

**Item No:** C0518 Item 11

**Subject:** **VOLUNTARY PLANNING AGREEMENT - 168 NORTON STREET,  
LEICHHARDT**

**Prepared By:** Bojan Sodic - Strategic Investments Manager

**Authorised By:** Brooke Martin - Group Manager Properties, Major Building Projects and  
Facilities

### **SUMMARY**

This report provides the outcomes of the Voluntary Planning Agreement (VPA) community consultation. The VPA is for 168 Norton Street, Leichhardt planning proposal for a senior housing redevelopment. It is recommended that council enter into the VPA provided in ATTACHMENT 1.

### **RECOMMENDATION**

**THAT Council enter into the Voluntary Planning Agreement for 168 Norton Street, Leichhardt provided in ATTACHMENT 1.**

### **BACKGROUND**

At its meeting of 25<sup>th</sup> July 2017, Council resolved (C0717 Item 10) the following in relation to the subject Planning Proposal:

**THAT Council:**

- 1. Complete the drafting of a voluntary planning agreement in consultation with the Proponent and exhibit the Agreement in accordance with the Environmental Planning & Assessment Act 1979;**
- 2. Amend the Leichhardt Local Environmental Plan 2013 at 168 Norton Street as detailed in the exhibited Planning Proposal;**
- 3. Liaise with the Parliamentary Counsel's Office and the Department of Planning and Environment to draft and finalise the LEP amendment;**
- 4. Following the completion of the above, request the Department of Planning and Environment to notify the Plan; and**
- 5. Delegate the adoption of the revised draft Development Control Plan for 168 Norton Street as detailed in this report to the General Manager.**

The Developer known as Uniting Church (NSW.ACT) has sought a change to LEP 2013 to increase the height limit and floor space ratio limit for the Land. They propose to make a Development Application for redevelopment of the Land to include Seniors Housing. The Developer has forwarded to Council a draft public benefit offer on 5 December 2016 offering to contribute 15% Affordable Housing Units in the Development. The VPA describes the works and public benefit comprising the Development Contribution along with the manner and the terms. The number of units will be confirmed as part of the Development Application process, however it is expected that it will be approximately 6 units. The units will be owned and managed by the Uniting Church with regular reporting provided to Council. The full VPA is provided in ATTACHMENT 1.

### Financial Implications

The proponent will enter into Voluntary Planning Agreement (VPA) with Council to provide 15% of the development as affordable housing units in perpetuity under the SEPP 2004. The number of units will be determined when the final development plans have been approved.

### Public Consultation

The Voluntary Planning Agreement documentation was exhibited for 28 days from 20<sup>th</sup> March 2018 to 17<sup>th</sup> April 2018. During this period, the material was made available on Council's Your Say website and in the Leichhardt and Petersham Customer Service Centre.

The public exhibition was advertised in the Inner West Courier on 20<sup>th</sup> March and 27<sup>th</sup> March 2018.

### Submission Overview

During the exhibition period, Council's Your Say Inner West website received the following response:

- No. of visitors who viewed the page - 196
- No. of visitors who clicked the page to download documents - 32
- No. of visitors who engaged and made an online submission - 9

The public exhibition process generated six (6) submissions in all with the following mix of opinion on the proposal:

- 1 objected to the Voluntary Planning Agreement ;
- 5 submissions supported the Voluntary Planning Agreement;
- 3 submissions supported the Voluntary Planning Agreement in principle and suggested changes to the proposed scheme;

### Public Authority Submissions

No public authority consultation was required by the Gateway Determination.

### Local resident / Inner West Your Say submissions

Eight of the nine submissions from local residents expressed support for the Voluntary Planning Agreement.

The other one local resident didn't support the Planning Proposal but didn't have a comments on the Voluntary Planning Agreement

#### Issue – The site should not be redeveloped as Senior Housing

One submission raised concerns about the use of the land and stated that the site should be developed to increase economic activity with mixed young middle age rather than elderly only.

#### RESPONSE

This is a zoning and planning issue that is not part of the Voluntary Planning Agreement scope. The planning proposal was approved in July 2017 and a DA will be consulted with the community.

**No change to the exhibited document is recommended.**

#### ISSUE – The Amount of Affordable Housing

One submissions supported the Voluntary Planning Agreement but stated

15% is NOT enough! If IWC is serious about lack of affordable housing. Am unsure of total units planned so if say, 60 then 9 only affordable is a poor balance !! IWC should be serious

and stipulate 20% MINIMUM!! Also Harold Hawkins Court housed many disadvantaged people for many years and on that location they just stepped out and joined our community. Let's restore that feeling. Regardless the developers and owners will make a huge profit so let the community speak. Uniting Church and the developers could set a standard benchmark.
<b>RESPONSE</b>
The 15% Affordable Housing is more than 50% of the uplift in land value the developer is obtaining due to the Planning Proposal and a change in the LEP.
<b>No change to the exhibited document is recommended.</b>

<b>ISSUE – Parking</b>
One submissions expressed a concern about the amount of parking in the area due to the development
<b>RESPONSE</b>
The Voluntary Planning Agreement does not deal with the planning issues. The planning proposal was approved July 2017 and a DA will be reviewed prior to approval.
<b>No change to the exhibited document is recommended.</b>

<b>ISSUE – The Design and Layout of the building</b>
One submissions expressed in detail concern on the design and layout of the building and how it would function
<b>RESPONSE</b>
This will be reviewed as part of the development application process.
<b>No change to the exhibited document is recommended.</b>

### **Post Exhibition Amendments**

Consideration has been given to the public and proponent's submissions. It is recommended that no changes be made to the Voluntary Planning Agreement

### **Conclusion**

The Public Exhibition of the Voluntary Planning Agreement for 168 Norton Street, Leichhardt was undertaken in accordance with the *Environmental Planning and Assessment Act* and Council's Community Engagement framework.

This report has assessed the submissions and recommends that no change be made to the Voluntary Planning Agreement. It is recommended that this Voluntary Planning Agreement be in ATTACHMENT 1 be endorsed by Council.

### **ATTACHMENTS**

1. [Download](#) Norton Street VPA