

**Item No:** C0718 Item 10

**Subject:** VOLUNTARY PLANNING AGREEMENT - 101-103 LILYFIELD ROAD,  
LILYFIELD

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### **SUMMARY**

This report provides the outcomes of the Voluntary Planning Agreement (VPA) community consultation. The VPA is for 101-103 Lilyfield Road, Lilyfield planning proposal. It is recommended that Council enter into the VPA provided in ATTACHMENT 1

### **RECOMMENDATION**

**THAT Council enter into the Voluntary Planning Agreement for 101-103 Lilyfield Road, Lilyfield provided in ATTACHMENT 1.**

### **BACKGROUND**

The planning proposal for 101-103 Lilyfield Road Lilyfield was approved at its meeting on 25 July 2017 subject to the following conditions;

- 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;
- Include a height of building control that states the maximum height of the development is 5 storeys or RL 35.73 to the top of the lift overruns.

The Developer has agreed to make a monetary payment of \$250,000 for the purpose of Affordable Housing in the Council area. The money is to be paid prior to the issue of a construction certificate.

The Developer has proposed the agreement and General Counsel has reviewed and approved the agreement.

### **FINANCIAL IMPLICATIONS**

The proponent will enter into Voluntary Planning Agreement (VPA) with Council to provide a monetary payment of \$250,000 for affordable housing in the council area. The agreement does not exclude the Developer from paying Development Contributions as per Section 7.11 and 7.12 of the Act.

### **Public Consultation**

The Voluntary Planning Agreement documentation was exhibited for 28 days from 8<sup>th</sup> May 2018 to 5<sup>th</sup> June 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 8<sup>th</sup> and 15<sup>th</sup> May 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 - 161
- No. of visitors who clicked the page to download documents - 38
- No. of visitors who engaged and made an online submission - 5

The public exhibition process generated five (5) submissions in all with the following mix of opinion on the proposal:

- 2 objected to the Voluntary Planning Agreement ;
- 2 submissions supported the Voluntary Planning Agreement;
- 1 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**

Three of the five 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

<b>Issue – Allocation of Funds</b>
<p>One submission stated:</p> <p>The voluntary planning agreement does not identify the number of underground car parking places to be provided by the developer on the development site. This is more important information than the \$250,000 low cost housing.</p> <p>How will the low cost housing contribution be used?</p> <p>Can the ratepayers be assured that the money goes into a trust fund and not into Council working funds.</p>
<b>RESPONSE</b>
<p>The voluntary planning agreement doesn't deal with parking issues within the development – this is a planning issues.</p> <p>The monetary contribution of \$250,000 will be reserved for affordable housing as per the agreement.</p> <p><b>No change to the exhibited document is recommended.</b></p>

<b>ISSUE – Increase in FSR and Height</b>
<p>One submissions stated</p> <p>FSR increase and height increase is not supported as this will set a precedent for high buildings along Lilyfield Road which is predominately a 2 storey scale. Also increased density will increase pressure on traffic and street parking in the local area _ This municipality is already suffering badly from the whole Westconnex saga and environmental vandalism coursed by this current liberal government and the silent labour party.</p>
<b>RESPONSE</b>
<p>The Voluntary Planning Agreement does not deal with planning approval issues.</p> <p><b>No change to the exhibited document is recommended.</b></p>

**ISSUE – Parking**

One submission supported the agreement with the following comments:

The plans look reasonable other than only one car spot is allocated per 3 bedroom apartment. What is the council's view of the increased load on the off street parking taking into account the town house development next to 107-109 Lilyfield Road. I would have thought 2 spaces per unit would be more appropriate.

**RESPONSE**

The Voluntary Planning Agreement does not deal with planning approval issues.

**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 101-103 Lilyfield Road, Lilyfield 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 in ATTACHMENT 1 be endorsed by Council.

**ATTACHMENTS**

1. [↓](#) 101 - 103 Lilyfield Road Lilyfield - VPA