

Engagement Outcomes Report – Housekeeping DCPs Project

Overview

Minor amendments to the three current Development Control Plans (DCPs) that apply across the Inner West Council were proposed to align certain inconsistent provisions across five topic areas. The draft amendments were publicly exhibited from 19 March to 30 April 2019. A total of 51 submissions were received during the exhibition period.

As a result of the exhibition process it is recommended that a number of minor additional amendments are undertaken including:

- Correcting drafting errors within the flood management chapters of each current DCP. The minor additional amendments involve updating additional inconsistent references to the applicable Flood Planning Level (should be 1% AEP);
- Correction of a historical error in Marrickville DCP, Part 2.22 Flood Management, control 21: related to numeric control for filling of land within the Flood Planning Area;
- Replacement of a sentence accidently removed in the Marrickville DCP, Part 2.25 Stormwater Management control 2.25.3.3 (On-Site Detention (OSD) and on-site retention (OSR) of Stormwater.
- Redrafting of the Boarding House Parking Rate resultant of recent changes to the State Environmental Planning Policy (Affordable Rental Housing) 2009 in late February 2019. The new rate is to be inserted in the car parking controls chapter of each current DCP; and
- Undertaking additional administrative and legislative updates to particular chapters of the Marrickville and Ashfield DCP (ANEF references and typographical errors).

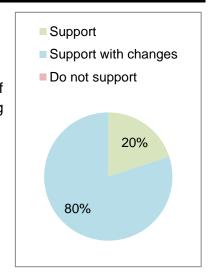
A number of the other matters raised in the submissions were out of scope for the Housekeeping DCPs project and may be considered as part of the comprehensive DCP.

An outline of matters raised for each topic is provided below:

Amendment to DCP - 1. Site Facilities and Waste Management

During the exhibition period the Your Say Inner West project page received 164 visits on this topic and ten submissions were received.

A summary of issues raised and staff comments are outlined below. Many of the matters raised have been identified as out of scope for Housekeeping DCPs project or out of scope for what can be achieved through a DCP.



Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
Management of waste chutes and interim storage rooms	 Disagreement with proposed approach for the use of mandatory waste chutes and interim waste rooms on each floor. Cleaning requirements for bin storage rooms 	A consistent approach to the use of chutes is being applied across the LGA in multi storey buildings. In regards to ongoing management, each DCP includes controls for the transfer of waste and recycling and associated cleaning service rooms and chutes. These need to be considered and addressed at the DA stage with the submission of a Waste Management Plan with the application. Cleaning is a building management matter is considered by the building's body corporate.	No.
Recycling waste management	 Questions information and requirements for management of recyclables, if chutes are not an option. More and better controls and initiatives for recycling. 	A consistent approach to the use of chutes is being applied across the LGA in multi storey buildings. It is proposed to align the provision for chutes and at this stage chutes for recyclables are not permitted. Each DCP contains controls to ensure there is satisfactory management of recyclables where interim storage rooms are to be utilised including: • At least one dedicated service room on each floor of the building for storage of recycling materials. • Interim storage/service rooms to be located with consideration of ease of transfer to a main storage room. Council will give further consideration to the management of recycling in the	No.
Storage and collection points for commercial premises waste collection	Would like to see the requirement for designated off street bin storage and collections areas apply to cafes that are currently storing their large bins on the street.	Comprehensive DCP. Controls are already in place to ensure that new commercial developments have designated recycling/ waste storage room(s) or area(s) that are integrated into the design of the development. In some instances a condition will be included in the Development Consent that the bins are to be brought in within a particular time period of waste collection occurring.	No.
Organic food waste	Free composting bins Bin for verge scraps Could just have a communal collection point at schools and the like where the material could be used on their vegetable patches	Former Leichhardt LGA residents are provided with organic food waste bins and controls for this are already in the Leichhardt DCP. Council is unable to provide a full service across the LGA at this stage. There are controls in place within the current Ashfield and Marrickville DCPs to encourage the uptake of home composting.	No.

Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
Frequency of collection (private collection and non-standard items)	Is there something specifying the frequency of private collection plus also non-standard items such as mattresses.	The general waste and recycling service frequency is outlined as a weekly or fortnightly service collection in the current DCPs. The purpose of this is to help guide the generation rates applicable to different development types. Up to date information on the frequency of	No.
		Council waste collection services including collection of bulky household items (non-standard items) is outlined on Council's website.	
Education of apartment block occupants who don't to the right thing	Better education of unit occupiers so they are more responsible with waste disposal - often see bins overflowing and inappropriate waste dumped in rubbish bins.	In relation to education of unit dwellers, the current DCPs contain controls for informative signage to be placed in bin storage areas that describes the type of materials which can be deposited into recycling bins, general waste bins and garden organics bins. These comments have also been passed on to Council's Resource Recovery Team for further consideration outside the DCP process.	No.
Other matters raised	 More information (such as signage) on the various waste collections run by Council - for example Council clean up schedule or arrangements, ewaste process, chemical clean up dates, etc; More cost effective council clean ups and separation of white goods and larger metal objects; Illegal dumping of waste; Bins left in public areas; More community projectsgardens and recycling programs/ projects; and Rising cost of disposing of waste. 	These comments are outside the scope of the project, which is to align certain inconsistent provisions across the three current DCPs. The comments have been passed on to Council's Resource Recovery Team for consideration.	No.

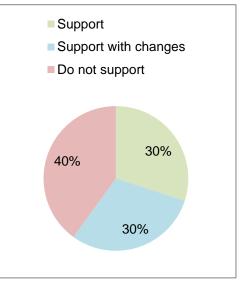
Amendment to DCP - 2. Flood Management

During the exhibition the Your Say Inner West project page received 149 visits on this topic and 12 submissions were received.

The four submissions that were not supportive of the amendments related to:

- Use of the 1% AEP flood planning level;
- Freeboard controls; and
- Upgrading of Council and Sydney water infrastructure to remove properties at risk of flood.

Minor amendments are recommended to the exhibited draft DCPs. A summary of submissions and staff comments are outlined below.



Your Say Results - Flood Management

Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
Flood Planning Level (1% AEP)	 1% AEP is complicated and overly cautious; It seems that Council is planning for the worst case scenario that may never happen; Property owners should have a say in what their freeboard provisions are, or that they develop habitable spaces with the 1%AEP in mind and use flood proof building materials; and Property owners should be able to manage their own properties and what risks they take on. 	Each DCP has been using different terminology to describe the same flood event or standard. Although the terms 1% AEP (Annual Exceedance Probability), 100 year ARI (Average Recurrence Interval) and 100 year flood are used within the three DCPs, they are equivalent events. The amendment is simply updating the Flood Sections of the DCPs to use the term 1% AEP to ensure consistent terminology is used across the three DCPs. Council has the primary responsibility for the management and control of development within floodplains – balancing potential flood risks against the beneficial use of the floodplain. Each DCP contains controls outlining circumstances / exemptions where development below the Flood Planning Level would be considered acceptable. As the scope of the project is limited to aligning certain inconsistent provisions across the three current DCPs, changes to the flood planning event/ standard have not been considered. It has been noted that not all existing references were amended to refer to the 1% AEP across the three current DCPs. It is recommended that unchanged references are updated so as to use consistent terminology throughout the flood management chapters of each DCPs.	Yes.

Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
		Recommendation: It is recommended that all flooding references within the flood management chapter of each current DCP are amended to use the term 1% AEP when referring to the applicable flood standard and flood planning levels.	
Freeboard controls	Council is applying inappropriate freeboard controls, which is designed for a traditional flood situation. Consideration of particular circumstances such as: Slope of the block; and Location within a Heritage Conservation Area – noting that new additions would be raised but historically significant parts of the house would still in the flood prone area.	The proposed amendments are to align the applicable the freeboard control in each DCP to ensure a more equitable approach is applied across the LGA. Both the Marrickville and Ashfield DCP allow the 500 mm freeboard to be reduced to 300mm in certain circumstances for habitable floor areas. It is proposed to apply this provision within the Leichhardt DCP also. Each DCP contains controls outlining circumstances / exemptions where development below the Flood Planning Level would be considered on a merit basis. A steeply sloping site and dwellings in Heritage Conservation Areas may meet these circumstances. Further amendments to the freeboard controls may be investigated further as part of the Comprehensive DCP.	No.
MDCP – Part 2.22 Flood Management, Control 21: Controls for filling of land within the Flood Planning Area	Submission from Council's Development Engineer on an existing error in the Marrickville DCP in which a control incorrectly states the allowance for flood levels to be increased resultant of the filling of land within the Flood Planning Area. The control states that consideration will be given where flood levels are not increased by more than 100 mm by the proposed filling. This is incorrect and should read as 10mm. This is a typo in the Marrickville DCP that has not been rectified. 10mm is best practice used in flood assessments.	This submission relates to the correction of a historical error within Marrickville DCP. It is recommended that an amendment should be made to correct this error. Recommendation: Amend Control 21 within Part 2.22 Flood Management of the Marrickville DCP 2011 as follows: i. Flood levels are not increased by more than 10 mm by the proposed filling.	Yes.
New provisions for garages and car spaces in flood affected lots	Controls for garages and car spaces in flood areas seem out of proportion with the potential flood risk.	Controls for car parking facilities have been amended across the three DCPs to provide consistency, generally aligning with the Leichhardt DCP requirements, but including a reduction in some freeboards. The intent of the proposed amendments is only to align certain provisions, to reflect best practice in flood mitigation measures	No.

Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
		and to protect people and property from flood risks.	
Report requirements	Documentation requirements seem out of proportion with the potential flood risk.	The controls for documentation to be lodged with Development Applications have been transferred from the current Leichhardt DCP and incorporated into the Ashfield and Marrickville DCPs. In some cases, this has led to reduced documentation requirements. For developments with low risk profiles, the requirement for a Flood Risk Management Report has been replaced by a simplified Flood Risk Management Statement.	No.
Determination of flood control lot (related to the Leichhardt DCP)	Designating local properties as "flood control lots" will have material adverse financial impacts on households, in terms of house value, insurance, and the regulatory costs of property development imposed by Council on such households. Council should review its approach to how flood control lots are determined.	Submission comments are out of scope for this project. The submission comments have been passed on to Council's Development Engineers for consideration.	No.
Flood certificates	Flood certificates should be free or subsidised until Council and Sydney Water upgrade the stormwater infrastructure to remove the risk from properties altogether.	At present flood certificates are issued as per the existing arrangements in place (this is different for each former Council area). Council is currently developing a central system that will generate certificates for all properties within the LGA. The current application fee for Flood Certificates is unlikely to be altered significantly due to costs incurred in production.	No.
CDC vs DA requirements for flood affected properties	Frustration at the different requirements to be met under a development application compared to a Complying Development Application - in particular reference to installation of a swimming pool.	Submission comments are out of scope for this project which is to align certain inconsistent provisions across the three current DCPs. The submission comments have been passed on to Council's Development Engineers for consideration.	No.
Inconsistent terminology	Reviewing the flood planning/mapping documents there are a number of inconsistencies with the terminology used throughout varying documents and differing ways of explaining volume of overland flow rates.	As noted in the in the comments for the Flood Planning Level (1% AEP), a few references remained unchanged in error. It has been recommended that these references are updated to avoid confusion. In relation to the flooding planning and mapping – these remain out of scope for this project. The submission comments have been noted and may be considered further	Yes.

Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
		for the Comprehensive DCP. Recommendation: It is recommended that all flooding references within the flood management chapter of each current DCP are amended to use the term 1% AEP when referring to the applicable flood standard and flood planning levels.	
More controls needed to ensure drainage systems are able to cope with new development.	The flooding problems in St Peters have been caused by new developments not fully considering the adequacy of the existing drainage systems and how the development will impact on existing infrastructure capacity.	Submission comments are out of scope for this project. The submission comments have been passed on to Council's Development Engineers for consideration.	No.
DCP formatting	The flood management and stormwater DCP chapters should be combined and closely linked.	Submission comments are out of scope for this project. The submission comments have been noted and may be considered further for the Comprehensive DCP.	No.
Build a flood control barrier to stop flooding and pollution.	The current situation of frequent flooding, and of Sydney Water releasing untreated sewage to avoid back pressure on their system when the water level reaches a certain height will continue unless all the affected councils are willing stop the high tides during periods of heavy rain.	Submission comments are out of scope for this project. The submission comments have been passed on to Council's Development Engineers for consideration.	No.
	Polluted water from the Alexandria Canal travels towards the mouth of the Cooks River where on occasions of high tides it will go up the river to join Sydney Water's untreated sewage. A flood control barrier could be built at Fatima Island Tempe to solve the problem not only of flooding but also		
Flooding signage	pollution. Should be a requirement for signage in areas liable for flooding that includes advice about where the water will go to when it drains	Submission comments are out of scope for this project. The submission comments have been passed on to Council's Development Engineers for consideration.	No.
Council infrastructure not keeping up with new development	 Council's development approvals are outpacing the capacity of stormwater infrastructure. Council should be working progressively to remove properties from the Flood Control Lot register by ensuring that infrastructure is upgraded in 	Submission comments are out of scope for this project. The submission comments have been passed on to Council's Development Engineers for consideration.	No.

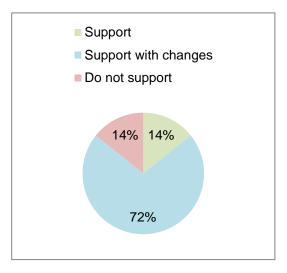
Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
	step with the expected increased loading of the stormwater system instead of increasingly placing the risk and burden with additional restrictions for design and documentation on homeowners.		
Insurance	Currently standard home insurance includes flood cover. With the increased severity of storms, this component may be removed. Council should indemnify properties against flood damage (provided that homes were built in compliance with Council approvals).	Submission comments are out of scope for this project. Insuring properties against flood is not part of Council's role.	No.

Amendment to DCP - 3. Stormwater Management

During the exhibition the Your Say Inner West project page received 108 visits on this topic and eight submissions were received.

The one submission which did not support the proposed amendments related to the prioritisation and reuse of rainwater. It should be noted that controls to be aligned through this project include supporting the use of rainwater tanks for onsite water reuse.

Minor amendments are recommended to the exhibited draft DCPs. A summary of submissions and staff comments are outlined below.



Your Say Results – Stormwater Management

Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
Stormwater detention/ retention	 Prioritise reuse of all rainwater; Retention should be made mandatory rather than optional; and Suggestion for signage to make people aware of the use of detention and retention on site including its location and where the water is used. 	Council notes the environmental and cost saving benefits resulting from the use of On Site Retention (OSR – rainwater tanks) instead of On-Site Detention (OSD). Certain provisions have been carried across from the Leichhardt DCP into the Marrickville and Ashfield DCP which encourage and facilitate the use of the OSR. The possibility of further expanding the provisions for use of OSR may be considered further in the Comprehensive DCP.	No.

Issue	Summary of comments raised in submissions	Staff Comments	Amendment Required?
Drafting errors - Proposed amendments to Stormwater Chapter Marrickville DCP 2011	Submission from Council's Development Engineer relates to MDCP – Part 2.25 Stormwater Management - Clause 2.25.3.3 (On-Site Detention (OSD) and onsite retention (OSR) of Stormwater The last sentence under this clause should be reinstated as it was not intended to be removed as part of the Housekeeping DCPs Project.	Agree that sentence was removed in error when controls were being drafted. Recommendation: It is recommended that following sentence be reinstated in Marrickville DCP, Part 2.25, Control 2.25.3.3 (On-Site Detention (OSD) and on-site retention (OSR) of Stormwater "For developments greater than 1,000m² in site area, allowable discharges will be limited to the equivalent fully pervious discharges for the site area".	Yes.
Integrated Water Cycle Management Plan	Control C5 in the Leichhardt DCP, Part E1 contains a table with pollutants and retention criteria. Submission indicates that identified criteria are not enforceable and should be based on water quality criteria.	This submission comment is outside the scope of the project, which is to align certain inconsistent provisions across the three current DCPs. The submission comments have been noted and may be considered in the comprehensive DCP.	No.
Formatting	Stormwater and flooding section of DCP should be combined into one chapter.	This submission comment is outside the scope of the project, which is to align certain inconsistent provisions across the three current DCPs. The submission comments have been noted and may be considered further for the Comprehensive DCP.	No.
Council infrastructure	Council's Stormwater infrastructure should be upgraded before making land owners retain water on their property for reuse.	This submission comment is outside the scope of the project, which is to align certain inconsistent provisions across the three current DCPs. The submission comments have been passed on to Council's Development Engineers for consideration.	No.

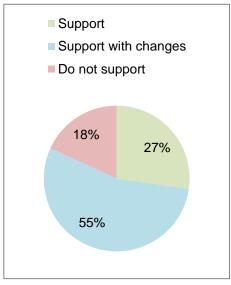
Amendment to DCP - 4. Car Parking Generation Rates and Controls

During the exhibition the Your Say Inner West project page received 195 visits on this topic and 11 submissions were received.

The two submissions that were not supportive of the amendments related to:

- reviewing the controls to reduce car parking overall rather than just minor amendments; and
- increasing the cost and investing more money into public transport.

Minor amendments are recommended to the exhibited draft DCPs. A summary of submissions and staff comments are outlined below.



Your Say Results - Car Parking

Issue	Summary of comments raised in submissions	Staff Comments	Amendments Required?
Calculation advice	 2 submissions requested that parking be rounded up in all situations; and 1 submission strongly supported rounding up or down to nearest whole number 	The intent of the proposed amendments is to align certain inconsistent provisions across the three DCPs. Both the Ashfield and Marrickville DCP are consistent in approach to round up or down to the nearest whole number. It is only the current Leichhardt DCP that requires parking to be rounded up in all circumstances. An approach to round up or down is	No.
		considered the standard and best practice. The proposed amendment will provide a consistent and more equitable approach across the LGA.	
Parking generation rates	 Council should reduce parking provisions and require maximum parking rates only to take the lead on reducing reliance on car use; Increase the parking requirements in residential flat buildings to reduce number of cars park cars on the street; and A consistent approach is required to the calculation of parking rates and the implications on GFA calculations. An example is provided of Leichhardt controls for dwelling houses and that an off street car parking space within a garage is counted as GFA. 	It is acknowledged that there is concern about different off street parking requirements for a number of uses. It also acknowledged that there continues to be a differing approach for single dwelling car space controls. An amendment to the single dwelling house parking rate was considered as part of this project, however it was deemed to be a matter that should be considered in a more holistic manner following the preparation of the Integrated Transport Strategy (ITS) and the subsequent Parking Management Plan.	No.
Visitor parking	Continue to have a visitor requirement for visitor parking for developments in commercial centres.	No amendments are proposed the visitor parking requirements as part of this project. As noted above, Council is currently preparing an Integrated Transport Strategy which will inform a holistic approach to changes to car parking generation rates that apply across the LGA.	No.
Bicycle parking	Should be specified and not made optional.	No amendments are proposed to the provisions that apply to bicycle parking as part of this project - Each current DCP has bicycle parking provisions that development must comply with.	No.
Incorporation of new and	Parking rates should incorporate new technology especially electric	This submission comment is outside the scope of the project, which is to align certain	No.

Issue	Summary of comments raised in submissions	Staff Comments	Amendments Required?
emerging technology	vehicle charging, renewable energy powered transport including 2 and 3 wheel vehicles.	inconsistent provisions across the three current DCPs. However, Council is currently undertaking an Integrated Transport Strategy which will provide guidance on how to incorporate new and emerging technologies including electric vehicles.	
Inclusion of car parking and its interaction with local character	How do parking rates interact (impact) on local character for dwelling houses? Example given of a row of early 20th century buildings without onsite parking.	Off street car parking rates are provided for particular land uses. The particular design parameters of how parking interacts with a development are considered on merit as part of any development application to ensure there is an appropriate design solution so as to have minimal impact on local character.	No.
Parking permits	Questions if the changes to parking rates interact with the resident parking permit scheme.	The very minor amendments to the parking generation rates (aimed at providing clarity, consistency and correcting errors) are not considered to impact upon resident parking permit eligibility.	No.
Hard to understand proposed changes	Hard to understand what the changes are as they are drafted in the exhibition documents.	The proposed amendments were documented in a track changes version of each current DCP showing the existing and proposed control change. In addition to this, Attachment 2 of the 26 February Council report provided a table of key alignment issues and recommended amendments. This gave two options to understand the changes.	No.
Financial contribution for parking	There should be a higher charge for providing parking. Money raised should fund new transport projects.	This submission comment is outside the scope of the project, which is to align certain inconsistent provisions across the three current DCPs. Matters related to the price/cost of parking is not a DCP matter.	No.

Boarding House Parking Rate:

Amendments and inclusion of a reference to a boarding house parking standard were proposed as part of the Housekeeping DCPs project to have regard changes made to the parking standard under the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP 2009) in June 2018. It was proposed to state "parking to be consistent with the standards under the ARH SEPP 2009".

However, in February 2019, further changes were made to the ARH SEPP 2009 that now require proposals in R2 Low Density Residential zoned areas to rely on local DCP provisions including parking rates. This change to the ARH SEPP 2009 has consequently rendered the exhibited boarding house parking amendment unsuitable due to the reference/ reliance back to the provisions specified in the applicable local Development Control Plan.

A rate of 1 space per resident employee and 0.5 parking spaces per boarding room is recommended as the preferred amended rate. The proposed rate has been chosen as it is consistent with the increased car parking standard contained within the ARH SEPP 2009 (introduced in June 2018) and continues to apply to boarding house developments in all other zones which utilise the ARH SEPP 2009.

Recommendation:

It is recommended that parking rate for boarding houses is amended as follows:

1 parking space per resident employee and 0.5 parking spaces per boarding room

This will be undertaken within the following components of the current DCPs:

- Marrickville DCP, Part 2.10, Table 1 Onsite car parking requirements
- Ashfield DCP, Chapter A, Part 8, Table 3 Car parking Rates
- Leichhardt DCP, Part C; Place, Section C1.11.1, Table C4 General Vehicle Parking Rates

Council is currently preparing an Integrated Transport Strategy which will be critical to informing a holistic approach to car parking generation rates.

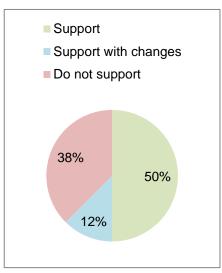
Amendment to DCP - 5. Administration and Legislative Updates

During the exhibition the Your Say Inner West project page received 94 visits for this topic and nine submissions were received.

Of the submissions that did not support the proposed amendments, the comments related to a few grammar and spelling errors contained within the current Ashfield DCP.

Minor amendments are required to the draft proposed amendments as exhibited.

A summary of submissions and staff comments are outlined below.



Your Say Results – Admin and legislative updates

Issue	Summary of comments raised in submissions	Staff Comments	Amendments Required?
Spelling and grammar	Minor grammatical and spelling errors to two chapters within the current Ashfield DCP including the: Chapter C, Part 4 - Tree Preservation and Management; and Chapter E2 – Haberfield Conservation Area.	Many of the grammatical and spelling errors were noted in the Tree Management section of the Ashfield DCP. This section is to be completely replaced in the near future. Therefore no changes are recommended. An additional spelling error was identified with Ashfield DCP - Chapter E2 – Haberfield Conservation Area. Recommendation: It is recommended that spelling and grammatical errors are corrected with following chapters of the Ashfield DCP – • Chapter E2 – Haberfield Conservation Area.	Yes.
ANEF references	Within the Marrickville DCP the latest ANEF maps for Sydney Airport should be included.	Agree that references to the ANEF within the Marrickville DCP are outdated and have been replaced by the Sydney Airport Master Plan 2039. Recommendation: It is recommended that references to ANEF are updated within the following parts of the Marrickville DCP: Part 2.6 – Acoustic and Visual Privacy Part 9.43 – Sydney Steel	Yes.

Other Matters

Issue	Summary of comments raised in submissions	Staff Comments	Amendments Required?
Heritage	A number of matters were identified for review and/ or update with the Heritage chapters of the Ashfield DCP.	This submission comment is outside the scope of the project, which is to align certain inconsistent provisions across the three current DCPs. The submission comments will be kept to on file and may be considered further as part of the Comprehensive DCP.	No.