

**Appendix B –
Marrickville Developer
Contributions Plan 2014**

**Victoria Road Precinct
– Marrickville (Sub – plan)**



Administration and Review Record of this Developer Contributions Sub-plan:

Approval of this sub-plan (Amendment to Marrickville Developer Contributions Plan 2014) Date in Force of this Amendment:	
Exhibition Period:	
Group Responsible for the development of this sub - plan:	
Groups responsible (shared responsibility) for the administration and implementation of this sub - plan:	
Related Plans and Documents:	
Appendices:	
References & Legislation:	
Document Identifier:	

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Section 1 – Executive Summary:

1.1 Purpose and Objectives of this Sub-plan

Generally, to achieve best practice results in redevelopment areas within existing urban environments, a *draft developer contributions plan* must be prepared in conjunction with the corresponding *draft Local Environmental Plan* and *draft Development Control Plan* for the area. Furthermore, it is also highly desirable that all of these planning documents are underpinned/informed by an overarching public domain focused masterplan which sets the governing authority and local community's vision for the precinct and describes how this can be physically achieved. In this way, necessary land can be identified; appropriately zoned; and subsequently acquired by a Local Council (under a developer contributions plan) to support the additional public infrastructure needs and the future wellbeing of the new communities being created, within these existing urban environments.

Whilst there may be an opportunity to address the required, best practice infrastructure needs for the Victoria Road Precinct – Precinct 47 (P47), in the future, as part of the consolidated developer contributions plan project for the Inner West, the delivery of desirable public infrastructure items such as an additional relatively large sportsground and a central civic square, within the precinct, in the short term, has been prevented via the gazettal of, the Local Environmental Plan (as amended) for P47, without a concurrent Development Control Plan and Developer Contributions Plan.

Without suitable zonings in place it has not been possible to deliver a draft contributions plan for P47 which achieves these public community and recreation facilities in the locality. Accordingly, this draft contributions plan amendment to the existing Marrickville Developer Contributions Plan focuses on what critical public facilities are required to be implemented to ensure that the increased development in P47 can function in a practical, safe manner.

A considerable body of research work had been prepared since 2012, by the range of consultants engaged by the planning proposal proponent (Danias Holdings Pty Ltd.) for P47. These studies revealed that the most critical infrastructure needs for P47 are:

- *Flooding and stormwater management; and*
- *Traffic and transport facilities provision.*

Given financial land price constraints within the up-zoned areas of P47, it was agreed amongst relevant Council staff that whilst the up-zoned areas should continue to meet their community facility/ and recreation facility developer contribution responsibilities under the current Marrickville Developer Contributions Plan 2014, it would not be possible to acquire land or to construct new public

facilities from Section 7.11 Developer Contributions alone. Note: this does not exclude the possibility of additional facilities for these public purposes being achieved via future voluntary Planning Agreements between Inner West Council and developers of sites in P47.

Utilising funds from the current Marrickville Developer Contributions Plan (which are to be repaid from subsequent Victoria Road Precinct developer contributions) the following consultants were engaged to investigate the critical infrastructure needs for P47:

- A. *Flooding and stormwater management* – Cardno Water Infrastructure Engineers – Cardno (WI), who recently completed, for Inner West Council, the latest Marrickville Valley Flood Risk Management Study and Plan.
- B. *Traffic and transport Infrastructure* – Cardno (Traffic and Transport Engineers) - Cardno (T&T) were engaged following a competitive procurement process. Note: the resultant completion of this study relied upon the sharing of information from the proponent's traffic and transport consultant, which is gratefully acknowledged.

The results of these studies directly informed the works schedules and resultant contribution rates within this sub-plan. As can be seen in the works schedules for this sub-plan approximately \$15M of water infrastructure works are deemed necessary by the consultant water engineers to manipulate the flooding and stormwater environment within P47 so that it is suitable for the permitted increased intensification of development.

Furthermore, approximately \$0.6M of public traffic and transport infrastructure works are required to be implemented on government owned land to ensure that the increased permitted development within P47 can be absorbed without the existing level of service within the local road network being worsened. Other potential traffic and transport works for the precinct, which were identified by Cardno (T&T) in their traffic and transport needs study for the precinct, have not been included within this sub-plan, on the basis that they are best dealt with by individual or amalgamated developments as they are to be located on private land and they predominantly relate to both site specific vehicular and pedestrian access issues within the precinct. This decision was also made on the basis that a significant proportion of these additional works are aimed to satisfy the requirements of the Roads and Maritime Services, who “will not permit direct vehicular access to/from development via Sydenham Road and Victoria Road. Access to the road network should be provided via rear lanes or local roads.”¹ These additional works are identified within the accompanying Development Control Plan for the precinct.

In terms of cost sharing, the required water infrastructure works are to be equally shared between the incoming resident and employment population. For the required traffic and transport works, these costs have been apportioned on the extent by which the main expected uses (residential; commercial; and retail etc.) utilise the existing traffic and transport network.

It is important to acknowledge, however, that the total amount of traffic and transport works to be paid for by the developers of the up-zoned areas of the precinct, would have been higher, however, Inner West Council was recently successfully awarded “*Black Spot Funding*” for a location within the precinct. New traffic lights at the intersection of Chapel Street and Victoria Road are to be implemented under this funding in the short term future. This will be implemented without the use of any developer contribution funding. Furthermore, these works are separate from the Victoria Road/ Sydenham Road Intersection Upgrade works currently being negotiated (as part of a voluntary Planning Agreement) between the proponent, Transport for NSW (TfNSW), Roads and Maritime Services (RMS) and the Department of Planning and Environment (DPE).

At the time of the drafting of this sub-plan, Council staff were advised by the DPE that this draft Planning Agreement contains, but is not limited to, the following:

“...We are currently proposing for the developer to provide the intersection upgrade as follows:

- *Provision of a left-turn slip lane from Sydenham Road (west) to Victoria Road (north); and*
- *Provision of a 90m right-turn bay along Victoria Road (north).”*

The contents of the likely imminent *Planning Agreement* have been taken into account in the traffic and transport items of this plan, to avoid “double-dipping”.

Due to their likely wider benefits, beyond P47, not all of the traffic and transport works on government land can be apportioned to the developers of the precinct e.g. the proposed signalisation of the Fitzroy and Sydenham Road intersection. This and other apportioned works will result in the Inner West Council being committed to an approximate additional expenditure of \$655,150 for additional traffic and transport related works in the precinct, over the next 15 – 20 years. The provisions of the draft plan would not preclude these funds being obtained from other sources e.g. grant funds etc. in the future.

In conclusion, the draft contributions plan for the Victoria Road Precinct, as an amendment to the current Marrickville Developer Contributions Plan 2014, aims to ensure the sustainable delivery of necessary public traffic and transport; and water related infrastructure that will ensure that the precinct will be able to accommodate, in a safe and responsible manner, the increased development now permitted within this locality.

1. New South Wales Roads and Maritime Services Department – Correspondence from Greg Flynn (Senior Manager Strategic Land Use – Sydney Planning, Sydney Division to The General Manager – Inner West Council Re: Public Exhibition Amendments to the Marrickville Development Control Plan (MDCP) DCP for Victoria Road Precinct, Marrickville - dated 13 July 2018 – page 4.

1.2 Nature of Future Development

The nature of the abovementioned infrastructure studies demanded a detailed, ongoing assessment of the expected development permitted under the relevant Local Environmental Plan (as amended); and recently adopted Victoria Road Precinct Development Control Plan, by Council staff, which was then given to the traffic and transport and water infrastructure consultants for this sub-plan.

This assessment relied heavily on the previous, comprehensive, detailed masterplanning work undertaken by the proponent's planning and architectural consultants, during the planning proposal process for P47. It also relied on the residential and non-residential occupancy rates contained within the existing parent contributions plan to this sub-plan – the existing Marrickville Developer Contributions Plan 2014. As mentioned elsewhere within this plan it is envisaged that the up-zoned areas will accommodate, over the next 15-20 years, a relatively substantial increase in residents (2004 residents), a correspondingly significant increase in commercial employees (5,563.6 persons), and retail related employees (1,091 persons).

1.3 Life of this Sub-plan

This sub-plan is based on forecasted development over the next 15-20 years that will be generated within the up-zoned areas of the Victoria Road Precinct. The sub-plan will be monitored during this time to ensure that public infrastructure (under the responsibility of the Inner West Council) is provided as development proceeds. The sub-plan will also be monitored and amended as necessary, as it is possible that the forecast growth and expected land uses may not remain exactly in accordance with those estimated within this sub - plan.

The contribution amounts arising from the infrastructure cost estimates within this sub - plan will be indexed between the date of commencement of this sub-plan and the date of payment of the contribution in accordance with the existing arrangements of the parent contributions plan to which this sub-plan forms a part of – the existing Marrickville Developer Contributions Plan 2014. Cost estimates will also be monitored regularly to ensure that they reflect current costs and if necessary, amendments will be made to this sub – plan, accordingly.

This sub-plan will operate until (a) all of the contributions required for contribution projects included in the sub-plan have been collected from relevant development approvals; or (b) this sub-plan or the parent contributions plan – The Marrickville Developer Contributions Plan 2014 is repealed in accordance with the requirements of the Regulation or other legislative provisions that facilitates such repeals.

1.4 Specific Additional Works Schedules for the Precinct


Figure 1 – Required Traffic and Transport Facilities located on Government owned land – Victoria Road Precinct.

Infrastructure Item No.	Required Traffic and Transport Related Infrastructure – Victoria Road Precinct	Indicative cost to developers \$
VRP – R - 001	Victoria Road separator at Mitchell Street	60,500
VRP – R - 002	Mitchell Street splitter island	33,000
VRP – R - 003	Victoria Road separator; Rich Street to Cook Road	102,300
VRP – R - 004	Smith Street splitter island	33,000
VRP – R - 005	Rich Street splitter island	33,000
VRP – R - 006	Sydenham Road/Fitzroy Street signalisation (Total expected cost = \$737,000) ^A	147,400
VRP – R - 007	Inclusive Access Study (principles and practical design advice for the private and public domain) (Total expected cost = \$100,000) ^B	50,000
VRP – R - 008	Bicycle On-Road Route stencils (Total expected cost = \$6,600) ^{B/C}	3,300
VRP – R - 009	Bicycle Parking Hoops (Total expected cost = \$24,500) ^{B/C}	12,250
	Sub-total	474,750
	15% Contingency	71,212.50
	Repayment to existing Marrickville Developer Contributions Plan for Precinct 47 traffic and transport study by Cardno (T&T) (\$56,980 incl. GST) + purchase of traffic data from RMS (\$5,703.50 incl. GST) = \$62,683.50	62,683.50
	Grand Total (incl. of GST)	\$608,646

Notes:

- Given the broader benefits (beyond Precinct 47) of this signalisation only a proportion of the costs (20%) are to be attributed to the contributing area of the precinct.
- Similarly, given the likely broader benefits (beyond Precinct 47) of these infrastructure items, only a proportion of the costs (50%) are to be attributed to the contributing area of the precinct.
- The on – road bicycle route stencils (estimated number – 66 stencils) are to be implemented on local bicycle routes located mostly within Precinct 47. Refer to Figure 24 for additional information. The Bicycle parking hoops are to be located on prominent kerbside locations throughout the precinct. It is estimated that 100 bicycle parking hoops will be provided under this sub-plan. See also Precinct 47 – Victoria Road Precinct. Traffic and Transport Needs Analysis Prepared by Inner West Council by Cardno. Dated 9 November 2018.
- The total Inner West Council commitments for those works that are only part funded by developers within the precinct (marked A-C above) = \$655,150.

Figure 2 – Required Stormwater and Flooding Mitigation Facilities – Victoria Road Precinct – Infrastructure Item No. VRP – WI - 001.

Project – Water Infrastructure Related Facilities – Victoria Road Precinct					Indicative cost to developers \$
59919024 Victoria Road Precinct Cost Estimate Option: Proposing a new drainage network from Victoria Road, Chapel Street, Fitzroy Street and Saywell Street					
ITEM NO.	DESCRIPTION OF WORK –	QUANTITY	UNIT	RATE	COST
1.0 GENERAL AND PRELIMINARIES					
1.1	Site establishment, security fencing, facilities & disestablishment	1	item		
1.2	Provision of sediment & erosion control	1	item		
1.3	Construction setout & survey	1	item		
1.4	Work as executed survey & documentation	1	item		
1.5	Geotechnical supervision, testing & certification	1	item		
	SUBTOTAL (Assumed as 15% of works cost, excluding property purchase)				1,401,100
2.0 DEMOLITION, CLEARING, GRUBBING & EARTHWORKS					
2.1	Pull up and dispose existing road surface	3,000	sq.m	\$150.00	450,000
	SUBTOTAL				450,000
3.0 DRAINAGE					
3.1	Supply, excavate, bed, lay, joint, backfill and provide connections for 0.375m dia. Pipe		lin.m	1044	
3.2	Supply, excavate, bed, lay, joint, backfill and provide connections for 0.6m dia. Pipe		lin.m	1131	
3.3	Supply, excavate, bed, lay, joint, backfill and provide connections for 0.9m dia. Pipe	200	lin.m	1392	278,400
3.4	Supply, excavate, bed, lay, joint, backfill and provide connections for 1.2m dia. Pipe		lin.m	1914	
3.5	Supply, excavate, bed, lay, joint, backfill and provide connections for 1.5m x 0.9m culvert		lin.m	3410.40	
3.6	Supply, excavate, bed, lay, joint, backfill and provide connections for 1.8m x 0.6m culvert	380	lin.m	3410.40	1,295,952
3.7	Supply, excavate, bed, lay, joint, backfill and provide connections for 1.8m x 0.9m culvert	95	lin.m	3712	352,640
3.8	Supply, excavate, bed, lay, joint, backfill and provide connections for 3.0m x 0.9m culvert	120	lin.m	5568	668,160
3.9	Supply, excavate, bed, lay, joint, backfill and provide connections for 3.0m x 1.5m culvert	300	lin.m	5916	1,774,800
3.10	Install new drainage / junction pit (assumed 1 pit per 25m of pipe)	50	each	6000	300,000
3.11	Install new outlet near Sydenham Pit	1	each	50000	50,000
3.12	Adjustment of existing services (nominal allowance) (assumed 10% of drainage installation cost)	1	item	1,999,341	1,999,341
3.13	Allowance for nightworks (assume for works on all regional/state roads)	1	item	111,082	111,082
	SUBTOTAL				6,830,375
4.0 PAVEMENTS					
4.1	Reinstate disturbed road pavement, including demolition and disposal of additional material to provide good jointing	3000	sq. m	120	360,000
	SUBTOTAL				360,000
5.0 TRAFFIC CONTROL					
5.1	Control of traffic during works, incl allowance for night works (assumed 10% of pipe install cost)	1	item	1421755	1,421,755
	SUBTOTAL				1,421,755
CONSTRUCTION SUB-TOTAL					10,463,230
10,741,629					
6.0 CONTINGENCIES					
6.1	30% construction cost				3,138,969
CONSTRUCTION TOTAL, excluding GST					13,602,199
GST					1,360,220
CONSTRUCTION TOTAL, including GST					14,962,419
CONSTRUCTION TOTAL, rounded					15,000,000
DISCLAIMER: 1. This estimate of cost is provided in good faith using information available at this stage. This estimate of cost is not guaranteed. Cardno (NSW) will not accept liability in the event that actual costs exceed the estimate.					
NOTES: 1. Estimate does not include Consultant's fees, including design or project management 2. Estimate / rates in 2017 dollars and does not allow for inflation					

Sub – total – Figure 2	15,000,000
Repayment to existing Marrickville Developer Contributions Plan for cost of Precinct 47 Stormwater and Flooding study by Cardno (WI) inc.GST.	71,500
Grand Total (incl. of GST)	\$15,071,500

Note:

- A. Redevelopment sites directly west of the western end of Hans Place and east of Victoria Road are required to accommodate an additional 0.9 metre diameter stormwater pipe (culvert) on their sites, which would link to the overall, Inner West Council's stormwater/ flood mitigation scheme for the precinct, as detailed within the above schedule and Figure 17 on page 38. Due to the location of the works they will not adversely impact the development yield of the subject redevelopment site. Refer also to the relevant provisions within the Precinct 47 Victoria Road Precinct section of the Marrickville Development Control Plan 2011.

Figure 3 - Calculation of Total Infrastructure Works under the Marrickville Developer Contributions Plan 2014, with the addition of the proposed infrastructure works within the Victoria Road Precinct.

Total value of relevant works in existing Marrickville Developer Contributions Plan (2014)	
Project	Cost (\$)
<i>Recreation Facilities</i>	
Costs apportioned to developers for total works program recreation facilities within former Marrickville areas	\$82,328,080
Detail design and conveyance	823,281
Work supervision	823,281
<i>Community Facilities</i>	
Cost of works for general community facilities	5,400,000
Detail design and conveyance	108,000
Works supervision	27,000
<i>Libraries</i>	
Proportion of cost of works	4,068,176
<i>Childcare</i>	

Cost of works	2,500,000
Detail design	50,000
Works supervision	50,000
<i>New Infrastructure works within Victoria Road Precinct – Precinct 47</i>	
Water infrastructure works - VRP – WI - 001	15,071,500
Traffic and transport works VRP – R – 001 - VRP – R - 009	608,646
Total combined cost of works new and existing (Incl. GST)	111,857,964

1.5 Contribution Rates for the Victoria Road Precinct (Contributing Area)

Figure 4 below sets out the contribution rates applicable within the contributing area (up-zoned area) of the Victoria Road Precinct. For an explanation of the “contributing area” for the precinct refer to Figure 8 of this sub-plan.

Figure 4	Use		Occupancy	Victoria Road Precinct New Priority Contribution Items		Existing Marrickville Developer Contribution Plan Commitments			Total:
				Traffic & Transport Related Infrastructure (subject to future indexing)	Water Related Infrastructure (subject to future indexing)	Community Facilities (Existing - Indexed)	Recreation Facilities (Existing - Indexed)	Plan Admin Fee (Existing Flat Rate - Not Indexed)	
				\$	\$	\$	\$	\$	\$
LAND USES SUBJECT TO STATE GOVERNMENT CAP*	Residential Units and Secondary Dwellings	1 Bedroom	1.31	\$47.68	\$2,661.78	\$1,598.24	\$12,726.26	\$340.68	\$17,374.64
		2 Bedroom	2.02	\$73.53	\$4,104.42	\$2,464.46	\$19,623.70	\$525.32	\$26,791.43
		3 Bedroom	2.88	\$104.83	\$5,851.84	\$3,513.68	\$27,978.34	\$748.97	\$38,197.67
		4+ Bedroom	3.74	\$136.14	\$7,599.27	\$4,562.91	\$36,333.00	\$972.63	\$49,603.94
	Attached dwellings, Semi-detached dwellings & Multi-dwelling housing	1 Bedroom	1.51	\$54.96	\$3,068.15	\$1,842.24	\$14,669.20	\$392.69	\$20,027.25
		2 Bedroom	2.08	\$75.71	\$4,226.33	\$2,537.66	\$20,206.59	\$540.93	\$27,587.22
		3 Bedroom	2.79	\$101.56	\$5,668.97	\$3,403.88	\$27,104.02	\$725.57	\$37,004.00
		4+ Bedroom	3.63	\$132.13	\$7,375.76	\$4,428.71	\$35,264.38	\$944.02	\$48,145.00
	Dwelling Houses	All Sizes	2.86	\$104.10	\$5,811.21	\$3,489.28	\$27,784.06	\$743.77	\$37,932.42
	Land Subdivision	Single Dwelling House	2.86	\$104.10	\$5,811.21	\$3,489.28	\$27,784.06	\$743.77	\$37,932.42
	Boarding Houses	1 Persons rooms less than 16m2	1	\$36.40	\$2,031.89	\$1,220.03	\$9,714.71	\$260.06	\$13,263.09
		2 Person rooms 16m2 or greater	2	\$72.80	\$4,063.78	\$2,440.06	\$19,429.40	\$520.12	\$26,526.16
LAND USES NOT SUBJECT TO STATE GOVERNMENT CAP*	Commercial	Per 100m2 GFA	1/20m2	\$414.50	\$10,159.45	\$342.90	\$9,714.71	\$412.63	\$21,044.19
	Retail	Per 100m2 GFA	1/20m2	\$863.50	\$10,159.45	\$342.90	\$9,714.71	\$421.61	\$21,502.17
	Industrial	Per 100m2 GFA	1/100m2	\$82.90	\$2,031.89	\$68.58	\$1,942.93	\$82.53	\$4,208.83

Notes for Figure 4 above:

- i. The room areas for boarding houses referred to in the above table exclude any area used for the purposes of a private kitchen or bathroom facilities.
- ii. GFA means gross floor area.
- iii. * Pursuant to reforms to the NSW Developer Contributions System, undertaken in 2008, infrastructure contributions payable to local councils have been capped at \$20,000 per residential lot. All contributions exceeding \$20,000 require approval from the Minister for Planning. The introduction of the threshold was effective as of 30 April 2009, as provided for in the Minister's direction under s94E of the EP&A Act, dated 13 January 2009. Accordingly, for those residential uses that are subject to the "cap" irrespective of the total contribution amount in the right hand column of the table, the applicable contribution shall not exceed \$20,000. Credits for existing residential development are also capped at \$20,000.
- iv. For those contributions that are subject to the "cap", priority will be given to ensuring that the full monies for the Victoria Road Precinct Infrastructure Priority Items, detailed above, are achieved, with the other existing items collected in the same ratio up to the total capped amount.
- v. Development within the "contributing area" of the precinct will be responsible only for the traffic and transport upgrades within Precinct 47; therefore, the existing "traffic facilities" contribution included within the "Marrickville LGA other than Planning Precinct areas" does not apply to the "contributing area".
- vi. For the Victoria Road Precinct Priority Contribution Items, the "Commercial" Traffic and Transport contribution rate has been utilised to inform the "Industrial" Traffic and Transport Contribution amount.
- vii. The existing "Marrickville Developer Contribution Plan Commitments" are for the most current "December 2018 Quarter".

Section 2 – Background to the Development of this Sub - plan:

2.1 Introduction to Section 7.11 and Section 7.12 Developer Contributions

“A user – pays philosophy underlies the funding of local or community infrastructure required to satisfy service demand generated by development activity. This requires developers to contribute to the reasonable cost and provision of local public facilities needed to support new development.”²

Accordingly, sections 7.11 and 7.12 of the New South Wales Environmental Planning and Assessment Act 1979 (E.P.& A. Act) (as amended), enable planning authorities to levy contributions, on developers, for the provision of public services and public amenities, required as a consequence of expected development within an area. These sections supersede the former, more widely known, corresponding section 94 (developer contributions) and section 94A (fixed percentage developer contributions) sections of the E. P. and A. Act.

Generally, section 7.11 and 7.12 contributions can only be made towards:

- *Capital costs including land acquisition;*
- *Public facilities which the planning authority has a responsibility to provide; and*
- *Public facilities which are needed as a consequence of or to facilitate new development.*

2 NSW Secretary's Practice Note: Local Infrastructure Contributions. NSW Department of Environment and Planning - page 4.

2.2 Historical Planning Framework: Marrickville Development Control Plan 2011/Former Land Use Zoning/ Planning Proposal History/ Subsequent Marrickville Local Environmental Plan Amendment No.14

The land which is the main subject of this plan, lies within Precinct 47 - “Victoria Road” Precinct as identified within section 9.47 of Marrickville Development Control Plan 2011. *“A Development Control Plan is a commonly used town planning document which provides detailed guidance for the use of land and design and assessment of new development.”³*

The Marrickville Development Control Plan 2011 (MDCP 2011) was adopted by the former Marrickville Council on 12 July 2011. It came into effect on 15 December 2011.

Part 9 of the MDCP 2011, “Strategic Context” - “provides objectives and controls, in addition to preceding parts of this Development Control Plan (DCP), which are specific to a particular area, and guide the implementation of the desired future character for the area.”⁴

Part 9 of the MDCP 2011, divides the area covered by the MDCP 2011 (the former Marrickville Municipal area) into forty - seven (47) sub – areas: precincts, of which, the subject Victoria Road (Precinct 47) is the last of these.

Typically, these precinct controls within the MDCP 2011 contain: *statements of the existing character of the precinct; the desired future character of the precinct; details of any heritage conservation areas within the precinct; precinct – specific planning controls; and site – specific planning controls.*

Historically, the Marrickville industrial area (of which Victoria Road – Precinct 47 forms a part of) pre-dates World War I and is one of the oldest surviving industrial precincts in Australia, containing industrial buildings that are still in use today. Evidence of the pre-existing Marrickville village, centred around Chapel Street, Marrickville, also still survives within the Victoria Road Precinct, in the form of terrace housing and semi – detached housing.⁵ Traditional industrial uses (assisted by the draining of the Gumbramorra Swamp in 1897) in the area, included potteries; metal work; quarries; food manufacturing; brickmaking; and woollen mills, etc.⁶

This industrial history is reflected in the following statement of the existing character for the area, which was until recently, included within section 9.47 Strategic Context Victoria Road of the MDCP 2011.

“This precinct is centrally located within the Marrickville local government area. The area is bounded by Addison Road to the north, Fitzroy Street to the east, Sydenham Road to the south and generally by the rear of properties facing Shepherd Street to the west. Victoria Road is the main north to south link through the precinct linking to Cook Road. A number of east west links exist, though many are cul-de-sacs used for access and loading bays for industrial sites.

The precinct contains a mixed character, though overall the precinct is dominated by industrial land uses. Residential dwelling houses are interspersed between industrial factory units. Business and local retail uses are also located along some of the main roads in the precinct such as Addison Road and Enmore Road. Light industrial uses are located along the northern side of Farr Street that create a buffer for the adjoining residential properties. Other land uses within the precinct include the Marrickville Bowling and Recreation Club and Wicks Park.”⁷

Figure 5 below, gives considerable insight into how residential development within the precinct (and beyond) has co-existed with generally large industrial concerns. Post 1943 a considerable proportion of these dwellings were demolished to provide for the more modern post WWII, generally smaller industrial premises within the locality, and much needed open space for the Marrickville High School located in the central area of the precinct.



Figure 5 – A 1943 Aerial Image of Victoria Road Precinct. Note that the historic character of the area, at this time was one of densely settled small workers type housing interspersed with generally large scale industrial developments in conjunction with some large undeveloped open spaces. Much of the existing key public owned infrastructure: Wicks Park; Marrickville Bowling Club; and the Stormwater Channel were in place by that time. Image Courtesy of Six Maps. <https://maps.six.nsw.gov.au/>

In early 2012, in the lead up to former Marrickville Council's consideration of draft Marrickville Local Environmental Plan (MLEP) 2011 and draft Marrickville Development Control Plan (MDCP) 2011 Amendment No.1, Danias Holdings and a number of other landowners within the Victoria Road Precinct made representations to the former Marrickville Council seeking changes to planning controls to allow a broader range of uses.

These representations culminated in the former Marrickville Council resolving on the 1 May 2012, to advise the rezoning proponent (Danias Holdings Pty Ltd) that Council would consider revised planning controls for the Victoria Road Precinct and invited the proponent to submit a Planning Proposal, containing the potential land – use changes.

Due, in part to the combined complexities of the location (flooding; traffic and transport; aircraft noise issues etc.); and the linkages between the potential rezoning of the Victoria Road Precinct and planning for the needs of the broader former Marrickville Council area (and subsequent Inner West Council area) i.e. Employment Lands Strategy issues etc.; consideration on the merits and details of this matter occurred over a number years - from the lodgement of the preliminary planning proposal for the precinct in May 2014, until the final approval of the up – zoning of part of the Victoria Road Precinct by the NSW Government via Marrickville Local Environmental Plan 2011 (Amendment No.14) on 1 December 2017.

It is important to note that in approving the rezoning of part of this part of the Victoria Road Precinct, for an increased scale and intensity of development in conjunction with new permitted land uses, the New South Wales State Government acknowledged, as part of their making of this amendment Marrickville Local Environmental Plan 2011, as law, that all of the infrastructure needs for the new permitted development, within the precinct, had not been fully resolved.

For example:

The Deputy Secretary of Planning Services (of the NSW Department of Planning & Environment), Marcus Ray, in his notice, by letter, in late 2017, to the Inner West Council's Interim General Manager, of the making of Amendment No.14 to Marrickville Local Environmental Plan 2011, advised the following:

“...I advise that as delegate of the Greater Sydney Commission, I have made the Plan [Marrickville Local Environmental Plan 2011 (Amendment No. 14)] under section 59 (2) of the Environmental Planning and Assessment Act 1979. Under section 34(5), it will take effect when published on the NSW Legislation website.

The Plan has been finalised as it will provide capacity to deliver 6,000 new jobs and 1,100 new dwellings in a location well serviced by public transport, within 30 minutes of major employment hubs and exiting commercial centres, and within walking distance of a major shopping centre..... I note that clause 6.18 of the Plan requires satisfactory arrangements be in place for the delivery of state infrastructure of the precinct before development applications are determined. I encourage Council to work with the proponent and Roads and Maritime Services to establish a suitable design for the Sydenham Road and Victoria Road intersection, including an infrastructure staging and delivery plan.

The Department recognises the importance of local infrastructure provision. The Department has expressed the clear expectation to the proponent that further negotiation should occur with the Council to ensure that demand for local infrastructure generated by the development is funded through a Section 94 [now section 7.11 plan] or via a VPA [Planning Agreement – voluntary]. The Department will assist in facilitating any discussions with the proponent.”

In essence, the majority of the land that was rezoned under this amendment was previously zoned “IN1 General Industrial” under Marrickville Local Environmental Plan 2011 (MLEP 2011). The planning proposal for the precinct resulted in this previously industrial zoned land being rezoned to a mix of:

- R3 Medium Density Residential – land on the western side of Farr Street;
- R4 High Density Residential – being the majority of the block bounded by Victoria Road, Sydenham Road, Farr Street and Marrickville Public School;
- B4 Mixed Use – land on the eastern and western sides of Victoria Road near the intersection with Sydenham Road;
- B5 Business Development for all other land relating to the planning proposal; and
- Part of the land zoned has been zoned SP2 – Future Road Corridor. This road widening at the intersection of Victoria Road and Sydenham Road and along the western side of Victoria Road is aimed to facilitate an upgraded design and performance for this intersection.

This information is shown diagrammatically within Figure 6 - *Below*.

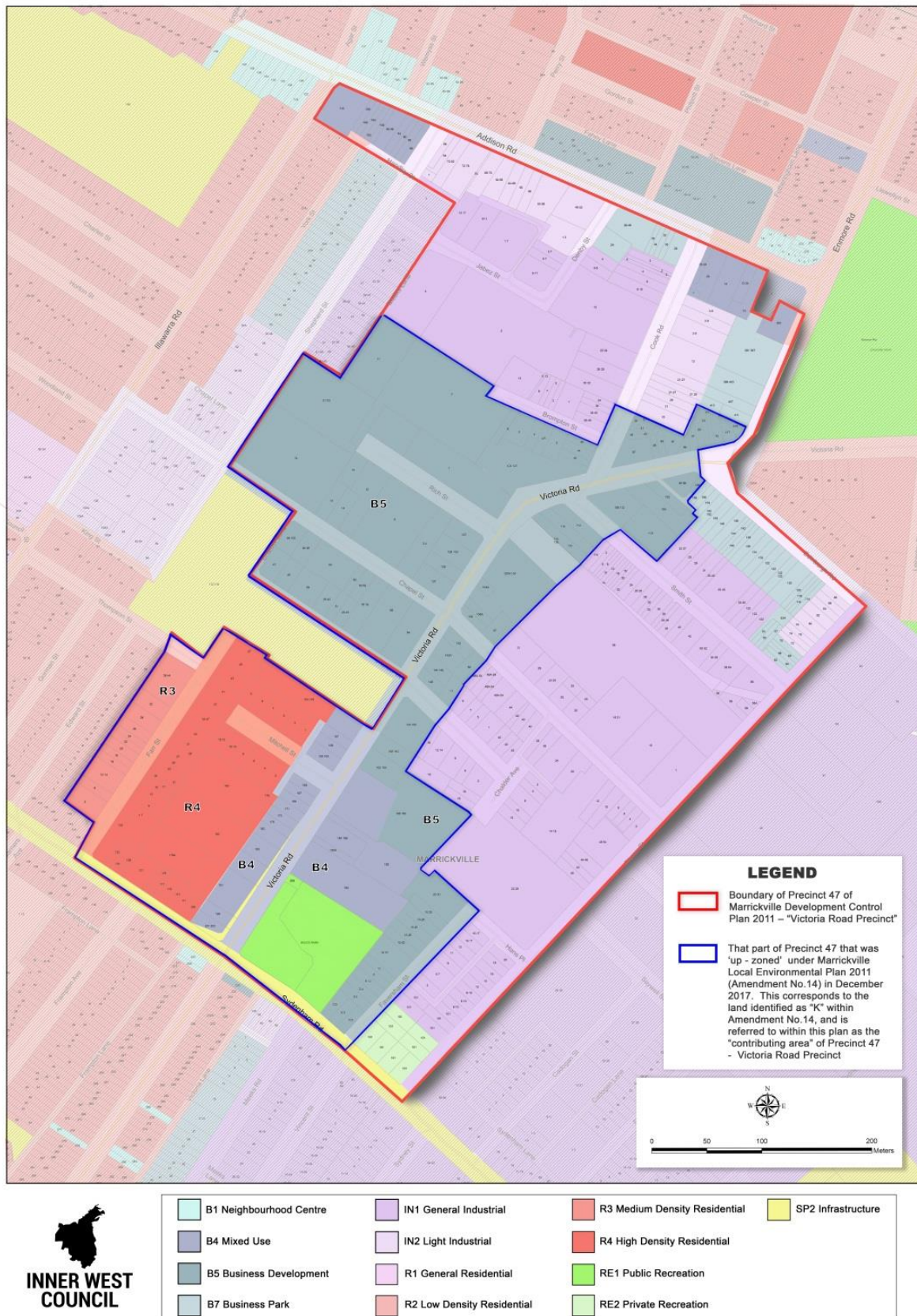


Figure 6 – Current zoning map – Victoria Road Precinct. Source: Marrickville Local Environmental Plan 2011 (as amended) Inner West Council.

Inner West Council subsequently considered associated amendments to Part 9.47 *Victoria Road Precinct* Marrickville Development Control Plan 2011 (draft Victoria Road DCP), which was drafted by the proponent of the Victoria Road Planning Proposal, (Ethos Urban/Dania Holdings Pty Ltd) in order to support the Amended Local Environmental Plan for the locality.

The draft Victoria Road DCP was publicly exhibited between from 8 May 2018 to 5 June 2018. A number of submissions were received by Inner West Council in relation to the public exhibition. After considering a Council report on the results of the exhibition and potential amendments to the draft DCP, at its meeting of 28 August 2018, the Inner West Council resolved to "...[adopt] the Victoria Road Precinct Development Control Plan as exhibited" Resolution No. C0818 (3) Item 14.

Later, at its meeting of 11 September 2018, in relation to the issue of the delivery of *Affordable Housing* within the precinct, Inner West Council resolved ".....[to seek] timely expert advice on how to get the financial feasibility analysis that would support the most effective application of Council's affordable housing policy to the residential component of the Victoria Road Precinct. This advice should canvas whether it can be funded from section 94 monies [section 7.11/section 7.12] funds or the LEP budget; and a report be brought back to the first meeting in October 2018 [relating to this matter]. Resolution No. C0918 (1) Item 18.

Accordingly, it is not intended to address the affordable housing needs of the precinct within this plan. This is to be addressed as a separate matter in accordance with the abovementioned resolution.

- 3 *Marrickville Development Control Plan 2011 - former Marrickville Council – now part of Inner West Council. Page 1.*
- 4 *Marrickville Development Control Plan 2011 - former Marrickville Council – now part of Inner West Council. Page 4.*
- 5 *Internal Inner West Council (IWC) Memorandum to Niall Macken (Team Leader - Heritage and Urban Design) from Dr. Noni Boyd (IWC Heritage Specialist) concerning: Heritage Review – Draft Victoria Road Planning Proposal – dated 28 May 2018. Page 10.*
- 6 *Rich Street Precinct Marrickville, Development Application, Statement of Heritage Impact by Artefact Heritage on behalf of Danias Holdings Pty Ltd, October 2017. Page 7.*
- 7 *Marrickville Development Control Plan 2011 – 9.47 Strategic Context – Victoria Road. Section 9.47.1 Existing Character. Page 1.*

2.3 Clarification of the area to which this Sub - plan applies

Section 9.47 of the Marrickville Development Control Plan 2011 sets the boundaries of the area covered by the 47th Precinct ("The Victoria Road Precinct") of this DCP. There is a potential for some confusion as to what land comprises the "*Victoria Road Precinct*" given that the July 2016 *Planning Proposal Report* by JBA Consultants, which lead to the eventual rezoning of part of Precinct 47, by the NSW Department of Planning & Environment, made a clear distinction between the terms: "*Precinct 47*"; and the "*Victoria Road Precinct*". For the purposes of that *Planning Proposal Report* the "*Victoria Road Precinct*" was used to define that part of the precinct that was requested to be up-zoned. This land was then, subsequently referred to as area

“K” within Amendment No.14 to Marrickville Local Environmental Plan 2011, which made the rezoning law. Refer to figure 7 below.

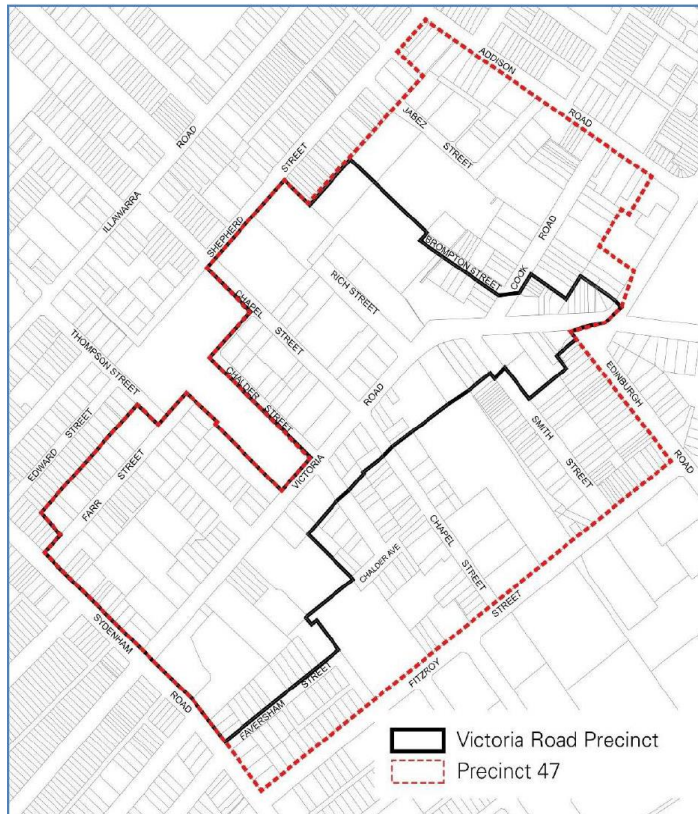


Figure 7 – The depiction of the Victoria Road Precinct within “Figure 7 – Precinct 47 and rezoning boundary” as shown on page 25 of the “Planning Proposal Planning Report - Victoria Road Precinct, Marrickville. Planning proposal for land uses and development standards – submitted to Marrickville Council on behalf of Danias Holdings. Prepared by JBA Urban Planning Consultants Pty Ltd and dated July 2016. Report No.1350.”

However, for the purposes of this plan, and to avoid any confusion, particularly with the associated *Victoria Road Precinct Development Control Plan*, (which provides development objectives and controls across the whole of the area of Precinct 47), any reference to the “*Victoria Road Precinct*”, is a reference to all of the land within Precinct 47 of Marrickville Development Control Plan 2011. Accordingly, any reference to Precinct 47 within this plan also implies a reference to the “*Victoria Road Precinct*”. The area “K” within Amendment No.14 to Marrickville Local Environmental Plan 2011, for the purposes of this plan, is to be referred to as “*the contributing area*” – which is defined as the location of all land parcels and their respective property owners that are required to contribute to the infrastructure needs identified within this plan. Refer to figure 8 below.

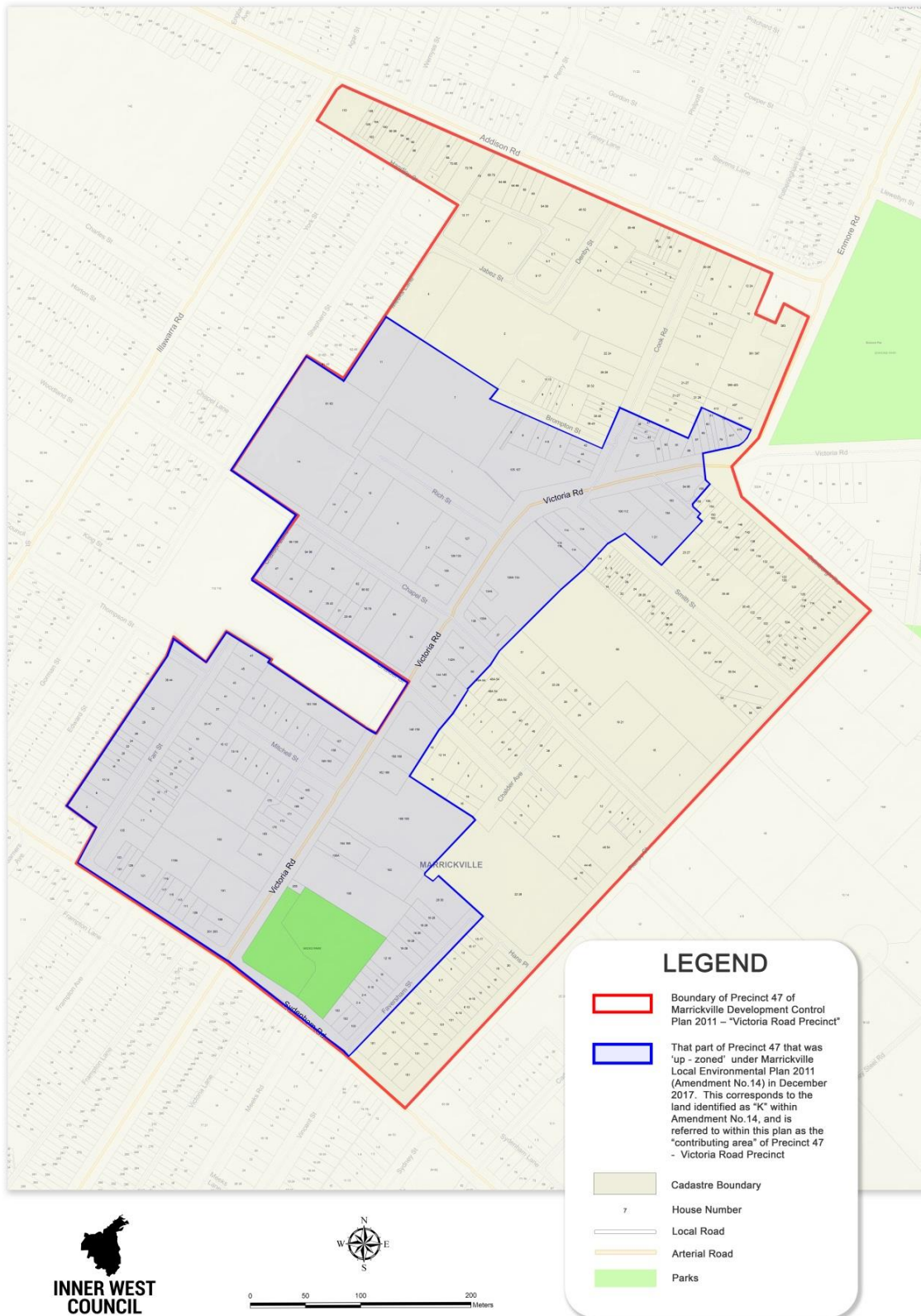


Figure 8 – Depiction of those parts of Precinct 47 that are required to contribute to the infrastructure works included within this sub-plan. Relevant developments within those parts of the precinct that are not in the "contributing area" would utilise the "Marrickville LGA other than Planning Precinct areas" table of the "Marrickville Developer Contributions Plan 2014".

2.4 Subsequent Expected Development within the Victoria Road Precinct and Previous Planning Approaches to the Provision of the Required Infrastructure

The New South Wales Government Planning & Environment, Planning Services – *Plan Finalisation Report* (dated 30 November 2017) for the draft Local Environmental Plan Marrickville Local Environmental Plan 2011 – Amendment No.14, in its summary of reasons for recommending that the Greater Sydney Commission’s delegate determine to make this draft local environmental plan, outlined the expected new development likely to occur within Precinct 47 from the rezoning:

- *“Will facilitate up to 1100 dwellings in a well-serviced location that is close to public transport;*
- *Will provide capacity for an additional 6,000 jobs 5km from the Sydney CBD (there are currently 1,116 jobs in the precinct);*
- *Will revitalise the precinct by allowing for a more diverse range of emerging uses;[and]*
- *...provides for job and housing opportunities.” (Page 13)*

As detailed above, this local plan amendment was made with an expectation from the NSW Government Planning & Environment Department that a full assessment of the new infrastructure needs of Precinct 47 i.e. upgrading of road networks; stormwater and flooding requirements; and responses to potential heritage issues, would occur at a later stage.

For example the *Plan Finalisation Report* noted on pages 4-6 that Transport for NSW (TfNSW) and the Roads and Maritime Services (RMS) “[had] requested that a detailed traffic and transport assessment be prepared before finalisation of the plan to address the cumulative impact of the development on the surrounding local and regional network, including current and future public transport services.”

The report also noted that the planning proposal proponent (Dantias Holdings) had responded to these concerns predominantly through additional traffic modelling; and the lodgement of a revised Victoria Road and Sydenham Road Intersection upgrade design (which did not involve the use of land within the Wicks Public Park). The report also states that the proponent also advised the RMS; TfNSW; and the Department of Planning & Environment, amongst other things, that “.....*upgrades to the Sydenham Road and Victoria Road Intersection are only required once the precinct reaches approximately 20 per cent of its full development scenario; the development of the entire residential component of the precinct represents just 7% of the overall traffic generation; the proposed upgrades to this intersection are likely to be delivered ahead of the upgrade being necessary as they would be provided as part of the development of proposed residential sites at the southern end of the precinct; [and] a design solution for the upgrade of the Victoria Road/Sydenham Road intersection can be achieved to maintain the functionality of the intersection and respond to existing land constraints, avoiding the use of Wicks Park.....”*

Other subsequent traffic and transport concerns from RMS and TfNSW concerning the form of the revised Sydenham and Victoria Road intersection design and its potential adverse impacts on network efficiency and pedestrian safety; and the need to identify funding responsibilities and associated funding mechanisms for the delivery of the required transport infrastructure upgrades; were consequently addressed by the NSW Planning and Environment Department via the inclusion of a road widening reservation within the draft local environmental plan (SP2 Infrastructure zoning) and via the inclusion of both a satisfactory (state infrastructure) arrangement clause (subsequently clause 6.18); and a clause which mandates a development control plan to be in place (prior to any development consents being issued for the rezoned area of the precinct) which addresses local infrastructure requirements (including heritage matters), (subsequently clause 6.17).

The Planning & Environment Department's reasoning for this infrastructure provision approach, for the planned up-zoned land within Precinct 47, is explained on pages 6; 7; 8; and 12 of the *Plan Finalisation Report*:

"The satisfactory arrangements clause is intended to allow the proponent, the RMS and Council to establish a preferred intersection design [for] the Sydenham Road/Victoria Road intersection before granting consent to future development. The Department notes that the optimal intersection design for traffic and pedestrian safety may involve some public land, such as Wicks Park to provide appropriate lane widths and footpaths.

Further traffic analysis is not considered necessary, primarily because the planning proposal will be implemented over a 10-15 year time frame. Demands on the road system will therefore be gradual and will coincide with growth and change in the surrounding area.

The Department recommends that the draft LEP proceeds with outstanding objections as the matters identified by TfNSW and RMS can be dealt with when DAs [development Applications] are prepared for the site. The proponent has already provided two designs, for the Sydenham Road/Victoria Road intersection but requires further guidance from the RMS and cooperation from the Council to reach a satisfactory outcome. This is not considered a reason to delay the rezoning of the Precinct.

...changes relating to the retention and provision of adequate open space, delivery of new laneways and connections and the preservation of identified potential heritage items in the precinct have not been supported. The draft LEP includes a clause which requires these matters to be addressed in the preparation of a precinct wide DCP. [Note: subsequent Clause 6.17 only required the Development Control Plan to relate to the rezoned areas of Precinct 47]

The provision of local infrastructure to support the planning proposal will need to be delivered through voluntary planning agreements (VPAs) or in accordance with a

Section 94 [Section 7.11] plan for the precinct which Council is yet to prepare. The proponent states that they offered to commence discussions on [the] VPA with Council when the planning proposal was submitted, but Council did not take this offer up. Council advises it has tried and failed to commence VPA negotiations during the public exhibition. There is an opportunity for future negotiations to occur during the DA process.....

...The draft DCP addresses development issues for the precinct that are not covered in the current Marrickville Development Control Plan 2011. The draft DCP provides detailed requirements for access and movement, public open space, stormwater management, built form, design, aircraft noise control, community facilities and heritage, but will need to be updated having regard to the matters required by the draft LEP.....The Department has [also] modified clause 6.17 of the draft LEP to ensure the DCP addresses drainage and flooding, the provision of open space and the impact of [the] development on public open space.....

....Since Council was consulted on the draft LEP, the Department has included an SP2 zone at Sydenham Road and Victoria Road intersection to provide land for the intersection. Zonings for local infrastructure have not been included. The dedication of land in the precinct could have been managed by establishing a VPA with the proponent. The Department notes that the Council did not enter negotiations with the proponent during the preparation and exhibition of the planning proposal despite the proponent's offer to do so..."

This information has been included to provide context for the resultant commissioning of infrastructure investigative studies for the purposes of this plan by the Inner West Council. A detailed investigation into why a *Planning Agreement* was not progressed between Inner West Council and the planning proposal proponent, by the time the abovementioned *Plan Finalisation Report* was prepared, has not been undertaken, for the purposes of this plan. Although it is noted that resolving all of the infrastructure related land dedication needs for the planned rezoned areas of the precinct, would not have been achievable under a single planning agreement. Notwithstanding the existence of a single major landholder within Precinct 47 (the planning proposal proponent), not all of the land that was subsequently rezoned is in single land ownership, therefore, multiple (voluntary) planning agreements would be required to achieve this important local infrastructure objective. Furthermore, the Inner West Council's officer views at that time, as contained within a report presented to Inner West Council at its meeting of 21 November 2017, was one of opposition to the draft plan amendment on the basis that "*it essentially leaves the assessment of the appropriateness of the subject planning proposal to a later stage, including the determination of many fundamental and substantive matters*". This viewpoint would have reduced the likelihood of Inner West Council in engaging with the proponent, in a planning agreement process, prior to the making of the draft plan amendment by the NSW Government.

Generally, the Planning & Environment Department's traffic and transport infrastructure provision approach with the Victoria Road Precinct rezoning is consistent with the infrastructure approach identified within the proponent's previously mentioned, July 2016 *Planning Proposal Report* prepared by JBA Urban Planning Consultants Pty Ltd, with some exceptions. Contrary to the Planning & Environment Department's viewpoint that further traffic and transport infrastructure analysis is not required, JBA implied on page 75 of their *Planning Proposal Report* that further refinement (as likely informed by further analysis) of the traffic and transport infrastructure provision for the precinct, would be required over time:

"...the Planning Proposal and Master Plan represent a 15-20 year vision for Precinct 47, and development of the precinct would occur incrementally over a sustained period of time in line with infrastructure improvements....Hyder note that without changes to the configuration of existing intersections, it is likely that additional peak hour traffic movements associated with the precinct would cause a deterioration of conditions in local intersections. To facilitate the proposed vision for Precinct 47, the intersection of Sydenham Road and Victoria Road would require improvements to add dedicated right-hand turn lanes to three of the existing approaches, which would be funded through local development contributions resulting from the renewal of the precinct....It is likely that the need for this upgrade would not be required until several stages of the renewal have been delivered. It is envisaged that further traffic management improvements (improved signal coordination, new road connections and intersections etc.) throughout the precinct would further improve traffic conditions without the need for any major intersection upgrades.

It is envisaged that if Chapel Street and Rich Street are the major network access points for future development within the precinct then these intersections would require future signalisation to allow safe and efficient access to and from the road network for future businesses and residents..." (Page 75).

It is also interesting to note at this point that the previously mentioned infrastructure provision clauses within Amendment No.14 to Marrickville Local Environmental Plan 2011 (clauses 6.17 and 6.18) are typically utilised by the Department of Environment and Planning for Urban Release areas, as indicated on that department's website. In such situations, it is considered that the provision of local and State infrastructure is more straightforward and more readily quantifiable given that most of the required infrastructure doesn't already exist in the planned redevelopment area. In the area covered by this plan existing infrastructure will be utilised by the new development and a detailed assessment of the additional needs of the expected new development is required in conjunction with a thorough understanding of how the new required local and state infrastructure is to be funded and delivered. Given that the rezoned land comprises more than one owner it is considered that the only practical means for delivering those additional local and State infrastructure needs is via a Section 7.11 Contributions Plan (such as this current plan) in conjunction with planning agreements between developers within the precinct, and both the State and Inner

West Council. At the time of writing this plan planning agreement negotiations are currently occurring between the NSW Department of Planning and Environment (on behalf of RMS and TfNSW) and the planning proposal proponent – Danias Holdings, involving, in part, discussions on the funding; staging; and delivery of State related infrastructure within the precinct. i.e. including, but not limited to:

- *Provision of a left-turn slip lane from Sydenham Road (west) to Victoria Road (north); and*
- *Provision of a 90m right-turn bay along Victoria Road (north).*

Although not envisaged by the NSW Department of Planning and Environment, the proponent has commissioned additional traffic modelling since the making of Amendment No.14, to address the previously stated concerns of the RMS, specifically relating to the required upgrade of the intersection of Victoria Road and Sydenham Road along with the broader aim of satisfying the requirements of clause 6.18 of Amendment No.14. This additional assessment has directly informed ongoing discussions on the abovementioned planning agreement for the Victoria Road Precinct between the proponent; RMS; and the NSW Department of Planning.

An important incentive for the resolution of the contents of that planning agreement, for the proponent, is the removal of any State Department objections to their first development proposal for the up-zoned precinct (located on property Nos.1-9 Rich Street, Marrickville). The lodgement of that first development proposal, following the gazettal of Amendment No.14, has also had implications on the timing of the finalisation of the Development Control Plan for the precinct, by Inner West Council, as will be mentioned below.

On 13 November 2017 the proponent lodged with Inner West Council a development proposal for a site in the northern portion of the precinct (Chapel Street Sub – Precinct) Nos. 1-9 Rich Street, to create (as provided within the description of the development proposal lodged with the development application):

“[The] construction of 3 new buildings in 2 stages incorporating ground level tenancies and upper level offices and car parking being the 3 storey North Hub building, 4 storey South Hub building and 5 part 6 storey Marker Building; use of the new buildings for a range of creative light industries, office premises and food and drink premises....”⁸

Clause 6.17 of Amendment No.14 to Marrickville Development Control Plan 2013, prohibits the approval of any new development applications for land within the up – zoned areas of the Victoria Road. Accordingly, a prompt approval of the draft Development Control Plan for the precinct was sought by the proponent, to facilitate an assessment and determination of their first redevelopment application for the precinct. This culminated in the subsequent adoption of the exhibited Victoria Road Precinct Development Control Plan, by the Inner West Council, in late August 2018.

Although the adopted development control plan for the precinct does give direction on the overall permitted form of the new development within Precinct 4, it does not give precise details of the full range; location; and type of new infrastructure that is now required to support the new permitted development; or their full costs; or the methods of how this infrastructure is to be delivered sustainably. Hence the need for this current sub-plan.

8 *Inner West Development Application No. DA 2017 00558 for 1-9 Rich Street, Marrickville – Description of the Development Proposal submitted with this Development Application.*

2.5 Methodology for the Identification, Costing and Delivery of the Required infrastructure for Precinct 47

As can be deduced from the above background to this sub-plan, a considerable body of research work relating to the planned increased development within Precinct 47 has been undertaken by consultants on behalf of the planning proposal proponent. Part of this work underpinned their completion of the draft development control plan for the Victoria Road Precinct, which was subsequently adopted by Inner West Council. The research needs of this plan extend beyond the information previously obtained through the proponent's own research work and the current development control information contained within Amendment No.14 and the adopted Victoria Road Precinct Development Control Plan. For the purposes of this plan, precise details of all of the infrastructure required to support the new scale; form; location and type of land uses that are now permitted within Precinct 47, are required to be identified and fully costed. The completion of this work was necessary for the precinct to be redeveloped in an orderly and sustainable manner.

To this end, upon commencing this contributions plan project, key service providers within Inner West Council were consulted about the new infrastructure needs of the precinct, and for some areas, additional research studies were commissioned, to fully understand those additional infrastructure requirements of the precinct.

Open Space:

In July 2018, a meeting was held with relevant staff from the *trees; parks and sports fields* group of Council concerning meeting the needs of the expected increased employee and residential population within the Victoria Road Precinct. The conclusions of the staff relating to this matter are as follows:

- *The opportunity to purchase substantial additional open space areas within the precinct was lost when a major part of the precinct was up-zoned in December 2017. Accordingly, it is considered that in the circumstances, it is best that the incoming employment and residential population to the precinct, contribute to the existing open space and recreation requirements contained within the Marrickville Section94/94A (now Section 7.11 and Section 7.12 respectively) Contributions Plan 2014;*

- *No responsibility should be taken over by the Inner West Council of the relatively small publicly accessible open space areas which are to be provided within the Victoria Road Precinct Development Control Plan, as they would require a level of maintenance which would far exceed their practical usefulness to the community within the precinct. Accordingly, these open space areas should remain in private ownership; and*
- *Given that these spaces would predominantly benefit the employees and residents that they are physically associated with, these developments should not receive a credit under this contributions plan for those privately owned, but publicly accessible, open space areas.*

Community Facilities:

Information obtained from Council's Social and Cultural Planning Staff during the preparation of this sub-plan, indicates that the current built form of P47, meets some of the important social and cultural needs of residents and employees of the Inner West. For example, P47 houses three (3) of the Local Government Area's (LGA) most significant live music venues: the *Red Rattler*, *Marrickville Bowling Club*, and the *Factory Theatre*.

Furthermore, the relatively lower cost, factory and warehouse spaces that presently exist within the precinct, have for a number of years, provided suitable large, versatile spaces for creative industries within the Inner West, particularly, for potentially large scale work, such as sculpture. Although this sub-plan does not specifically address these matters, it is important to note that it also does not preclude the potential delivery of some large creative industry spaces as part of the redevelopment sites, via a future voluntary *Planning Agreement* between the developers and Inner West Council.

Traffic and Transport Related Facilities:

To ensure that the portion of Precinct 47, that has been up-zoned under Amendment No.14, is consequently developed in a safe; equitable; and sustainable manner; it is important that this sub-plan documents and costs all of the additional traffic and transport needs of the expected incoming employee and resident population, and shares these costs fairly, under the users pays principle that underpins this sub-plan.

As previously acknowledged, the proponent's traffic and transport consultants have undertaken a range of traffic and transport investigations within the precinct both before and after the Amendment No.14 rezoning occurred. It is important to acknowledge that all of their background data work and studies have been generously shared with Inner West Council staff, by the planning proposal proponent and their consultants. The aim of this plan has to been to build on that prior knowledge to meet the specific needs of this plan.

In this regard, it is important to note that the proponent's traffic and transport work post the finalisation of the Amendment No.14 rezoning, has been focussed on satisfying the requirements of the RMS and TfNSW, who have a more regional/state-wide focus than this current sub-plan.

This has been acknowledged by the proponent's traffic and transport consultant during the sharing of data with Inner West Council's traffic and transport consultant (more details of this is given below), who stated the following, by email dated Friday 12 October 2018:

"..Please find attached the traffic reports & Sidra model for the Rich Street Marrickville precinct. Please note that our model is basically an update of the Arcadis model which RMS has reviewed previously. The key focus of our model is [to] address the issues raised by the RMS (on Arcadis model) by maintaining a reasonable capacity to the key signalised intersections in this precinct. Our Sidra model is now approved by the RMS.

Our model has not necessarily focused on local context. Hence Cardno [The Inner West Council appointed traffic and transport consultant for this project] may need to prepare their own model to address Council's objectives/issues...."

In recognition of this situation and that none of the previous research work had directly resulted in the creation of a costed schedule of all of the required traffic and transport facilities within the precinct, potential traffic and transport consultants were approached by Inner West Council to undertake additional research on the precinct, with a view to providing for this plan:

- A. A definitive list of transport and traffic infrastructure improvements that are required to support the expected new development within the Victoria Road Precinct i.e. all traffic light installations; roundabouts; the precise width and nature of the required road and footpath widenings; pedestrian and bicycle path upgrades/installations etc.;*
- B. Indicative, costed designs for all of the required traffic and transport works to form part of a schedule within the Section 7.11 Developer Contributions Plan for the precinct; and*
- C. An assessment of how much of these proposed works can be apportioned to the proposed redeveloped sites within the Precinct.*

Cardno (NSW/ACT) Pty Ltd were subsequently awarded this work by Inner West Council on the basis that their approach utilised as much as possible of the proponent's consultant's previously collected traffic and transport data, whilst supplementing this body of work with some additional data collection and independent traffic modelling. They also offered the Inner West Council the greatest surety of accurate infrastructure pricing by engaging a Quantity Surveyor to cost the required, key identified traffic and transport infrastructure items for the precinct, as part of their work.

The overall methodology of Cardno (*Traffic and Transport section*) referred to as Cardno (T&T) in the remainder of this plan, is summarised below:

(See diagram next page)

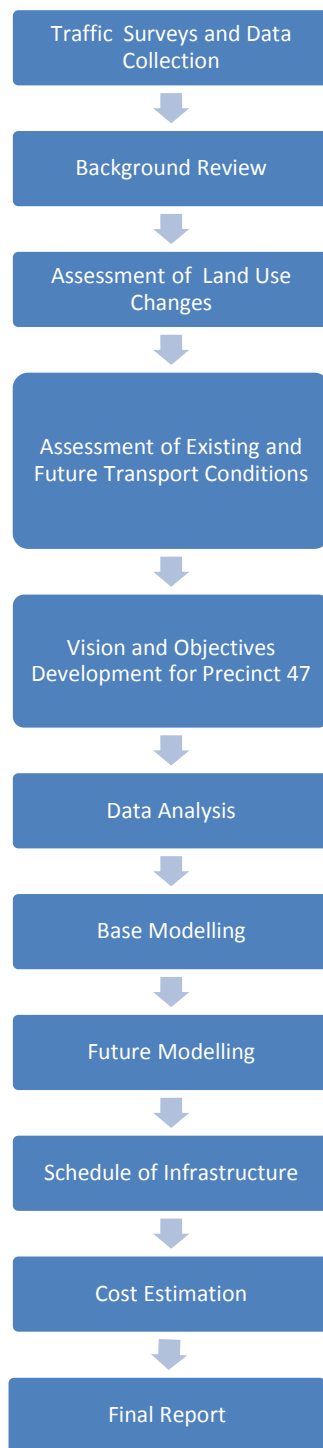


Figure 9 – A summary of the methodology of Cardno (T&T) in the completion of their “Precinct 47 Victoria Road Precinct - Traffic and Transport Infrastructure Needs Analysis - on behalf of Inner West Council – Dated 9 November 2018.”

Further information on the work undertaken in some of these stages is briefly provided below:

Traffic Surveys and Data Collection:

As previously mentioned Cardno (T&T) sought to use as much as possible of the previous traffic data collected by the proponent's consultants which had been shared with Cardno (T&T). In this regard, PTC (the latest traffic and transport consultancy utilised by the proponent), provided survey data for eight (8) locations within the Victoria Road Precinct across two days in 2017. For the purposes of their work for this plan, Cardno (T&T) undertook additional partial surveys at four intersection sites of the precinct (not previously surveyed) and undertook a resurvey of one site previously surveyed for calibration purposes. The additional sites surveyed included the following intersections:

- *Chapel Street and Fitzroy Street;*
- *Farr Street and Sydenham Road;*
- *Fitzroy Street and Sydenham Road; and*
- *Illawarra Road and Addison Road.*

Furthermore, other data collected, included, but was not limited to: Journey to work data; Household travel survey data; additional SCATS (Sydney Co-ordinated Adaptive Traffic System) traffic volume data information; IDM (Intersection Diagnostic Monitor) information; and TCS (Traffic Control Signal) plans for six (6) key sites within the precinct obtained from the RMS.

Background Review:

This stage included a site visit and background document review with a view to observing and documenting traffic and transport behaviour; key walking and cycling routes; key land uses in the precinct and significant place destinations; critical travel routes and intersections; gaps in the transport network; and way finding.

A comprehensive review of all State; regional; and locally focused literature (and plans) affecting the precinct was also undertaken by Cardno (T&T), including, but not limited to the Marrickville Bicycle Strategy 2007; Henson (Area 9) Local Area Traffic Management Report 2016; Marrickville East (Area 10) Local Area Traffic Management Report 2016; Sydenham Station Precinct Masterplan; Marrickville Metro Shopping Upgrade; Black Spot funding plans for the intersection of Chapel Street and Victoria Road, etc.

Assessment of Land Use Changes:

Utilising research and design work previously undertaken by the proponent's traffic and transport; architectural; and planning consultants; relevant Inner West Council documents including the development controls for the precinct under Amendment No.14 and the adopted Victoria Road Precinct Development Control Plan, Inner West Council strategic planning staff prepared a breakdown of expected location; scale; form; composition; and uses within the up-zoned areas of Precinct 47 which was supplied to Cardno (T&T). This information was consistent with information

previously prepared by the proponent's consultants and forwarded to the NSW Department of Environment & Planning to support the rezoning of the precinct.

Vision and Objectives Development:

To guide their traffic modelling work, Cardno (T&T) prepared a transport vision and traffic and transport objectives for Precinct 47 utilising, in part, the transport objectives for the precinct which had already been broadly developed within existing Inner West Planning documents i.e. Community Strategic Plan – Our Inner West 2036; Inner West Council Delivery Program 2018 – 2022; and the Victoria Road Precinct (Precinct 47) Development Control Plan amendments to Marrickville Development Control Plan 2011. Full details of the resultant transport vision and objectives for the precinct are provided at Appendix B. For the purposes of this summary, details of the adopted transport vision are provided below.

“Adopted transport vision:

A highly accessible precinct that supports and encourages movement and access through a proportionally high use of sustainable transport modes while providing for the need of a good level of service for vehicle movement and access.”

In terms of Level of Service (LoS) within the vehicular network of Precinct 47 it was the firm view of relevant Council staff consulted during the preparation of this study that the current level of service should be maintained (not worsened) arising from the increased development within the precinct.

Stormwater and Flood Mitigation Related Facilities:

As part of its ongoing flood risk management responsibilities pursuant to the NSW Floodplain Management Manual requirements, Inner West Council engaged Cardno (Water Infrastructure Section) referred to as Cardno (WI) in the remainder of this plan - to undertake the *Marrickville Valley Flood Risk Management Study and Plan (Marrickville Valley FRM Study and Plan)* in 2015. The Draft Marrickville Valley FRM Study and Plan was endorsed by the flood management advisory committee in December 2017 and subsequently presented to Inner West Council for its endorsement in April 2018, at which time it was adopted by Council.

This independent study, in essence, is considered to be an update/extension of the Marrickville Valley FRM Study as it relates to the Victoria Road Precinct, in response to the increased level of business and residential development now permitted within the precinct under *Marrickville Local Environmental Plan Amendment No.14*. Likely due to the uncertainty around whether the rezoning of the Victoria Road Precinct was to be supported by Inner West Council or not, when the main work on the *Marrickville Valley FRM Study and Plan* was being undertaken, that study did not address the now permitted increased development activity within the precinct. Hence the need for this present water infrastructure study, for the purposes of this sub-plan.

Whilst it is appreciated that the proponent's water management consultants, both for the original planning proposal for the precinct and more recently, to support the assessment of the development proposal for Nos. 1-9 Rich Street, Marrickville, have undertaken considerable research work on this topic, those studies were prepared for specific purposes relating to the acceptability/suitability of the planning and development proposals, from a stormwater and flood management perspective. For example, for the purposes of the original planning proposal for the precinct, the proponent engaged WMA water Consultants to undertake "...an [assessment]...of flooding impacts on individual sub-catchments within the precinct based on the suitability of each sub-catchment for residential development [as shown in Figure 10]." ⁹

In making this assessment WMA water acknowledged that "Precinct 47 is flood affected by overland and mainstream flows related to the Marrickville valley catchment, but is also partially affected by the Cooks River in the PMF event [Probable Maximum Flood]." ¹⁰

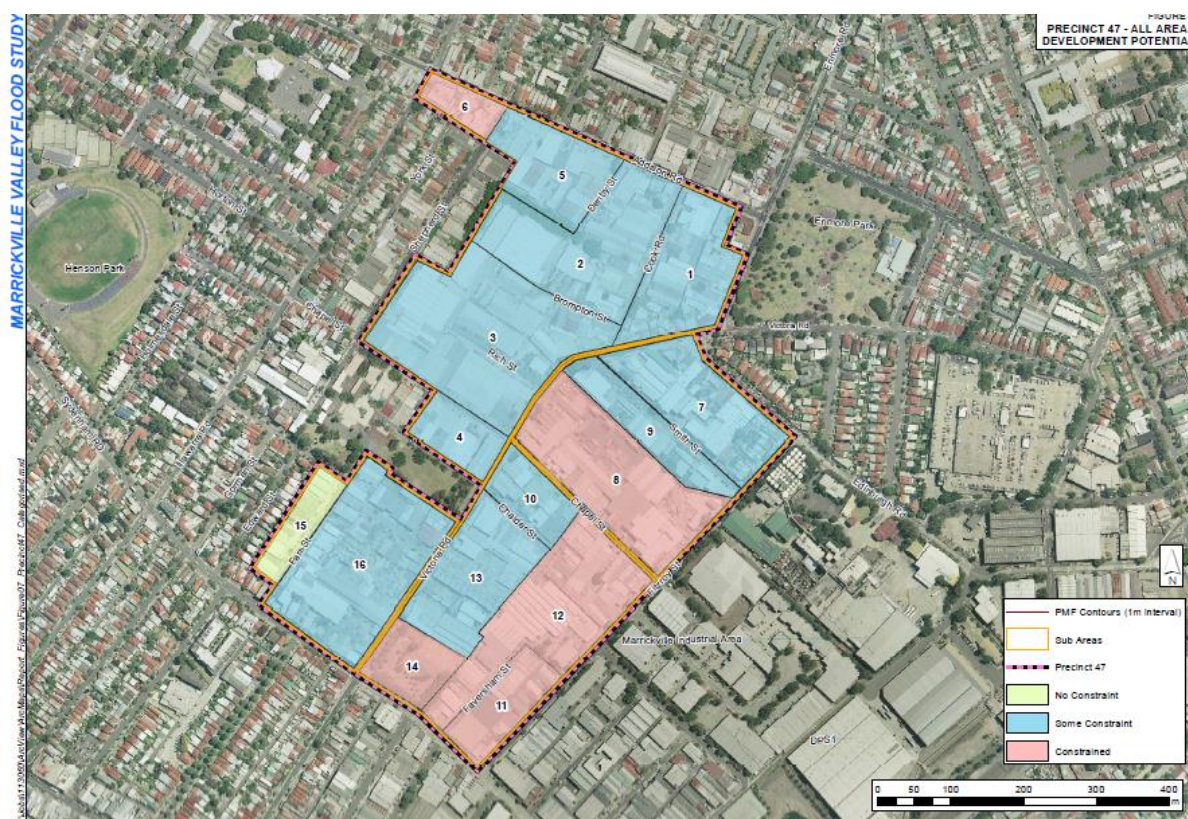


Figure 10 – Flooding constraints on Precinct 47 Development Potential. Final page of Webb, McKeown & Associates Pty Ltd (trading as WMA water) Precinct 47 – Flood Liability Report dated 13 September 2013. Note: this diagram is also reproduced on page 92 of the *JBA Victoria Road Precinct, Marrickville, Planning Report, July 2016*.

By comparison, the Cardno (WI) Final Floodplain Risk Management Study - Marrickville Valley Floodplain Risk Management Study and Plan prepared for Inner West Council 6 September 2017, was completed "...to define the existing flooding

behaviour and associated hazards within the Marrickville Valley Catchment, and to investigate possible mitigation options to reduce flood damages and risks. The tasks were undertaken together with stakeholder and community consultation to ensure that their concerns were addressed. The overall objective of this study is to develop a FRMP [Floodplain Risk Management Plan] that addresses the existing, future and continuing flood problems, taking into account the potential impacts of climate change, in accordance with the NSW Government's Flood Policy, as detailed in the Manual (NSW Government,2005)..... (Pages iii and iv)

.....The NSW Government Flood Prone Land Policy is directed towards providing solutions to existing flood problems in developed areas and ensuring that new development is compatible with the flood hazard and does not create additional flooding problems in other areas. Under the policy, the management of flood prone land is the responsibility of Local Government...(Page iii)

....The overall recommendations of this study find that it is impractical to eliminate all flood risks from the study area. Instead, the aim of the recommendations of this FRMS [Flood Risk Management Study] is to ensure that existing and future development is exposed to a reduced level of risk..." (Page vi)

Given their experience with the completion of the most recent Marrickville Valley Floodplain Risk Management Study and Plan (MVFRMS & MVFRMP) Cardno (WI) were engaged by the Inner West Council, for the purposes of this plan, to assess the need for infrastructure, related to stormwater and flooding, that is required to support the new permitted development within Precinct 47. The study also aimed to give consideration to potential funding mechanisms for any required water related infrastructure within the precinct.

The stages of this study are briefly summarised within the following table:

(See diagram next page)

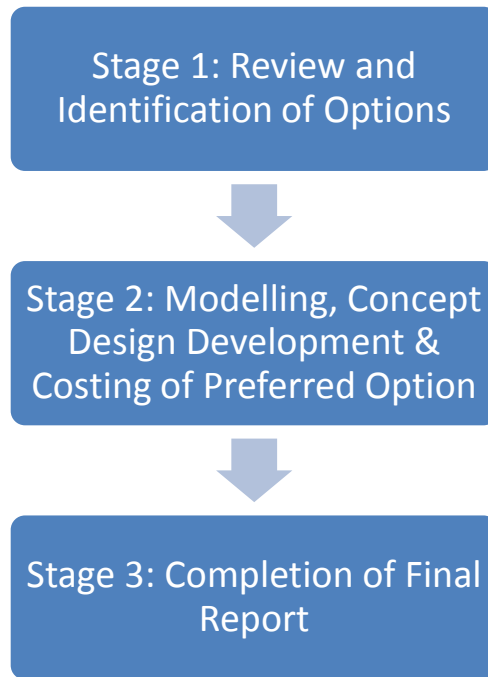


Figure 11 – A summary of the methodology of Cardno (WI) in the completion of their “Flooding and Stormwater Advice – Victoria Road Precinct Developer Contributions Plan – dated 27 November 2018” on behalf of Inner West Council.

A breakdown of the content of each of these stages is provided below:

Stage 1 – Review and Identification of Options:

- Involves a review of the Marrickville Valley FRMSP and a review of the relevant ‘On Lot’ Development Controls within the Marrickville Development Control Plan 2011;
- Identification of preliminary infrastructure options for the precinct after giving consideration of the details of expected new development within the precinct (supplied by Inner West Council); and
- Consideration to be given to whether the inclusion of *On Site Detention* (OSD) will be of benefit in the Victoria Road Precinct, with the results of this assessment to be provided within Stage 3 – Final Report.

Stage 2 – Modelling, Concept Design & Costing of Preferred Option(s):

- Four (4) preliminary options were identified and discussed with Inner West Council;
- One of these options was discarded given its potential impact on other public facilities - i.e. public open space;
- Following a series of modelling exercises, a preferred option was identified which was subsequently brought to a concept design;
- This concept design was then costed.

Stage 3 – Completion of Final Report:

- Although not originally foreseen, additional potential water related infrastructure options were prepared to avoid potential land acquisition costs; to achieve better flood mitigation results; and to address the verbal concerns of Sydney Water in relation to adding more pressure to their assets within the locality. These additional options were also modelled and the final chosen design for the infrastructure work was fully costed.
- A final report was prepared which includes a justification for this work (the explanation of the *nexus* between the work and the demands generated by the incoming development within the up-zoned areas of P47 which is provided within the next section of this sub-plan).

9 Planning Proposal Planning Report - Victoria Road Precinct, Marrickville. Planning proposal for land uses and development standards – submitted to Marrickville Council on behalf of Danias Holdings. Prepared by JBA Urban Planning Consultants Pty Ltd and dated July 2016. Report No. 1350. Page 91.

10 Precinct 47 – Flood Liability Report by Webb, McKeown & Associates Pty Ltd (trading as WMA water) dated 13 September 2013. Page 1.

2.6 Infrastructure Needs Studies Results (Nexus and Apportionment)

2.6.1 Necessary Infrastructure works within P47:

As can be seen in the schedule section of this sub-plan (Section 1.4) approximately \$15M of water infrastructure works are deemed necessary by the water infrastructure consultant to manipulate the flooding and stormwater environment within P47 so that it is suitable for the permitted increased intensification of development.

Furthermore, approximately \$0.6M of public traffic and transport infrastructure works are required to be implemented to ensure that the increased permitted development within P47 can be absorbed into the locality without the existing level of service within the road network of P47 being worsened.

Other potential traffic and transport works for the precinct, which were identified by Cardno (T&T) in their traffic and transport needs study for the precinct, have not been included within this sub-plan, on the basis that they are best dealt with by individual or amalgamated developments as they are to be located on private land and they predominantly relate to both vehicular and pedestrian access issues within the precinct. This decision was also made on the basis that a significant proportion of these additional works are aimed to satisfy the requirements of the Roads and Maritime Services, who “will not permit direct vehicular access to/from development via Sydenham Road and Victoria Road. Access to the road network should be provided via rear lanes

or local roads.”¹¹ These additional works are identified within the accompanying Development Control Plan for the precinct.

One additional cost has also been added to the traffic and transport works schedule of this sub-plan which was not identified by the Traffic and Transport Consultant, such as an inclusive access study (principles and practical design advice for the private and public domain) within the precinct. This item was included on the grounds that a significant proportion of this new resident and employment population within the precinct will likely include persons with mobility restrictions.

Furthermore, not all of the proposed traffic and transport works will be fully paid for by developers, in the up-zoned areas of P47. Some of the items have a wider benefit, beyond P47, so the developers only have to pay for their share of these identified items. E.g. the proposed signalisation of the Fitzroy and Sydenham Road intersection. This and other apportioned works will result in the Inner West Council being committed to an approximate additional expenditure of \$655,150 for additional traffic and transport related works in the precinct over the next ten – fifteen years. The provisions of this sub-plan would not preclude these funds being sourced from other sources e.g. grant funds etc. in the future. Further comments on *apportionment* are provided in the next section of this sub-plan.

It is important to acknowledge that the total amount of traffic and transport works to be paid for by the developers of the up-zoned areas of the precinct, would have been higher, however, Inner West Council was recently successfully awarded “*Black Spot Funding*” for the imminent installation of new traffic lights at the intersection of Chapel Street and Victoria Road by RMS. This will be implemented without the use of any developer contribution funding. Furthermore, these works are separate from the Victoria Road/ Sydenham Road Intersection Upgrade works currently being negotiated (as part of a voluntary Planning Agreement) between the proponent; Transport for NSW (TfNSW); Roads and Maritime Services (RMS) and the Department of Planning and Environment (DPE).

11 New South Wales Roads and Maritime Services Department – Correspondence from Greg Flynn (Senior Manager Strategic Land Use – Sydney Planning, Sydney Division to The General Manager – Inner West Council Re: Public Exhibition Amendments to the Marrickville Development Control Plan (MDCP) DCP for Victoria Road Precinct, Marrickville - dated 13 July 2018 – Page 4.

2.6.2 Credits:

Although the parent contributions plan does not contain a specific section on contribution credits, the schedules within the plan imply that a credit system applies to the plan. E.g. the updated schedules for the parent contributions plan state that credits for residential development are capped at \$20,000. In practice, credits are given for the existing floor area of non-residential land

uses on redevelopment sites covered under the parent contributions plan. This system is not proposed to be altered under this sub – plan.

However, in determining realistic contribution amounts for the required traffic and transport and water infrastructure facilities within P47, it was important to determine the likely credits to be achieved within the contributing area, on a per resident/ employee basis, so this could be subtracted from the expected contributing population.

To determine the likely residential and non-residential credits across the up-zoned areas of P47, use was made of the Precinct 47 Land Use Survey completed by Danias Holdings Pty Ltd in May 2014. (This survey was included as Appendix M of the JBA Victoria Road Precinct, Marrickville, Planning Report, July 2016).

The survey identified, amongst other things, all of the existing dwellings within the up-zoned area of the precinct so that the likely credits from these dwellings could be factored into the contribution calculations using the relevant occupancy rates within parent plan. For non –residential uses the previous applicable floor space ratio was utilised to determine the maximum credit that would be available to redevelopment sites within the precinct. This was obtained using the previously mentioned expected development study to obtain the relevant site areas and then to determine the likely maximum existing floor area permitted under the former floor space controls. This information was then converted to a per employee figure by applying the relevant occupancy rate within the parent contributions plan. These residential and employee totals were then subtracted from the previously mentioned expected development totals to achieve a *net contributing population* (residential and non-residential) with which to share in the cost of the required traffic and transport and water infrastructure facilities within the precinct. (See section 3.4 Calculation of Contributions for this sub – plan for further information).

2.6.3 Apportionment:

As mentioned previously, the “contributing area” for these new contributions corresponds to the area “K” within the LEP amendment for the Victoria Road Precinct – the up-zoned area – See figure 8 on page 24.

The “contributing area” of Precinct 47 is only to pay towards the traffic and transport upgrades within Precinct 47 – not for any traffic facilities beyond the precinct to avoid potentially double-dipping. The “contributing area” would continue to meet its existing Marrickville Developer Contributions Plan 2014 commitments for Recreation Facilities, Community Facilities, and Plan Administration Fund, after monies are first captured for the *critical*

infrastructure items for the precinct – Traffic and Transport and Water Infrastructure.

All redevelopment sites within the contributing area will contribute to the monetary cost of the new traffic and transport works (occurring on government land) on the basis by which they are expected to utilise the existing traffic network (expected traffic generation) – see section 3.4 for further discussion on this matter. It is expected that the land uses that generate the most traffic (or in other words use the traffic and transport network the most) will pay for the greatest share of the traffic and transport upgrades. These works have been costed by the Traffic and Transport Consultant – Cardno T & T & T in conjunction with a Quantity Surveyor Sub – consultant.

The cost of the necessary water infrastructure work (around \$15M) is to be shared equally on a per person basis (equal new employee/equal new resident basis) using the predicted number of total new employees and residents (derived from the proponents previous masterplanning studies; using considered assumptions from Cardno (T&T); and using occupancy rates within the existing Marrickville Developer Contributions Plan 2014). The per person rate was then derived by dividing the approximate 15M by the expected total number of new persons within the up-zoned areas of the precinct (over 8,000 new persons are expected within the up-zoned areas of the precinct).

In calculating the contribution rates for the traffic and transport and water infrastructure facilities, as previously detailed, a reduction in the effective number of expected new residents and employees that would be contributing to these works, was factored in, to take account of the likely credits that could be achieved by new developments within the area.

Those parts of Precinct 47 that are redeveloped in the future, that were not up-zoned with the LEP Amendment for the precinct, would continue to pay the “Marrickville LGA other than the planning precinct areas” contribution rates within the Marrickville Developer Contributions Plan 2014.

2.6.4 Nexus:

The justification/nexus provided by the Water Infrastructure Consultant is as follows:

“As can be seen in the Marrickville Valley Floodplain Risk Management Study and Plan (Cardno, 2018), the Victoria Road Precinct experiences flooding even during relatively small, frequent storm events under existing conditions. To accommodate intensification of development within the

Precinct, stormwater upgrades are required to provide a level of service which more closely reflects the requirements of the Marrickville Development Control Plan 2011 (MDCP 2011). The proposed stormwater upgrades reduce flood levels and hazard as low as is reasonably practical in order to minimise constraints to development and improve emergency management. While additional measures or increased capacity would ideally be implemented within the Precinct to reduce flooding further, as is the case for many urban renewal projects, there are significant constraints such as existing underground utilities which make it impractical to do so.”

In relation to how the proposed water infrastructure contributions for the precinct relate to any stormwater levies currently charged by the Inner West Council the Water Infrastructure Consultant provided this response:

“Charging developers [for this work] is not double dipping. They are proposing to build in a flood affected location which requires planning constraints. To facilitate development, the flood risk must be reduced through flood modification works. Rates are not sufficient to cover the required works and may not be prioritised or undertaken if no development was going to happen. Further, works will need to integrate with their development plans. Essentially, Council could reject/not support the development on flood risk grounds if no mitigation works were undertaken.”

The justification/nexus for the proposed traffic and transport contribution for the precinct, provided by the Traffic and Transport Infrastructure consultant, is as follows:

“[Without the required traffic and transport road upgrades] “The road network comes under considerable demand pressures, Addison Road and Illawarra Road fails in the PM peak period, Sydenham Road and Victoria Road fails in both AM and PM peak periods, as does Victoria Road and Chapel Street. These intersections need upgrades to improve the forecast level of service relative to its existing operation.”

“There are three intersections [mentioned above] which fail as a result of the development uplift and need to be subject to upgrades to meet one of the project objectives, which is that “as a minimum, the current level of service should be maintained within the Precinct with the increased development, now permitted under the rezoning. The Precinct should be no worse off, from a traffic and transport viewpoint, with the increased development”.

“The modelling suggests that the intersection of Sydenham Road and Fitzroy Street is already, and will continue to be under capacity constraints. Whilst this intersection has not been modelled in terms of an upgrade, it has been strategically costed as an infrastructure line item as outlined in

Section 7.2. There are various levels of intersection function improvement at Addison Road/Illawarra Road, Sydenham Road/Victoria Road and Victoria Road/Chapel Street which result from the infrastructure upgrades described in Table 5-12.”

“The rectifications outlined above are forecast to improve the level of service of the intersections to broadly in line with existing conditions, meaning that with the uplift and the intersection improvements, it is expected there should be negligible net change in the function of the road network.”

2.7 Definitions/ terms used within this Sub - plan

“Act” means the *Environmental Planning and Assessment Act 1979*

“Apportionment” is a process which seeks to define the demands of all those who may benefit from the provision of a public facility to ensure the contributing population only pays for its share of the total demand.

“Contributing area” means the area described in figure 8 of this sub-plan which shows all of the land owners within the up-zoned areas of the Victoria Road Precinct (Precinct 47) that are required to contribute to the critical infrastructure works for Precinct 47. The “contributing area” corresponds to the area “K” identified within the Marrickville Local Environmental Plan 2011 (Amendment 14) for the precinct.

“Contribution” means the same as **“development contribution”**;

“Contributions plan” means a contributions plan referred to in the Act.

“Council” means the Inner West Council.

“Critical infrastructure” for the purposes of this sub-plan includes: *flooding and stormwater management infrastructure*; and *traffic and transport infrastructure* (located on government owned land) as identified by the infrastructure needs studies which underpin this sub-plan.

“DCP” means a Development Control Plan adopted by Council under the Act.

“Development consent” means consent under Part 4 of the Act to carry out development and includes, unless expressly excluded, a complying development certificate.

“Development contribution” means the making of a monetary contribution, and /or the dedication of land, or the providing of a material public benefit (including a work-in-kind), or any combination of these as referred to in the Act for the provision of community infrastructure;

“LEP” means a Local Environmental Plan made by the Minister under the Act.

“LGA” means the Local Government Area.

“Material public benefit” means a facility or work which is offered by a developer as a finished entity either in return for a reduction in the amount of monetary contributions required for the same category of contribution or as an additional or partial additional benefit under a planning agreement.

“Minister” means the Minister administering the *Environmental Planning and Assessment Act 1979*.

“Nexus” refers to the relationship between the expected types of new development in an area and the demand for additional public facilities generated by that new development. The power to levy a contribution (pursuant section 7.11 of the “Act”) relies on there being a clear nexus between the development being levied and the need for the public amenity or service for which the levy is required.

“Parent Contributions Plan” means the existing Marrickville [Developer] Section94/94A Contributions Plan 2014.

“Planning agreement” means a planning agreement referred to in the Act.

“Public and Financial Accountability” These are considered crucial components of the making and administration of contribution plans. Contribution plans are required to:

- Follow the precise legislative requirements regarding the preparation of the plan;
- Be transparent as to the manner in which the strategies and contribution rates were derived; and
- Be open to public scrutiny in the collection, accounting and expenditure of contributions.

“Public Benefit” means a benefit enjoyed by the public as a consequence of a development contribution.

“Reasonableness” means the responsibility placed upon Council by the developer contributions system in NSW to determine what is reasonable and to use section 7.11 of the “Act” in a reasonable manner.

“Regulation” means the *Environmental Planning and Assessment Regulation 2000*.

“Sub-plan” means this amendment to the existing Marrickville [Developer] Section94/94A Contributions Plan 2014 which provides specific background and details of the contribution rates for the up-zoned areas of Precinct 47 – the Victoria Road Precinct.

“Staged development” means a development that is carried out in accordance with Division 2A of Part 4 of the EP&A Act. It also means a development that is carried out in accordance with Section 80(5) of the EP&A Act as it used to exist prior to its repeal on 30 September 2005.

“State Government Cap” Pursuant to reforms to the NSW Developer Contributions System, undertaken in 2008, infrastructure contributions payable to local councils have been capped at \$20,000 per residential lot. All contributions exceeding \$20,000 require approval from the Minister for Planning. The introduction of the threshold was effective as of 30 April 2009, as provided for in the Minister's direction under s94E of the EP&A Act, dated 13 January 2009. Accordingly, for those residential uses that are subject to the “cap” under this sub-plan, irrespective of the total contribution amount listed in the contribution schedule of this sub-plan, the applicable contribution shall not exceed \$20,000.

“The proponent” means the original planning proposal proponent for the Victoria Road Precinct – Precinct 47 – Danias Holdings Pty. Ltd.

“Victoria Road Precinct Development Control Plan” means the Victoria Road Precinct (Precinct 47) Amendments to the Marrickville DCP 2011 and dated April 2018.

“Work-in-kind” means the carrying out of work by the applicant as nominated in the work schedule of the contributions plan in return for a reduction in the amount of monetary contributions (but not a reduction in the total quantum of contributions) required for the same category of contribution.

Section 3 – Administration and Accounting:

3.1 How to use this Sub-plan

This sub-plan provides the background to and the specific contribution rates for redevelopment sites within the up- zoned areas of the Victoria Road Precinct (P47).

Those parts of Precinct 47 that are redeveloped in the future, that were not up-zoned with the LEP Amendment for the precinct (Amendment No.14), are required to continue to pay the *“Marrickville LGA other than the planning precinct areas”* contribution rates within the parent contributions plan - Marrickville Developer Contributions Plan 2014.

This sub-plan also provides up to date provisions relating to the payment of contributions and a set of definitions/terms that are specific to this sub – plan.

3.2 Relationship with other Plans and Policies

All other aspects of the parent contributions plan apply to contributing developments within Precinct 47, including, most importantly, the provisions relating to the indexing of contribution rates, which are to be applied identically to the contribution rates detailed within this sub-plan, with one exception. Within the contributions schedule for this sub-plan, in the setting of contribution rates which exceed the “State Government *Cap*” money is to be collected first for the critical infrastructure items mentioned within the contributions schedule for this sub-plan.

3.3 Implementation of this Sub- plan

The collection and expenditure of contribution funds will be closely monitored during the life of this sub-plan to ensure the orderly delivery of the schedule of infrastructure works included within this sub-plan.

3.4 Calculation of Contributions for this Sub-plan

Traffic and Transport Contribution Calculations:

Principles:

- All up - zoned areas should share in the costs of the traffic and transport upgrades located on government land within Precinct 47 which are required to support the new scale of development now permitted on their lands (known as the contributing area – (See Figure 8 of this sub-plan).
- The traffic and transport upgrades included within this plan are not going to improve the general functioning of the traffic and transport network within the precinct, they will just ensure that the upgrades keep pace with the increases in employees and residents now permitted within the precinct so that the functioning of the traffic network does not get any worse than how it presently functions.
- In order to determine the realistic value of funds that can be obtained from the contributing employee and resident population for these traffic and transport works under this sub-plan, an assessment has been made of the likely credits to be achieved by the redevelopment sites within the up-zoned areas of P47 expressed as numbers of employees/residents and then this has been subtracted from the expected total expected contributing population for these works. (See also section 2.6.2 Credits – of this sub-plan).
- Hourly traffic generation totals (AM + PM) for the broad land use categories as determined by Cardno (T&T) have been utilised to determine how the costs for the traffic and transport upgrades are to be shared amongst the incoming employee and residents. Based upon this approach, it is expected that the

land uses that generate the most traffic (or in other words use the traffic and transport network the most) will pay for the greatest share of the traffic and transport upgrades. (See calculations below).

Figure 12 – Assessment of the impact of the major expected land uses on the Victoria Road Precinct Traffic and Transport Network to help determine the apportionment of Traffic and Transport upgrade costs between these uses.

Major identified traffic generating uses ¹	Future Hourly Traffic Generation Calculated Totals ² (AM + PM)	% of total future hourly traffic generation (rounded up or rounded down as appropriate) ³
Residential	374	11.26%
Commercial	2093	63%
Retail	473	14.24%
Hospitality	380	11.5%
Totals	3,320	100%

Notes for Figure 12:

1. Major traffic generating use categories as determined by Cardno (T&T) for the purposes of their recent traffic modelling of the Victoria Road Precinct.
2. Future hourly traffic generation movement totals for the identified major traffic generating uses as determined by Cardno (T&T) for the purposes of their recent traffic modelling of the Victoria Road Precinct combining the AM with the PM totals for each of these uses. See Table 5-4 Future traffic Generation on page 36 of Precinct 47 – Victoria Road Precinct Traffic and Transport Needs Analysis Cardno November 2018. The total figure at the bottom of the column is the sum of each of the hourly future traffic generation totals $374 + 2093 + 473 + 380 = 3,320$ future hourly traffic movements.
3. Percentage of the total of future hourly traffic movements. This was obtained by dividing the future hourly traffic generation totals for each of the identified land uses by the combined future hourly traffic generation total of all of the identified land uses (3,320) to get the percentage (%) share of total traffic upgrade costs for each major land use category. E.g. for residential = $374 \div 3,320 \times 100 = 11.26\%$.

Figure 13 – Apportionment of Traffic and Transport upgrade costs between the main expected uses within the up - zoned areas of Precinct 47, based upon traffic generation information from Figure 12.

Major identified traffic generating uses. ¹	% of total future hourly traffic generation within the precinct (rounded up or rounded down as appropriate) ²		Resultant % share of the total cost traffic and transport infrastructure upgrades required within the precinct. (rounded up or rounded down as appropriate) ³
Residential	11.26%		\$68,533.5
Commercial	63%		\$383,447
Retail*	14.24%	25.74%	\$156,665.5
Hospitality*	11.5%		
Totals	100%		\$608,646

Notes for Figure 13:

- 1 Major traffic generating use categories as determined by Cardno (T&T) for the purposes of their recent traffic modelling of the Victoria Road Precinct. *To ensure compatibility with the form of the current Marrickville Developer Contributions Plan "Marrickville Section 94/94A Contributions Plan 2014" of which this plan forms a part of, the traffic generation rates for the 'retail' and 'hospitality' land use categories have been combined to create a single total for these combined uses i.e. (Retail (14.24%) + Hospitality(11.5%) = 25.74%).
- 2 Future hourly traffic generation movement totals for the identified major traffic generating land uses as determined by Cardno (T&T) for the purposes of their recent traffic modelling of the Victoria Road Precinct. These were obtained by combining the AM with the PM hourly traffic generation totals for each of these uses. The total figure at the bottom of the column is the sum of each of the hourly future traffic generation totals $374 + 2093 + 473 + 380 = 3,320$ future hourly traffic movements within the precinct.
- 3 Percentage share of the total cost of the traffic and transport infrastructure upgrades required for the Victoria Road Precinct, for each of the land use categories, obtained by multiplying the relevant land use traffic generation percentage by the total cost of the works to be attributed to developers (\$608,646).

Residential Contribution Rate – Traffic and Transport Infrastructure Works.

To determine the individual traffic and transport contribution rates for residential developments within the precinct, the number of existing residents within the up-zoned areas of the precinct* (which will be given a credit under this sub-plan up to but not exceeding the existing residential cap of \$20,00 per dwelling) was subtracted from the expected number of residents in the up-zoned areas of the precinct (2004 persons) (previously mentioned in the *expected development section* elsewhere within this document) (i.e. 2004 persons – 120.12 persons = 1883.9 – Net population increase).

Note*: This was derived from information within the Precinct 47 Land Use Survey completed by Danias Holdings Pty Ltd in May 2014. (This survey was included as Appendix M of the JBA Victoria Road Precinct, Marrickville, Planning Report, July 2016).

The residential percentage share of the total costs of traffic and transport infrastructure works for the precinct ($\$608,646 \times 11.26\% = \$68,533.5$) was then divided by the net expected increased residential population to obtain the *per resident* contribution rate for these infrastructure works.

e.g. ($68,533.5 \div$ the net number of expected new residents = $2004 - 120.12$ persons = 1,883.9 persons) yields a current, per resident, contribution rate for the traffic and transport works within the Victoria Road Precinct of **\$36.40** (Rounded up). This figure which will be subject to future indexing as per the indexing methods of the subject parent contributions plan - Marrickville Developer Contributions Plan 2014 – refer to pages 34-35 of the parent contributions plan).

Non – Residential - Retail and Commercial Contribution Rate Calculations – Traffic and Transport Infrastructure Works.

To determine the individual traffic and transport contribution rates for the retail and commercial developments within the up – zoned areas of the precinct the following methods were used to first determine *the total expected number of new employees for each of the expected new major uses in the up-zoned areas of the precinct:*

Figure 14 – A calculation of the expected number of new employees for the most likely additional uses within the up-zoned areas of the precinct:

Major expected non-residential land uses within the precinct	Expected additional Gross Floor Areas (GFA) for these uses based upon previous research by IWC; Cardno (T&T) and others. (sqm.= Square Metres) (*See table 4-2 page 26 of Cardno Precinct 47 T & T Needs Study).	Occupancy rate for new uses extracted from Marrickville developer Contributions Plan 2014	Expected number of new employees within the up-zoned areas of the precinct, obtained by ÷ the expected total new GFA by the expected occupancy rate from the existing Marrickville Developer Contributions Plan 2014.
Commercial	111,272 sqm.*	1 employee/20 sqm. of GFA	5,563.6 persons
Retail	21,820 sqm.*	1 employee/20 sqm. of GFA	1,091 persons
		Total additional employees (persons)	6,654.6 persons

Utilising these expected employee numbers for the expected new major uses within the precinct, the per person contributions rates for traffic and transport infrastructure works were determined by multiplying the percentage share of each of the major land uses of the total traffic and transport infrastructure costs of the precinct by the total number of expected net new employees for each of those land uses – see Figure 15 below).

Figure 15 - Calculation of the contribution rate for each new employee for the most likely additional uses within the up-zoned areas of the precinct towards additional Traffic and Transport Infrastructure required within Precinct 47.

Major expected non-residential land uses within the precinct	% of total future hourly traffic generation within the precinct (rounded up or rounded down as appropriate) - Extracted from Figure XX above.	Resultant % share of the total cost of traffic and transport infrastructure upgrades required within the precinct – Extracted from Figure XX above.	Expected No. of additional Employees within the up-zoned areas of the Victoria Road Precinct	Minus a credit for likely no. of existing non-residential employees within P47 – Expressed in numbers of existing employees. ¹	Net Expected No. of additional Employees within the up-zoned areas of the Victoria Road Precinct	Single employee contribution rate (per 20sqm of GFA) for additional Traffic and Transport Infrastructure Works within Precinct 47.
Commercial	63%	\$383,447	5,563.60	937.2	4,626.4	\$82.90
Retail	25.74%	\$156,665.5	1,091.00	183.8	907.2	\$172.70

Notes for Figure 15:

This yields a current per employee contribution rate for the traffic and transport works within the Victoria Road Precinct of **\$82.90** for commercial developments and **\$172.70** for retail developments (which will be subject to future indexing as per the indexing methods of the current Marrickville Developer Contributions Plan 2014 – refer to pages 34-35 of this parent contributions plan).

Note: The Traffic and Transport Infrastructure contribution rate for the other non-residential land uses mentioned within the current Marrickville Developer Contributions Plan 2014 i.e. “Industrial”, were obtained in this instance by utilising the base commercial contribution rate and altering it in accordance with the employee occupancy rate within the Marrickville Developer Contributions Plan 2014 for Industrial i.e. one employee per 100sqm of Gross Floor Area (GFA) e.g. (\$82.90 (base commercial rate) x 1 employee every 100 sqm. of GFA (Industrial occupancy rate under current Marrickville Developer Contributions Plan 2014 = \$82.90).

Water Infrastructure Contribution Calculations:

Principles:

Given that it is not possible to differentiate, in readily quantifiable terms, between the stormwater hazards for each of the expected major land uses within the precinct, it is considered reasonable that they share equally (on a per resident/employee basis) in the cost of these necessary water infrastructure works within the precinct.

Refer to Figure16 below.

Figure 16 - Per person contribution towards Water Infrastructure Works.

Major expected land use within the up-zoned areas of the precinct	Total number of expected employees/residents within the up-zoned areas of the precinct	Likely credit for existing development expressed as numbers of employees (equally shared between the major expected non-residential uses.	Net total number of employees/residents within the up-zoned areas of the precinct who are likely able to contribute to the cost of the required Water Infrastructure Works.
Residential	2,004.00	120.12	1,883.9
Commercial	5,563.60	937.2	4,626.4

Retail	1,091.00	183.8	907.2
Sub - total	8,658.60		7,417.5
			=\$15, 071,500 /7,417.5
Total cost of water infrastructure works ÷ Total number of expected residents/employees = cost per person			\$2,031.89 per resident/employee (rounded up)

Notes for Figure 16: Contribution rates for land uses not mentioned above were obtained by applying the relevant employee occupancy rate within the Marrickville Developer Contributions Plan 2014.

Other Relevant Contributions within this Sub-plan:

Other Traffic and Transport Contributions:

Existing “Traffic Facilities” Contribution rates for “Marrickville LGA other than Planning Precinct areas” will not apply to the “contributing area” of the Victoria Road Precinct given that this area will be addressing the traffic and transport upgrade costs within its own locality.

Community Facilities and Recreation Facilities Contributions:

The property owners within the “contributing area” of the Victoria Road Precinct will meet its relevant obligations for additional demand generated on these public facilities as per the same rates for the relevant “Marrickville LGA other than Planning Precinct areas” contribution rates.

Plan Administration Fees:

The existing standard administration fee (2% of the total cost of the combined relevant developer contributions for a development item i.e. a one bedroom apartment) mentioned on page 113 of the current Marrickville Developer Contribution Plan 2014, also applies to the “contributing area” of the Victoria Road Precinct.

3.5 Payment of Contributions

3.5.1 Monetary Contributions:

Refer to Parent Contributions Plan (Section 2.14 – Timing and methods of payments Monetary).

3.5.2 ‘Works-in-kind’ (WIK) / ‘Material public benefit’ (MPB):

Refer to Parent Contributions Plan (Section 2.14 – Timing and methods of payments Monetary – Provision of a material public benefit – Page 32).

Additionally, in relation to this sub-plan, Council may accept an offer by the applicant to provide an “in-kind” contribution (i.e. the applicant completes part or all of relevant work/s identified in this sub- plan) or through provision of a material public benefit as an alternative in lieu of the applicant satisfying its obligations under this sub-plan. Council will require the applicant to enter into a written agreement for the provision of these alternatives.

Council is under no obligation to accept works-in-kind or material public benefit offers. In consideration of any such offer, Council will assess the public benefits and give due considerations to relevant matters including the following:

- a) the extent to which the WIK/MPB satisfies the purpose for which the contribution was sought;
- b) the works-in-kind being facilities which are already included in the sub-plan;
- c) the extent to which the MPB satisfies a community need or may reduce the demand for levied items;
- d) the impending need to construct the works for which the contributions are to be offset;
- e) the provision of the WIK/MPB will not prejudice the timing, the manner or the orderly provision of public infrastructure included in the works program or the financial integrity of Council's sub-plan;
- f) an assessment of the shortfall or credit in monetary contributions as a result of the proposal;
- g) the availability of supplementary funding to make up the shortfall in contributions;
- h) locational and other factors that may affect usability;
- i) impact of recurrent operational and maintenance costs; and

- j) the provision of the WIK/MPB must not result in piecemeal delivery of infrastructure or likely to result in the need to reconstruct the works due to future nearby developments (i.e. normally the works will need to relate to a whole street block or a defined precinct).

Council must be satisfied that the MPB offer, other than a 'work-in-kind', provides a substantial benefit to the community not envisaged by the sub-plan and that this benefit warrants Council accepting responsibility in fulfilling the intent of the sub-plan notwithstanding a reduction in expected cash contributions. A MPB does not include a payment of a monetary contribution or the dedication of land free of cost.

Acceptance of any such alternative is at the sole discretion of the council. Council may review the valuation of works, and may seek the services of an independent person to verify their value. In these cases, all costs and expenses borne by the council in determining the value of the works or land will be paid for by the applicant.

3.5.3 Planning Agreement:

An applicant may voluntarily offer to enter into a planning agreement with Council in connection with a development application within the contributing area of the precinct. Under a planning agreement, the applicant may offer to pay money, dedicate land, carry out works, or provide other material public benefits for public purposes. All Planning Agreements need to conform to the Inner West Council Planning Agreements Policy (currently under development).

3.6 Deferred/ Periodic Payments

Refer to parent contributions plan (Section 2.14 – Timing and methods of payments Monetary).

3.7 Timing of Payments:

Refer to parent contributions plan (Section 2.14 – Timing and methods of payments Monetary).

3.8 Refunds

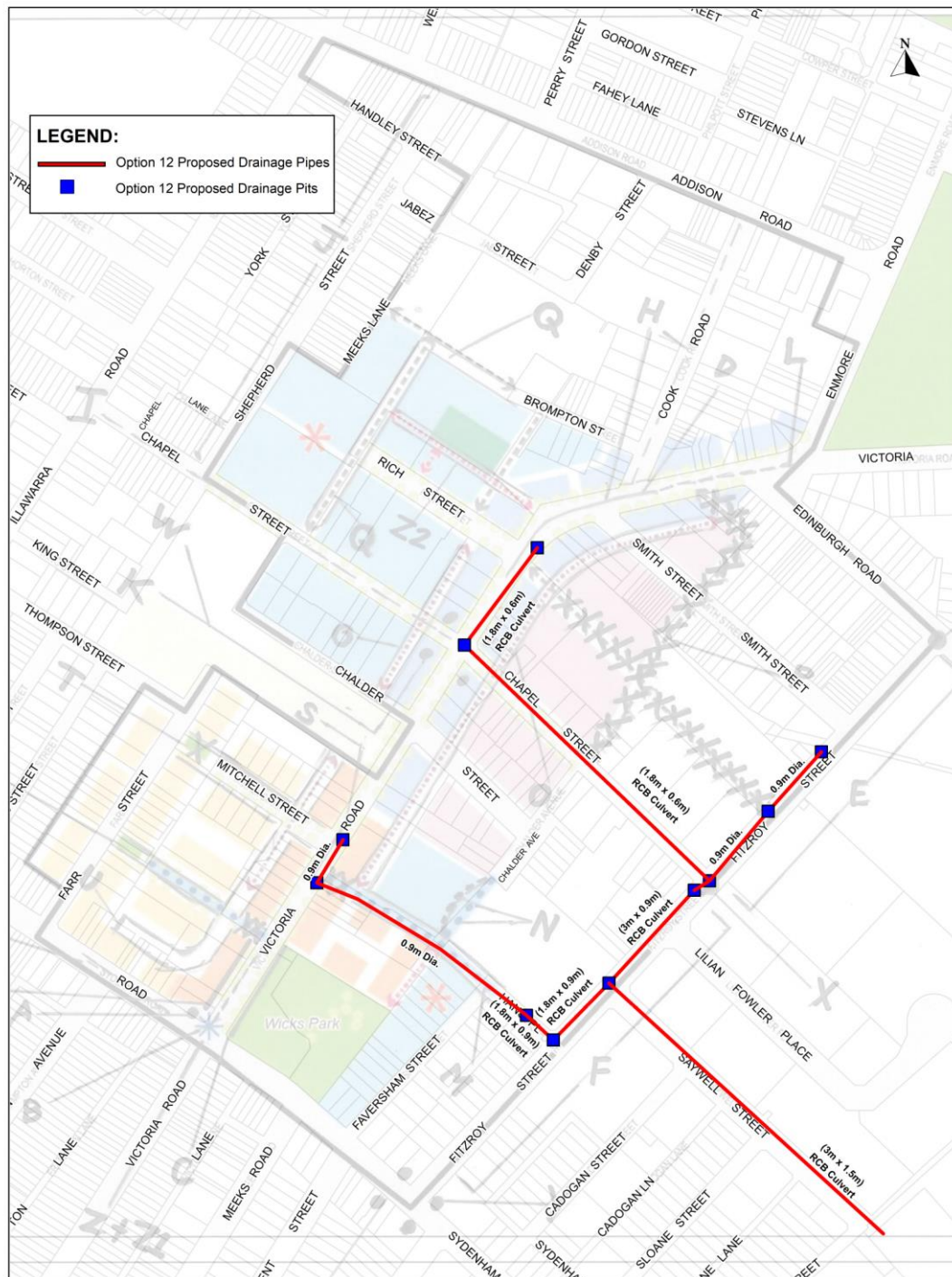
Refer to parent contributions plan (Section 2.18 - Refunds).

3.9 Indexing of Contribution Rates

Indexing for the contributions within this sub-plan shall be in accordance with the indexing requirements of the parent contributions plan with the exception that monies will be collected first for the *critical infrastructure priority items* detailed within this sub-plan where the total required payments are subject to the State Government Cap.

Section 4 – Infrastructure Strategy Plans:

4.1 Required Stormwater and Flooding Risk Management Infrastructure within the Precinct – Infrastructure Item No. VRP – WI - 001.



Cardno
Map Created: 21 November 2018
Coordinate System: MGA Zone 56

VICTORIA ROAD PRECINCT
Design Scenario
Option 12 Concept Overview Plan

FIGURE 3

**Figure 17 – Identified Flooding and Stormwater Infrastructure required within Precinct 47
Infrastructure Item No. VRP – WI – 001.**

4.2 Required Traffic and Transport Improvements within the Precinct located on Government Owned Land within the Precinct - Diagrams

(See Figures 18 – 24)



Figure 18 – Infrastructure Item No. VRP – R - 001



Figure 19 - Infrastructure Item No. VRP – R - 002

Installation of 140 metres of concrete raised separator between Rich St and Cook Rd



Figure 20 - Infrastructure Item No. VRP – R - 003

Installation of splitter island at northern end of Smith Street

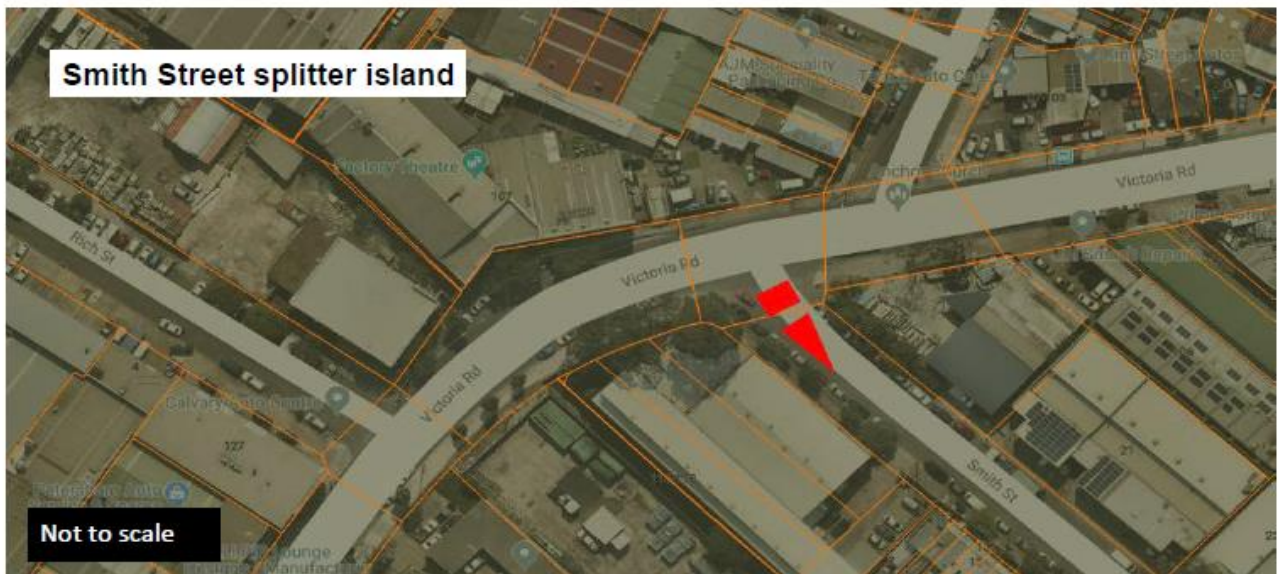


Figure 21- Infrastructure Item No. VRP – R - 004

Installation of splitter island at eastern end of Rich St



Figure 22 - Infrastructure Item No. VRP – R - 005

Removal of crossing and installation of traffic signals

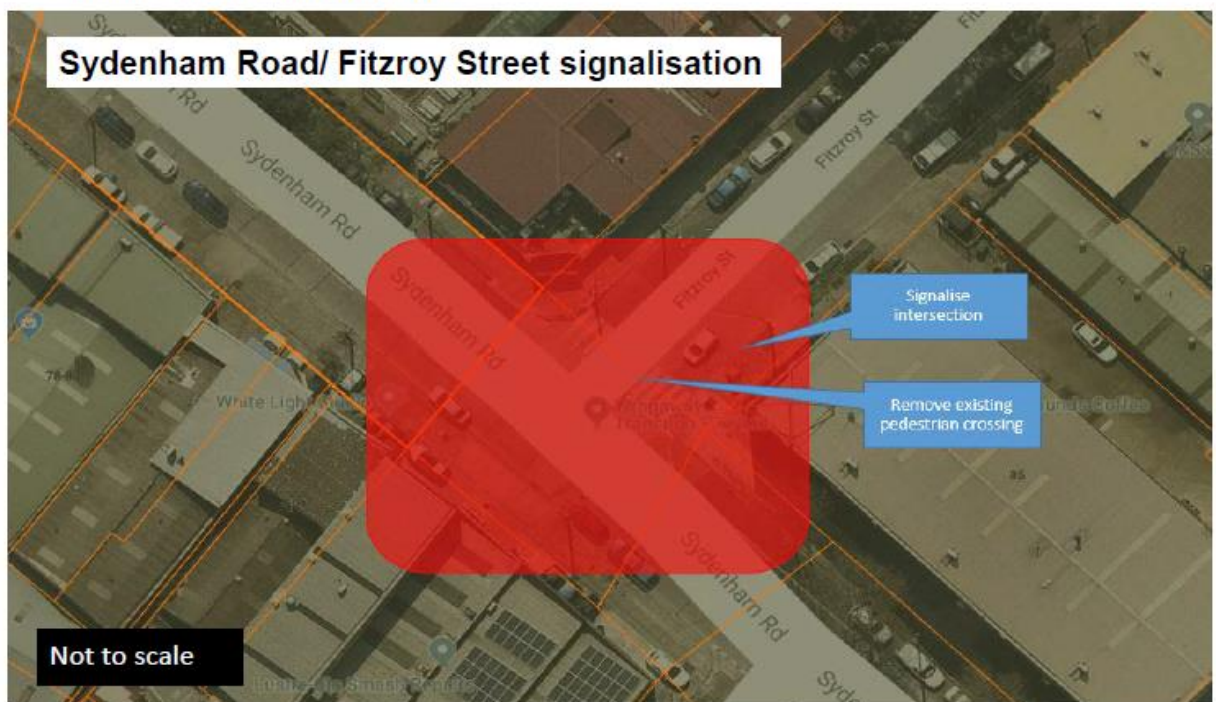
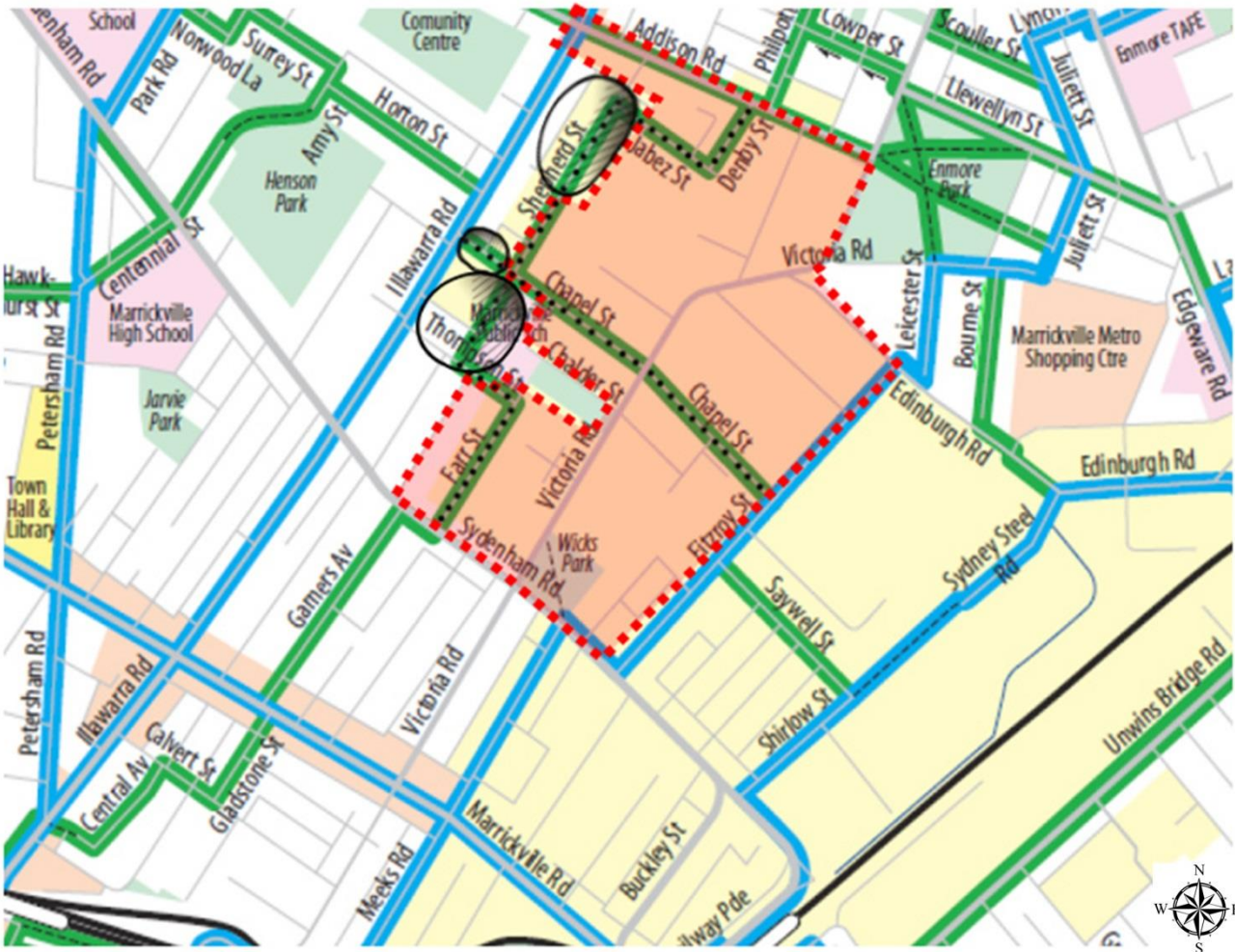







Figure 23 - Infrastructure Item No. VRP – R - 006

Figure 24 Excerpt from Marrickville bike plan - Location of proposed Bicycle Infrastructure Works with Precinct 47



- Legend**
-  Regional Route (On-road)
 -  Local Routes (On-road)
 -  Bicycle Route works located outside of Precinct 47 - Victoria Road Precinct
 -  Precinct 47 - Victoria Road Precinct boundary
 -  On-road bicycle stencil markings that are to be provided at all intersections and each 50 metres of these local on-road bicycle routes within the precinct.

Precinct 47 – defining the transport analysis and needs

This draft note has been prepared to set the foundation for how the transport needs for Precinct 47 will be analysed to support the future development scenario. In preparing a vision and goals, the analysis will focus on the requirements and impediments to achieve these.

This note provides a summary review of the transport components of Inner West Council documents including:

- > Community Strategic Plan;
- > Delivery Program 2018 – 2022; and
- > Victoria Road Precinct (Precinct 47) Amendments to the Marrickville DCP 2011.

These documents provide the basis for identifying the transport vision and aligning already developed transport objectives. This also identifies conflicting objectives and controls to be consideration by Council. These will allow for an informed directive to be provided to Cardno for the transport needs analysis.

1.1 Community Strategic Plan – Our Inner West 2036

A key guiding principle is:

"Communities minimise their ecological footprint and practice sustainable ways of living such as consumption and using active and public transport".

Key transport related components of the Community Strategic Plan are documented in **Table 1-1**.

Table 1-1 Transport related strategic directions

Outcomes	Strategies	Indicators/ trend	Cardno comment/ query
1.4 Inner West is a zero emissions community that generates and owns clean energy	2. Develop a transport network that runs on clean renewable energy	Residential energy consumption	Active transport provides the best opportunity to reduce energy consumption.
2.5 Public transport is reliable, accessible, connected and enjoyable.	1. Advocate for improved public transport services to, through and around Inner West 2. Advocate for, and provide, transport infrastructure that aligns to population growth	Satisfaction with access to public transport > 3.79. People who travel to work by public transport > 38.2%	Opportunities should be investigated to maximise PT use through infrastructure and services.
2.6 People are walking, cycling and moving around Inner West with ease.	1. Deliver integrated networks and infrastructure for transport and active travel 2. Pursue innovation in planning and providing new transport options 3. Ensure transport infrastructure is safe, connected and well maintained	Satisfaction with cycleways > 3.00. Satisfaction with maintaining footpaths >3.08. Community satisfaction with management of parking.	Development to support the enhancement of the active transport network.

1.2 Delivery Program 2018 - 2022

Key transport related components of the IWC Delivery Program as they relate to the Precinct 47 Transport needs analysis are outlined in **Table 1-2**.

Table 1-2 Delivery Program 2018 – 2022, Transport components

No.	Objective	Cardno comment/ query
2.5	Public transport is reliable, accessible, connected and enjoyable.	Appropriate transit stop facilities and movement is not impeded by a congested road network. Consultation with state government agencies may be required.
2.6.3	Review and coordinate the implementation of parking strategies.	Confirm parking rates to be adopted, minimum provisions required as per existing DCP or implement new maximum allowable limits. <i>IWC Engineers Response: Existing parking rates already have an inbuilt reduction in parking requirements to help reduce dependence on the usage of private motor vehicles. Accordingly, IWC Engineers do not support any further reduction in parking requirements within the Precinct.</i>
2.6.3	Provide, renew and upgrade traffic and pedestrian safety facilities.	Precinct 47 redevelopment provides a catalyst to achieve this.

1.3 Draft DCP review – Victoria Road Precinct (Precinct 47) Amendments to the Marrickville DCP 2011

1.3.1 Desired future character

The desired future character from the draft DCP as it relates to transport is abbreviated as follows:

Support the long term transition of Precinct 47 into a vibrant and sustainable mixed use precinct, supporting improved connectivity and pursuing opportunities which make the areas a highly desirable place to work and live.

A review of the desired character is provided in **Table 1-3**.

Table 1-3 Desired future character summary, Section 9.47.3

Desired future character	Cardno comment/ query
Support ground floor activation of the precinct. Create liveable environment with good access to Victoria Road and transport opportunities.	Additional pedestrian demands will require an adequate amount of space to support the desired character. Consider allocation of road space (parking, transit, active transport, public transport) to be conducive to ground floor activation.
Enhance existing streets and incorporate new streets and shared zones.	Review the enhancements proposed to improve pedestrian and cyclist access, amenity, safety and mobility.
Enhance streetscape by incorporating green streets and pathways which connects points of interest.	Improve pedestrian and cyclist access, amenity, safety and mobility.
Active transport will be encouraged through new on-road cycle routes.	Proposed cycling routes to be reviewed. Verge side bicycle parking should be integrated with new development.
Create liveable environment with good access to Victoria Road and transport opportunities	Consider improving active transport and public transport provisions.

1.3.2 Movement network

A review of the movement network objectives and controls is provided in **Table 1-4**, **Table 1-5** and **Table 1-6**.

Table 1-4 Movement network objectives and controls, Section 9.47.6.1

General		
	Objective	Cardno comment/ query
1	To encourage the use of public transport, walking and cycling and ensure streets achieve a balance between facilitating vehicle movement and promoting walking and cycling.	We need to define what "the balance" is. Suggest establish mode share targets.
2	To ensure new streets are integrated with the surrounding street network, in particular within the Timber Yards and Wicks Park Sub-precincts and establish a clear and legible street hierarchy interconnecting with Victoria Road.	RMS and Council seek to minimise new road connections to Victoria Road and Sydenham Road.
3	To ensure streets are designed and constructed to a high standard and provide a high level of comfort, amenity and safety.	It is assumed this refers to new streets meeting contemporary standards and improving on the existing provisions which has a high number of crossovers and parking along the property boundary adjacent to the footpath.
4	To deliver identified road and intersection upgrades.	Cardno to undertake traffic modelling of chosen street layout and agreed land use scenario.
5	To provide a comfortable and attractive environment for pedestrian and cyclists and enhance pedestrian and cyclist connections to surrounding commercial precincts, including Addison Road and Marrickville Road.	Cardno will assume comfort and attraction refer to satisfactory space or mixed use facilities on low traffic volume speed and volume roads.
6	To improve connectivity and circulation within the precinct and to local activities, parks, public spaces and schools.	A review of the masterplan indicates this would be achieved.
Controls		
1	Development within the Victoria Road Precinct should be generally consistent with Figure 5: Movement Network Plan and Table 1: Street Characteristics, that includes:	-
a	A pathway dedication along Victoria Road of an additional 1.5 metres that is dedicated to the public domain to enable wider verge areas for public footpaths, seating areas, street tree planting, and street awnings.	Cardno agrees with this initiative. It is suggested a minimum 1.8m clear path of travel (free of obstructions) zone be established to facilitate movement. This would allow 2 wheelchairs to pass. Buffers of 0.2 metre should be provided against property boundaries and street furniture. This would facilitate movement and space for street furniture and utilities. The proposed verge width would be able to accommodate this.
b	A future upgrade to the intersection of Victoria Road and Sydenham Road, which is to be designed and delivered in consultation with the State Government and the Inner West Council.	Cardno will investigate the requirements for this.
c	New internal streets and extending existing streets within the Timber Yards and Wicks Park sub-precincts.	This supports objective No. 6
d	New laneways within the Timber Yards, Wicks Park, Rich Street and Chalder Avenue sub-precincts to support rear lane servicing for non-residential uses.	Cardno understands Council supports these if they support through movements for other traffic and they are not solely for servicing use. These can provide a good opportunity for pedestrian and cycling connections.

		<i>IWC Engineers Response:</i> Supported with the exception of those laneways located in the non up-zoned north-eastern parts of the Precinct.
e	Creating a new shared zone between Victoria Road and Farr Street connecting to a new pocket park that will enable greater flexibility of uses between pedestrian activity, traffic and parking and to facilitate access to new residences (no vehicular access will be available from Farr Street, as the new shared zone is intended to be an internal connection only and will be obstructed by the location of the new pocket park).	With reference to control No. 4, does vehicle access need to be from Victoria Road? Can it be provided via Farr Street thereby rationalising along Victoria Road and improving pedestrian amenity. <i>IWC Engineers Response:</i> Prefer that this shared zone be converted to use by active transport only – no motor vehicles.
f	Extending Hans Place as a shared zone through to Victoria Road to enhance access to Wicks Park and the commercial corridor along Victoria Road.	With reference to control No. 4, this would be adding a new access point to Victoria Road. Suggest blocking to vehicles at Victoria Road. <i>IWC Engineers Response:</i> Agree with Cardno there should be no access from this new road to Victoria Road.
g	Extending Chalder Avenue into the Wicks Park Sub-precinct, with a shared zone north of the Hans Place extension.	Improves permeability for all users.
h	A pedestrian through site link between the Hans Place extension and Wicks Park to increase permeability and enable direct pedestrian and cycle access to Wicks Park.	Improves permeability for all users.
i	A pedestrian through site link between the Hans Place extension and Wicks Park to increase permeability and enable direct pedestrian and cycle access to Wicks Park.	-
2	The number of vehicle entry points per block should be minimised and located to maximise visual amenity within the public domain.	-
3	Adequate separation between vehicle entry points is to be provided to minimise impact on streetscape design and pedestrian amenity.	-
4	Development should avoid vehicle entry points along Victoria Road and Sydenham Road, except under exceptional circumstances.	-
6	Pedestrian paths	
a	are provided on both sides of existing and proposed streets identified in Figure 5: Movement Network Plan Map;	-
b	are clearly distinguished from vehicle access-ways	-
c	are designed to maximise safety for pedestrians within shared zones	-
d	are well-lit to safety standards.	-
7	Incorporate safe and legible cycle routes through the Precinct which connect to existing cycle routes within the surrounding area.	-

Table 1-5 Shared zones

Shared Zones		
	Objectives	Cardno comment/ query.
	To prioritise walking within particular streets to create a pedestrian friendly space in the form of shared zones within the Timber Yards and Wicks Park Sub-precincts.	-
	Ensure that the street network provides a high level of amenity and safety for all users.	-
Controls		
1	Shared zones are to be provided in location of the proposed new shared zones is to be generally in accordance with the Figure 4: Movement Network Plan Map that includes:	-
a	along the proposed new road between Victoria Road and Farr Street;	Shared zone should block vehicle access at Victoria Road as per general control no. 4 (See IWC Engineers comments above)
b	along the proposed extension of Hans Place to Victoria Road; and	Shared zone should block vehicle access at Victoria Road as per general control no. 4
c	along the proposed extension of Chalder Avenue to the proposed extension of Hans Place.	

Table 1-6 Green links

Green links		
	Objectives	Cardno comment/ query.
1	To integrate green links that primarily serve a movement function, but which also improve environmental performance, visual amenity and comfort of the public domain.	
2	To integrate green links that primarily serve a movement function, but which also improve environmental performance, visual amenity and comfort of the public domain.	
3	To provide a public domain that supports a habitat for local wildlife, reduces the urban heat island effect, manages stormwater and makes walking and cycling more attractive.	
4	To improve permeability and connections between key areas within the precinct.	
Controls		
1	Development is to incorporate green links generally in accordance with Figure 15: Public open space network and Table 3: Green link characteristics.	It is recommended a minimum 1.8 metres wide clear footpath travel zone be provided to allow two-way pram/ wheelchair movement. Planting zone should be a minimum (Council to advise?.?)metres wide. Response from IWC Initiative supported but agree with Cardno that perhaps this should be increased to a greater width >1.5 metres i.e. 1.8 metres. In this regard, IWC Engineers would normally seek a 2 metre wide pathway area.

1.4 Draft transport vision

Defining a transport vision will help to direct how the transport network is analysed and what infrastructure needs are identified for costing.

Draft transport vision:

A highly accessible precinct that supports and encourages movement and access through a proportionally high use of sustainable transport modes while providing for the need of a good level of service for vehicle movement and access.

1.5 Precinct 47 Transport needs analysis clarification requirements

- > No discussion about what parking rates will be adopted, although it is implied that the existing Marrickville DCP rates will apply. These are likely to result in a large quantum of parking and traffic generation. There is an opportunity to limit car parking which would likely assist to reduce the traffic generation and impacts of development.
- > The DCP remains mute regarding on-street parking provisions, indicative cross sections indicate this will generally be through parallel parking. It is understood there are conflicting considerations regarding any provision of 90 degree on-street parking. There are safety implications for 90 degree parking and designated on-street cycleways.
- > No mode share goals are outlined and the balance between vehicles and pedestrians/cyclists is not defined. The public transport Journey to Work goal can be taken from the community strategic plan. The full range of trip purposes and mode split target needs to be defined to plan for transport infrastructure that meets these goals.
- > A target/minimum LoS outcome for the road network should be set.
- > The roads should be categorised in the movement and place framework. Roads and Maritime or TfNSW may have already completed this work. This will provide consistency for road network planning with the state.
- > Access points need to be defined for the purpose of traffic modelling. There are conflicting objectives and controls with regards to new access points proposed on Victoria Road and the requirement to avoid vehicle entry points onto Victoria Road and Sydenham Road.

1.5 Precinct 47 Transport needs analysis clarification requirements (IWC Engineers responses):

- Parking rates: comments as per IWC Engineers comments for 1.2 Delivery Program 2018 – 2022;
- On street Parking Level of Service: IWC Engineers would favour consideration being given to 45 degree angled on – street parking, in some streets within the Precinct, where practicable. As a minimum, the current level of service should be maintained within the Precinct with the increased development, now permitted under the rezoning. The Precinct should be no worse off, from a traffic and transport viewpoint, with the increased development;
- Mode Share Goals: Recommend that the two LATMs that cover the Precinct should be consulted on this matter;
- Categorisation of roads – agree it would be desirable to make contact with the RMS and or TfNSW on this issue;