curtis Road), Balmain on Tuesday, 25<sup>th</sup> April 2017 between 2.30am and 9.30am be supported, subject to the following conditions:

- a) That the subject road closure occurs between 2.30am and 9.30am on Tuesday, 25<sup>th</sup> April 2017.
- b) That the TCP for the closure of Darling Street between Beattie Street and Curtis Road, Balmain be approved.
- c) That approval from the Transport Management Centre (TMC) of Transport for NSW to temporarily close Darling Street is obtained prior to the event.
- d) That a three (3) metre unencumbered passage be available for emergency vehicles though the closed section of Darling Street at all times.
- e) That approval to conduct a public assembly be obtained from the NSW Police prior to the event. (Local Area Command – Glebe Ph: 9552 8099). A copy of the NSW Police approval must be forwarded to Council's Traffic Section prior to the event.
- f) That the occupation of the road carriageway must not occur until the road has been formally closed.
- g) That all advertising of the event must encourage the use of Public Transport.
- h) That STA buses terminate all services either at Grove Street or in Mullens Street.
- i) That three parking spaces on the northern side of Grove Street (even numbered side, No. 22, 24, 26A) near Deloitte Avenue be converted to a 'Bus Zone'.
- j) That the affected residents in the vicinity of Grove Street bus turning area be notified of the above temporary parking changes.
- k) That NSW Police be requested to provide traffic control in Darling Street at Rowntree Street/Montague Street to restrict bus/truck access into Darling Street, east of Rowntree Street.
- l) That all affected businesses, residents and other occupants be notified of the road closures, activities and parking changes. Any concerns or requirements raised by business proprietors, residents and other occupants must be considered. The notification shall involve the following, at minimum an information letterbox drop distributed two weeks prior to the commencement of the event. The proposed information, distribution area and distribution period is to be submitted to Council's Traffic Section for approval two weeks prior to distribution.
- m) That the road closures be advertised in the local relevant newspapers by Council. The advertisements shall be placed in the local newspapers 7 days before the event.
- n) That the approved Traffic Management Plan must be implemented at the applicant's expense.
- o) Where applicable, that the applicant provides and erects barricades and signage in accordance with Australian Standard AS 1742.3-1996: Traffic Control Devices for Works on Roads.
- p) That all traffic controllers must hold RMS certification.
- q) That Council's Manager Works and Waste Services must be notified of the clean-up arrangements.
- r) That the conduct of any activities or use of any equipment required in conjunction with the road closures must not result in any "offensive noise" as defined by the Noise Control Act.
- s) Those copies of approvals from Council, NSW Police, RMS and the approved Traffic Management Plan must be available on the site for inspection by NSW Police,



WorkCover Inspectors, RMS Inspectors, or Council Officers.

- t) That free bicycle valet parking be provided within or in proximity to the event area.
- u) The Council and RMS are indemnified against all claims for damage or injury that may result from either the activities or from the occupation of part of the public way during the road closures. The applicant must produce evidence of public risk insurance cover (under which the Council and RMS are indemnified) with a minimum policy value of at least \$10,000,000.

#### **DISCUSSION**

The Committee members agreed with the Officer's recommendation.

#### **COMMITTEE RECOMMENDATION**

THAT the road closure application for the 'ANZAC Day Dawn Service' on Darling Street (Mort Street to Curtis Road), Balmain on Tuesday, 25<sup>th</sup> April 2017 between 2.30am and 9.30am be supported, subject to the following conditions:

- a) That the subject road closure occurs between 2.30am and 9.30am on Tuesday, 25<sup>th</sup> April 2017.
- b) That the TCP for the closure of Darling Street between Beattie Street and Curtis Road, Balmain be approved.
- c) That approval from the Transport Management Centre (TMC) of Transport for NSW to temporarily close Darling Street is obtained prior to the event.
- d) That a three (3) metre unencumbered passage be available for emergency vehicles though the closed section of Darling Street at all times.
- e) That approval to conduct a public assembly be obtained from the NSW Police prior to the event. (Local Area Command – Glebe Ph: 9552 8099). A copy of the NSW Police approval must be forwarded to Council's Traffic Section prior to the event.
- f) That the occupation of the road carriageway must not occur until the road has been formally closed.
- g) That all advertising of the event must encourage the use of Public Transport.
- h) That STA buses terminate all services either at Grove Street or in Mullens Street.
- i) That three parking spaces on the northern side of Grove Street (even numbered side, No. 22, 24, 26A) near Deloitte Avenue be converted to a 'Bus Zone'.
- j) That the affected residents in the vicinity of Grove Street bus turning area be notified of the above temporary parking changes.
- k) That NSW Police be requested to provide traffic control in Darling Street at Rowntree Street/Montague Street to restrict bus/truck access into Darling Street, east of Rowntree Street.
- l) That all affected businesses, residents and other occupants be notified of the road closures, activities and parking changes. Any concerns or requirements raised by business proprietors, residents and other occupants must be considered. The notification shall involve the following, at minimum an information letterbox drop distributed two weeks prior to the commencement of the event. The proposed information, distribution area and distribution period is to be submitted to Council's Traffic Section for approval two weeks prior to distribution.
- m) That the road closures be advertised in the local relevant newspapers by Council. The advertisements shall be placed in the local newspapers 7 days before the event.

- n) That the approved Traffic Management Plan must be implemented at the applicant's expense.
- o) Where applicable, that the applicant provides and erects barricades and signage in accordance with Australian Standard AS 1742.3-1996: Traffic Control Devices for Works on Roads.
- p) That all traffic controllers must hold RMS certification.
- q) That Council's Manager Works and Waste Services must be notified of the clean-up arrangements.
- r) That the conduct of any activities or use of any equipment required in conjunction with the road closures must not result in any "offensive noise" as defined by the Noise Control Act.
- s) Those copies of approvals from Council, NSW Police, RMS and the approved Traffic Management Plan must be available on the site for inspection by NSW Police, WorkCover Inspectors, RMS Inspectors, or Council Officers.
- t) That free bicycle valet parking be provided within or in proximity to the event area.
- u) The Council and RMS are indemnified against all claims for damage or injury that may result from either the activities or from the occupation of part of the public way during the road closures. The applicant must produce evidence of public risk insurance cover (under which the Council and RMS are indemnified) with a minimum policy value of at least \$10,000,000.

**For motion:** Unanimous

**T0317 Item 7 Addendum to Lewisham LATM Traffic Committee Report**

**SUMMARY**

This is a recommendation to endorse the addendum to the final Lewisham LATM report.

**Officer's Recommendation**

THAT the following additional recommendation from the final Lewisham LATM report be endorsed for implementation as follows:

- Installation of kerb extension on The Boulevard north of Hunter Street, Dulwich Hill.

**DISCUSSION**

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT the following additional recommendation from the final Lewisham LATM report be endorsed for implementation as follows:

- Installation of kerb extension on The Boulevard north of Hunter Street, Dulwich Hill.

**For motion:** Unanimous

**Local Traffic Committee Meeting  
2 March 2017****T0317 Item 8    Minor Traffic Facilities  
(Leichhardt Ward/Balmain Electorate/Leichhardt LAC)****SUMMARY**

This report considers minor traffic facility applications received by Inner West Council, Leichhardt.

**Officer's Recommendation:**

THAT:

1. a 6.5m 'No Parking' zone be trialled for 3 months on the western side of Buruwan Lane extending northwards from a point 1.5m south of the off-street parking facility of No.361 Annandale Street, Annandale;
2. the results of the trial be reported back to the next available Traffic Committee meeting; and
3. a 6m 'Disabled Parking' zone be installed in front of No.2 Springside Street, Rozelle.

**DISCUSSION**

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT:

1. a 6.5m 'No Parking' zone be trialled for 3 months on the western side of Buruwan Lane extending northwards from a point 1.5m south of the off-street parking facility of No.361 Annandale Street, Annandale;
2. the results of the trial be reported back to the next available Traffic Committee meeting; and
3. a 6m 'Disabled Parking' zone be installed in front of No.2 Springside Street, Rozelle.

**For motion:** Unanimous

**T0317 Item 9    Requests            for            Mobility            Parking            Spaces  
(Stanmore & Marrickville Wards/Heffron, Summer Hill & Newtown  
Electoralates/Marrickville & Newtown LACs)****SUMMARY**

A number of requests have been received from residents for the provision of dedicated mobility parking space outside their residence. It is recommended that the following 'Mobility Parking' spaces be approved as the applicants current medical conditions warrants the provision of the space and they have constrained or no off-street parking opportunities.

**Officer's Recommendation**

THAT the following locations:

1. western side of Audley Street, Petersham in front of property no. 12 Audley Street, Petersham;

2. southern side of Yelverton Street, Sydenham in front of property no. 26 Yelverton Street, Sydenham; and
3. northern side of Jersey Street, Marrickville in front of property no. 4 Jersey Street, Marrickville;

be APPROVED as a 'mobility parking' space, subject to:

- a) the operation of the dedicated parking space be valid for twelve (12) months from the date of installation;
- b) the applicant advising Council of any changes in circumstances affecting the need for the special parking space; and
- c) the applicant is requested to furnish a medical certificate and current mobility permit justifying the need for the mobility parking space for its continuation after each 12 months period.

#### **DISCUSSION**

The Committee members agreed with the Officer's recommendation.

#### **COMMITTEE RECOMMENDATION**

THAT the following locations:

1. western side of Audley Street, Petersham in front of property no. 12 Audley Street, Petersham;
2. southern side of Yelverton Street, Sydenham in front of property no. 26 Yelverton Street, Sydenham; and
3. northern side of Jersey Street, Marrickville in front of property no. 4 Jersey Street, Marrickville;

be APPROVED as a 'mobility parking' space, subject to:

- a) the operation of the dedicated parking space be valid for twelve (12) months from the date of installation;
- b) the applicant advising Council of any changes in circumstances affecting the need for the special parking space; and
- c) the applicant is requested to furnish a medical certificate and current mobility permit justifying the need for the mobility parking space for its continuation after each 12 months period.

**For motion:** Unanimous

**T0317 Item 10 Proposed 'No Stopping' and 'No Parking' Restrictions to be Installed - Various Locations  
(Stanmore & Marrickville Wards/Newtown & Summer Hill  
Electoralates/Newtown & Marrickville LACs)**

#### **SUMMARY**

Requests have been received from residents for the provision of 'No Stopping' and 'No Parking' restriction to deter illegal parking and to improve access to resident off street parking at various locations within the LGA.



Residents have advised that vehicles are regularly parked too close to the following intersections; Australia Street at Bishopgate Street, Harrow Road at Harrow Lane and Frede Lane at Esk Street. This restricts available sightlines to pedestrian crossing at this location and for turning motorists. A resident has also raised a concern with access to a property in Frede Lane near Esk Street.

All requests have been investigated and summary of investigations and proposed parking restrictions at various locations are presented in these report to Committee for consideration

**Officer's Recommendation**

THAT:

1. Statutory 'No Stopping' restrictions be installed at the following locations:
  - a. Western side of Australia Street, extending 10 metres on either side of its intersection with Bishopgate Street, Camperdown;
  - b. Northern Side of Harrow Road, extending 10 metres on either side of its intersection with Harrow Lane, Stanmore;
  - c. Frede Lane, extending 10 metres on either sides of the laneway from Esk Street, Marrickville; and
2. 'No Parking' restrictions be installed, for a length of 6 metres, on the southern side of Frede Lane, (opposite rear of properties 35-37 Grove Street) Marrickville.

**DISCUSSION**

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT:

1. Statutory 'No Stopping' restrictions be installed at the following locations:
  - a. Western side of Australia Street, extending 10 metres on either side of its intersection with Bishopgate Street, Camperdown;
  - b. Northern Side of Harrow Road, extending 10 metres on either side of its intersection with Harrow Lane, Stanmore;
  - c. Frede Lane, extending 10 metres on either sides of the laneway from Esk Street, Marrickville; and
2. 'No Parking' restrictions be installed, for a length of 6 metres, on the southern side of Frede Lane, (opposite rear of properties 35-37 Grove Street) Marrickville.

**For motion:** Unanimous



**T0317 Item 11    Modification of Short Term Parking Restriction - 67 Denison Street,  
Rozelle  
(Leichhardt & Balmain Wards/Balmain Electorate/Leichhardt LAC)**

**SUMMARY**

Council has received correspondence from the owner of the local grocery store at No.67 Denison Street, Rozelle, requesting an extension to the operating hours of the existing short term parking space outside the business, to assist customers. The business owner has raised concerns in regards to the low turnover in the subject spot after 6pm and the impact on their customers' parking needs.

**Officer's Recommendation**

THAT the hours of the existing '10-Minute' parking space outside No.67 Denison Street, Rozelle be modified from '8am-6pm Mon-Fri, 8am-1pm Sat' to '8am-8pm Mon-Fri, 8am-1pm Sat'.

**DISCUSSION**

An amended location map was circulated at the meeting, showing the operating hours of the proposed '10-minute P'8am-6pm Mon-Fri, 8am-1pm Sat' to '8am-8pm Mon-Fri, 8am-1pm Sat'

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT the hours of the existing '10-Minute' parking space outside No.67 Denison Street, Rozelle be modified from '8am-6pm Mon-Fri, 8am-1pm Sat' to '8am-8pm Mon-Fri, 8am-1pm Sat'.

**For motion:** Unanimous

**T0317 Item 12    93 Smith Street, Summer Hill - Proposed "No Parking - Australia Post  
Vehicles Excepted"  
(Ashfield Ward/Summer Hill Electorate/Ashfield LAC)**

**SUMMARY**

Council has received a request from Australia Post for the installation of a 'No Parking - Australia Post Vehicles Excepted' zone directly outside of 93 Smith Street, Summer Hill due to the relocation of the Post Office from 132a Smith Street, Summer Hill. The zone will provide a space for Australia Post vehicles to service the Post Office and collect the mail from the Post Box.

**Officer's Recommendation**

THAT:

1. 6m of the existing '1P 8:30am – 6:00pm Mon-Fri; 8:30am-12:30pm Sat' parking zone be removed to the left of the 'No Stopping' zone and a 6m 'No Parking - Australia Post Vehicles Excepted' zone be installed directly outside of 93 Smith Street, Summer Hill;

2. the existing 'No Stopping - Aust Post Vehicles Excepted' zone be removed between the existing 'No Stopping zone and P5Min parking in Morris Street near Smith Street outside the previous Post office; and
3. nearby affected businesses be consulted on their views to the proposed '1P 8:30am – 6:00pm Mon-Fri; 8:30am-12:30pm Sat' zone to replace the existing 'No Stopping - Aust Post Vehicles Excepted' zone in Morris Street.

#### **DISCUSSION**

As a result of the feedback received from a local business, it is recommended to limit the time of the 'No Parking Australia Post Vehicles Excepted' zone to AM and PM peak hours with the restrictions remaining as 1P outside of AM and PM peak hours. The proposed changes are subject to confirmation from Australia Post.

#### **COMMITTEE RECOMMENDATION**

THAT:

1. 6m of the existing '1P 8:30am – 6:00pm Mon-Fri; 8:30am-12:30pm Sat' parking zone be removed to the left of the 'No Stopping' zone and a 6m 'No Parking - Australia Post Vehicles Excepted' zone (during the AM and PM peak period only, subject to Australia Post advice and support) be installed directly outside of 93 Smith Street, Summer Hill;
2. the existing 'No Stopping - Aust Post Vehicles Excepted' zone be removed between the existing 'No Stopping zone and P5Min parking in Morris Street near Smith Street outside the previous Post office; and
3. nearby affected businesses be consulted on their views to the proposed '1P 8:30am – 6:00pm Mon-Fri; 8:30am-12:30pm Sat' zone to replace the existing 'No Stopping - Aust Post Vehicles Excepted' zone in Morris Street and the signposting be installed subject to no significant objections being received.

**For motion:** Unanimous

#### **T0317 Item 13 Changes to Parking in Beach Street and Kintore Street, Dulwich Hill**

#### **SUMMARY**

Changing the existing 2P parking restrictions in Beach Street and Kintore Street between New Canterbury Road and Hercules Street will provide a more balanced parking solution for residents and businesses in the immediate area. Providing some 2P resident parking and unrestricted parking will allow for businesses, visitors and residents to maximise the use of the available parking spaces.

#### **Officer's Recommendation**

THAT:

1. the existing 2P 8:30am-6pm Monday to Friday, 8:30am-12:30pm Saturday in Beach Street between New Canterbury Road and Hercules Street (western side) be converted to 2P Permit Holders Excepted 8:30am-6pm Monday to Friday, 8:30-12:30 Saturday;
2. the existing 2P 8:30am-6pm Monday to Friday, 8:30-12:30 Saturday in Beach Street between New Canterbury Road and Hercules Street (eastern side) be converted to Unrestricted;
3. the existing 2P 8:30am-6pm Monday to Friday, 8:30am-12:30pm Saturday in Kintore Street between New Canterbury Road and Hercules Street (western side) be converted to 2P Permit Holders Excepted 8:30am-6pm Monday to Friday, 8:30am-12:30pm Saturday; and

4. the existing 2P 8:30am-6pm Monday to Friday, 8:30am-12:30pm Saturday in Kintore Street between New Canterbury Road and Hercules Street (eastern side) be converted to Unrestricted.

**DISCUSSION**

The Chairperson advised that this item would be deferred for further consultation with the affected residents. The RMS representative did not support the current recommendation.

**COMMITTEE RECOMMENDATION**

That this matter be deferred for further consultation with residents

**For motion:** Unanimous

**T0317 Item 14 Longport Street, Lewisham - Proposed No Parking & No Stopping Restrictions  
(Stanmore Ward/Summer Hill Electorate/Marrickville LAC)**

**Officer's Recommendation**

THAT:

1. 'No Stopping' restrictions on the northern side of Longport Street, Lewisham, for a length of 20 metres west of its intersection with Old Canterbury Road be APPROVED, to improve traffic safety; and
2. 'No Parking' restrictions on the northern side of Longport Street, Lewisham, for a length of 50 metres commencing 20 metres west of its intersection with Old Canterbury Road be APPROVED, to improve traffic safety and facilitate an additional traffic lane.

**DISCUSSION**

Council Officers discussed adjusting the proposed full-time 'No Parking' restrictions on the northern side of Longport Street, Lewisham, to AM and PM peak period restrictions to facilitate an additional traffic lane during peak periods and maintain parking spaces outside of peak hours.

It was also agreed to investigate the possible extension of the proposed peak period 'No Parking' restrictions towards Smith Street to improve traffic flow.

**COMMITTEE RECOMMENDATION**

THAT:

1. 'No Stopping' restrictions on the northern side of Longport Street, Lewisham, for a length of 20 metres west of its intersection with Old Canterbury Road be APPROVED, to improve traffic safety; and
2. 'No Parking 6:30am-9:30am and 3:30pm-6:30pm Mon-Fri' restrictions on the northern side of Longport Street, Lewisham, for a length of 50 metres commencing 20 metres west of its intersection with Old Canterbury Road be APPROVED, to improve traffic safety and facilitate an additional traffic lane during peak periods.
3. That an extension of the proposed peak hour 'No Parking' restrictions towards Smith Street be reviewed in 6 months and reported back to the Committee.

**For motion:** Unanimous

**T0317 Item 15 Improving Cyclist and Pedestrian Access in Cardigan Lane, Camperdown  
(Stanmore Ward/Newtown Electorate/Newtown LAC)****SUMMARY**

A request has been received from a resident for the provision of a 'No Stopping' zone to improve cyclist and pedestrian access in Cardigan Lane, Camperdown.

The resident has advised Council that cyclists and pedestrians exit out of Cardigan Laneway into Salisbury Road is blocked most of the time by parked vehicles.

It is recommended that installation of 'No Stopping' zones and green bicycle lane markings for a distance of three metres on both sides of Cardigan Lane adjacent to Salisbury Road be approved, to improve cyclist and pedestrian access.

**Officer's Recommendation**

THAT the installation of 'No Stopping' zones and green bicycle lane markings for a distance of three metres on the both side of Cardigan Lane (commencing from side boundary of No. 100 and No. 104 Salisbury Road respectively) to improve access for cyclists and pedestrians be APPROVED.

**DISCUSSION**

The Police representative (Newtown LAC), in an email dated 1 March 2017, supported the Officer's recommendation.

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT the installation of 'No Stopping' zones and green bicycle lane markings for a distance of three metres on the both side of Cardigan Lane (commencing from side boundary of No. 100 and No. 104 Salisbury Road respectively) to improve access for cyclists and pedestrians be APPROVED.

**For motion:** Unanimous

**T0317 Item 16 Improving Garbage Truck Access in Oxford Street, Newtown  
(Stanmore Ward/Newtown Electorate/Newtown LAC)****SUMMARY**

A request has been received from a resident for the provision of a 'No Parking' zone in Oxford Street near its intersection with Marys Street, Newtown to improve the width for a garbage truck to manoeuvre and lower risk of damaging parked vehicles, during garbage collection days.

It is recommended that installation of a 'No Parking' zone Monday 5am-10am for a length of approximately 12 metres on the western side of Oxford Street (opposite of property 45 Oxford Street & Lands Lane) be approved, to allow sufficient room for garbage truck manoeuvring and lower risk of damaging parked vehicles.

**Officer's Recommendation**

THAT the installation of a 'No Parking' zone Monday 5am-10am for a distance of approximately 12 metres on the western side of Oxford Street, Newtown (opposite of property 45 Oxford Street and Lands Lane) be APPROVED in order to improve garbage truck manoeuvring space and reduce the potential damage to parked vehicles.



**DISCUSSION**

The Police representative (Newtown LAC), in an email dated 1 March 2017, supported the Officer's recommendation.

The Committee members agreed with the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT the installation of a 'No Parking' zone Monday 5am-10am for a distance of approximately 12 metres on the western side of Oxford Street, Newtown (opposite of property 45 Oxford Street and Lands Lane) be APPROVED in order to improve garbage truck manoeuvring space and reduce the potential damage to parked vehicles.

**For motion:** Unanimous

**T0317 Item 17 Pedestrian Infrastructure Safety around Schools Program - Project**  
**Funding Notification From RMS**  
**(Various Wards/Various Electorates/Various LACs)**

**SUMMARY**

Council has received notice from Roads and Maritime Services (RMS) that it has been successful in gaining funding through the NSW Government's Pedestrian Infrastructure Safety Around Schools Program. Five applications for funding for pedestrian works around local schools have been successful and these works have been listed in the 5 year capital program for the year indicated. The program will be completed by the end of the 2017/18 financial year. Approval is sought in principle for the five local projects nominated for funding under the NSW Governments' \$5 million program for Pedestrian Infrastructure Around Schools.

**Officer's Recommendation**

THAT this report be received and noted.

**DISCUSSION**

The Police representative (Newtown LAC), in an email dated 1 March 2017, noted this report.

The Committee members noted the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT this report be received and noted.

**For motion:** Unanimous



**T0317 Item 18 2/32-72 Alice Street, Newtown - Proposed Childcare Centre  
(Stanmore Ward/Newtown Electorate/Newtown LAC)****SUMMARY**

A Development Application has been received to fit out and use the premises as a childcare centre for 32 children at 2/32-72 Alice Street, Newtown. It is recommended that the comments of the Local Traffic Committee be referred to Council's Development Assessment Section for consideration in determining the Development Application.

**Officer's Recommendation**

THAT the report be received and noted.

**DISCUSSION**

The Committee members noted the Officer's recommendation.

**COMMITTEE RECOMMENDATION**

THAT this report be received and noted.

**For motion:** Unanimous

**T0317 Item 19 Railway Parade, Marrickville - Proposed Temporary Road Closure for  
Two Special Events on Friday 14 April 2017 and Saturday 15 April  
2017  
(Marrickville Ward/Summer Hill Electorate/Marrickville LAC)****SUMMARY**

Council has received an application under Section 68 of the Local Government Act 1993 to use Railway Parade, Marrickville to hold 2 street party style events known as 'Bad Friday', an 18+ music event showcasing upcoming Australian Rock and Roll acts on Friday 14 April 2017 between the hours of 11.00am to 11.00pm, and 'Throttle Roll' event, a custom motorcycle show including a live music stage, display of motorcycles, food/retail stalls, art exhibitions and mechanical games on Saturday 15 April 2017 between the hours of 11.00am to 11.00pm. The erection of the stage, stalls and associated works will include a temporary full-road closure of Railway Parade, Marrickville between Sydenham Road and Buckley Lane from 7:00pm Thursday 13 April 2017 to 12:00am Monday 17 April 2017.

It is recommended that Council agree to the temporary road closure of the subject section of Railway Parade from 7:00pm Thursday 13 April 2017 to 12:00am Monday 17 April 2017 subject to complying with the following conditions; apply to the RMS for consent to close the subject road, subject to the event being advertised, a Traffic Management Plan be submitted to the RMS for approval, a Road Occupancy License be obtained from the Transport Management Centre and advice of the proposed event being forwarded to the appropriate authorities including emergency services.

**Officer's Recommendation****THAT:**

1. the proposed temporary road closure of Railway Parade, Marrickville between Sydenham Road and Buckley Lane from 7:00pm Thursday 13 April 2017 to 12:00am Monday 17 April 2016, for the holding of the 'Bad Friday' and 'Throttle Roll' events on Railway Parade, be APPROVED subject to the approval of the Development Application and the applicant complying with the following conditions:

- a. A fee of \$1,499.40 for the temporary road closure is payable by the applicant in accordance with Council's Fees and Charges;
  - b. The temporary full road closure be advertised by the applicant in the local newspaper providing 28 days notice for submissions, in accordance with the Roads Act;
  - c. A Traffic Management Plan (TMP) be submitted by the applicant to the Roads and Maritime Services for consideration and approval;
  - d. A Traffic Control Plan (TCP) which has been prepared by a certified Traffic Controller, is to be submitted to Council for review with a copy of the Traffic Controller's certification number attached to the plan, not less than 5 days prior to implementation of the closure;
  - e. A Road Occupancy License application be obtained by the applicant from the Transport Management Centre;
  - f. Notice of the proposed event is forwarded by the applicant to the NSW Police Local Area Commander, State Transit Authority, NSW Fire Brigades and NSW Ambulance Services;
  - g. Advance notifications signs advising of the proposed road closure and traffic diversions to be strategically installed and maintained by the applicant at least two (2) weeks prior to the event;
  - h. 'No Parking – Special Event' signs be affixed on both sides of Railway Parade, Marrickville between Marrickville Road and Sydenham Road on the afternoon of the day prior to the event date;
  - i. A 4-metre wide emergency vehicle access must be maintained through the closed road areas during the course of the event;
  - j. All affected residents and businesses shall be notified in writing by the applicant of the proposed temporary road closure at least two (2) weeks prior to the event, with the applicant making reasonable provision for residents and businesses;
  - k. Adequate vehicular traffic control shall be provided for the protection and convenience of pedestrians and motorists including appropriate signage and flagging. Workers shall be specially designated for this role (and carry appropriate certificates), as necessary to comply with this condition. This is to be carried out in accordance with the Australian Standard AS 1742.3 – Traffic Control Devices for works on roads; and
  - l. Water filled barriers be placed at the road closure points to protect against any possible errant vehicles.
2. The applicant be advised in terms of this report and that all costs for advertising the event and implementation of the road closure are to be borne by the applicant.

### **DISCUSSION**

The representative for the Member for Newtown did not support the proposed events due to potential parking impacts on the local community.

The Police representative advised that previous events did not result in any complaints.

It was acknowledged that previous applications for the event were for a shorter duration.

Council officers requested that future event locations be submitted to the Traffic Engineering Section for consideration prior to a formal application through Council's development section.

**COMMITTEE RECOMMENDATION****THAT:**

1. the proposed temporary road closure of Railway Parade, Marrickville between Sydenham Road and Buckley Lane from 7:00pm Thursday 13 April 2017 to 12:00am Monday 17 April 2016, for the holding of the 'Bad Friday' and 'Throttle Roll' events on Railway Parade, be APPROVED subject to the approval of the Development Application and the applicant complying with the following conditions:
  - a. A fee of \$1,499.40 for the temporary road closure is payable by the applicant in accordance with Council's Fees and Charges;
  - b. The temporary full road closure be advertised by the applicant in the local newspaper providing 28 days notice for submissions, in accordance with the Roads Act;
  - c. A Traffic Management Plan (TMP) be submitted by the applicant to the Roads and Maritime Services for consideration and approval;
  - d. A Traffic Control Plan (TCP) which has been prepared by a certified Traffic Controller, is to be submitted to Council for review with a copy of the Traffic Controller's certification number attached to the plan, not less than 5 days prior to implementation of the closure;
  - e. A Road Occupancy License application be obtained by the applicant from the Transport Management Centre;
  - f. Notice of the proposed event is forwarded by the applicant to the NSW Police Local Area Commander, State Transit Authority, NSW Fire Brigades and NSW Ambulance Services;
  - g. Advance notifications signs advising of the proposed road closure and traffic diversions to be strategically installed and maintained by the applicant at least two (2) weeks prior to the event;
  - h. 'No Parking – Special Event' signs be affixed on both sides of Railway Parade, Marrickville between Marrickville Road and Sydenham Road on the afternoon of the day prior to the event date;
  - i. A 4-metre wide emergency vehicle access must be maintained through the closed road areas during the course of the event;
  - j. All affected residents and businesses shall be notified in writing by the applicant of the proposed temporary road closure at least two (2) weeks prior to the event, with the applicant making reasonable provision for residents and businesses;
  - k. Adequate vehicular traffic control shall be provided for the protection and convenience of pedestrians and motorists including appropriate signage and flagging. Workers shall be specially designated for this role (and carry appropriate certificates), as necessary to comply with this condition. This is to be carried out in accordance with the Australian Standard AS 1742.3 – Traffic Control Devices for works on roads; and
  - l. Water filled barriers be placed at the road closure points to protect against any possible errant vehicles.
2. The applicant be advised in terms of this report and that all costs for advertising the event and implementation of the road closure are to be borne by the applicant.
3. Future event locations be submitted to the Traffic Engineering Section for consideration prior to a formal application being lodged with Council.

**For motion:** Majority support

**T0317 Item 20 Christian Brothers High School - Section 96 Amendment to Development Consent DA200300504 dated 3 June 2004 - 68-84 The Boulevard, Lewisham (Stanmore Ward/Summer Hill Electorate/Marrickville LAC)**

**SUMMARY**

An application has been received under Section 96 of the Environmental Planning and Assessment Act to modify Determination No.200300504 dated 3 June 2004, specifically to modify condition 3 so as to increase the student numbers from 1200 to 1350 students

Comments of the Local Traffic Committee will be referred to Council's Development Assessment Section for consideration in determining the Section 96 Application.

**Officer's Recommendation**

THAT the report be received and noted.

**DISCUSSION**

The representative for the Member for Heffron raised concerns regarding the lack of additional on-site parking to be provided as part of the proposal to increase the number of students at the school. This proposal will increase parking demands in the area and should be addressed prior to approval.

The Police representative raised concerns with increased parking and traffic activity in the area impacting on student's safety and advised that this site received the highest number of complaints regarding traffic/parking issues.

Committee members agreed with the Officer's comments within the report to advise the applicant to demonstrate that the additional parking requirements (8 parking spaces) can be provided on-street without major impact on the surrounding community.

**COMMITTEE RECOMMENDATION**

THAT the report be received and noted.

**For motion:** Unanimous

**GENERAL BUSINESS**

The representative for the Member for Newtown requested that a report be brought back to the Traffic Committee on the traffic modelling for the WestConnex from the RMS.

Council Officers advised that a report was put to the previous Council Meeting to discuss WestConnex and the proposed M4-M5 link. InnerWest Council has set up a WestConnex unit which collaborates with RMS and other interested parties.

**COMMITTEE RECOMMENDATION**

That this matter will be investigated and a report will be brought back to the next available Traffic Committee Meeting.

Meeting closed at 11:40am.



**Item No: C0317 Item 13**
**Subject: INNER WEST COUNCIL INVESTMENTS AS AT 28 FEBRUARY 2017**
**File Ref: 16/5386/25723.17**
**Prepared By: Brian Chen - Team Leader Financial Accounting**
**Authorised By: Pav Kuzmanovski - Group Manager Finance**

### SUMMARY

In accordance with the requirements of clause 212 of the Local Government (General) Regulation 2005, Council is provided with a listing of all investments made pursuant to section 625 of the Local Government Act 1993 and reported for periods ending 28 February 2017.

### RECOMMENDATION

**THAT the report be received and noted.**

### BACKGROUND

Clause 212 of the Local Government (General) Regulation 2005 requires that a report be presented to Council each month listing all investments with a certification from the Responsible Accounting Officer. Attached to this report are further reports from Council's Investment Advisors, Prudential Investment Services.

### DISCUSSION

The Investment Holdings report (**Attachment 1**) for the periods ending 28 February 2017 and reflects Council's holding in various investment categories these are listed in the table below:

Bonds	2,000,000.00	2,031,277.14	3.2500
Cash	14,118,097.77	14,118,097.77	1.0721
Floating Rate Note	26,000,000.00	26,136,901.25	3.0581
Mortgage Backed Security	1,659,958.30	1,202,244.15	2.4107
Term Deposit	166,000,000.00	167,518,298.02	2.7995
	<b>209,778,056.07</b>	<b>211,006,818.33</b>	<b>2.7166</b>
Ashfield	37,023,781.44	37,243,704.47	18%
Leichhardt	95,553,074.00	96,495,402.94	46%
Marrickville	77,201,200.63	77,267,710.92	37%
	<b>209,778,056.07</b>	<b>211,006,818.33</b>	<b>100%</b>



### Environmental Commitments

	<b>Non Fossil Fuel %</b>	
<u>Portfolio</u>	<u>31 January 2017</u>	<u>28 February 2017</u>
Ashfield	51%	49%
Leichhardt	60%	59%
Marrickville	59%	57%
<b>Total</b>	<b>57%</b>	<b>55%</b>

The attachments to this report summarise all investments held by Council and interest returns for periods ending 28 February 2017.

The period ending 28 February 2017, the portfolio for Inner West Council had a One-Month Portfolio Investment Return (2.91%) was above the UBSWA Bank Bill Index Benchmark (1.77%). Council has a well-diversified portfolio with 98% of the portfolio spread among the top three credit rating categories (A long term / A2 short term and higher).

The Current Market value is required to be accounted for by the accounting standards and are due to the nature of the investment, and are unlikely to impact on the eventual return of capital and interest to Council. The Current Market Value is a likely outcome if Council were to consider recalling the investment prior to its due date.

### **Certificate by Responsible Accounting Officer:**

I, Pav Kuzmanovski, hereby certify in accordance with Clause 212 (1) (b) of the Local Government (General) Regulation 2005 that the investments listed in the attachments have been made in accordance with section 625 of the Local Government Act 1993 for each of the Branches of the Inner West Council. There will be a review of the separate investment policies in the coming months with the view to develop a consolidated investment policy for the Inner West Council.

### **ATTACHMENTS**

1. [↓](#) IWC Investments Feb 2017
2. [↓](#) IWC Monthly Interest Feb 2017
3. [↓](#) IWC Economic and Investment Portfolio Commentary Feb 2017



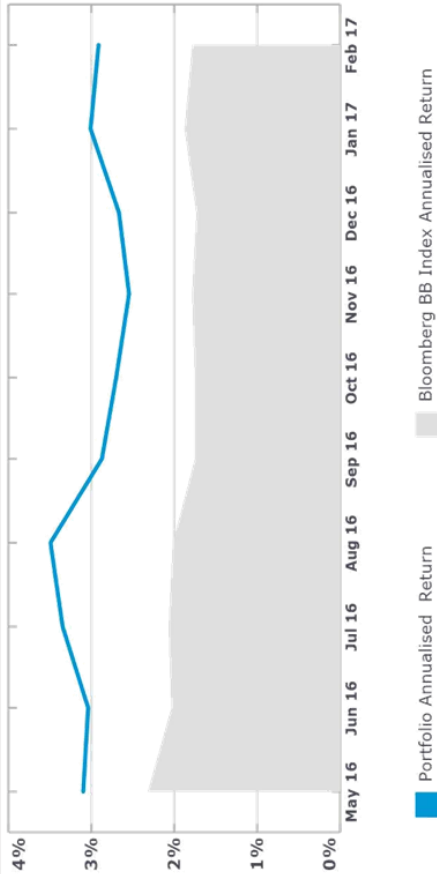
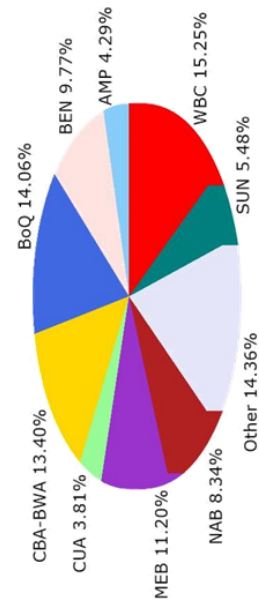
**Investment Summary Report  
February 2017**



**Inner West Council  
Executive Summary - February 2017**

**Investment Holdings**

By Product	Face Value (\$)	Current Value (\$)	Current Yield (%)
Bonds	2,000,000.00	2,031,277.14	3.2500
Cash	14,118,097.77	14,118,097.77	1.0721
Floating Rate Note	26,000,000.00	26,136,901.25	3.0581
Mortgage Backed Security	1,659,958.30	1,202,244.15	2.4107
Term Deposit	166,000,000.00	167,518,298.02	2.7995
	<b>209,778,056.07</b>	<b>211,006,818.33</b>	<b>2.7166</b>
By Portfolio	Face Value (\$)	Current Value (\$)	% of portfolio
Ashfield	37,023,781.44	37,243,704.47	18%
Leichhardt	95,553,074.00	96,495,402.94	46%
Marrickville	77,201,200.63	77,267,710.92	37%
	<b>209,778,056.07</b>	<b>211,006,818.33</b>	<b>100%</b>

**Investment Performance**

**Portfolio Exposures**

**Detailed Maturity Profile**

	Face Value (\$)	
00. Cash + Managed Funds	14,118,097.77	7%
01. Less Than 30 Days	26,000,000.00	12%
02. Between 30 Days and 60 Days	17,000,000.00	8%
03. Between 60 Days and 90 Days	15,000,000.00	7%
04. Between 90 Days and 180 Days	50,500,000.00	24%
05. Between 180 Days and 365 Days	47,500,000.00	23%
06. Between 365 Days and 3 Years	30,000,000.00	14%
07. Between 3 Years and 5 Years	8,000,000.00	4%
08. Between 5 Years and 10 Years	659,958.30	0%
09. Greater than 10 Years	1,000,000.00	0%
	<b>209,778,056.07</b>	



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Cash Accounts					
Maturity Date	Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)
1-Mar-17	3,741,242.33	1.1000%	Commonwealth Bank of Australia	A-1+	3,741,242.33
1-Mar-17	9,853,074.00	1.0600%	Commonwealth Bank of Australia	A-1+	9,853,074.00
1-Mar-17	523,781.44	1.1000%	Commonwealth Bank of Australia	A-1+	523,781.44
	<b>14,118,097.77</b>	<b>1.0721%</b>			<b>14,118,097.77</b>

Term Deposits									
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Coupon Frequency
1-Mar-17	1,000,000.00	2.5000%	Bankwest	A-1+	1,000,000.00	28-Sep-16	1,010,547.95	534409	AtMaturity
1-Mar-17	500,000.00	2.6000%	Bank of Queensland	A-2	500,000.00	5-Oct-16	505,235.62	534510	AtMaturity
7-Mar-17	3,000,000.00	2.7500%	Bank of Queensland	A-2	3,000,000.00	2-Sep-16	3,040,684.93	534206	AtMaturity
8-Mar-17	1,000,000.00	2.6000%	National Australia Bank	A-1+	1,000,000.00	5-Oct-16	1,010,471.23	534511	AtMaturity
8-Mar-17	500,000.00	2.6500%	ME Bank	A-2	500,000.00	12-Oct-16	505,082.19	534512	AtMaturity
14-Mar-17	2,000,000.00	2.7000%	ME Bank	A-2	2,000,000.00	26-Sep-16	2,023,079.45	534364	AtMaturity
15-Mar-17	1,000,000.00	2.6500%	ING Bank (Australia)	A-2	1,000,000.00	15-Sep-16	1,012,124.66	534412	AtMaturity
15-Mar-17	2,000,000.00	2.6000%	Suncorp Bank	A-1	2,000,000.00	19-Oct-16	2,018,947.95	534513	AtMaturity
15-Mar-17	2,000,000.00	2.9100%	National Australia Bank	A-1+	2,000,000.00	17-Jun-16	2,040,979.18	533836	AtMaturity
21-Mar-17	2,000,000.00	2.7000%	ME Bank	A-2	2,000,000.00	7-Nov-16	2,016,865.75	534490	AtMaturity
22-Mar-17	2,000,000.00	2.9000%	Bank of Queensland	A-2	2,000,000.00	17-Jun-16	2,040,838.36	533837	Annually
22-Mar-17	2,000,000.00	2.6100%	Commonwealth Bank of Australia	A-1+	2,000,000.00	19-Oct-16	2,019,020.82	534514	AtMaturity
22-Mar-17	1,000,000.00	2.6500%	Bank of Queensland	A-2	1,000,000.00	20-Oct-16	1,009,583.56	534515	AtMaturity
28-Mar-17	2,000,000.00	2.8000%	ME Bank	A-2	2,000,000.00	30-Nov-16	2,013,961.64	534588	AtMaturity
29-Mar-17	1,000,000.00	2.7000%	Auswide Bank	A-2	1,000,000.00	26-Oct-16	1,009,320.55	534516	AtMaturity
29-Mar-17	1,000,000.00	2.6000%	Auswide Bank	A-2	1,000,000.00	2-Nov-16	1,008,476.71	534613	AtMaturity
4-Apr-17	2,000,000.00	2.7200%	Suncorp Bank	A-1	2,000,000.00	1-Dec-16	2,013,413.70	534591	AtMaturity
5-Apr-17	500,000.00	2.5000%	IMB Ltd	A-2	500,000.00	16-Nov-16	503,595.89	534614	AtMaturity




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<b>Term Deposits</b>										
<b>Maturity Date</b>	<b>Face Value (\$)</b>	<b>Rate</b>	<b>Institution</b>	<b>Credit Rating</b>	<b>Purchase Price (\$)</b>	<b>Purchase Date</b>	<b>Current Value (\$)</b>	<b>Deal No.</b>	<b>Accrued Interest (\$)</b>	<b>Coupon Frequency</b>
5-Apr-17	1,000,000.00	2.7500%	ME Bank	A-2	1,000,000.00	17-Nov-16	1,007,835.62	534615	7,835.62	AtMaturity
11-Apr-17	2,000,000.00	2.7200%	Suncorp Bank	A-1	2,000,000.00	1-Dec-16	2,013,413.70	534592	13,413.70	AtMaturity
12-Apr-17	500,000.00	2.7500%	ME Bank	A-2	500,000.00	23-Nov-16	503,691.78	534616	3,691.78	AtMaturity
12-Apr-17	500,000.00	2.5000%	Bankwest	A-1+	500,000.00	23-Nov-16	503,356.16	534617	3,356.16	AtMaturity
12-Apr-17	2,000,000.00	2.9500%	Suncorp Bank	A-1	2,000,000.00	17-Jun-16	2,041,542.47	533838	41,542.47	AtMaturity
18-Apr-17	1,000,000.00	3.2000%	ME Bank	A-2	1,000,000.00	15-Apr-16	1,028,054.79	533425	28,054.79	AtMaturity
18-Apr-17	2,000,000.00	2.7500%	ME Bank	A-2	2,000,000.00	12-Jan-17	2,007,232.88	534760	7,232.88	AtMaturity
19-Apr-17	1,000,000.00	2.7500%	ME Bank	A-2	1,000,000.00	23-Nov-16	1,007,383.56	534619	7,383.56	AtMaturity
19-Apr-17	500,000.00	2.5800%	Commonwealth Bank of Australia	A-1+	500,000.00	30-Nov-16	503,216.16	534620	3,216.16	AtMaturity
20-Apr-17	1,000,000.00	2.6500%	MyState Bank	A-2	1,000,000.00	1-Dec-16	1,006,534.25	534739	6,534.25	AtMaturity
20-Apr-17	500,000.00	2.6500%	National Australia Bank	A-1+	500,000.00	7-Dec-16	503,049.32	534741	3,049.32	AtMaturity
24-Apr-17	2,500,000.00	2.7500%	ME Bank	A-2	2,500,000.00	12-Jan-17	2,509,041.10	534761	9,041.10	AtMaturity
2-May-17	2,000,000.00	2.7500%	Bank of Queensland	A-2	2,000,000.00	3-Nov-16	2,017,780.82	534488	17,780.82	AtMaturity
2-May-17	2,000,000.00	2.6500%	ME Bank	A-2	2,000,000.00	31-Jan-17	2,004,210.96	534808	4,210.96	AtMaturity
3-May-17	1,000,000.00	2.6000%	IMB Ltd	A-2	1,000,000.00	7-Dec-16	1,005,983.56	534740	5,983.56	AtMaturity
3-May-17	1,000,000.00	2.5000%	ING Bank (Australia)	A-2	1,000,000.00	14-Dec-16	1,005,273.97	534742	5,273.97	AtMaturity
9-May-17	2,000,000.00	2.8000%	Bank of Queensland	A-2	2,000,000.00	7-Nov-16	2,017,490.41	534491	17,490.41	AtMaturity
10-May-17	1,000,000.00	2.6000%	IMB Ltd	A-2	1,000,000.00	11-Jan-17	1,003,490.41	534840	3,490.41	AtMaturity
10-May-17	1,000,000.00	2.5000%	Bankwest	A-1+	1,000,000.00	12-Jan-17	1,003,287.67	534841	3,287.67	AtMaturity
16-May-17	2,000,000.00	2.8000%	Bank of Queensland	A-2	2,000,000.00	17-Aug-16	2,030,071.23	534144	30,071.23	AtMaturity
17-May-17	1,000,000.00	2.7000%	AMP Bank	A-1	1,000,000.00	16-Nov-16	1,007,767.12	534621	7,767.12	AtMaturity
17-May-17	500,000.00	2.7500%	Bank of Queensland	A-2	500,000.00	21-Dec-16	502,636.99	534743	2,636.99	AtMaturity
24-May-17	1,000,000.00	2.8500%	Beyond Bank Australia	A-2	1,000,000.00	1-Dec-16	1,007,027.40	534745	7,027.40	AtMaturity
24-May-17	500,000.00	2.6000%	National Australia Bank	A-1+	500,000.00	4-Jan-17	501,994.52	534838	1,994.52	AtMaturity
31-May-17	1,000,000.00	2.7500%	ME Bank	A-2	1,000,000.00	4-Jan-17	1,004,219.18	534839	4,219.18	AtMaturity
31-May-17	500,000.00	2.5700%	Suncorp Bank	A-1	500,000.00	18-Jan-17	501,478.63	534842	1,478.63	AtMaturity





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Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
31-May-17	3,000,000.00	2.9000%	Credit Union Australia	A-2	3,000,000.00	31-May-16	3,065,309.59	533742	65,309.59	AtMaturity	Leichhardt
6-Jun-17	1,000,000.00	2.9800%	Rural Bank	A-2	1,000,000.00	29-Jun-16	1,020,002.74	533932	20,002.74	AtMaturity	Leichhardt
6-Jun-17	1,000,000.00	2.6200%	National Australia Bank	A-1+	1,000,000.00	12-Jan-17	1,003,445.48	534759	3,445.48	AtMaturity	Marrickville
7-Jun-17	500,000.00	2.5500%	Suncorp Bank	A-1	500,000.00	24-Jan-17	501,257.53	534843	1,257.53	AtMaturity	Ashfield
7-Jun-17	1,000,000.00	2.5500%	Suncorp Bank	A-1	1,000,000.00	25-Jan-17	1,002,445.21	534844	2,445.21	AtMaturity	Ashfield
13-Jun-17	2,000,000.00	2.7000%	Bank of Queensland	A-2	2,000,000.00	12-Jan-17	2,007,101.37	534762	7,101.37	AtMaturity	Marrickville
14-Jun-17	3,000,000.00	2.8000%	AMP Bank	A-1	3,000,000.00	14-Dec-16	3,017,720.55	534744	17,720.55	AtMaturity	Ashfield
14-Jun-17	1,000,000.00	2.5000%	National Australia Bank	A-1+	1,000,000.00	1-Feb-17	1,001,917.81	534958	1,917.81	AtMaturity	Ashfield
14-Jun-17	1,000,000.00	2.9500%	Suncorp Bank	A-1	1,000,000.00	15-Jun-16	1,020,932.88	533822	20,932.88	AtMaturity	Leichhardt
14-Jun-17	2,000,000.00	2.9500%	Bendigo and Adelaide Bank	A-2	2,000,000.00	17-Jun-16	2,041,542.47	533839	41,542.47	AtMaturity	Leichhardt
20-Jun-17	2,000,000.00	2.7000%	Bank of Queensland	A-2	2,000,000.00	12-Jan-17	2,007,101.37	534763	7,101.37	AtMaturity	Marrickville
21-Jun-17	500,000.00	2.6500%	Bank of Queensland	A-2	500,000.00	1-Feb-17	501,016.44	534959	1,016.44	AtMaturity	Ashfield
21-Jun-17	1,000,000.00	2.5500%	IMB Ltd	A-2	1,000,000.00	8-Feb-17	1,001,467.12	534960	1,467.12	AtMaturity	Ashfield
22-Jun-17	2,000,000.00	2.9500%	Westpac Group	A-1+	2,000,000.00	22-Jun-16	2,040,734.25	533887	40,734.25	AtMaturity	Leichhardt
22-Jun-17	2,000,000.00	3.0500%	Credit Union Australia	A-2	2,000,000.00	23-Jun-16	2,041,947.95	533899	41,947.95	AtMaturity	Leichhardt
27-Jun-17	2,000,000.00	2.5500%	National Australia Bank	A-1+	2,000,000.00	8-Feb-17	2,002,934.25	534854	2,934.25	AtMaturity	Marrickville
28-Jun-17	1,000,000.00	2.6000%	Heritage Bank	P-2	1,000,000.00	9-Feb-17	1,001,424.66	534961	1,424.66	AtMaturity	Ashfield
28-Jun-17	1,000,000.00	2.5300%	National Australia Bank	A-1+	1,000,000.00	15-Feb-17	1,000,970.41	534962	970.41	AtMaturity	Ashfield
4-Jul-17	2,000,000.00	2.6000%	Bankwest	A-1+	2,000,000.00	13-Feb-17	2,002,279.45	534871	2,279.45	AtMaturity	Marrickville
5-Jul-17	500,000.00	2.5000%	Suncorp Bank	A-1	500,000.00	22-Feb-17	500,239.73	534963	239.73	AtMaturity	Ashfield
5-Jul-17	1,000,000.00	2.5500%	Bank of Queensland	A-2	1,000,000.00	23-Feb-17	1,000,419.18	534964	419.18	AtMaturity	Ashfield
11-Jul-17	2,000,000.00	2.6000%	Bankwest	A-1+	2,000,000.00	21-Feb-17	2,001,139.73	534893	1,139.73	AtMaturity	Marrickville
12-Jul-17	1,000,000.00	2.5000%	Heritage Bank	P-2	1,000,000.00	23-Feb-17	1,000,410.96	534965	410.96	AtMaturity	Ashfield
17-Jul-17	1,500,000.00	2.9000%	Bendigo and Adelaide Bank	A-2	1,500,000.00	15-Jul-16	1,527,291.78	534042	27,291.78	AtMaturity	Leichhardt
19-Jul-17	1,000,000.00	2.8000%	AMP Bank	A-1	1,000,000.00	19-Jan-17	1,003,145.21	534801	3,145.21	AtMaturity	Leichhardt
25-Jul-17	2,000,000.00	2.8000%	AMP Bank	A-1	2,000,000.00	25-Jan-17	2,005,369.86	534803	5,369.86	AtMaturity	Leichhardt





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Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
25-Jul-17	2,000,000.00	2.6500%	ME Bank	A-2	2,000,000.00	28-Feb-17	2,000,145.21	534916	145.21	AtMaturity	Marrickville
28-Jul-17	2,000,000.00	2.9000%	Westpac Group	A-1+	2,000,000.00	28-Jul-16	2,034,323.29	534062	34,323.29	AtMaturity	Leichhardt
4-Aug-17	1,000,000.00	2.9000%	AMP Bank	A-1	1,000,000.00	4-Aug-16	1,016,605.48	534301	16,605.48	AtMaturity	Leichhardt
9-Aug-17	1,000,000.00	2.9000%	AMP Bank	A-1	1,000,000.00	4-Aug-16	1,016,605.48	534114	16,605.48	AtMaturity	Leichhardt
15-Aug-17	1,000,000.00	3.0000%	Westpac Group	A-1+	1,000,000.00	12-Aug-16	1,016,520.55	534128	16,520.55	Annually	Leichhardt
15-Aug-17	2,000,000.00	3.0000%	Westpac Group	A-1+	2,000,000.00	12-Aug-16	2,033,041.10	534126	33,041.10	Annually	Marrickville
22-Aug-17	2,000,000.00	3.0000%	Westpac Group	A-1+	2,000,000.00	12-Aug-16	2,033,041.10	534127	33,041.10	Annually	Marrickville
31-Aug-17	2,000,000.00	2.7000%	Bank of Queensland	A-2	2,000,000.00	31-Aug-16	2,026,926.03	534190	26,926.03	AtMaturity	Leichhardt
31-Aug-17	2,000,000.00	2.7000%	Newcastle Permanent Building Society	A-2	2,000,000.00	31-Aug-16	2,026,926.03	534194	26,926.03	AtMaturity	Leichhardt
5-Sep-17	2,000,000.00	3.0000%	Westpac Group	A-1+	2,000,000.00	29-Aug-16	2,030,246.58	534180	30,246.58	Annually	Marrickville
5-Sep-17	1,000,000.00	2.8500%	Credit Union Australia	A-2	1,000,000.00	7-Sep-16	1,013,664.38	534302	13,664.38	AtMaturity	Leichhardt
12-Sep-17	2,000,000.00	3.0000%	Westpac Group	A-1+	2,000,000.00	31-Aug-16	2,029,917.81	534185	29,917.81	Annually	Marrickville
13-Sep-17	1,000,000.00	3.0000%	Westpac Group	A-1+	1,000,000.00	13-Sep-16	1,013,890.41	534329	13,890.41	AtMaturity	Leichhardt
19-Sep-17	2,000,000.00	3.0000%	Westpac Group	A-1+	2,000,000.00	6-Sep-16	2,028,931.51	534286	28,931.51	Annually	Marrickville
27-Sep-17	3,000,000.00	2.7500%	Auswide Bank	A-2	3,000,000.00	27-Sep-16	3,035,034.25	534366	35,034.25	AtMaturity	Leichhardt
6-Oct-17	1,000,000.00	2.8000%	Bendigo and Adelaide Bank	A-2	1,000,000.00	7-Oct-16	1,011,123.29	534463	11,123.29	AtMaturity	Leichhardt
17-Oct-17	2,000,000.00	3.0000%	Westpac Group	A-1+	2,000,000.00	12-Oct-16	2,023,013.70	534445	23,013.70	Annually	Marrickville
25-Oct-17	2,000,000.00	2.8000%	National Australia Bank	A-1+	2,000,000.00	24-Oct-16	2,005,523.29	534465	5,523.29	Quarterly	Leichhardt
9-Nov-17	2,000,000.00	2.7500%	National Australia Bank	A-1+	2,000,000.00	10-Nov-16	2,016,726.03	534519	16,726.03	AtMaturity	Leichhardt
12-Dec-17	2,000,000.00	2.8000%	Bank of Queensland	A-2	2,000,000.00	12-Dec-16	2,012,120.55	534660	12,120.55	AtMaturity	Leichhardt
19-Dec-17	2,500,000.00	3.6500%	National Australia Bank	A-1+	2,500,000.00	16-Dec-14	2,518,750.00	498161	18,750.00	Annually	Marrickville
19-Dec-17	3,000,000.00	2.6500%	Bankwest	A-1+	3,000,000.00	19-Dec-16	3,015,682.19	534670	15,682.19	AtMaturity	Leichhardt
10-Jan-18	2,000,000.00	2.7300%	Commonwealth Bank of Australia	A-1+	2,000,000.00	10-Jan-17	2,007,479.45	534756	7,479.45	AtMaturity	Leichhardt
10-Jan-18	1,000,000.00	2.8000%	ME Bank	A-2	1,000,000.00	11-Jan-17	1,003,758.90	534757	3,758.90	AtMaturity	Leichhardt
10-Jan-18	2,000,000.00	2.9000%	Credit Union Australia	A-2	2,000,000.00	7-Feb-17	2,003,495.89	534852	3,495.89	AtMaturity	Leichhardt
17-Jan-18	2,000,000.00	2.8000%	ME Bank	A-2	2,000,000.00	18-Jan-17	2,006,443.84	534787	6,443.84	AtMaturity	Leichhardt



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Term Deposits											
Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
31-Jan-18	2,000,000.00	2.8000%	Bendigo and Adelaide Bank	A-2	2,000,000.00	31-Jan-17	2,004,449.32	534845	4,449.32	AtMaturity	Leichhardt
6-Feb-18	3,000,000.00	2.7500%	Bank of Queensland	A-2	3,000,000.00	31-Jan-17	3,006,554.79	534807	6,554.79	AtMaturity	Marrickville
7-Feb-18	2,000,000.00	2.8000%	Bendigo and Adelaide Bank	A-2	2,000,000.00	7-Feb-17	2,003,375.34	534853	3,375.34	AtMaturity	Leichhardt
14-Feb-18	1,000,000.00	2.7000%	ME Bank	A-2	1,000,000.00	14-Feb-17	1,001,109.59	534872	1,109.59	AtMaturity	Leichhardt
28-Jun-18	3,000,000.00	3.0000%	Westpac Group	AA-	3,000,000.00	29-Aug-16	3,045,369.86	534181	45,369.86	Annually	Leichhardt
11-Jul-18	2,000,000.00	2.8200%	National Australia Bank	AA-	2,000,000.00	11-Jan-17	2,007,571.51	534758	7,571.51	Annually	Leichhardt
12-Jul-18	4,000,000.00	3.0000%	Westpac Group	AA-	4,000,000.00	12-Aug-16	4,066,082.19	534129	66,082.19	Annually	Leichhardt
9-Oct-18	2,000,000.00	3.1000%	Westpac Group	AA-	2,000,000.00	7-Oct-16	2,024,630.14	534428	24,630.14	Annually	Marrickville
14-Jan-19	2,000,000.00	3.0000%	Bank of Queensland	A-	2,000,000.00	12-Jan-17	2,007,890.41	534764	7,890.41	Annually	Marrickville
14-Feb-19	2,000,000.00	3.0000%	Westpac Group	AA-	2,000,000.00	14-Feb-17	2,002,465.75	534873	2,465.75	Annually	Leichhardt
					166,000,000.00		167,518,298.02		1,518,298.02		

Floating Rate Notes										
Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Reference Date
9-Mar-17	2,000,000.00	4.6650%	MAC Snr FRN (Mar17) BBSW+2.90%	A-1	2,000,000.00	9-Mar-12	2,020,956.69	339541	20,960.55	9-Mar-17 Marrickville
27-Feb-18	3,000,000.00	2.8800%	NPBS Snr FRN (Feb18) BBSW+1.10%	A-2	3,000,000.00	27-Feb-15	3,003,983.42	502254	473.42	29-May-17 Leichhardt
14-Nov-18	3,000,000.00	3.0450%	BEN Snr FRN (Nov18) BBSW+1.27%	A-	3,000,000.00	7-Nov-13	3,029,674.11	402080	3,754.11	15-May-17 Marrickville
25-Feb-19	1,000,000.00	2.7200%	WBC Snr FRN (Feb19) BBSW+0.94%	AA-	1,000,000.00	14-Feb-14	1,006,919.04	421808	149.04	25-May-17 Marrickville
29-Apr-19	1,000,000.00	2.9200%	BoQ Snr FRN (Apr19) BBSW+1.15%	A-	1,002,330.00	18-Feb-16	1,006,980.00	533203	2,400.00	28-Apr-17 Leichhardt
10-May-19	2,000,000.00	2.7700%	WBC Snr FRN (May19) BBSW+1.00%	AA-	2,000,000.00	11-Mar-16	2,018,563.84	533332	2,883.84	10-May-17 Leichhardt
25-Jul-19	1,800,000.00	2.5900%	ANZ Snr FRN (Jul19) BBSW+0.82%	AA-	1,800,000.00	25-Jul-14	1,807,368.41	472510	4,470.41	26-Apr-17 Marrickville
28-Oct-19	1,200,000.00	3.1700%	TMB Snr FRN (Oct19) BBSW+1.40%	BBB+	1,200,000.00	28-Oct-16	1,203,102.58	534461	3,126.58	28-Apr-17 Leichhardt
21-Feb-20	3,000,000.00	2.8800%	BEN Snr FRN (Feb20) BBSW+1.10%	A-	3,000,000.00	21-Nov-16	3,001,893.70	534538	1,893.70	22-May-17 Marrickville
24-Feb-20	1,000,000.00	3.2300%	GBS Snr FRN (Feb20) BBSW+1.45%	BBB+	1,000,000.00	24-Feb-17	1,000,442.47	534888	442.47	24-May-17 Marrickville
24-Feb-20	1,000,000.00	3.2300%	GBS Snr FRN (Feb20) BBSW+1.45%	BBB+	1,000,000.00	24-Feb-17	1,000,442.47	534887	442.47	24-May-17 Leichhardt





**Inner West Council**  
Investment Holdings Report - February 2017



<b>Floating Rate Notes</b>									
Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Next Coupon Reference Date
18-Aug-20	2,000,000.00	2.8800%	BEN Snr FRN (Aug20) BBSW+1.10%	A-	2,000,000.00	18-Aug-15	2,007,340.27	505171	18-May-17 Marrickville
18-Aug-20	1,000,000.00	2.8800%	BEN Snr FRN (Aug20) BBSW+1.10%	A-	1,000,000.00	18-Aug-15	1,003,670.14	505174	18-May-17 Leichhardt
18-Aug-20	2,000,000.00	2.8800%	BEN Snr FRN (Aug20) BBSW+1.10%	A-	2,000,000.00	18-Aug-15	2,007,340.27	505175	18-May-17 Leichhardt
18-May-21	1,000,000.00	3.2600%	BoQ Snr FRN (May21) BBSW+1.48%	A-	1,000,000.00	18-May-16	1,018,223.84	533606	18-May-17 Leichhardt
	<b>26,000,000.00</b>	<b>3.0581%</b>			<b>26,002,330.00</b>		<b>26,136,901.25</b>		<b>45,351.11</b>

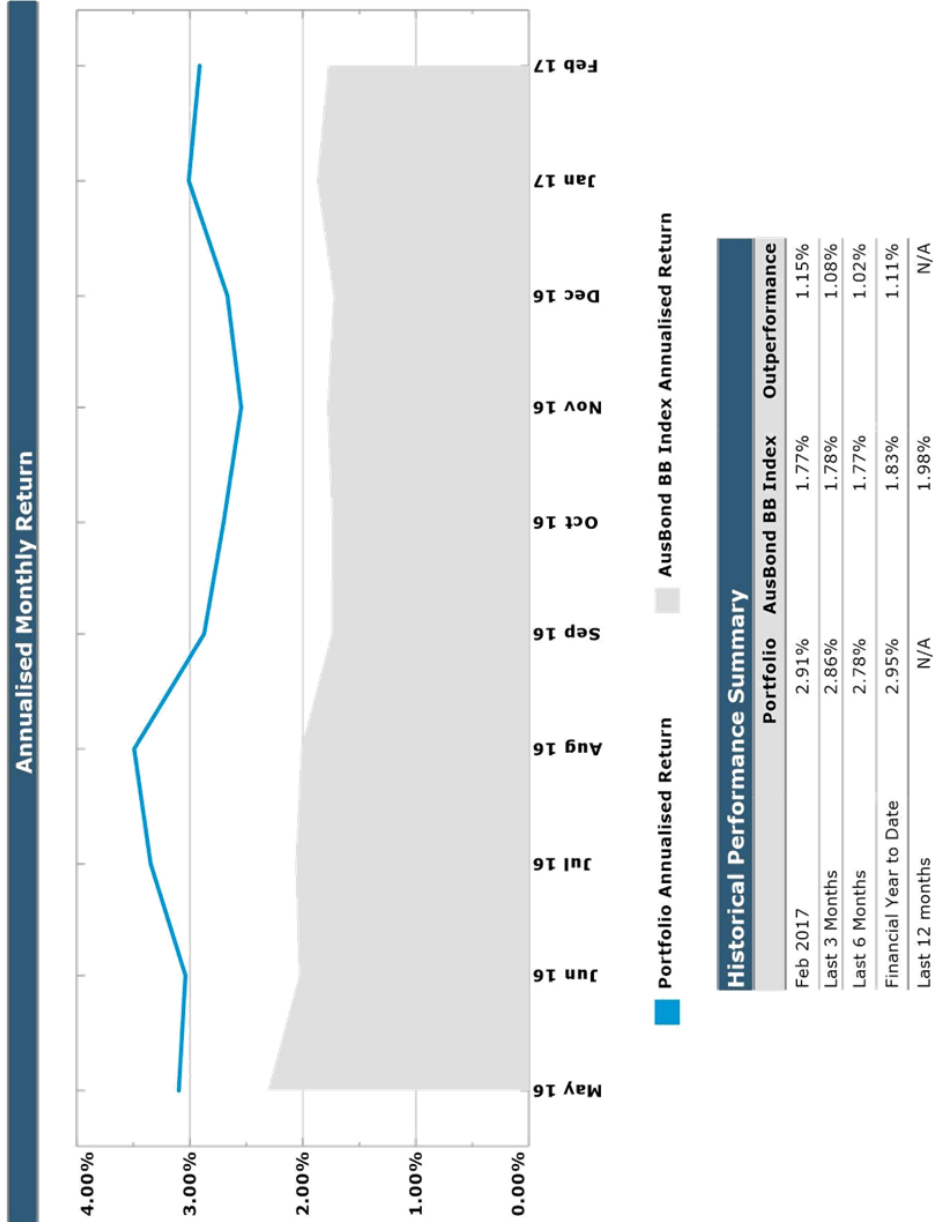
<b>Fixed Rate Bonds</b>									
Maturity Date	Face Value (\$)	Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Purchase Yield
3-Jun-20	2,000,000.00	3.2500%	ANZ 'Green' Snr Bond (Jun20) 3.25%	AA-	1,987,680.00	3-Jun-15	2,031,277.14	505284	3.3850%
	<b>2,000,000.00</b>				<b>1,987,680.00</b>		<b>2,031,277.14</b>		<b>3.3850%</b>

<b>Mortgage Backed Securities</b>									
Weighted Avg Life	Face Value (\$)	Current Coupon	Security Name	Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Reference
22-Aug-22	659,958.30	2.2300%	Emerald Reverse Mortgage (A Tranche)	AAA	1,000,000.00	17-Jul-06	521,689.63	310321	Marrickville
23-Aug-27	1,000,000.00	2.5300%	Emerald Reverse Mortgage (B Tranche)	AA	1,000,000.00	17-Jul-06	680,554.52	310334	Marrickville
	<b>1,659,958.30</b>	<b>2.4107%</b>			<b>2,000,000.00</b>		<b>1,202,244.15</b>		<b>877.09</b>



**Inner West Council**

Investment Performance Report - February 2017





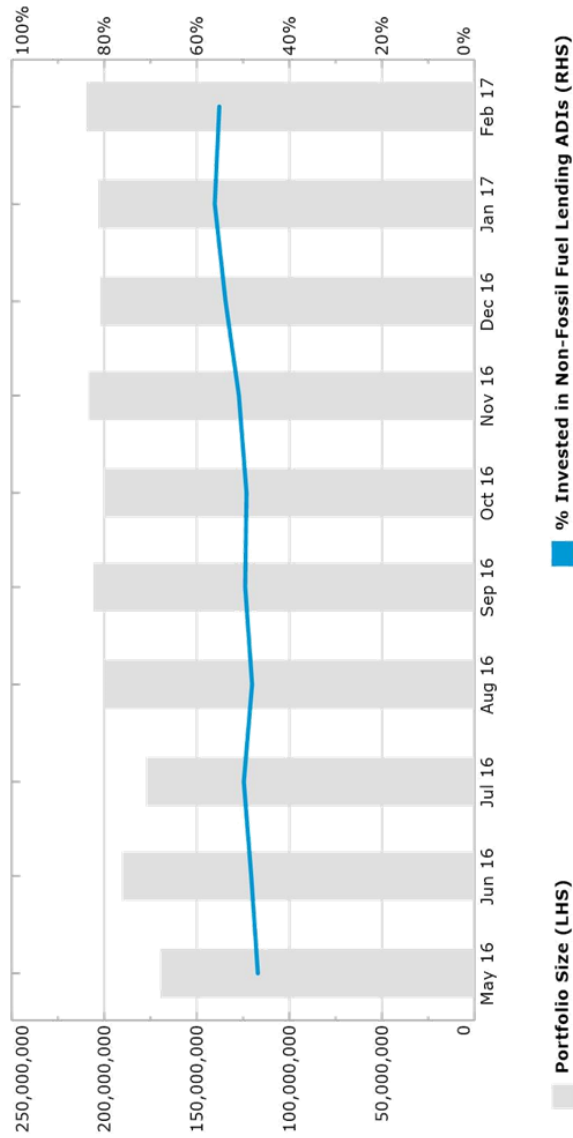


## Inner West Council Environmental Commitments Report - February 2017

### Current Breakdown

ADI Lending Status *	Face Value (\$)
<b>Fossil Fuel Lending ADIs</b>	
AMP Bank	9,000,000
ANZ Group	1,800,000
Commonwealth Bank of Australia	28,118,098
ING Group	2,000,000
Macquarie Group	2,000,000
National Australia Bank	17,500,000
Non ADI	1,659,958
Westpac Group	32,000,000
	<b>94,078,056 45%</b>
<b>Non Fossil Fuel Lending ADIs</b>	
ANZ Group (Green)	2,000,000
Auswide Bank	5,000,000
Bank of Queensland	29,500,000
Bendigo and Adelaide Bank	20,500,000
Beyond Bank	1,000,000
Credit Union Australia	8,000,000
Greater Building Society	2,000,000
Heritage Bank	2,000,000
IMB Ltd	3,500,000
Members Equity Bank	23,500,000
MyState Bank	1,000,000
Newcastle Permanent Building Society	5,000,000
Suncorp Bank	11,500,000
Teachers Mutual Bank	1,200,000
	<b>115,700,000 55%</b>
	<b>209,778,056</b>

### Historical Portfolio Exposure to Non Fossil Fuel Lending ADIs



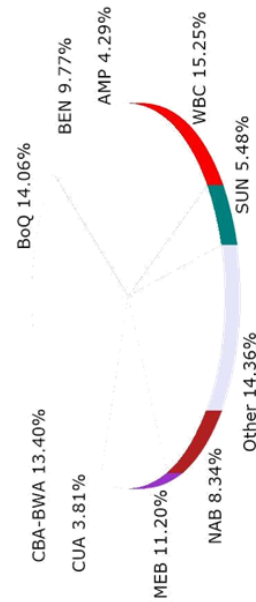
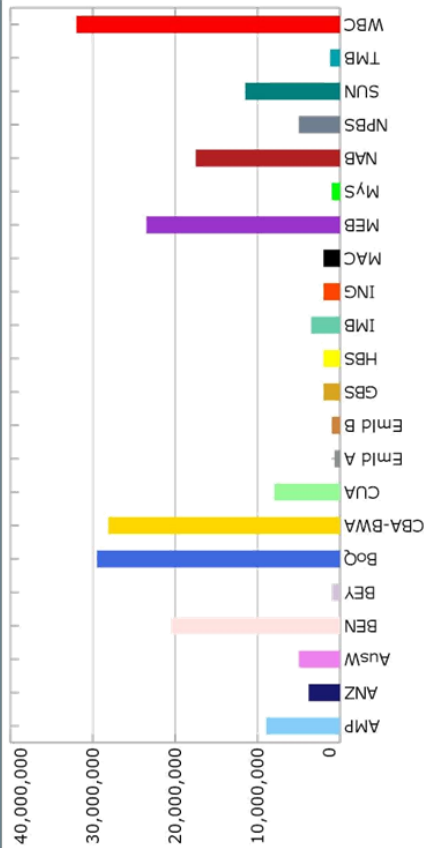
\* ADI Lending Status source: <http://www.marketforces.org.au>



**Inner West Council**
**Individual Institutional Exposures Report - February 2017**

**Individual Institutional Exposures**

Parent Group	Credit Rating	Portfolio Exposure (\$)
AMP Bank	A-1, A+	9,000,000
ANZ Group	A-1+, AA-	3,800,000
Auswide Bank	A-2, BBB	5,000,000
Bank of Queensland	A-2, A-	29,500,000
Bendigo and Adelaide Bank	A-2, A-	20,500,000
Beyond Bank	A-2, BBB+	1,000,000
Commonwealth Bank of Australia	A-1+, AA-	28,118,098
Credit Union Australia	A-2, BBB+	8,000,000
Emerald Reverse Mortgage (A Tranche)	AAA	659,958
Emerald Reverse Mortgage (B Tranche)	AA	1,000,000
Greater Building Society	A-2, BBB+	2,000,000
Heritage Bank	A3, P-2	2,000,000
IMB Ltd	A-2, BBB+	3,500,000
ING Group	A-2, A-	2,000,000
Macquarie Group	A-1, A	2,000,000
Members Equity Bank	A-2, BBB+	23,500,000
MyState Bank	A-2, BBB+	1,000,000
National Australia Bank	A-1+, AA-	17,500,000
Newcastle Permanent Building Society	A-2, BBB+	5,000,000
Suncorp Bank	A-1, A+	11,500,000
Teachers Mutual Bank	A-2, BBB+	1,200,000
Westpac Group	A-1+, AA-	32,000,000
		<b>209,778,056</b>

**Individual Institutional Exposure Charts**


**Inner West Council**  
Cash Flows Report - February 2017



<b>Current Month Cashflows</b>				
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u> <u>Cashflow Received</u>
<b>1-Feb-17</b>	534294	Ashfield	Term Deposits	Interest - Received      10,898.63
		Ashfield	Term Deposits	Maturity Face Value - Received      1,000,000.00
				<u>Deal Total</u> 1,010,898.63
534296	Ashfield	Bank of Queensland	Term Deposits	Interest - Received      5,590.41
		Bank of Queensland	Term Deposits	Maturity Face Value - Received      500,000.00
				<u>Deal Total</u> 505,590.41
534958	Ashfield	National Australia Bank	Term Deposits	Settlement Face Value - Paid      -1,000,000.00
				<u>Deal Total</u> -1,000,000.00
534959	Ashfield	Bank of Queensland	Term Deposits	Settlement Face Value - Paid      -500,000.00
				<u>Deal Total</u> -500,000.00
				<b>Day Total</b> <b>16,489.04</b>
<b>7-Feb-17</b>	508032	Leichhardt	Term Deposits	Interest - Received      30,739.73
		Leichhardt	Term Deposits	Maturity Face Value - Received      2,000,000.00
				<u>Deal Total</u> 2,030,739.73
508033	Leichhardt	Bank of Queensland	Term Deposits	Interest - Received      14,601.37
		Bank of Queensland	Term Deposits	Maturity Face Value - Received      1,000,000.00
				<u>Deal Total</u> 1,014,601.37
534108	Marrickville	National Australia Bank	Term Deposits	Interest - Received      28,536.99
		National Australia Bank	Term Deposits	Maturity Face Value - Received      2,000,000.00
				<u>Deal Total</u> 2,028,536.99
534852	Leichhardt	Credit Union Australia	Term Deposits	Settlement Face Value - Paid      -2,000,000.00
				<u>Deal Total</u> -2,000,000.00
534853	Leichhardt	Bendigo and Adelaide Bank	Term Deposits	Settlement Face Value - Paid      -2,000,000.00
				<u>Deal Total</u> -2,000,000.00
				<b>Day Total</b> <b>1,073,878.08</b>
<b>8-Feb-17</b>	534403	Ashfield	IMB Ltd	Interest - Received      11,397.26
		Ashfield	IMB Ltd	Maturity Face Value - Received      1,000,000.00
				<u>Deal Total</u> 1,011,397.26



**Inner West Council**  
 Cash Flows Report - February 2017


<b>Current Month Cashflows</b>				
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u> <u>Cashflow Received</u>
	534404	Ashfield	Term Deposits	Interest - Received
		Ashfield	Term Deposits	Maturity Face Value - Received
				Deal Total
	534854	Marrickville	Term Deposits	Settlement Face Value - Paid
				Deal Total
	534960	Ashfield	Term Deposits	Settlement Face Value - Paid
				Deal Total
				<b>Day Total</b>
				<b>-471,769.86</b>
<b>9-Feb-17</b>	534961	Ashfield	Term Deposits	Settlement Face Value - Paid
				Deal Total
				<b>Day Total</b>
				<b>-1,000,000.00</b>
<b>10-Feb-17</b>	533332	Leichhardt	Floating Rate Note	Coupon - Received
				Deal Total
				<b>Day Total</b>
				<b>13,913.42</b>
<b>13-Feb-17</b>	534871	Marrickville	Term Deposits	Settlement Face Value - Paid
				Deal Total
				<b>Day Total</b>
				<b>-2,000,000.00</b>
<b>14-Feb-17</b>	402080	Marrickville	Floating Rate Note	Coupon - Received
				Deal Total
				<b>Day Total</b>
				<b>-2,000,000.00</b>
	508053	Leichhardt	Term Deposits	Interest - Received
		Leichhardt	Term Deposits	Maturity Face Value - Received
				Deal Total
				<b>Day Total</b>
				<b>2,031,197.26</b>
	534323	Marrickville	Term Deposits	Interest - Received
		Marrickville	Term Deposits	Maturity Face Value - Received
				Deal Total
				<b>Day Total</b>
				<b>2,023,375.34</b>
	534872	Leichhardt	Term Deposits	Settlement Face Value - Paid
				Deal Total
				<b>Day Total</b>
				<b>-1,000,000.00</b>
	534873	Leichhardt	Term Deposits	Settlement Face Value - Paid
				Deal Total
				<b>Day Total</b>
				<b>-2,000,000.00</b>



**Inner West Council**  
Cash Flows Report - February 2017



<b>Current Month Cashflows</b>				
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u> <u>Cashflow Received</u>
				Deal Total
<b>15-Feb-17</b>	336190	Leichhardt		<b>Day Total</b> <b>1,077,446.58</b>
		Leichhardt	Bonds	Maturity Face Value - Received 1,000,000.00
			Bonds	Coupon - Received 30,000.00
				Deal Total 1,030,000.00
534405	Ashfield	Rural Bank	Term Deposits	Interest - Received 5,513.70
	Ashfield	Rural Bank	Term Deposits	Maturity Face Value - Received 500,000.00
				Deal Total 505,513.70
534406	Ashfield	National Australia Bank	Term Deposits	Interest - Received 11,247.95
	Ashfield	National Australia Bank	Term Deposits	Maturity Face Value - Received 1,000,000.00
				Deal Total 1,011,247.95
534962	Ashfield	National Australia Bank	Term Deposits	Settlement Face Value - Paid -1,000,000.00
				Deal Total -1,000,000.00
<b>20-Feb-17</b>	339539	Marrickville		<b>Day Total</b> <b>1,546,761.64</b>
	Marrickville	Westpac Group	Floating Rate Note	Maturity Face Value - Received 2,500,000.00
		Westpac Group	Floating Rate Note	Coupon - Received 21,222.95
				Deal Total 2,521,222.95
505171	Marrickville	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received 14,705.21
				Deal Total 14,705.21
505174	Leichhardt	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received 7,352.60
				Deal Total 7,352.60
505175	Leichhardt	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received 14,705.21
				Deal Total 14,705.21
533606	Leichhardt	Bank of Queensland	Floating Rate Note	Coupon - Received 8,331.23
				Deal Total 8,331.23
<b>21-Feb-17</b>	310321	Marrickville		<b>Day Total</b> <b>2,566,317.19</b>
	Marrickville	Emerald Reverse Mortgage (A Tranche)	Mortgage Backed Securities	Coupon - Received 3,722.72
		Emerald Reverse Mortgage (A Tranche)	Mortgage Backed Securities	Amortised Face Value - Received 9,859.81





**Inner West Council**  
 Cash Flows Report - February 2017


<b>Current Month Cashflows</b>				
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u> <u>Cashflow Received</u>
				<u>Deal Total</u>
	310334	Marrickville	Emerald Reverse Mortgage (B Tranche)	Mortgage Backed Securities
				Coupon - Received
				6,313.97
				<u>Deal Total</u>
				6,313.97
	534143	Marrickville	Bank of Queensland	Term Deposits
		Marrickville	Bank of Queensland	Term Deposits
				Interest - Received
				28,843.84
				Maturity Face Value - Received
				2,000,000.00
				<u>Deal Total</u>
				2,028,843.84
	534538	Marrickville	Bendigo and Adelaide Bank	Floating Rate Note
				Coupon - Received
				21,588.49
				<u>Deal Total</u>
				21,588.49
	534893	Marrickville	Bankwest	Term Deposits
				Settlement Face Value - Paid
				-2,000,000.00
				<u>Deal Total</u>
				-2,000,000.00
				<b>Day Total</b>
				<b>70,328.83</b>
<b>22-Feb-17</b>	534407	Ashfield	Bank of SA	Term Deposits
		Ashfield	Bank of SA	Term Deposits
				Interest - Received
				11,829.04
				Maturity Face Value - Received
				1,000,000.00
				<u>Deal Total</u>
				1,011,829.04
	534408	Ashfield	Suncorp Bank	Term Deposits
		Ashfield	Suncorp Bank	Term Deposits
				Interest - Received
				5,379.45
				Maturity Face Value - Received
				500,000.00
				<u>Deal Total</u>
				505,379.45
	534963	Ashfield	Suncorp Bank	Term Deposits
				Settlement Face Value - Paid
				-500,000.00
				<u>Deal Total</u>
				-500,000.00
				<b>Day Total</b>
				<b>1,017,208.49</b>
<b>23-Feb-17</b>	534964	Ashfield	Bank of Queensland	Term Deposits
				Settlement Face Value - Paid
				-1,000,000.00
				<u>Deal Total</u>
				-1,000,000.00
	534965	Ashfield	Heritage Bank	Term Deposits
				Settlement Face Value - Paid
				-1,000,000.00
				<u>Deal Total</u>
				-1,000,000.00
				<b>Day Total</b>
				<b>-2,000,000.00</b>
<b>24-Feb-17</b>	534887	Leichhardt	Greater Building Society	Floating Rate Note
				Settlement Face Value - Paid
				-1,000,000.00
				<u>Deal Total</u>
				-1,000,000.00
	534888	Marrickville	Greater Building Society	Floating Rate Note
				Settlement Face Value - Paid
				-1,000,000.00



**Inner West Council**  
Cash Flows Report - February 2017



<b>Current Month Cashflows</b>				
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u> <u>Cashflow Received</u>
				<u>Deal Total</u> -1,000,000.00
<b>27-Feb-17</b>	421808	Marrickville	Westpac Group	<b>Day Total</b> <b>-2,000,000.00</b>
			Floating Rate Note	Coupon - Received      6,940.55
				<u>Deal Total</u> 6,940.55
	502254	Leichhardt	Newcastle Permanent Building Society	Coupon - Received      21,391.23
				<u>Deal Total</u> 21,391.23
<b>28-Feb-17</b>	508281	Leichhardt	Bendigo and Adelaide Bank	<b>Day Total</b> <b>28,331.78</b>
		Leichhardt	Term Deposits	Interest - Received      14,289.04
		Leichhardt	Term Deposits	Maturity Face Value - Received      1,000,000.00
				<u>Deal Total</u> 1,014,289.04
	534916	Marrickville	ME Bank	Settlement Face Value - Paid      -2,000,000.00
				<u>Deal Total</u> -2,000,000.00
				<b>Day Total</b> <b>-985,710.96</b>
				<b>Net Cash Movement for Period</b> <b>-1,046,805.76</b>
<b>Next Month Cashflows</b>				
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u> <u>Cashflow Due</u>
<b>1-Mar-17</b>	534409	Ashfield	Bankwest	Interest - Received      10,547.95
		Ashfield	Bankwest	Maturity Face Value - Received      1,000,000.00
				<u>Deal Total</u> 1,010,547.95
	534510	Ashfield	Bank of Queensland	Interest - Received      5,235.62
		Ashfield	Bank of Queensland	Maturity Face Value - Received      500,000.00
				<u>Deal Total</u> 505,235.62
<b>7-Mar-17</b>	534206	Marrickville	Bank of Queensland	<b>Day Total</b> <b>1,515,783.56</b>
		Marrickville	Term Deposit	Interest - Received      42,041.10
		Marrickville	Term Deposit	Maturity Face Value - Received      3,000,000.00
				<u>Deal Total</u> 3,042,041.10
				<b>Day Total</b> <b>3,042,041.10</b>



**Inner West Council**  
 Cash Flows Report - February 2017


Next Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
8-Mar-17	534511	Ashfield	Term Deposit	Interest - Received	10,969.86
		Ashfield	Term Deposit	Maturity Face Value - Received	1,000,000.00
				Deal Total	1,010,969.86
534512		Ashfield	Term Deposit	Interest - Received	5,336.30
		Ashfield	Term Deposit	Maturity Face Value - Received	500,000.00
				Deal Total	505,336.30
9-Mar-17	339541	Marrickville	Floating Rate Note	Maturity Face Value - Received	1,516,306.16
		Marrickville	Floating Rate Note	Coupon - Received	2,000,000.00
				Deal Total	23,005.48
14-Mar-17	534364	Marrickville		Deal Total	2,023,005.48
		Marrickville	Term Deposit	Interest - Received	2,023,005.48
		Marrickville	Term Deposit	Maturity Face Value - Received	25,002.74
15-Mar-17	533836	Leichhardt	Term Deposit	Maturity Face Value - Received	2,000,000.00
		Leichhardt	Term Deposit	Interest - Received	2,025,002.74
				Deal Total	2,025,002.74
534412		Ashfield	Term Deposit	Interest - Received	2,025,002.74
		Ashfield	Term Deposit	Maturity Face Value - Received	43,211.51
				Deal Total	2,043,211.51
534513		Ashfield	Term Deposit	Interest - Received	13,141.10
		Ashfield	Term Deposit	Maturity Face Value - Received	1,000,000.00
				Deal Total	1,013,141.10
21-Mar-17	534490	Marrickville	Term Deposit	Interest - Received	20,942.47
		Marrickville	Term Deposit	Maturity Face Value - Received	2,000,000.00
				Deal Total	2,020,942.47
22-Mar-17	533837	Leichhardt	Term Deposit	Interest - Received	5,077,295.07
		Leichhardt	Term Deposit	Maturity Face Value - Received	19,824.66
				Deal Total	2,000,000.00
533837		Leichhardt	Term Deposit	Maturity Face Value - Received	2,019,824.66
		Leichhardt	Term Deposit	Interest - Received	2,019,824.66
				Deal Total	2,019,824.66
533837		Leichhardt	Term Deposit	Maturity Face Value - Received	2,019,824.66
		Leichhardt	Term Deposit	Interest - Received	44,175.34
				Deal Total	2,000,000.00



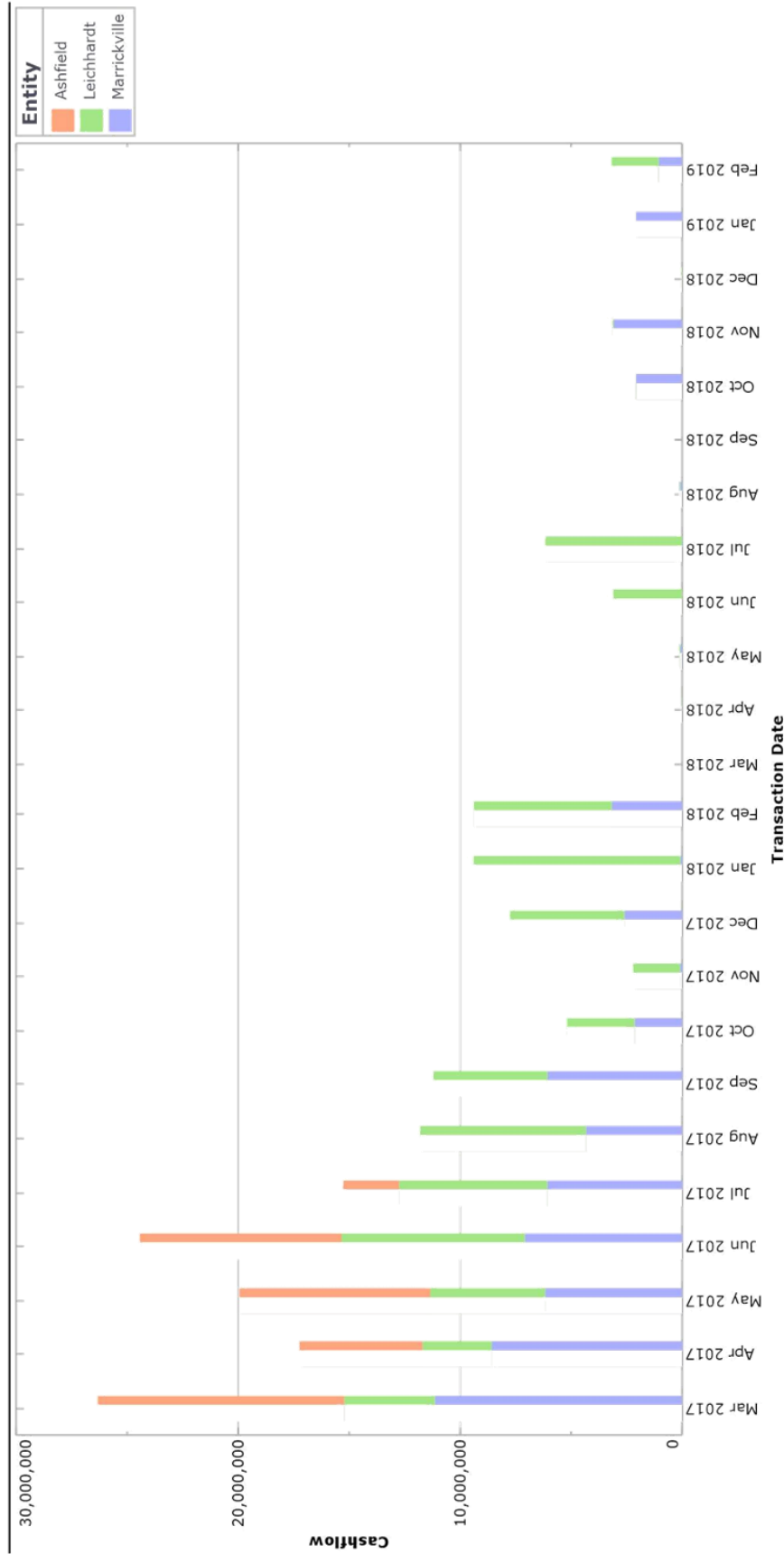
**Inner West Council**  
Cash Flows Report - February 2017



<b>Next Month Cashflows</b>					
<b>Transaction Date</b>	<b>Deal No.</b>	<b>Cashflow Counterparty</b>	<b>Asset Type</b>	<b>Cashflow Description</b>	<b>Cashflow Due</b>
				<u>Deal Total</u>	<u>2,044,175.34</u>
534514	Ashfield	Commonwealth Bank of Australia	Term Deposit	Interest - Received	22,024.11
	Ashfield	Commonwealth Bank of Australia	Term Deposit	Maturity Face Value - Received	2,000,000.00
				<u>Deal Total</u>	<u>2,022,024.11</u>
534515	Ashfield	Bank of Queensland	Term Deposit	Interest - Received	11,108.22
	Ashfield	Bank of Queensland	Term Deposit	Maturity Face Value - Received	1,000,000.00
				<u>Deal Total</u>	<u>1,011,108.22</u>
<b>28-Mar-17</b>				<b>Day Total</b>	<b>5,077,307.67</b>
534588	Marrickville	ME Bank	Term Deposit	Interest - Received	18,104.11
	Marrickville	ME Bank	Term Deposit	Maturity Face Value - Received	2,000,000.00
				<u>Deal Total</u>	<u>2,018,104.11</u>
<b>29-Mar-17</b>				<b>Day Total</b>	<b>2,018,104.11</b>
534516	Ashfield	Auswide Bank	Term Deposit	Interest - Received	11,391.78
	Ashfield	Auswide Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
				<u>Deal Total</u>	<u>1,011,391.78</u>
534613	Ashfield	Auswide Bank	Term Deposit	Interest - Received	10,471.23
	Ashfield	Auswide Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
				<u>Deal Total</u>	<u>1,010,471.23</u>
				<b>Day Total</b>	<b>2,021,863.01</b>
				<b>Net Cash Movement for Period</b>	<b>26,336,533.56</b>



**Inner West Council  
Cash Flows Report - February 2017**



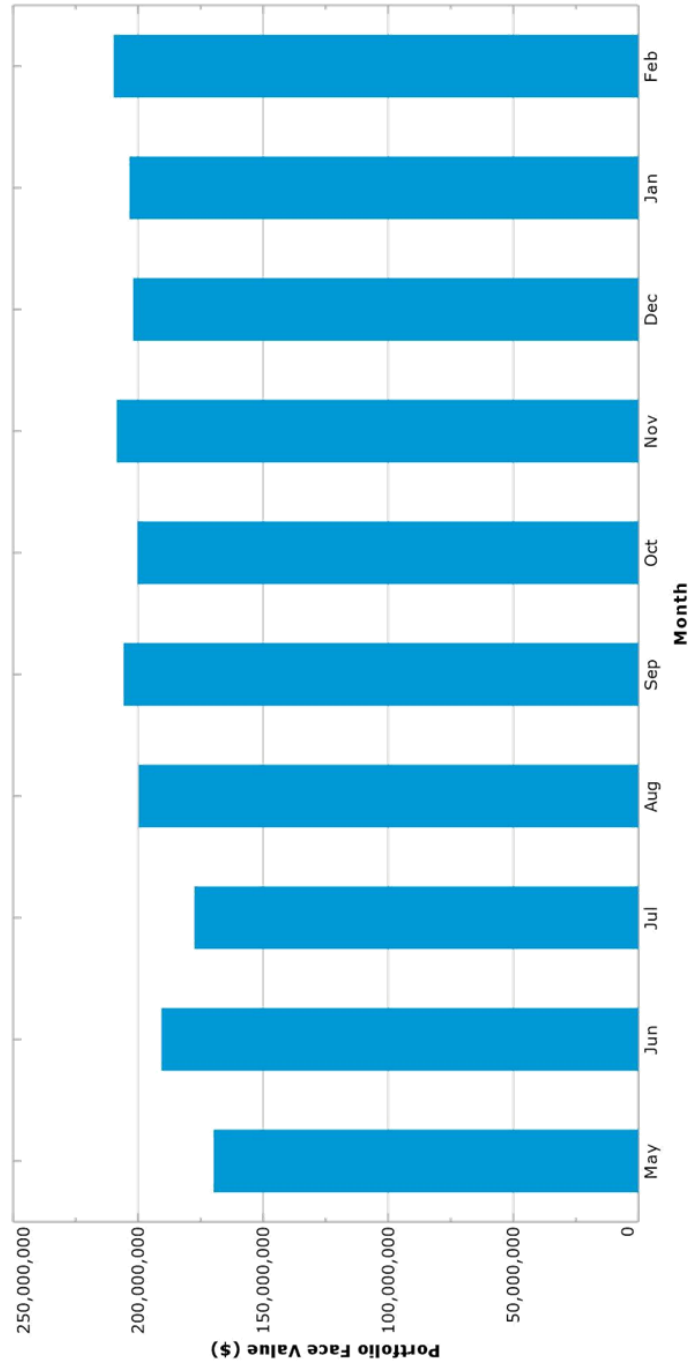


**Inner West Council**  
Historical Balances Report - February 2017



**Historical Portfolio Face Value (\$)**

	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb
<b>Balance</b>	169,792,040	190,658,993	177,524,374	199,751,959	205,837,765	200,320,182	208,569,737	202,032,317	203,458,474	209,778,056



**Inner West Council**  
 Accrued Interest Report - February 2017


Monthly Accrued Interest										
Asset Type	Deal Number	Entity	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return	
NAB Snr Bond (Feb17) 6.00%	336190	Leichhardt	1,000,000.00	15-Feb-12	15-Feb-17	30,000.00	14	2,282.61	6.00%	
ANZ 'Green' Snr Bond (Jun20) 3.25%	505284	Leichhardt	2,000,000.00	3-Jun-15	3-Jun-20	0.00	28	5,000.00	3.25%	
<b>Bonds</b>						<b>30,000.00</b>		<b>7,282.61</b>	<b>3.80%</b>	
Commonwealth Bank of Australia	533586	Ashfield	523,781.44			441.64	28	441.64	1.10%	
Commonwealth Bank of Australia	242615	Leichhardt	9,853,074.00				28			
Commonwealth Bank of Australia	99167	Marrickville	3,741,242.33			2,312.71	28	2,312.71	1.10%	
<b>Cash</b>						<b>2,754.35</b>		<b>2,754.35</b>	<b>1.10%</b>	
WBC Snr FRN (Feb17) BBSW+1.65%	339539	Marrickville	2,500,000.00	13-Mar-12	20-Feb-17	21,222.95	19	4,431.16	3.40%	
MAC Snr FRN (Mar17) BBSW+2.90%	339541	Marrickville	2,000,000.00	9-Mar-12	9-Mar-17	0.00	28	7,157.26	4.66%	
NPBS Snr FRN (Feb18) BBSW+1.10%	502254	Leichhardt	3,000,000.00	27-Feb-15	27-Feb-18	21,391.23	28	6,585.21	2.86%	
BEN Snr FRN (Nov18) BBSW+1.27%	402080	Marrickville	3,000,000.00	14-Nov-13	14-Nov-18	22,873.97	28	6,986.30	3.04%	
WBC Snr FRN (Feb19) BBSW+0.94%	421808	Marrickville	1,000,000.00	25-Feb-14	25-Feb-19	6,940.55	28	2,068.77	2.70%	
BoQ Snr FRN (Apr19) BBSW+1.15%	533203	Leichhardt	1,000,000.00	22-Feb-16	29-Apr-19	0.00	28	2,240.00	2.92%	
WBC Snr FRN (May19) BBSW+1.00%	533332	Leichhardt	2,000,000.00	11-Mar-16	10-May-19	13,913.42	28	4,244.93	2.77%	
ANZ Snr FRN (Jul19) BBSW+0.82%	472510	Marrickville	1,800,000.00	25-Jul-14	25-Jul-19	0.00	28	3,576.33	2.59%	
TMB Snr FRN (Oct19) BBSW+1.40%	534461	Leichhardt	1,200,000.00	28-Oct-16	28-Oct-19	0.00	28	2,918.14	3.17%	
BEN Snr FRN (Feb20) BBSW+1.10%	534538	Marrickville	3,000,000.00	21-Nov-16	21-Feb-20	21,588.49	28	6,586.85	2.86%	
GBS Snr FRN (Feb20) BBSW+1.45%	534887	Leichhardt	1,000,000.00	24-Feb-17	24-Feb-20	0.00	5	442.47	3.23%	
GBS Snr FRN (Feb20) BBSW+1.45%	534888	Marrickville	1,000,000.00	24-Feb-17	24-Feb-20	0.00	5	442.47	3.23%	
BEN Snr FRN (Aug20) BBSW+1.10%	505174	Leichhardt	1,000,000.00	18-Aug-15	18-Aug-20	7,352.60	28	2,196.30	2.86%	
BEN Snr FRN (Aug20) BBSW+1.10%	505175	Leichhardt	2,000,000.00	18-Aug-15	18-Aug-20	14,705.21	28	4,392.60	2.86%	
BEN Snr FRN (Aug20) BBSW+1.10%	505171	Marrickville	2,000,000.00	18-Aug-15	18-Aug-20	14,705.21	28	4,392.60	2.86%	



**Inner West Council**  
**Accrued Interest Report - February 2017**

<b>Monthly Accrued Interest</b>										
<b>Asset Type</b>	<b>Deal Number</b>	<b>Entity</b>	<b>Face Value (\$)</b>	<b>Settlement Date</b>	<b>Maturity Date</b>	<b>Interest Received (\$)</b>	<b>Days Accrued</b>	<b>Interest Accrued (\$)</b>	<b>Percentage Return</b>	
BoQ Smr FRN (May21) BBSW + 1.48%	533606	Leichhardt	1,000,000.00	18-May-16	18-May-21	8,331.23	28	2,487.81	3.24%	
<b>Floating Rate Note</b>						<b>153,024.86</b>		<b>61,149.19</b>	<b>3.06%</b>	
Emerald Reverse Mortgage (A Tranche)	310321	Marrickville	659,958.30	17-Jul-06	22-Aug-22	3,722.72	28	1,131.85	2.24%	
Emerald Reverse Mortgage (B Tranche)	310334	Marrickville	1,000,000.00	17-Jul-06	23-Aug-27	6,313.97	28	1,927.12	2.51%	
<b>Mortgage Backed Securities</b>						<b>10,036.69</b>		<b>3,058.98</b>	<b>2.40%</b>	
National Australia Bank	534294	Ashfield	1,000,000.00	29-Aug-16	1-Feb-17	10,898.63	0	0.00		
Bank of Queensland	534296	Ashfield	500,000.00	31-Aug-16	1-Feb-17	5,590.41	0	0.00		
Bendigo and Adelaide Bank	508032	Leichhardt	2,000,000.00	3-Aug-15	7-Feb-17	30,739.73	6	986.30	3.00%	
Bank of Queensland	508033	Leichhardt	1,000,000.00	3-Aug-15	7-Feb-17	14,601.37	6	468.49	2.85%	
National Australia Bank	534108	Marrickville	2,000,000.00	5-Aug-16	7-Feb-17	28,536.99	6	920.55	2.80%	
IMB Ltd	534403	Ashfield	1,000,000.00	1-Sep-16	8-Feb-17	11,397.26	7	498.63	2.60%	
Bank of SA	534404	Ashfield	1,500,000.00	1-Sep-16	8-Feb-17	16,832.88	7	736.44	2.56%	
Bendigo and Adelaide Bank	508053	Leichhardt	2,000,000.00	5-Aug-15	14-Feb-17	31,197.26	13	2,101.37	2.95%	
ME Bank	534323	Marrickville	2,000,000.00	9-Sep-16	14-Feb-17	23,375.34	13	1,923.29	2.70%	
Rural Bank	534405	Ashfield	500,000.00	7-Sep-16	15-Feb-17	5,513.70	14	479.45	2.50%	
National Australia Bank	534406	Ashfield	1,000,000.00	7-Sep-16	15-Feb-17	11,247.95	14	978.08	2.55%	
Bank of Queensland	534143	Marrickville	2,000,000.00	17-Aug-16	21-Feb-17	28,843.84	20	3,068.49	2.80%	
Bank of SA	534407	Ashfield	1,000,000.00	7-Sep-16	22-Feb-17	11,829.04	21	1,478.63	2.57%	
Suncorp Bank	534408	Ashfield	500,000.00	21-Sep-16	22-Feb-17	5,379.45	21	733.56	2.55%	
Bendigo and Adelaide Bank	508281	Leichhardt	1,000,000.00	28-Aug-15	28-Feb-17	14,289.04	27	2,108.22	2.85%	
Bankwest	534409	Ashfield	1,000,000.00	28-Sep-16	1-Mar-17	0.00	28	1,917.81	2.50%	
Bank of Queensland	534510	Ashfield	500,000.00	5-Oct-16	1-Mar-17	0.00	28	997.26	2.60%	
Bank of Queensland	534206	Marrickville	3,000,000.00	2-Sep-16	7-Mar-17	0.00	28	6,328.77	2.75%	



**Inner West Council**  
 Accrued Interest Report - February 2017


Monthly Accrued Interest										
Asset Type	Deal Number	Entity	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return	
National Australia Bank	534511	Ashfield	1,000,000.00	5-Oct-16	8-Mar-17	0.00	28	1,994.52	2.60%	
ME Bank	534512	Ashfield	500,000.00	12-Oct-16	8-Mar-17	0.00	28	1,016.44	2.65%	
ME Bank	534364	Marrickville	2,000,000.00	26-Sep-16	14-Mar-17	0.00	28	4,142.47	2.70%	
ING Bank (Australia)	534412	Ashfield	1,000,000.00	15-Sep-16	15-Mar-17	0.00	28	2,032.88	2.65%	
Suncorp Bank	534513	Ashfield	2,000,000.00	19-Oct-16	15-Mar-17	0.00	28	3,989.04	2.60%	
National Australia Bank	533836	Leichhardt	2,000,000.00	17-Jun-16	15-Mar-17	0.00	28	4,464.66	2.91%	
ME Bank	534490	Marrickville	2,000,000.00	7-Nov-16	21-Mar-17	0.00	28	4,142.47	2.70%	
Commonwealth Bank of Australia	534514	Ashfield	2,000,000.00	19-Oct-16	22-Mar-17	0.00	28	4,004.38	2.61%	
Bank of Queensland	534515	Ashfield	1,000,000.00	20-Oct-16	22-Mar-17	0.00	28	2,032.88	2.65%	
Bank of Queensland	533837	Leichhardt	2,000,000.00	17-Jun-16	22-Mar-17	0.00	28	4,449.32	2.90%	
ME Bank	534588	Marrickville	2,000,000.00	30-Nov-16	28-Mar-17	0.00	28	4,295.89	2.80%	
Auswide Bank	534516	Ashfield	1,000,000.00	26-Oct-16	29-Mar-17	0.00	28	2,071.23	2.70%	
Auswide Bank	534613	Ashfield	1,000,000.00	2-Nov-16	29-Mar-17	0.00	28	1,994.52	2.60%	
Suncorp Bank	534591	Marrickville	2,000,000.00	1-Dec-16	4-Apr-17	0.00	28	4,173.15	2.72%	
IMB Ltd	534614	Ashfield	500,000.00	16-Nov-16	5-Apr-17	0.00	28	958.90	2.50%	
ME Bank	534615	Ashfield	1,000,000.00	17-Nov-16	5-Apr-17	0.00	28	2,109.59	2.75%	
Suncorp Bank	534592	Marrickville	2,000,000.00	1-Dec-16	11-Apr-17	0.00	28	4,173.15	2.72%	
ME Bank	534616	Ashfield	500,000.00	23-Nov-16	12-Apr-17	0.00	28	1,054.79	2.75%	
Bankwest	534617	Ashfield	500,000.00	23-Nov-16	12-Apr-17	0.00	28	958.90	2.50%	
Suncorp Bank	533838	Leichhardt	2,000,000.00	17-Jun-16	12-Apr-17	0.00	28	4,526.03	2.95%	
ME Bank	533425	Leichhardt	1,000,000.00	15-Apr-16	18-Apr-17	0.00	28	2,454.79	3.20%	
ME Bank	534760	Marrickville	2,000,000.00	12-Jan-17	18-Apr-17	0.00	28	4,219.18	2.75%	



### Inner West Council Accrued Interest Report - February 2017

Monthly Accrued Interest										
Asset Type	Deal Number	Entity	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return	
ME Bank	534619	Ashfield	1,000,000.00	23-Nov-16	19-Apr-17	0.00	28	2,109.59	2.75%	
Commonwealth Bank of Australia	534620	Ashfield	500,000.00	30-Nov-16	19-Apr-17	0.00	28	989.59	2.58%	
MyState Bank	534739	Ashfield	1,000,000.00	1-Dec-16	20-Apr-17	0.00	28	2,032.88	2.65%	
National Australia Bank	534741	Ashfield	500,000.00	7-Dec-16	20-Apr-17	0.00	28	1,016.44	2.65%	
ME Bank	534761	Marrickville	2,500,000.00	12-Jan-17	24-Apr-17	0.00	28	5,273.97	2.75%	
Bank of Queensland	534488	Leichhardt	2,000,000.00	3-Nov-16	2-May-17	0.00	28	4,219.18	2.75%	
ME Bank	534808	Marrickville	2,000,000.00	31-Jan-17	2-May-17	0.00	28	4,065.75	2.65%	
IMB Ltd	534740	Ashfield	1,000,000.00	7-Dec-16	3-May-17	0.00	28	1,994.52	2.60%	
ING Bank (Australia)	534742	Ashfield	1,000,000.00	14-Dec-16	3-May-17	0.00	28	1,917.81	2.50%	
Bank of Queensland	534491	Marrickville	2,000,000.00	7-Nov-16	9-May-17	0.00	28	4,295.89	2.80%	
IMB Ltd	534840	Ashfield	1,000,000.00	11-Jan-17	10-May-17	0.00	28	1,994.52	2.60%	
Bankwest	534841	Ashfield	1,000,000.00	12-Jan-17	10-May-17	0.00	28	1,917.81	2.50%	
Bank of Queensland	534144	Marrickville	2,000,000.00	17-Aug-16	16-May-17	0.00	28	4,295.89	2.80%	
AMP Bank	534621	Ashfield	1,000,000.00	16-Nov-16	17-May-17	0.00	28	2,071.23	2.70%	
Bank of Queensland	534743	Ashfield	500,000.00	21-Dec-16	17-May-17	0.00	28	1,054.79	2.75%	
Beyond Bank Australia	534745	Ashfield	1,000,000.00	1-Dec-16	24-May-17	0.00	28	2,186.30	2.85%	
National Australia Bank	534838	Ashfield	500,000.00	4-Jan-17	24-May-17	0.00	28	997.26	2.60%	
ME Bank	534839	Ashfield	1,000,000.00	4-Jan-17	31-May-17	0.00	28	2,109.59	2.75%	
Suncorp Bank	534842	Ashfield	500,000.00	18-Jan-17	31-May-17	0.00	28	985.75	2.57%	
Credit Union Australia	533742	Leichhardt	3,000,000.00	31-May-16	31-May-17	0.00	28	6,673.97	2.90%	
Rural Bank	533932	Leichhardt	1,000,000.00	29-Jun-16	6-Jun-17	0.00	28	2,286.03	2.98%	
National Australia Bank	534759	Marrickville	1,000,000.00	12-Jan-17	6-Jun-17	0.00	28	2,009.86	2.62%	



**Inner West Council**
**Accrued Interest Report - February 2017**


Monthly Accrued Interest										
Asset Type	Deal Number	Entity	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return	
Suncorp Bank	534843	Ashfield	500,000.00	24-Jan-17	7-Jun-17	0.00	28	978.08	2.55%	
Suncorp Bank	534844	Ashfield	1,000,000.00	25-Jan-17	7-Jun-17	0.00	28	1,956.16	2.55%	
Bank of Queensland	534762	Marrickville	2,000,000.00	12-Jan-17	13-Jun-17	0.00	28	4,142.47	2.70%	
AMP Bank	534744	Ashfield	3,000,000.00	14-Dec-16	14-Jun-17	0.00	28	6,443.84	2.80%	
National Australia Bank	534958	Ashfield	1,000,000.00	1-Feb-17	14-Jun-17	0.00	28	1,917.81	2.50%	
Suncorp Bank	533822	Leichhardt	1,000,000.00	15-Jun-16	14-Jun-17	0.00	28	2,263.01	2.95%	
Bendigo and Adelaide Bank	533839	Leichhardt	2,000,000.00	17-Jun-16	14-Jun-17	0.00	28	4,526.03	2.95%	
Bank of Queensland	534763	Marrickville	2,000,000.00	12-Jan-17	20-Jun-17	0.00	28	4,142.47	2.70%	
Bank of Queensland	534959	Ashfield	500,000.00	1-Feb-17	21-Jun-17	0.00	28	1,016.44	2.65%	
IMB Ltd	534960	Ashfield	1,000,000.00	8-Feb-17	21-Jun-17	0.00	21	1,467.12	2.55%	
Westpac Group	533887	Leichhardt	2,000,000.00	22-Jun-16	22-Jun-17	0.00	28	4,526.03	2.95%	
Credit Union Australia	533899	Leichhardt	2,000,000.00	23-Jun-16	22-Jun-17	0.00	28	4,679.45	3.05%	
National Australia Bank	534854	Marrickville	2,000,000.00	8-Feb-17	27-Jun-17	0.00	21	2,934.25	2.55%	
Heritage Bank	534961	Ashfield	1,000,000.00	9-Feb-17	28-Jun-17	0.00	20	1,424.66	2.60%	
National Australia Bank	534962	Ashfield	1,000,000.00	15-Feb-17	28-Jun-17	0.00	14	970.41	2.53%	
Bankwest	534871	Marrickville	2,000,000.00	13-Feb-17	4-Jul-17	0.00	16	2,279.45	2.60%	
Suncorp Bank	534963	Ashfield	500,000.00	22-Feb-17	5-Jul-17	0.00	7	239.73	2.50%	
Bank of Queensland	534964	Ashfield	1,000,000.00	23-Feb-17	5-Jul-17	0.00	6	419.18	2.55%	
Bankwest	534893	Marrickville	2,000,000.00	21-Feb-17	11-Jul-17	0.00	8	1,139.73	2.60%	
Heritage Bank	534965	Ashfield	1,000,000.00	23-Feb-17	12-Jul-17	0.00	6	410.96	2.50%	
Bendigo and Adelaide Bank	534042	Leichhardt	1,500,000.00	15-Jul-16	17-Jul-17	0.00	28	3,336.99	2.90%	
AMP Bank	534801	Leichhardt	1,000,000.00	19-Jan-17	19-Jul-17	0.00	28	2,147.95	2.80%	





**Inner West Council**  
Accrued Interest Report - February 2017

Monthly Accrued Interest										
Asset Type	Deal Number	Entity	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return	
AMP Bank	534803	Leichhardt	2,000,000.00	25-Jan-17	25-Jul-17	0.00	28	4,295.89	2.80%	
ME Bank	534916	Marrickville	2,000,000.00	28-Feb-17	25-Jul-17	0.00	1	145.21	2.65%	
Westpac Group	534062	Leichhardt	2,000,000.00	28-Jul-16	28-Jul-17	0.00	28	4,449.32	2.90%	
AMP Bank	534301	Leichhardt	1,000,000.00	4-Aug-16	4-Aug-17	0.00	28	2,224.66	2.90%	
AMP Bank	534114	Leichhardt	1,000,000.00	4-Aug-16	9-Aug-17	0.00	28	2,224.66	2.90%	
Westpac Group	534128	Leichhardt	1,000,000.00	12-Aug-16	15-Aug-17	0.00	28	2,301.37	3.00%	
Westpac Group	534126	Marrickville	2,000,000.00	12-Aug-16	15-Aug-17	0.00	28	4,602.74	3.00%	
Westpac Group	534127	Marrickville	2,000,000.00	12-Aug-16	22-Aug-17	0.00	28	4,602.74	3.00%	
Bank of Queensland	534190	Leichhardt	2,000,000.00	31-Aug-16	31-Aug-17	0.00	28	4,142.47	2.70%	
Newcastle Permanent Building Society	534194	Leichhardt	2,000,000.00	31-Aug-16	31-Aug-17	0.00	28	4,142.47	2.70%	
Credit Union Australia	534302	Leichhardt	1,000,000.00	7-Sep-16	5-Sep-17	0.00	28	2,186.30	2.85%	
Westpac Group	534180	Marrickville	2,000,000.00	29-Aug-16	5-Sep-17	0.00	28	4,602.74	3.00%	
Westpac Group	534185	Marrickville	2,000,000.00	31-Aug-16	12-Sep-17	0.00	28	4,602.74	3.00%	
Westpac Group	534329	Leichhardt	1,000,000.00	13-Sep-16	13-Sep-17	0.00	28	2,301.37	3.00%	
Westpac Group	534286	Marrickville	2,000,000.00	6-Sep-16	19-Sep-17	0.00	28	4,602.74	3.00%	
Auswide Bank	534366	Leichhardt	3,000,000.00	27-Sep-16	27-Sep-17	0.00	28	6,328.77	2.75%	
Bendigo and Adelaide Bank	534463	Leichhardt	1,000,000.00	7-Oct-16	6-Oct-17	0.00	28	2,147.95	2.80%	
Westpac Group	534445	Marrickville	2,000,000.00	12-Oct-16	17-Oct-17	0.00	28	4,602.74	3.00%	
National Australia Bank	534465	Leichhardt	2,000,000.00	24-Oct-16	25-Oct-17	0.00	28	4,295.89	2.80%	
National Australia Bank	534519	Leichhardt	2,000,000.00	10-Nov-16	9-Nov-17	0.00	28	4,219.18	2.75%	
Bank of Queensland	534660	Leichhardt	2,000,000.00	12-Dec-16	12-Dec-17	0.00	28	4,295.89	2.80%	
Bankwest	534670	Leichhardt	3,000,000.00	19-Dec-16	19-Dec-17	0.00	28	6,098.63	2.65%	



**Inner West Council**  
 Accrued Interest Report - February 2017


Monthly Accrued Interest										
Asset Type	Deal Number	Entity	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days Accrued	Interest Accrued (\$)	Percentage Return	
National Australia Bank	498161	Marrickville	2,500,000.00	16-Dec-14	19-Dec-17	0.00	28	7,000.00	3.65%	
	534756	Leichhardt	2,000,000.00	10-Jan-17	10-Jan-18	0.00	28	4,188.49	2.73%	
Commonwealth Bank of Australia	534757	Leichhardt	1,000,000.00	11-Jan-17	10-Jan-18	0.00	28	2,147.95	2.80%	
ME Bank	534852	Leichhardt	2,000,000.00	7-Feb-17	10-Jan-18	0.00	22	3,495.89	2.90%	
Credit Union Australia	534787	Leichhardt	2,000,000.00	18-Jan-17	17-Jan-18	0.00	28	4,295.89	2.80%	
ME Bank	534845	Leichhardt	2,000,000.00	31-Jan-17	31-Jan-18	0.00	28	4,295.89	2.80%	
Bendigo and Adelaide Bank	534807	Marrickville	3,000,000.00	31-Jan-17	6-Feb-18	0.00	28	6,328.77	2.75%	
Bank of Queensland	534853	Leichhardt	2,000,000.00	7-Feb-17	7-Feb-18	0.00	22	3,375.34	2.80%	
Bendigo and Adelaide Bank	534872	Leichhardt	1,000,000.00	14-Feb-17	14-Feb-18	0.00	15	1,109.59	2.70%	
ME Bank	534181	Leichhardt	3,000,000.00	29-Aug-16	28-Jun-18	0.00	28	6,904.11	3.00%	
Westpac Group	534758	Leichhardt	2,000,000.00	11-Jan-17	11-Jul-18	0.00	28	4,326.58	2.82%	
National Australia Bank	534129	Leichhardt	4,000,000.00	12-Aug-16	12-Jul-18	0.00	28	9,205.48	3.00%	
Westpac Group	534428	Marrickville	2,000,000.00	7-Oct-16	9-Oct-18	0.00	28	4,756.16	3.10%	
Bank of Queensland	534764	Marrickville	2,000,000.00	12-Jan-17	14-Jan-19	0.00	28	4,602.74	3.00%	
Westpac Group	534873	Leichhardt	2,000,000.00	14-Feb-17	14-Feb-19	0.00	15	2,465.75	3.00%	
Term Deposit						250,272.88		352,760.41	2.81%	
						446,088.78		427,005.54	2.82%	



**Inner West Council**  
FYTD Interest Received and Accrued Report - February 2017

Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
<b>Bonds</b>						
NAB Snr Bond (Feb17) 6.00%	336190	Leichhardt	15-Feb-17	60,000.00	45,494.51	
ANZ 'Green' Snr Bond (Jun20) 3.25%	505284	Leichhardt	3-Jun-20	65,000.00	51,586.65	
<b>Totals</b>				<b>125,000.00</b>	<b>97,081.16</b>	
<b>Cash</b>						
Commonwealth Bank of Australia	99167	Marrickville		29,849.73	29,849.73	
Commonwealth Bank of Australia	242615	Leichhardt				
Commonwealth Bank of Australia	533586	Ashfield		4,934.94	4,934.94	
<b>Totals</b>				<b>34,784.67</b>	<b>34,784.67</b>	
<b>Floating Rate Note</b>						
BoQ Snr FRN (Nov16) BBSW+1.15%	401765	Marrickville	7-Nov-16	22,718.84	22,202.68	
ME Bank Snr FRN (Nov16) BBSW+1.25%	402973	Marrickville	28-Nov-16	15,650.27	8,473.28	
WBC Snr FRN (Feb17) BBSW+1.65%	339539	Marrickville	13-Mar-12	89,330.11	67,544.99	
MAC Snr FRN (Mar17) BBSW+2.90%	339541	Marrickville	9-Mar-12	74,203.56	76,572.33	
NPBS Snr FRN (Feb18) BBSW+1.10%	502254	Leichhardt	27-Feb-15	90,821.93	70,676.72	
BEN Snr FRN (Nov18) BBSW+1.27%	402080	Marrickville	14-Nov-13	96,447.10	74,488.33	
WBC Snr FRN (Feb19) BBSW+0.94%	421808	Marrickville	25-Feb-14	29,015.81	22,266.02	
BoQ Snr FRN (Apr19) BBSW+1.15%	533203	Leichhardt	22-Feb-16	23,192.61	24,327.51	
WBC Snr FRN (May19) BBSW+1.00%	533332	Leichhardt	11-Mar-16	42,983.91	45,375.42	
ANZ Snr FRN (Jul19) BBSW+0.82%	472510	Marrickville	25-Jul-14	37,601.75	39,481.64	
TMB Snr FRN (Oct19) BBSW+1.40%	534461	Leichhardt	28-Oct-16	9,734.79	12,861.37	

**Inner West Council**  
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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
TMB Snr FRN (Oct19) BBSW+1.40%	534461	28-Oct-16	28-Oct-19	9,734.79	12,861.37	
BEN Snr FRN (Feb20) BBSW+1.10%	534538	21-Nov-16	21-Feb-20	21,588.49	23,482.19	
GBS Snr FRN (Feb20) BBSW+1.45%	534887	24-Feb-17	24-Feb-20	0.00	442.47	
GBS Snr FRN (Feb20) BBSW+1.45%	534888	24-Feb-17	24-Feb-20	0.00	442.47	
BEN Snr FRN (Aug20) BBSW+1.10%	505171	18-Aug-15	18-Aug-20	61,342.28	46,988.88	
BEN Snr FRN (Aug20) BBSW+1.10%	505174	18-Aug-15	18-Aug-20	30,671.14	23,494.44	
BEN Snr FRN (Aug20) BBSW+1.10%	505175	18-Aug-15	18-Aug-20	61,342.28	46,988.88	
BoQ Snr FRN (May21) BBSW+1.48%	533606	18-May-16	18-May-21	25,214.62	26,018.46	
<b>Totals</b>				<b>731,859.50</b>	<b>632,128.09</b>	
<b>Mortgage Backed Security</b>						
Emerald Reverse Mortgage (A Tranche)	310321	17-Jul-06	22-Aug-22	16,274.33	12,411.84	
Emerald Reverse Mortgage (B Tranche)	310334	17-Jul-06	23-Aug-27	26,874.24	20,711.97	
<b>Totals</b>				<b>43,148.57</b>	<b>33,123.81</b>	
<b>Term Deposit</b>						
Westpac Group	389382	17-May-13	17-May-16	91,000.00	997.26	
Bank of Queensland	533554	9-Dec-15	18-May-16	6,506.16	202.05	
Bank of SA	533567	2-Dec-15	18-May-16	12,749.59	379.45	
Suncorp Bank	533548	9-Dec-15	25-May-16	6,904.11	493.15	
Bank of Queensland	533555	13-Jan-16	25-May-16	5,465.75	493.15	
Credit Union Australia	497262	28-Nov-14	31-May-16	54,900.00	5,400.00	
Suncorp Bank	533549	13-Jan-16	1-Jun-16	5,657.53	767.80	





**Inner West Council**  
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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number		Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)
ING Bank (Australia)	533568	Ashfield	2-Dec-15	1-Jun-16	14,460.27	1,509.59
ME Bank	533110	Marrickville	1-Feb-16	7-Jun-16	20,876.71	4,109.59
Bank of Queensland	533556	Ashfield	20-Jan-16	8-Jun-16	5,849.32	1,086.31
National Australia Bank	533561	Ashfield	27-Jan-16	8-Jun-16	10,749.32	2,101.37
Bank of Queensland	533111	Marrickville	1-Feb-16	14-Jun-16	22,027.40	5,260.28
National Australia Bank	533346	Leichhardt	17-Mar-16	15-Jun-16	7,594.52	2,784.66
Bank of Queensland	533557	Ashfield	3-Feb-16	15-Jun-16	11,040.82	6,890.14
ME Bank	533569	Ashfield	3-Feb-16	15-Jun-16	5,374.66	1,333.56
Westpac Group	503196	Leichhardt	19-Mar-15	21-Jun-16	16,635.62	7,052.06
Bank of Queensland	533112	Marrickville	1-Feb-16	21-Jun-16	23,332.60	6,453.70
ME Bank	533570	Ashfield	11-Feb-16	22-Jun-16	5,243.84	1,589.05
IMB Ltd	533572	Ashfield	10-Feb-16	22-Jun-16	4,919.18	1,479.45
People's Choice Credit Union	506333	Leichhardt	25-Jun-15	24-Jun-16	60,000.00	6,904.11
Westpac Group	502271	Leichhardt	27-Feb-15	28-Jun-16	21,698.63	8,317.81
Bank of Queensland	533141	Marrickville	3-Feb-16	28-Jun-16	48,800.00	15,375.34
Bank of Queensland	506291	Leichhardt	29-Jun-15	29-Jun-16	56,153.42	7,210.95
Commonwealth Bank of Australia	533534	Marrickville	9-May-16	29-Jun-16	6,986.30	6,438.35
Bankwest	533545	Ashfield	11-Feb-16	29-Jun-16	5,617.12	1,899.31
Commonwealth Bank of Australia	533566	Ashfield	2-Mar-16	29-Jun-16	4,727.40	1,867.13
National Australia Bank	533324	Marrickville	8-Mar-16	5-Jul-16	20,083.29	8,944.66
National Australia Bank	533562	Ashfield	22-Feb-16	6-Jul-16	10,910.96	4,364.38

**Inner West Council**

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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
National Australia Bank	533562	Ashfield	22-Feb-16	10,910.96	4,364.38	
IMB Ltd	533573	Ashfield	17-Feb-16	5,369.86	2,071.23	
Bank of Queensland	533208	Marrickville	18-Feb-16	24,232.88	10,027.40	
National Australia Bank	533563	Ashfield	24-Feb-16	5,657.53	2,465.06	
ANZ Banking Group	533574	Ashfield	29-Feb-16	10,615.07	4,796.44	
RaboDirect	501304	Leichhardt	12-Jan-15	35,682.19	12,151.23	
National Australia Bank	533248	Marrickville	26-Feb-16	23,671.23	11,013.70	
Bankwest	533546	Ashfield	1-Mar-16	5,697.95	2,747.95	
Bank of Queensland	533558	Ashfield	1-Mar-16	5,891.10	2,841.10	
National Australia Bank	533325	Marrickville	8-Mar-16	23,704.11	12,529.32	
ANZ Banking Group	533575	Ashfield	3-Mar-16	5,800.00	2,979.45	
Bendigo and Adelaide Bank	533578	Ashfield	9-Mar-16	10,356.16	5,547.94	
AMP Bank	507308	Leichhardt	29-Jul-15	60,000.00	12,493.15	
ME Bank	512021	Marrickville	2-Dec-15	41,045.48	13,625.75	
Bankwest	508051	Leichhardt	5-Aug-15	57,841.10	13,030.14	
National Australia Bank	533564	Ashfield	16-Mar-16	5,830.14	3,414.80	
Suncorp Bank	533579	Ashfield	9-Mar-16	6,141.78	3,426.03	
AMP Bank	508321	Leichhardt	5-Aug-15	29,000.00	6,594.52	
National Australia Bank	533326	Marrickville	8-Mar-16	26,074.52	14,899.73	
ME Bank	533571	Ashfield	23-Mar-16	11,123.29	7,071.24	
ANZ Banking Group	533576	Ashfield	23-Mar-16	5,695.89	3,620.96	



**Inner West Council**  
FYTD Interest Received and Accrued Report - February 2017

Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
AMP Bank	508320	Leichhardt	14-Aug-15	16-Aug-16	58,476.71	15,095.89
National Australia Bank	533343	Marrickville	16-Mar-16	16-Aug-16	25,989.04	16,136.99
Suncorp Bank	533550	Ashfield	30-Mar-16	17-Aug-16	5,868.49	4,024.11
ANZ Banking Group	533577	Ashfield	30-Mar-16	17-Aug-16	11,161.64	7,653.69
Bankwest	533631	Ashfield	6-Apr-16	24-Aug-16	5,657.53	4,162.32
Suncorp Bank	533634	Ashfield	13-Apr-16	24-Aug-16	5,483.97	4,246.98
Commonwealth Bank of Australia	509041	Leichhardt	4-Sep-15	29-Aug-16	27,221.92	8,166.58
Bankwest	533632	Ashfield	20-Apr-16	31-Aug-16	5,465.75	4,520.54
Bank of Queensland	533633	Ashfield	27-Apr-16	31-Aug-16	5,350.68	4,671.23
ME Bank	509015	Leichhardt	1-Sep-15	1-Sep-16	55,150.68	16,726.02
Bank of Sydney	509340	Leichhardt	2-Sep-15	6-Sep-16	28,383.56	8,898.63
National Australia Bank	533372	Marrickville	30-Mar-16	6-Sep-16	27,178.08	19,704.11
Rural Bank	533635	Ashfield	27-Apr-16	7-Sep-16	5,502.19	4,840.27
National Australia Bank	533788	Ashfield	5-May-16	7-Sep-16	10,102.74	9,456.16
ME Bank	533430	Marrickville	20-Apr-16	13-Sep-16	24,880.00	20,960.55
People's Choice Credit Union	533781	Ashfield	20-May-16	14-Sep-16	8,975.34	8,975.34
Bankwest	533787	Ashfield	5-May-16	14-Sep-16	10,126.03	9,512.33
Bank of Queensland	509341	Leichhardt	17-Sep-15	16-Sep-16	42,300.00	14,602.19
ME Bank	533431	Marrickville	20-Apr-16	20-Sep-16	26,072.88	22,153.43
Commonwealth Bank of Australia	533779	Ashfield	30-May-16	21-Sep-16	8,589.04	8,589.04
Suncorp Bank	533780	Ashfield	25-May-16	21-Sep-16	4,645.89	4,645.89

**Inner West Council**  
 FYTD Interest Received and Accrued Report - February 2017


Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
Suncorp Bank	533780	Ashfield	21-Sep-16	4,645.89	4,645.89	
National Australia Bank	533257	Leichhardt	27-Sep-16	17,342.47	11,260.28	
National Australia Bank	533533	Marrickville	27-Sep-16	22,791.78	22,145.20	
Bankwest	534034	Ashfield	28-Sep-16	9,052.05	9,052.05	
Suncorp Bank	534036	Ashfield	28-Sep-16	4,645.89	4,645.89	
National Australia Bank	533706	Marrickville	4-Oct-16	21,120.00	21,120.00	
National Australia Bank	534032	Ashfield	5-Oct-16	9,356.99	9,356.99	
Bank of Queensland	534033	Ashfield	5-Oct-16	4,564.38	4,564.38	
Westpac Group	510072	Leichhardt	7-Oct-16	60,164.38	24,164.38	
National Australia Bank	533416	Marrickville	11-Oct-16	30,915.07	25,649.32	
ME Bank	534030	Ashfield	12-Oct-16	4,808.90	4,808.90	
Bank of Queensland	534031	Ashfield	12-Oct-16	4,564.38	4,564.38	
National Australia Bank	533214	Leichhardt	14-Oct-16	38,471.23	24,893.15	
ME Bank	533471	Marrickville	18-Oct-16	29,481.10	26,924.94	
Suncorp Bank	534028	Ashfield	19-Oct-16	19,227.40	19,227.40	
Commonwealth Bank of Australia	534029	Ashfield	19-Oct-16	18,431.78	18,431.78	
National Australia Bank	533756	Marrickville	25-Oct-16	23,358.90	23,358.90	
Auswide Bank	534413	Ashfield	26-Oct-16	2,013.70	2,013.70	
National Australia Bank	533249	Leichhardt	27-Oct-16	60,164.38	41,178.08	
ME Bank	533757	Marrickville	31-Oct-16	23,994.52	23,994.52	
Bank of Sydney	533151	Leichhardt	31-Oct-16	46,202.74	29,046.58	

**Inner West Council  
FYTD Interest Received and Accrued Report - February 2017**

Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number		Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)
Auswide Bank	534414	Ashfield	21-Sep-16	2-Nov-16	2,416.44	2,416.44
Westpac Group	511041	Leichhardt	4-Nov-15	4-Nov-16	56,153.42	26,849.31
Bank of Queensland	533758	Marrickville	2-Jun-16	8-Nov-16	18,949.32	18,949.32
ME Bank	533794	Marrickville	8-Jun-16	15-Nov-16	32,876.71	32,876.71
AMP Bank	533778	Ashfield	20-May-16	16-Nov-16	14,794.52	14,794.52
IMB Ltd	534024	Ashfield	22-Jun-16	16-Nov-16	5,436.99	5,436.99
Bankwest	534022	Ashfield	29-Jun-16	23-Nov-16	5,638.36	5,638.36
ME Bank	534023	Ashfield	22-Jun-16	23-Nov-16	6,223.29	6,223.29
Commonwealth Bank of Australia	534021	Ashfield	29-Jun-16	30-Nov-16	5,780.27	5,780.27
ING Bank (Australia)	534035	Ashfield	1-Jun-16	30-Nov-16	14,111.23	14,111.23
National Australia Bank	533896	Marrickville	23-Jun-16	6-Dec-16	26,832.88	26,832.88
National Australia Bank	534091	Ashfield	13-Jul-16	7-Dec-16	5,739.04	5,739.04
ANZ Banking Group	534092	Ashfield	13-Jul-16	7-Dec-16	10,430.96	10,430.96
National Australia Bank	533897	Marrickville	23-Jun-16	13-Dec-16	27,964.38	27,964.38
Bank of Queensland	533900	Marrickville	23-Jun-16	13-Dec-16	14,219.18	14,219.18
ING Bank (Australia)	534026	Ashfield	21-Jun-16	14-Dec-16	14,031.78	14,031.78
AMP Bank	534027	Ashfield	20-Jun-16	14-Dec-16	43,643.84	43,643.84
ME Bank	534328	Leichhardt	13-Sep-16	14-Dec-16	6,805.48	6,805.48
Bankwest	533007	Leichhardt	17-Dec-15	19-Dec-16	90,739.73	54,246.58
Bank of Queensland	533898	Marrickville	23-Jun-16	20-Dec-16	59,178.08	59,178.08
National Australia Bank	498162	Marrickville	16-Dec-14	20-Dec-16	91,232.88	54,493.15



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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
National Australia Bank	498162 Marrickville	16-Dec-14	20-Dec-16	91,232.88	54,493.15	
Bank of Queensland	534093 Ashfield	20-Jul-16	21-Dec-16	6,012.33	6,012.33	
ANZ Banking Group	534094 Ashfield	27-Jul-16	21-Dec-16	5,074.52	5,074.52	
Bendigo and Adelaide Bank	534095 Ashfield	27-Jul-16	21-Dec-16	5,436.99	5,436.99	
Rural Bank	533910 Marrickville	29-Jun-16	4-Jan-17	15,637.81	15,637.81	
National Australia Bank	534284 Ashfield	3-Aug-16	4-Jan-17	5,801.37	5,801.37	
ME Bank	534285 Ashfield	10-Aug-16	4-Jan-17	10,672.60	10,672.60	
Bendigo and Adelaide Bank	507101 Leichhardt	10-Jul-15	10-Jan-17	90,410.96	39,780.82	
Rural Bank	533911 Marrickville	29-Jun-16	11-Jan-17	32,433.97	32,433.97	
IMB Ltd	534287 Ashfield	11-Aug-16	11-Jan-17	10,898.63	10,898.63	
Bank of SA	534289 Ashfield	16-Aug-16	11-Jan-17	10,461.37	10,461.37	
ME Bank	533075 Leichhardt	13-Jan-16	11-Jan-17	60,832.88	40,610.96	
National Australia Bank	533076 Leichhardt	13-Jan-16	11-Jan-17	29,917.81	19,972.60	
ME Bank	534205 Marrickville	2-Sep-16	17-Jan-17	10,134.25	10,134.25	
Rural Bank	533912 Marrickville	29-Jun-16	18-Jan-17	16,796.16	16,796.16	
ANZ Banking Group	534288 Ashfield	17-Aug-16	18-Jan-17	10,885.48	10,885.48	
Suncorp Bank	534293 Ashfield	17-Aug-16	18-Jan-17	5,273.97	5,273.97	
ME Bank	533087 Leichhardt	20-Jan-16	18-Jan-17	60,832.88	41,780.83	
National Australia Bank	533355 Leichhardt	21-Mar-16	18-Jan-17	25,236.16	20,821.91	
National Australia Bank	534109 Marrickville	8-Aug-16	24-Jan-17	25,928.77	25,928.77	
Bank of SA	534291 Ashfield	23-Aug-16	24-Jan-17	10,843.29	10,843.29	



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Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
Suncorp Bank	534297	Ashfield	24-Jan-17	5,449.32	5,449.32	
National Australia Bank	533843	Leichhardt	25-Jan-17	35,238.36	35,238.36	
ME Bank	533105	Leichhardt	30-Jan-17	62,509.59	44,504.11	
ME Bank	534182	Marrickville	31-Jan-17	22,783.56	22,783.56	
Bendigo and Adelaide Bank	507291	Leichhardt	31-Jan-17	45,369.86	21,616.44	
National Australia Bank	534294	Ashfield	1-Feb-17	10,898.63	10,898.63	
Bank of Queensland	534296	Ashfield	1-Feb-17	5,590.41	5,590.41	
National Australia Bank	534108	Marrickville	7-Feb-17	28,536.99	28,536.99	
Bendigo and Adelaide Bank	508032	Leichhardt	7-Feb-17	90,904.11	44,383.56	
Bank of Queensland	508033	Leichhardt	7-Feb-17	43,179.45	21,082.19	
IMB Ltd	534403	Ashfield	8-Feb-17	11,397.26	11,397.26	
Bank of SA	534404	Ashfield	8-Feb-17	16,832.88	16,832.88	
ME Bank	534323	Marrickville	14-Feb-17	23,375.34	23,375.34	
Bendigo and Adelaide Bank	508053	Leichhardt	14-Feb-17	90,358.90	44,775.34	
Rural Bank	534405	Ashfield	15-Feb-17	5,513.70	5,513.70	
National Australia Bank	534406	Ashfield	15-Feb-17	11,247.95	11,247.95	
Bank of Queensland	534143	Marrickville	21-Feb-17	28,843.84	28,843.84	
Bank of SA	534407	Ashfield	22-Feb-17	11,829.04	11,829.04	
Suncorp Bank	534408	Ashfield	22-Feb-17	5,379.45	5,379.45	
Bendigo and Adelaide Bank	508281	Leichhardt	28-Feb-17	42,945.21	22,721.92	
Bankwest	534409	Ashfield	1-Mar-17	10,547.95	10,547.95	

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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
Bankwest	534409	Ashfield	1-Mar-17	10,547.95		
Bank of Queensland	534510	Ashfield	1-Mar-17	5,235.62		
Bank of Queensland	534206	Marrickville	7-Mar-17	40,684.93		
National Australia Bank	534511	Ashfield	8-Mar-17	10,471.23		
ME Bank	534512	Ashfield	8-Mar-17	5,082.19		
ME Bank	534364	Marrickville	14-Mar-17	23,079.45		
National Australia Bank	533836	Leichhardt	15-Mar-17	40,979.18		
ING Bank (Australia)	534412	Ashfield	15-Mar-17	12,124.66		
Suncorp Bank	534513	Ashfield	15-Mar-17	18,947.95		
ME Bank	534490	Marrickville	21-Mar-17	16,865.75		
Bank of Queensland	533837	Leichhardt	22-Mar-17	40,838.36		
Commonwealth Bank of Australia	534514	Ashfield	22-Mar-17	19,020.82		
Bank of Queensland	534515	Ashfield	22-Mar-17	9,583.56		
ME Bank	534588	Marrickville	28-Mar-17	13,961.64		
Auswide Bank	534516	Ashfield	29-Mar-17	9,320.55		
Auswide Bank	534613	Ashfield	29-Mar-17	8,476.71		
Suncorp Bank	534591	Marrickville	4-Apr-17	13,413.70		
IMB Ltd	534614	Ashfield	5-Apr-17	3,595.89		
ME Bank	534615	Ashfield	5-Apr-17	7,835.62		
Suncorp Bank	534592	Marrickville	11-Apr-17	13,413.70		
Suncorp Bank	533838	Leichhardt	12-Apr-17	41,542.47		





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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
ME Bank	534616	Ashfield	23-Nov-16	12-Apr-17		3,691.78
Bankwest	534617	Ashfield	23-Nov-16	12-Apr-17		3,356.16
ME Bank	534760	Marrickville	12-Jan-17	18-Apr-17		7,232.88
ME Bank	533425	Leichhardt	15-Apr-16	18-Apr-17		25,600.00
ME Bank	534619	Ashfield	23-Nov-16	19-Apr-17		7,383.56
Commonwealth Bank of Australia	534620	Ashfield	30-Nov-16	19-Apr-17		3,216.16
MyState Bank	534739	Ashfield	1-Dec-16	20-Apr-17		6,534.25
National Australia Bank	534741	Ashfield	7-Dec-16	20-Apr-17		3,049.32
ME Bank	534761	Marrickville	12-Jan-17	24-Apr-17		9,041.10
Bank of Queensland	534488	Leichhardt	3-Nov-16	2-May-17		17,780.82
ME Bank	534808	Marrickville	31-Jan-17	2-May-17		4,210.96
IMB Ltd	534740	Ashfield	7-Dec-16	3-May-17		5,983.56
ING Bank (Australia)	534742	Ashfield	14-Dec-16	3-May-17		5,273.97
Bank of Queensland	534491	Marrickville	7-Nov-16	9-May-17		17,490.41
IMB Ltd	534840	Ashfield	11-Jan-17	10-May-17		3,490.41
Bankwest	534841	Ashfield	12-Jan-17	10-May-17		3,287.67
Bank of Queensland	534144	Marrickville	17-Aug-16	16-May-17		30,071.23
AMP Bank	534621	Ashfield	16-Nov-16	17-May-17		7,767.12
Bank of Queensland	534743	Ashfield	21-Dec-16	17-May-17		2,636.99
Beyond Bank Australia	534745	Ashfield	1-Dec-16	24-May-17		7,027.40
National Australia Bank	534838	Ashfield	4-Jan-17	24-May-17		1,994.52



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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
National Australia Bank	534838	Ashfield	4-Jan-17	24-May-17	1,994.52	
Credit Union Australia	533742	Leichhardt	31-May-16	31-May-17	65,309.59	
ME Bank	534839	Ashfield	4-Jan-17	31-May-17	4,219.18	
Suncorp Bank	534842	Ashfield	18-Jan-17	31-May-17	1,478.63	
Rural Bank	533932	Leichhardt	29-Jun-16	6-Jun-17	20,002.74	
National Australia Bank	534759	Marrickville	12-Jan-17	6-Jun-17	3,445.48	
Suncorp Bank	534843	Ashfield	24-Jan-17	7-Jun-17	1,257.53	
Suncorp Bank	534844	Ashfield	25-Jan-17	7-Jun-17	2,445.21	
Bank of Queensland	534762	Marrickville	12-Jan-17	13-Jun-17	7,101.37	
Suncorp Bank	533822	Leichhardt	15-Jun-16	14-Jun-17	20,932.88	
Bendigo and Adelaide Bank	533839	Leichhardt	17-Jun-16	14-Jun-17	41,542.47	
AMP Bank	534744	Ashfield	14-Dec-16	14-Jun-17	17,720.55	
National Australia Bank	534958	Ashfield	1-Feb-17	14-Jun-17	1,917.81	
Bank of Queensland	534763	Marrickville	12-Jan-17	20-Jun-17	7,101.37	
Bank of Queensland	534959	Ashfield	1-Feb-17	21-Jun-17	1,016.44	
IMB Ltd	534960	Ashfield	8-Feb-17	21-Jun-17	1,467.12	
Westpac Group	533887	Leichhardt	22-Jun-16	22-Jun-17	40,734.25	
Credit Union Australia	533899	Leichhardt	23-Jun-16	22-Jun-17	41,947.95	
National Australia Bank	534854	Marrickville	8-Feb-17	27-Jun-17	2,934.25	
Heritage Bank	534961	Ashfield	9-Feb-17	28-Jun-17	1,424.66	
National Australia Bank	534962	Ashfield	15-Feb-17	28-Jun-17	970.41	





**Inner West Council**  
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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
Bankwest	534871 Marrickville	13-Feb-17	4-Jul-17		2,279.45	
Suncorp Bank	534963 Ashfield	22-Feb-17	5-Jul-17		239.73	
Bank of Queensland	534964 Ashfield	23-Feb-17	5-Jul-17		419.18	
Bankwest	534893 Marrickville	21-Feb-17	11-Jul-17		1,139.73	
Heritage Bank	534965 Ashfield	23-Feb-17	12-Jul-17		410.96	
Bendigo and Adelaide Bank	534042 Leichhardt	15-Jul-16	17-Jul-17		27,291.78	
AMP Bank	534801 Leichhardt	19-Jan-17	19-Jul-17		3,145.21	
AMP Bank	534803 Leichhardt	25-Jan-17	25-Jul-17		5,369.86	
ME Bank	534916 Marrickville	28-Feb-17	25-Jul-17		145.21	
Westpac Group	534062 Leichhardt	28-Jul-16	28-Jul-17		34,323.29	
AMP Bank	534301 Leichhardt	4-Aug-16	4-Aug-17		16,605.48	
AMP Bank	534114 Leichhardt	4-Aug-16	9-Aug-17		16,605.48	
Westpac Group	534126 Marrickville	12-Aug-16	15-Aug-17		33,041.10	
Westpac Group	534128 Leichhardt	12-Aug-16	15-Aug-17		16,520.55	
Westpac Group	534127 Marrickville	12-Aug-16	22-Aug-17		33,041.10	
Bank of Queensland	534190 Leichhardt	31-Aug-16	31-Aug-17		26,926.03	
Newcastle Permanent Building Society	534194 Leichhardt	31-Aug-16	31-Aug-17		26,926.03	
Westpac Group	534180 Marrickville	29-Aug-16	5-Sep-17		30,246.58	
Credit Union Australia	534302 Leichhardt	7-Sep-16	5-Sep-17		13,664.38	
Westpac Group	534185 Marrickville	31-Aug-16	12-Sep-17		29,917.81	
Westpac Group	534329 Leichhardt	13-Sep-16	13-Sep-17		13,890.41	

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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
Westpac Group	534329	Leichhardt	13-Sep-17		13,890.41	
Westpac Group	534286	Marrickville	19-Sep-17		28,931.51	
Auswide Bank	534366	Leichhardt	27-Sep-17		35,034.25	
Bendigo and Adelaide Bank	534463	Leichhardt	7-Oct-16		11,123.29	
Westpac Group	534445	Marrickville	12-Oct-16		23,013.70	
National Australia Bank	534465	Leichhardt	24-Oct-16	14,115.07	19,638.36	
National Australia Bank	534519	Leichhardt	10-Nov-16		16,726.03	
Bank of Queensland	534660	Leichhardt	12-Dec-16		12,120.55	
Bankwest	534670	Leichhardt	19-Dec-16		15,682.19	
National Australia Bank	498161	Marrickville	16-Dec-14	91,500.00	73,000.00	
Commonwealth Bank of Australia	534756	Leichhardt	10-Jan-17		7,479.45	
ME Bank	534757	Leichhardt	11-Jan-17		3,758.90	
Credit Union Australia	534852	Leichhardt	7-Feb-17		3,495.89	
ME Bank	534787	Leichhardt	18-Jan-17		6,443.84	
Bendigo and Adelaide Bank	534845	Leichhardt	31-Jan-17		4,449.32	
Bank of Queensland	534807	Marrickville	31-Jan-17		6,554.79	
Bendigo and Adelaide Bank	534853	Leichhardt	7-Feb-17		3,375.34	
ME Bank	534872	Leichhardt	14-Feb-17		1,109.59	
Westpac Group	534181	Leichhardt	29-Aug-16		45,369.86	
National Australia Bank	534758	Leichhardt	11-Jan-17		7,571.51	
Westpac Group	534129	Leichhardt	12-Aug-16		66,082.19	





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Financial Year to Date Interest Received and Accrued						
Product Name	Deal Number	Settlement Date	Maturity Date	Interest Received (\$)	Interest Accrued (\$)	
Westpac Group	534428	Marrickville 7-Oct-16	9-Oct-18		24,630.14	
Bank of Queensland	534764	Marrickville 12-Jan-17	14-Jan-19		7,890.41	
Westpac Group	534873	Leichhardt 14-Feb-17	14-Feb-19		2,465.75	
<b>Totals</b>				<b>3,525,468.90</b>	<b>3,629,323.91</b>	
<b>Grand Totals</b>				<b>4,460,261.65</b>	<b>4,426,441.63</b>	





## Inner West Council Economic and Investment Portfolio Commentary February 2017

### Global issues:

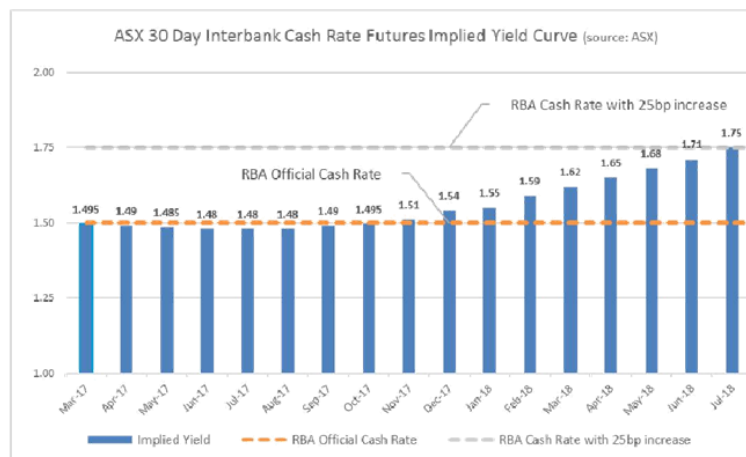
- In the US, share markets continued to move higher off the back of the Trump administrations' tax reform and deregulation agendas. The Dow Jones Index was up nearly 5% for the month, nearly +9% for the quarter and over 25% for the past 12 months.
- In Europe, concerns of more defections from the EU are being driven by successes of far right campaigns particularly in France where Marine Le Pen's Trump-like anti-immigration and nationalistic rhetoric has positioned her as a favourite to reach the second round of elections in two months.

### Domestic issues:

- In Australia, recent economic data has been largely healthy. Business conditions, consumer confidence, and jobs data were all market friendly. The latest retail sales numbers were lower than expected (-0.10 vs exp +0.30), but the decline was largely due to a slump in one sector, hardware sales.
- Reserve Bank Governor, Philip Lowe, testified to Federal Parliament for the first time of his tenure. The message remains clear, the RBA is closely watching the nation's increasing household debt and Sydney & Melbourne house prices which have been fuelled by the historically low interest rate environment. Another interest rate cut in this cycle is appearing increasingly remote.

### Interest rates

- The RBA's official cash rate remains at 1.50%. The Australian money markets are pricing the next official movement to be a rate hike by July 2018:





- Term deposit rates across most maturities ended mostly unchanged for the month. Three month TDs from Australian majors closed February in the 2.40%-2.50% area and the best indicative 12 month rate from a four major was at 2.60%.

#### **Investment Portfolio Commentary**

Council's investment portfolio posted a return of 2.91%pa for the month of February versus the bank bill index benchmark return of 1.77%pa. For the financial year to date, the investment portfolio returned 2.95%pa, exceeding the bank bill index benchmark's 1.83%pa by 1.11%pa.

Without marked-to-market influences, Council's investment portfolio yielded 2.82%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/deposits.

55% of the portfolio is invested in non fossil fuel lending ADIs.

Council has a well-diversified portfolio invested among a range of term deposits and fixed & floating rate notes from highly rated Australian ADIs. 98% of the portfolio is spread among the top three credit rating categories (A long term/A2 short term and higher). It is expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short and long term holdings.

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