

Item No: C0518 Item 12

Subject: **VOLUNTARY PLANNING AGREEMENT - 15-17 MARION STREET,
LEICHHARDT**

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SUMMARY

This report provides Council the outcomes of the Voluntary Planning Agreement (VPA) community consultation. The VPA is for 15-17 Marion 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 24th April 2018, Council resolved (C0418 Item 7) the following in relation to the subject Planning Proposal:

THAT Council:

- 1. Amend the *Leichhardt Local Environmental Plan 2013 (LLEP)* for 17 Marion Street, Leichhardt as detailed in this report;**
- 2. Liaise with the NSW Parliamentary Counsel's Office and the NSW Department of Planning and Environment to draft and finalise the LLEP amendment;**
- 3. Delegate the making of the LLEP to the General Manager;**
- 4. Following the completion of (3) above, request the Department of Planning and Environment to notify the Plan; and**
- 5. Adopt the draft Development Control Plan for 17 Marion Street, Leichhardt.**

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 17 July 2017 offering to contribute 15% Affordable Housing Units in the Development. This 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 7 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. The number of affordable housing units will be determined when the final development plans have been approved. The units are provided in perpetuity under the SEPP 2004.

PUBLIC CONSULTATION

The Voluntary Planning Agreement documentation was exhibited for 28 days from 27th March 2018 to 24th 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 27th March and 6th April 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 - 170
- No. of visitors who clicked the page to download documents - 26
- No. of visitors who engaged and made an online submission - 6

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

Public Authority Submissions

No public authority consultation was required.

Local resident / Inner West Your Say submissions

Five of the six 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 – Condition of Development
One submission raised concerns regarding use of the building and the condition of the building
RESPONSE
This matter isn't part of the Voluntary Planning Agreement scope
No change to the exhibited document is recommended.

ISSUE – Outdoor Facilities
One submission requested the development provide an outdoor garden or additional community space
RESPONSE
The Voluntary Planning Agreement didn't include a provision for additional community space due to the direction of the Affordable Housing Policy. Public access for a community garden would be difficult to manage in a senior facility.

No change to the exhibited document is recommended.

ISSUE – The Design and Layout of the building

One submission expressed in detail concern on the design and layout of the building and how it would function

RESPONSE

The voluntary Planning Agreement does not review the design and function of the development. A review of the design and layout will be undertaken as part of the development application process

No change to the exhibited document is recommended.

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 15-17 Marion Street, Leichhardt was undertaken in accordance with the *Environmental Planning and Assessment Act* and Council's Community Engagement framework.

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

ATTACHMENTS

1. [↓](#) Marion Street VPA