

Leichhardt Municipal Council



AGENDA

ORDINARY MEETING

24 SEPTEMBER 2013

SUPPLEMENTARY REPORTS
ITEMS C3, D2, E14, F4, F5 & H2

LEICHHARDT MUNICIPAL COUNCIL

ORDINARY MEETING OF COUNCIL

NOTICE IS HEREBY GIVEN OF THE FOLLOWING **SUPPLEMENTARY ITEMS** FOR THE **ORDINARY MEETING** OF THE LEICHHARDT MUNICIPAL COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, LEICHHARDT TOWN HALL, 107 NORTON STREET, LEICHHARDT, ON **TUESDAY 24 SEPTEMBER 2013**.

Peter Gainsford
ACTING GENERAL MANAGER

19 SEPTEMBER 2013

BUSINESS:

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LEICHHARDT MUNICIPAL COUNCIL

PRECIS OF CORRESPONDENCE

DIVISION:	PRECIS OF CORRESPONDENCE
SUBJECT:	ITEM C3 - ST VINCENT DE PAUL SOCIETY FUNDRAISER
DATE:	8 JULY 2013
WORD PROCESSING REF:	G:\BP\REPORTS\2013\24092013\SUPP\POC-FUNDRAISER ST VINCENTS.DOC

Attached is correspondence from the Rozelle Regional Council of St Vincent de Paul Society.

They are holding a fundraiser on Saturday 23 November 2013 at the Canada Bay Club, Five Dock. All proceeds from the evening will be going directly to their disability and mental health programs at Mary MacKillop Outreach.

A table at the event seats 12, and the cost per adult is \$50.00.

Recommendation:

That Council purchase tickets for Councillors interested in attending the fundraiser.

From: Donna Boyd [<mailto:donnab@sydneyvinnies.org>]

Sent: Monday, 16 September 2013 4:35 PM

To: Byrne, Darcy (Mayor)

Cc: Kelly, Linda (Deputy Mayor)

Subject: St Vincent de Paul Society.

[MMO Special Work Logo Blue - Nov 06]

Dear Darcy,

You may recall last year you were unable to attend our annual fundraiser due to having a prior engagement.

We are hoping that you, and the Councillors may be able to support us this year by purchasing tickets, and attending what will be a very enjoyable evening.

Please see attached invitation, all proceeds from the evening will be going directly to our disability and mental health programs at Mary MacKillop Outreach, and we would truly appreciate your support.

Kind regards

Donna

"One Society - One Voice"

Donna Boyd

Client Support Officer

Rozelle Regional Council

St Vincent de Paul Society

t: (02) 9818 4365

f: (02) 9555 1076

e: donnab@sydneyvinnies.org <<mailto:donnab@sydneyvinnies.org>>



St Vincent de Paul Society

good works

Fundraiser 2013



Mary MacKillop Outreach
a Special Work of the St Vincent de Paul Society

You are invited to join us at the Canada Bay Club, Five Dock

On Saturday 23rd November 2013 in support of Mary MacKillop Outreach

Please join us for a wonderful night, hosted by Paul Murray of 2UE radio.

With exciting lucky door prizes, a two-course dinner, entertainment, and a silent auction with great prizes up for grabs!

Back by popular demand

"Beat the Streets".



Please support the good work of Mary MacKillop Outreach

By booking your ticket/s *tables' seat 12.*

To book tickets, please contact Donna Boyd 02 9818 4365 donnab@sydneyvinnies.org

Or Shaun Moroney 02 9568 0247 shaunm@sydneyvinnies.org

Tickets: \$50.00 Adult \$20.00 Children, doors open 6pm.

We would like to purchase _____ ticket/s to the 2013 fundraiser.

Name: _____ **Phone:** _____ **Email:** _____

Payment method: Pay cash to Donna Boyd at St Vincent de Paul Society, level 1, 683 Darling Street, Rozelle, or Shaun Moroney, at Mary MacKillop Outreach, Charles O'Neill Way, Lewisham.

Please make cheques payable to: "St Vincent de Paul Society, NSW Sydney Archdiocese". Please post your reply slip and cheque to Donna Boyd c/o St Vincent de Paul Society, PO Box 310 Rozelle NSW 2039.



Hosted by 2UE's
Paul Murray

A fabulous fun
filled night of
music, dancing,
raffles and a
silent auction!



Back by Popular Demand
Beat the Streets



St Vincent de Paul Society
good works

2013 Fundraiser

Saturday 23rd November, 6pm

CANADA BAY CLUB  4 William Street Five Dock

Tickets \$50 Adults, \$20 Children

To purchase tickets please contact;

Donna Boyd **9818 4365** donnab@sydneyvinnies.org

Shaun Moroney **9568 0247** shaunm@sydneyvinnies.org

All proceeds to:



Mary MacKillop Outreach
a Special Work of the St Vincent de Paul Society

LEICHHARDT MUNICIPAL COUNCIL

REPORT

DIVISION: GENERAL MANAGER'S DIVISION

SUBJECT: ITEM D2 - RENEW LEICHHARDT - IMPLEMENTATION

AUTHOR: ANDREA TATTAM – ECONOMIC DEVELOPMENT OFFICER

FILE REF:

DATE: 17 SEPTEMBER 2013

WORD PROCESSING REF:

DIRECTOR'S SUMMARY - ORGANISATIONAL IMPLICATIONS

Financial Implications: Renew Leichhardt implementation costs of \$126,000 to be funded through \$90,091 carry forwards to 2013/14 and \$35,909 from 2014/15 Economic Development Projects budget

Policy Implications: Consistent with Council's EEDP and complements other Council strategic service plans

Strategic Plan Objective: Community Well Being
Place Where We Live and Work
Business in the Community
Sustainable Services and Assets

Staffing Implications: Nil

Notifications: Nil

Other Implications: Opportunities to reinforce relations and partnerships between businesses, the community, residents and Council

1. **Purpose of Report**

To brief council on the findings, proposed strategy and recommendations from the Stage 1 Scoping Phase of the Renew Leichhardt project and to seek resolution based on the recommendations to immediately proceed with Stage 2 Implementation Phase of Renew Leichhardt.

2. **Recommendations**

- 1) That council receive and note the (Stage 1 Scoping) Preliminary Report from Renew Australia;
- 2) That council endorse the conclusions and proposed implementation strategy from within the report and resolve to proceed immediately to the Implementation Stage 2 of the Renew Leichhardt Project at a cost of \$126,000;
- 3) That council allocates \$90,091, the remainder of unspent carry forward Marketing and Promotions budgets to the implementation of Renew Leichhardt in 2013/14 and, that \$35,909 being the balance of implementation costs be sourced from Economic Development Projects in 2014/15.

3. **Background**

3.1 Renew Leichhardt

At its meeting of the 28 May 2013 a Mayoral Minute (Item A1b) outlining the objectives of the Renew Australia approach to high street reactivation was presented detailing its alignment to the objectives of the Leichhardt Employment and Economic Development Plan and as a means of addressing the high vacancy rates across the LGA.

As such Council resolved to proceed with a scoping exercise into a Renew Australia type project in Leichhardt LGA in partnership with our local business community at a cost of \$25,000.

Further as per the resolution, Council received a briefing from Marcus Westbury Founder and CEO of Renew Australia on 12 June 2013 at which time he presented the background to Renew, the results achieved in Newcastle and other locations around Australia to date and the economic value and return on investment of the Renew approach to urban reactivation. The scoping stage was scheduled to be a 6-8 week investigation into the feasibility of developing a pilot program in Leichhardt to activate otherwise empty commercial spaces in the Parramatta Rd, Norton and Darling Street precincts.

The goal of securing at least 2-3 suitable spaces for initial activation was agreed as a benchmark for determining whether it was a viable project to proceed to subsequent implementation stages, noting that the project would expand as a result of interest once established.

Renew Australia have emphasised the need to be able to act swiftly in terms of a progression from Stage 1 to 2 in order to act upon and capitalise on interest generated during the scoping phase. The importance and relevance of this cannot be understated.

Considerable work is involved in engaging and motivating property owners during the investigation to 'lend' their empty available spaces to the project. To be able to proceed quickly increases the likelihood of converting this interest into actual participation.

4. Report

4.1 Renew Leichardt Objectives

Renew Leichardt will activate empty properties and engage with the community across the LGA by working with privately owned underused/vacant sites and matching them with local creative enterprises and initiatives. The impact of a Renew program has both short and long-term benefits.

In the immediate term activation, interest and life are returned to otherwise empty spaces, generating improved community and social outcomes along with healthier high streets. It develops the creative sector within the LGA and longer term the area regains attractiveness to investment and is more likely to attract and retain full rent paying tenants into the commercial precincts. This then provides sound economic value to the landlords and a stronger more sustainable local economy.

4.2 Community Engagement – Property Owners

To test what interest existed amongst owners of vacant properties, council and Renew developed and delivered two property owners' forums during the scoping phase.

Having contacted all commercial strata owners in the Italian Forum by email and letter, on the 31 July 2013 Council and Renew held a meeting of approximately 15 commercial owners within the Italian Forum.

Further, on the 12 September 2013 approximately 45 people attended a meeting to hear about the Renew project, the key audience targeted for this meeting were property owners of empty spaces across the LGA and key commercial real estate agents.

Both meetings were extremely well received with much interest and enthusiasm for a Renew project in the Leichhardt municipality. The outcomes from these forums are further discussed in the attached Renew Australia Preliminary Report – **Attachment 1**.

4.3 Renew Leichhardt Scoping Study Outcomes and Proposed Strategy

As a result of the scoping study the Preliminary Report concludes that;

- a. A Renew Leichhardt scheme is not only viable but in high demand;
- b. There is a critical mass of property owners already identified with 5-10 spaces available to proceed immediately (note that the goal to proceed was 2-3);
- c. The Italian Forum, which is in a particularly challenged state and central to the overall economic viability of Norton St can provide a concentrated starting point for a scheme from which point expansion can occur; and
- d. There is a highly active and vibrant creative community who are ready to participate in activating the spaces.

It is anticipated that the first spaces could be activated and open by Christmas 2013. Opportunities exist and have been identified for Parramatta Rd and Norton Street. It is recommended that Darling Street as another key location be included but not as a priority in getting the project off the ground.

The proposed strategy to approaching the project in our LGA is fully detailed in the preliminary report however it is summarised that:

- e. It is logical to commence the project in the Italian Forum given the relatively highly concentrated property ownership; and that
- f. Renew Australia will work towards an incremental increase in properties in other locations and creative businesses as the project develops.

4.4 Financial Implications and Project Implementation

4.4.1 Carry Forwards

In July 2013 a report to Council on the Employment and Economic Development Plan budget identified an anticipated carry forward into 2013/14 from unspent Marketing and Promotions funds of \$115,091.

By way of resolving the Mayoral Minute outlined above, Council has already committed \$25,000 to Stage 1 Scoping of Renew Leichhardt from this carry forward amount leaving a balance of \$90,091 unallocated.

4.4.2 Renew Project Costs

Stage 2 Renew Project Development and Management is a 12-month program with a total cost of \$126,000. It is expected that costs will be averaged out (approximately) monthly at \$10,500 per month.

On this basis and calculated on a project commencement date in Oct 2013, it is envisaged that the stage 2 costs will be split over two financial years as such;

FY 2013/14 Oct 13-June 14 (9 months @ \$10,500 per month)	\$94,500
FY 2014/15 July 14-Sept 14 (3 months @ \$10,500 per month)	\$31,500
Total Cost Stage 2	\$126,000

It is therefore recommended that council allocates the \$90,091 carry forward into 2013/14 towards the implementation of Renew Leichhardt and that \$35,909 being the balance of implementation costs be sourced from Economic Development Projects in 2014/15 when those costs are incurred.

4.4.3 Project Implementation

The implementation stage will largely focus on brokering licence agreements with property owners, and creative participants, a media and communications strategy and the engagement of an on the ground Project Manager. More specifically the project is defined through the following deliverables;

- Communication/marketing/media campaign strategy development and management
- Creative project application assessment and selection
- Local creative community research and engagement
- Licence participation and agreement brokering
- Management of temporary space activation
- Evaluation strategy development, management and reporting

4.4 Renew Leichhardt beyond the first year

Obviously given this level of investment, the longer-term sustainability of the Renew initiative in Leichhardt is a consideration. Beyond the first year the scope for economies of scale is significant particularly if Renew are successful in recruiting other Sydney based projects into a Renew Sydney initiative. Renew Australia have proposed two options;

- a. Renew Australia could continue to work with Leichhardt with ongoing project management costs reduced by up to 75% or;
- b. Council nominate an entity/persons to project manage the initiative beyond year one, with Renew providing training and assistance on the ground during the initial implementation phase

It is recommended that this issue be revisited after commencing the project and following assessment of the first six months of implementation, with a report back to council to provide more information at that time.



Renew
Leichhardt



Preliminary
Report



Executive Summary

Renew Australia was commissioned by Leichhardt Municipal Council to investigate the feasibility of establishing a Renew-type empty space activation program in the municipality as Stage 1 of a 3 part program.

"Renew Leichhardt" will activate empty properties and engage the community across the Leichhardt LGA by working with privately-owned and underutilised spaces and matching them with local creative enterprises and initiatives.

A Renew program will provide short to medium-term incubation opportunities at no or low cost to local creative enterprises. It will use their presence to drive activity, interest, and ultimately community and commercial value to the retail precincts of the Leichhardt LGA.

Renew Australia has undertaken on-the-ground mapping of vacant spaces and met with traders, stakeholders and property owners in the precinct to evaluate their interest and willingness to participate in a Renew initiative.

As a result of this scoping, this report concludes that:

- A Renew Leichhardt scheme is not only viable but in high demand from the property owners and existing businesses consulted so far,
- There is a critical mass of property owners already identified that would allow a Renew scheme to begin within months in The Italian forum (5-10 vacant tenancies available immediately) and rolling out to other parts of the LGA in parallel or throughout the new year,
- The Italian Forum – which in a particularly challenged state – can provide the starting point for a scheme and a basis

from which it could expand across all the retail precincts in the municipality, and

- There is a highly active and vibrant creative community who may potentially participate in such a scheme.

Renew Leichhardt proposes to begin with vacant properties in The Italian Forum and, if possible, nearby properties in Parramatta Rd and Norton St.

Over the first six months Renew Leichhardt will seek further properties through public meetings, a media campaign, and one-on-one meetings with property owners.

Once the project management process and infrastructure is established and initial activation projects are in place, the program will work to engage more owners in other key precincts around the LGA including other parts of Parramatta Rd, Norton St, Rozelle and Balmain.

Renew Australia has established significant interest from key stakeholders (including property owners) and recommends that council commits to the stages 2 and 3 of the project. Establishing such a scheme immediately would allow us to have the first spaces open by Christmas 2013.

Background and Context

Renew Australia

Renew Australia is a national not-for-profit social enterprise based in Melbourne. Renew Australia works to support communities around Australia to replicate, adapt and apply the groundbreaking model developed by the multi award winning Renew Newcastle project in NSW.

Since late 2008 Renew Newcastle has worked with private property owners to "borrow" otherwise unused shops and offices for use by artists, creative enterprises and community initiatives. The Renew model works by taking the empty shops and offices that blight many streets and (in the cheapest and most cost effective way) turns them into an asset by using them to launch new creative projects and businesses that attract life and activity to the area.

Since 2009 Renew Newcastle has launched more than a hundred and twenty new creative projects and initiatives in privately owned buildings that were empty, disused and vandalised. It has directly led to a dramatic turnaround in the city with more than 55 once vacant properties now occupied, many successful commercial businesses started and Lonely Planet naming Newcastle a top 10 city in the world to visit in 2011, citing the Renew Newcastle project as a key reason.

Cities, towns and communities across Australia are looking to apply this model and Renew Australia has been established to help them do it.

Leichhardt

There is a relatively high and growing retail vacancy rate in key areas of the Leichhardt municipality. Some of this results from the generally difficult position that retail finds itself in nationally and internationally – structural changes brought on by internet based shopping and cyclical factors such as the broader economic climate – while other areas such as The Italian Forum and Parramatta Road face more difficult challenges due to their form, location and recent history.

Traders consulted during this process expressed the view that the recent trajectory had been one of decline and expressed a concern that if the decline were to continue it could turn a cyclical challenge into a structural one.

Such a perception, if sustained for a period of time, risks creating a negative feedback loop where the perception that the area is economically risky deters or lowers the value of future investment. Furthermore, the lack of engaging activity in the area means that potential foot traffic is considerably reduced and businesses and investors considering moving into the precinct may be significantly less likely to do so.

While the Leichhardt area faces significant challenges in the short term the medium term prospects are very positive. The municipality is very well located, is experiencing a significant growth in young families, is home to strong and diverse creative community, has a mix of good quality building stock, has a strong local community and other factors which indicate that many of the challenges are transitional. How this transitional period is managed is crucial in shaping the economic value, community cohesion, cultural life, and vibrancy in the longer term.

How does the model work?

The Renew model supports and empowers local groups – a mix of business, arts and community leaders – to work with private property owners to kick-start local communities. Specifically, the Renew model works to:

- Enliven and activate struggling streets and precincts by taking otherwise empty shops and offices and incubating creative initiatives in them.
- Develop, promote to owners, and manage rolling short term license agreements that allows access to property while it would otherwise be vacant.
- Manage and ensure that local Renew programs and individual creative projects have appropriate legal knowledge, insurance and governance to take over spaces.
- Ensure that spaces are safe and compliant with relevant approvals, buildings codes, permitted uses and zonings.
- Identify local artists, artisans, makers and creative communities, find and work with them, match projects to spaces, and manage their involvement so as to give them opportunities they would not otherwise have.
- Promote and market the outcomes and the area.

Renew Australia works on the ground and remotely with communities, property owners, creative practitioners to ensure that local communities have the best possible strategy and tools in place before attempting to embark on a Renew scheme.

While the basic idea is simple enough, managing the legal responsibilities, the contracts, the insurance and the confidence of the local community and property owners can remain a major challenge, Renew Australia is a national body designed to help local communities manage these issues.

What are the economic and social benefits?

Renew empty space activation projects contribute to local communities in cultural, economic and social ways. The Integrated Design Commission of South Australia commissioned an Independent Economic Review of 'Renew' Projects, conducted by SGS Economics and Planning, that identified many benefits to the local community.

Benefits to local communities include:

- Avoidance or mitigation of blight and anti-social behaviour;
- Improved business and community confidence;
- Skills development;
- Volunteer engagement;
- Creation of intellectual capital, some of commercial value;
- Creation of jobs;
- Cost savings due to reduced maintenance, and
- Improved regional 'brand value', tourism and inward investment.

That report found that over a 12 month period, Renew Newcastle had realised \$1.26 million worth of benefits for a total costs of \$117,000.

The Economic Review of 'Renew' Projects identified a Benefit Cost Ratio (BCR) of 10.8 and a net benefit of \$1.14 million in the period studied.

Opportunities in Leichhardt

The Italian Forum

Renew Australia proposes to begin a Renew program in Leichhardt with a program centred on the Italian forum. A public meeting was held for property owners and traders on the 31st of July that met with considerable enthusiasm for the concept.

Several stakeholders described the status quo as a 'crisis' or in similar terms and expressed enthusiasm for commencing a Renew program in The Forum immediately.

Following on from the original meeting Renew Australia has met individually in person or by phone with the three largest commercial property owners in the precinct. They have all agreed – in principle – to make any vacant properties they own available under the scheme.

Key benefits of activating The Italian Forum:

- It has the highest vacancy rate of any area examined in this study,
- There is a high level of enthusiasm from the property owners,
- A significant number of properties are immediately available – between 5 and 10 (depending on tenant movement and in some cases the consent of equity partners) properties would likely be available from owners already consulted with,
- The size and scale and proximity of the spaces lend themselves to artisanal use, and



- It is relatively simple to establish and program there that could quickly expand to include properties in nearby areas of Parramatta Rd and Norton St.

Renew Australia believes that the forum's distinctive configuration, number of properties available (critical mass) and character offer considerable potential.

Uses would be sought that evoked the contemporary artisanal nature of many Italian cities and town centres. Projects could be moving into vacant spaces in the Italian forum within 2 months of council committing to the next stage of the project.

Renew Australia proposes to begin work in The Italian Forum and begin negotiations with individual property owners across the LGA in parallel. Over a period of months we will build a database of potential local projects and participants that can also be used for an ongoing matching service in other parts of Leichhardt.

Parramatta Road

Parramatta Road is an area with significant structural challenges. The high level of traffic flow, the uncertain medium to long-term development environment (planning, zoning and transport issues) and other factors mean that short term development is difficult. These long term issues are creating undesirable short term effects – including high vacancy rates and a low amount of investment in the appearance of the area.

Given Council's vision to rezone the area as a live entertainment precinct Renew Australia recommends targeting Parramatta Rd as part of the Renew Leichhardt strategy. Specifically, given the existing dynamics, we would tailor an approach around several key elements:

- A mix of galleries, studios, workspaces and less retail and artisanal uses than in The Italian Forum,
- A recognition that the higher volume of traffic, noise, etc lends itself to more 'robust' uses than on a major retail strip or in The Italian Forum,
- Targeting music community and adjacent uses (record labels, instrument makers, etc) but also galleries, social spaces and other infrastructure demographically compatible with the long-term plans,
- Promoting opportunities that might become available through music press, street press, relevant forums and other music media as an incremental means of laying the groundwork for the more long term plans,
- A recognition that live music itself is unlikely to be a major factor due to compliance and planning issues but there are many adjacent uses that could well be relevant, **and**



- Exploring opportunities to develop projects that use both the Parramatta Road frontage and the rear entrances or 'laneway' accesses where compliance issues make it possible to do so.

At this stage we are still exploring relationships with owners on Parramatta Road.

Norton Street

The dynamic in Norton Street is more typical of the difficult retail dynamics that are evidenced in many communities across Australia. The challenges there are more of a cyclical challenge than a structural one. The area is going through a period of difficult transition that must not be allowed to turn into a long-term decline.

Key factors in relation to working with Norton Street:

- Working there is extremely complementary to working in The Italian Forum,
- Significant vacancies and can leverage off the infrastructure/project workers working from the forum,
- Property ownership is reasonably fragmented therefore it will be labour intensive to reach a critical mass,
- Strategy should be to work with the owners with highest numbers of vacancies initially – we are currently in dialogue with the owners of 4 vacant properties and would prioritise that relationship, and
- General mix of bespoke, small-scale arts and creative enterprises that reflect the diversity and dynamics for the area would be the top priority.

As a result of the September public meeting Renew Australia has begun a dialogue with key owners in Norton Street.

Other key locations

Renew Australia has undertaken a preliminary look at Balmain and Rozelle. We are confident that the program infrastructure can be applied to both these precincts once it is established but they are not top priority in the implementation phase.

These areas' challenges reflect difficult retail dynamics more generally rather than structural problems. As with all areas there is a tipping point risk that a high number of vacancies for a prolonged period of time could cause a rapid deterioration in the outlook for the areas as a whole but neither area appears to have reached that point.

With this in mind the Renew Leichhardt program would:

- Use the infrastructure created by the program to fill any properties made available to us,
- Provide a service that could casually fill vacancies as they emerged with projects that may turn over relatively quickly,
- Invite owners in those precincts to participate in the program,
- Actively pursue opportunities (by contacting and meeting one-on-one with property owners) once available spaces in the initial precincts have been filled, and
- The ultimate aim would be no long-term vacancies in any of these precincts and that short term vacancies are minimised.

Proposed Strategy

A key challenge for Leichhardt is to accumulate a layer of diverse, interesting and distinctive activity to grow its value as a place for community, creativity, and business. A Renew Leichhardt program would aim to prioritise investment in activity, growing a unique and authentic sense of place, engaging locals, attracting visitors, increasing foot traffic, and improving the appearance and perception of the area. In doing so it would aim to grow the area's economic, social and cultural value.

Given The Italian Forum has an area of relatively concentrated property ownership, a high vacancy rate, and a high number of properties available to us we believe that this is the logical place from which to seed a successful project over time. From a preliminary assessment it appears these spaces are in usable condition and will not require more than cosmetic works to be used by the program.

Renew Australia's initial aim will be work towards a critical mass of activity in and around The Italian Forum before moving on to exploring opportunities in nearby streets. Once those available properties are filled we would work with other precincts across the LGA throughout 2014.

This incremental approach is based on experience with other projects. Generally individual owners are more readily convinced in the context of working examples and the quality and number of suitable projects grows over time. Renew Leichhardt would aim to activate immediately available properties in the forum and then add additional properties each month throughout the municipality as one-on-one relationships with property owners and the pool of quality projects can be developed and expanded.

Subject to council confirming its intention to proceed, Renew Australia would propose to appoint a part time on the ground project manager in Sydney. They will handle liaising with artists and council, following up with property owners and the day to day management of the program. They will be supported by our experienced team 7 days a week. Our team in Melbourne will manage the behind scenes aspects of programming including developing a Renew Leichhardt website, Facebook and Twitter presence as these will be fundamental to the delivery of this program and need to be ready to proceed immediately. Marcus Westbury will be regularly available to meet with new property owners and support the program through media engagements, speaking engagements and other events.

Stages 2 and 3 would commence as soon as possible with the aim to have the first properties tenanted in 2-3 months.

Based on discussions with owners and visual assessments, many of the properties we are aiming to use are in a condition that will mean they can be utilised with limited costs due to their scale, condition and the flexibility of existing fit outs. We note, however, that several of the properties have inflexible fitouts that cannot be removed or are of a larger scale and may require additional resources or partitioning in order to activate effectively.

Project selection

Due to the need for timely and responsive decision-making we would propose that a Renew Australia project team selects projects in negotiation with individual property owners based on criteria developed with input from council and other stakeholders.

The criteria would include such things as:

- The property owner's requirements – these are non negotiable and a condition of gaining access to a space,
- Readiness and suitability for a given space,
- The original and creative nature of the proposal,
- Ability to attract a community of interest to the area,
- The ability to grow value for the area as a whole, and
- Connection to the local community

Projects would not be allowed that directly competed with existing businesses.

Branding and Behind the scenes management

Renew Australia proposes that the project happen under a distinct local branding to be determined by the project steering group such as "Renew Leichhardt" or "Leichhardt Alive." It would be identified as a "Renew Sydney initiative" and would share a common web site, twitter and Facebook presence with other Sydney based projects (Eg.

renewsydney.org/leichhardt).

Beyond the first year there are significant economies of scale to be secured by sharing a common marketing and project management structure with other Sydney based projects. It would be a key aim of our project team to identify these synergies and bring other partners into the program.

Renew Australia will explore all opportunities to expand the program to neighbouring areas – preliminary discussions indicate this is likely with an aim to reduce the call on LCC to be the sole funder of the scheme in any subsequent years.

If the project were to continue under Renew Australia's management beyond a first year (we would review after 8 months) Renew Australia's first intention would be to reduce council's contribution to ongoing management of the program by at least 50% in the second year and 25% further in the third year as Renew Sydney builds partnerships with other LGAs, philanthropy and other levels of government to help cover the costs of running a broader program.

Once the program is mature at the end of the 2013 financial year, Leichhardt Municipal Council would also have the option of transferring the management of the program to a nominated entity with the LGA. If that were to happen Renew Australia would train, support and assist that organisation in an ongoing way.

Budget Details

Renew Australia proposed a full preliminary budget in Stage 1 of this process for Stages 2 and 3. The results of the scoping indicate that this budget is accurate. Renew Australia would be confident to proceed on the basis of the original budget proposed to run the program for twelve months from the inception of Stage 2.

Conclusion

Renew Australia is confident in the ability to roll out stages 2 and 3 of the Renew Leichhardt initiative in 2013-14. We are confident that ten or more vacant properties could be activated in the first few months of the program and, subject to the ongoing support of land owners, that this number could be incrementally increased throughout the life of the program.

We note that there is a good availability of spaces, an engaged creative community and key stakeholders ready to commit to a program. Renew Australia will work with the Leichhardt Municipal Council to ensure that we roll out a carefully staged program of engaging property owners, the creative community, and the wider community to engage them in the development of the Renew Leichhardt program.

Subject to the acceptance of this plan, Renew Australia will employ a Project Manager on the ground in Leichhardt to take carriage of the initiative and roll out the plan for the first twelve months.

LEICHHARDT MUNICIPAL COUNCIL

REPORT

DIVISION: ENVIRONMENTAL AND COMMUNITY MANAGEMENT

SUBJECT: ITEM E14 - AMENDMENTS TO DRAFT LEICHHARDT LEP 2013 – PUBLIC EXHIBITION

AUTHOR: VASILIKI ANDREWS – STRATEGIC PLANNER
MEAGHAN MULHALL – STRATEGIC PLANNER

DATE: 17 SEPTEMBER 2013

WORD PROCESSING REF:

DIRECTOR'S SUMMARY - ORGANISATIONAL IMPLICATIONS

Financial Implications: N/A

Policy Implications: Draft Leichhardt Local Environmental Plan 2013

Strategic Plan Objective: Community Well Being
Accessibility
Place Where We Live & Work
A Sustainable Environment
Business in the Community
Sustainable Services and Assets

Staffing Implications: N/A

Notifications: Department of Planning and Infrastructure. All persons who provided a submission during exhibition.

Other Implications:

1. **Purpose of Report**

The purpose of this report is to:

- (a) Outline the public exhibition process implemented in relation to the *Amendments to Draft Leichhardt Local Environmental Plan 2013*;
- (b) Inform Council of the results of the public exhibition process for the *Amendments to Draft Leichhardt Local Environmental Plan 2013*;
- (c) Outline the proposed changes to *Amendments to Draft Leichhardt Local Environmental Plan 2013* as a consequence of point (b) above;
- (d) Obtain a Council resolution to:
 - i. adopt the amendments to *Draft Local Environmental Plan 2013* as outlined in the planning proposals items 1, 2, 3, 4 and 6 (as outlined below);
 - ii. not proceed with the proposed amendment to the *Draft Local Environmental Plan 2013* as outlined in planning proposal item 5 (as outlined below);
 - iii. request that Parliamentary Counsel prepare a draft instrument for the adopted amendments to the *Draft Local Environmental Plan 2013* under section 59(1) of the *Environmental Planning and Assessment Act 1979* and liaise with Council to finalise the instrument by the deferred commencement date of 30 November 2013; and
 - iv. delegate authority to the General Manager to finalise the amendments and ensure that the legal drafting by Parliamentary Counsel is consistent with the resolution of Council.

2. **Recommendation**

That Council:

- (a) Notes that prior to the consideration of this report special disclosure of pecuniary interest forms for the Councillors present have been tabled as required under Section 451 of the *Local Government Act 1993*.
- (b) Note the extensive community consultation in relation to the amendments to the *Draft Leichhardt Local Environmental Plan 2013*.
- (c) Note that Council was given authorisation to exercise its delegation in making the proposed amendments to the *Draft Leichhardt Local Environmental Plan 2013* as part of the Gateway Determinations.
- (d) Adopt the proposed amendments to the *Draft Leichhardt Local Environmental Plan 2013* outlined in the planning proposals for the following items:
 - 1. Amendments to Aims of Plan and Zone Objectives;
 - 2. Amendments to Clause 4.3A Landscaped Area for residential development in Zone R1;
 - 3. Inclusion of new subclause 4.4B Exceptions to maximum floor space ratio for non-residential development and subsequent amendments to Floor Space Ratio maps;

4. Amendments/additions Land Use Tables; and
 6. Rezoning 55 Justin Street, Lilyfield from IN2 Light Industrial to B7 Business Park.
- (e) Not proceed with the proposed amendment to the *Draft Local Environmental Plan 2013* as outlined in planning proposal item 5 Inclusion of Complying Development Controls for the installation of photovoltaic panels.
 - (f) Council officers investigate options for amending the Floor Space Ratio controls for the Wetherill Street Civic Precinct.
 - (g) Request that Parliamentary Counsel prepare a draft instrument for the amendments to the *Draft Local Environmental Plan 2013* (as a result of (d) and (e) above) under section 59(1) of the *Environmental Planning and Assessment Act 1979* and liaise with Council to finalise the instrument by the deferred commencement date of 30 November 2013;
 - (h) Delegate authority to the General Manager to finalise the amendments and ensure that the legal drafting by Parliamentary Counsel is consistent with this resolution of Council if the amendments proposed under (d) and (e) are approved.
 - (i) Receive and note the submissions and responses that do not relate to the proposed amendments but the principal *Draft Leichhardt Local Environmental Plan 2013*;
 - (j) Advise the authors of all submissions of the outcome of the exhibition process, in accordance with the specific details of the Council resolution.
 - (k) Advise the authors of all submissions when the *Leichhardt Local Environmental Plan 2013* is finalised and published on the NSW Legislation Website.

3.0 **Report**

3.1 **Draft Leichhardt Local Environmental Plan 2013**

The *Draft Local Environmental Plan 2013* is primarily a “translation” of the existing *Leichhardt Local Environmental Plan 2000*. This means, wherever practicable, existing zones, provisions and controls were matched with an equivalent provision under the Standard Instrument.

The *Draft Leichhardt Local Environmental Plan 2013* was exhibited by the Council for a period of 74 days from 17 December to the 28 February 2013.

The *Draft Leichhardt Local Environmental Plan 2013* was adopted by the Council on 21 May 2013 and 28 May 2013. The relevant Council resolutions are at **Attachment 1** to this report.

Pursuant to the resolution of the 21 May 2013 (C202/13) Council requested that the Department of Planning and Infrastructure submit the *Draft Leichhardt Local Environmental Plan 2013* to Parliamentary Counsel for comment and opinion prior to finalisation, and that the draft plan is made by the Minister for Planning and Infrastructure accordingly.

Council requested a deferred commencement date of 30 November 2013 for the *Draft Leichhardt Local Environmental Plan 2013* to ensure the proposed

amendments (discussed below) are made in a timely manner and incorporated within the final plan.

3.2 Amendments to the Draft Leichhardt Local Environmental Plan 2013

During the exhibition of the *Draft Local Environmental Plan 2013*, Council identified a number of changes that would require further consideration and community consultation; namely:

1. Amendments/additions to Aims of Plan and Zone Objectives;
2. Amendments to Clause 4.3A Landscaped Area for residential development in Zone R1;
3. Inclusion of new subclause 4.4B Exceptions to maximum floor space ratio for non-residential development and subsequent amendments to Floor Space Ratio maps;
4. Amendments/additions Land Use Tables;
5. Inclusion of Complying Development Controls for the installation of photovoltaic panels; and
6. Rezoning 55 Justin Street, Lilyfield from IN2 Light Industrial to B7 Business Park.

Most of these changes are required prior to finalisation of *Draft Local Environmental Plan 2013* to ensure the controls reflect Council's existing controls within *Local Environmental Plan 2000*.

At the Council Meeting held on the 21 May 2013 Council also resolved (C202/13) to endorse changes to the *Draft Leichhardt Local Environmental Plan 2013* and forward 'Planning Proposals' outlining the changes to the Department of Planning for assessment.

3.3 Planning proposals for the amendments to the Draft Leichhardt Local Environmental Plan 2013

On the 4 June 2013 pursuant to the resolution of the 21 May 2013 (C202/13) Council:

- Advised the Department of Planning and Infrastructure of changes required to the *Draft Leichhardt Local Environmental Plan 2013* and initiated the plan making process (Planning Proposal) in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* for making the changes,
- Submitted planning proposals for each item outlined above; and
- Requested the Minister for Planning and Infrastructure's Gateway Determination on the Planning Proposals in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*.

Subsequently, the Department of Planning and Infrastructure informed Council that the proposed changes to *Draft Leichhardt Local Environmental Plan 2013* should proceed to public exhibition via two Gateway Determinations as follows:

- 21 June 2013 – Items 1, 2, 3, 4 & 5 - (Refer **Attachment 2**)
- 14 June 2013 – Item 6 (Refer **Attachment 3**)

When submitting the planning proposals, Council was required to identify whether Council would be seeking an Authorisation to finalise the amendments to the *Draft Leichhardt Local Environmental Plan 2013*. Council was given Authorisation to exercise its delegation in making the proposed amendments as outlined in the Gateway Determinations (Refer Attachment 2 and 3).

4.0 Public Consultation on proposed amendments to the Draft Leichhardt Local Environmental Plan 2013

4.1 Public Exhibition

The amendments to *Draft Leichhardt Local Environmental Plan 2013* were exhibited for a period of 38 days from 24 June 2013 to the 31 July 2013.

4.2 Notification of Public Exhibition

Notifications of exhibition of the draft included:

- advertisements in the paper edition of the Inner West Courier – Thursday 20th June 2013, Thursday 4 July 2013 and Thursday 11 July 2013;
- a total of 36,246 letters to owners and residents of the municipality;
- letters to Government agencies, adjoining councils and other organisations consulted as part of the s62 stage of the plan making process;
- letters, phone calls or emails to community and industry stakeholders and individuals known to have a particular interest in the exhibition;
- notification on Council's website under Latest News, Enews, Public Consultation sections and on the dedicated Local Environmental Plan website (<http://lmclep.nsw.gov.au/>).

4.3 Exhibition Material

The exhibition material comprised a package of documents in electronic form on Council's website, Council's dedicated Local Environmental Plan website and in hard copy form at Council's Administration Centre, Council's libraries (Leichhardt and Balmain), Annandale Neighbourhood Centre and the Hannaford Centre. The package included:

- Planning Proposal – Item 1 Aims and Zone Objectives;
- Planning Proposal – Item 2 Clause 4.3A Landscaped Area;
- Planning Proposal – Item 3 Floor Space Ratio Controls for non-residential development;
- Planning Proposal – Item 4 Land Use Tables (permitted and prohibited development);
- Planning Proposal – Item 5 Complying Development Controls for the installation of photovoltaic panels;
- Planning Proposal – Item 6 55 Justin Street Lilyfield;
- Contamination Assessment and Remediation Action Plan for 55 Justin Street Lilyfield; and
- Cover Letter to Department of Planning and Infrastructure 4 June 2013

- Gateway Determinations: 14 June 2013 and 21 June 2013

4.4 Consultation and submissions

In addition to the above, notification updates were provided throughout the exhibition period on the dedicated Local Environmental Plan website. Planning staff were also available to discuss the amendments to *Draft Leichhardt Local Environmental Plan 2013* with members of the public at Council's administration centre from 8.30am until 5.15pm, Monday to Friday.

Submissions could be made by post, email, fax, online or in person. Submissions had to be made in writing and were made available on the dedicated Draft Leichhardt Local Environmental Plan website. Council acknowledged all submissions in writing and notified interested persons of this report going to Council. All submissions have been made available on the Draft Leichhardt Local Environmental website.

5.0 Issues arising from exhibition

Council received a total of 21 submissions in response to the exhibition of amendments to the *Draft Local Environmental Plan 2013* including a submission made by Council.

The submissions received can be summarised as follows:

- 3 submissions seeking changes to the Aims of Plan and Zone Objectives;
- 1 submission from Council staff objecting to the inclusion of subclause 4.4B Exceptions to maximum floor space ratio for non-residential development and subsequent amendments to Floor Space Ratio Maps;
- 3 submissions relating to Complying Development Controls for the installation of photovoltaic panels;
- 9 submissions unrelated to the content of the exhibited amendments; and
- 5 submissions citing no comment or intention to review the exhibited amendments.

There were no submissions received regarding the following amendments:

- Item 2 - Amendments to Clause 4.3A Landscaped Area for residential development in Zone R1;
- Item 4 - Amendments/additions Land Use Tables or
- Item 5 - Rezoning of 55 Justin Street, Lilyfield from IN2 Light Industrial to B7 Business Park.

Several submissions received by Council were made by local residents, landowners, business owners and a number of Government organisations including:

- Sydney Local Health District (NSW Health)
- Office of Water (NSW Department of Primary Industries)
- NSW Land and Housing Corporation, Heritage Council of NSW,

- Roads and Maritime Services (NSW Department of Transport),
- Sydney Water,
- NSW State Emergency Service,
- Fisheries NSW, Mineral Resources Branch (NSW Department of Trade and Investment) and
- Civil Aviation Safety Authority.

There was also a submission received from the peak industry group GreenWay.

The table provided in **Attachment 4** provides a detailed summary of all the submissions received and recommendations in relation to the proposed amendments. An explanation of the submissions received and recommendations for each proposed amendment is summarised below.

5.1 Item 1 Amendments to Aims of Plan and Zone Objectives

Proposal

This amendment proposes to alter the Aims of the Plan and Zone Objectives of the R1 Residential, B1 Neighbourhood Centre, B2 Local Centre and RE1 Public Recreation within the *Draft Leichhardt Local Environmental Plan 2013* by incorporating additional objectives and/or amending existing objectives.

The objectives of the proposed amendments are as follows:

- Improve the aims and objectives of the exhibited *Draft Leichhardt Local Environmental Plan 2012* in light of changes made to the *Environmental Planning and Assessment Act 1979*, considered by the NSW Parliament in late 2012 and proclaimed in March 2013, and
- Better link the Local Environmental Plan – including Zone Objectives with the provisions of the new Development Control Plan.

The Planning Proposal for this item is **Attachment 5** to this report.

Submissions Received

There were 3 submissions made by government authorities generally in support of the proposed amendments to the Aims of the Plan and Zone Objectives. There were however two recommendations for additional objectives and one seeking clarification about the intent of an objective.

Recommendations for additional objectives

- I. NSW Health – Sydney Local Health District suggested that a specific objective be included in Aims of the Plan that relates to promoting development which minimises negative and maximises positive health impacts on the population.
- II. NSW Department of Primary Industries – Office of Water recommended that a specific objective is included under the R1 General Residential Zone to protect and rehabilitate urban waterways and riparian land given that the Draft Land Zoning maps indicate sections of riparian land are zoned R1.

Response to Submissions

Additional objectives were not considered necessary as:

- I. Proposed Aims of the Plan include objectives that promote development which will contribute to positive health impacts (Clauses 1.2 (d), (e), (h), (i), (j), (l)(ii), and (p)).
- II. Objective (r) of the Aims of the Plan relates to the protection of riparian land and rehabilitation of urban waterways. Additionally land along the foreshore (including that zoned R1) is subject to the provisions of Sydney Regional Environmental Plan - Sydney Harbour Catchment 2005 and there is little if any land zoned R1 along the three watercourses within the municipality as most of this land is zoned RE1 Public Recreation. It is noted that as requested by the Office of Water a specific objective relating to riparian land for the RE1 Zone is proposed to be included in the *Draft Local Environmental Plan 2013*.

Recommendation

That Council amend the Aims of the Plan and Zone Objectives of the R1 Residential, B1 Neighbourhood Centre, B2 Local Centre and RE1 Public Recreation of the *Draft Leichhardt Local Environmental Plan 2013* in accordance with Table 1 and 2 of the exhibited Planning Proposal (**Attachment 5**).

5.2 Item 2 Amendments to Clause 4.3A Landscaped Area for residential development in Zone R1

Proposal

This planning proposal seeks to amend the landscaped area control – Clause 4.3A – Landscaped Area for Residential Development in Zone R1, of the *Draft Leichhardt Local Environmental Plan 2013*.

The intended outcomes of the amendments are:

- To ensure that the landscape area control is a more accurate translation of Council's existing landscape area control – Clause 19(3) from *Leichhardt Local Environmental Plan 2000*; and
- To ensure that the municipality retains existing landscaped corridors, canopy and urban amenity.

The Planning Proposal for this item is **Attachment 6** to this report.

Submissions Received

There were no concerns raised regarding the proposed amendment.

Recommendation

That Council amend Clause 4.3A Landscaped Area for residential development in Zone R1 as outlined in Part 2 of the exhibited Planning Proposal (**Attachment 6**).

5.3 Item 3 Inclusion of new subclause 4.4B Exceptions to maximum floor space ratio for non-residential development and subsequent amendments to Floor Space Ratio maps

Proposal

This amendment proposes to correct an error in the preparation of the *Draft Leichhardt Local Environmental Plan 2013* where Clause 23 1(a) of Council's existing *Leichhardt Local Environmental Plan 2000* was not translated. Clause 23 1 (a) provides for a maximum floor space ratio of 1:1 for all non-residential development on land within any zone.

The Planning Proposal for this item is **Attachment 7** to this report.

Submissions Received

There was one internal submission objecting to the inclusion of the additional subclause particularly in relation to special purpose zones (equivalent to current Public Purpose Zone).

The following issues and comments were raised:

- I. In 2005, when the masterplan for Council's Marion Street, Leichhardt site was being prepared Council's strategic planner officers advised that there was no Floor Space Ratio limit in the Public Purpose zone. This was confirmed several times to both the Manager of Property Services and the external architect. It is noted that these officers were the ones who worked on the preparation of *Local Environmental Plan 2000* so presumably had not intended that the clause 23 1 (a) apply to the Public Purpose Zone.
- II. Despite clause 23 1 (a) referring to "non-residential" development in "any zone" considers that it was **not** intended to apply to the Open Space or Public Purpose zone but only to the Business, Industrial and Residential zones for the following reasons:
 - Located under General Provisions in Part 5 of *Leichhardt Local Environmental Plan 2000* which covers the Business and Industrial Zones,
 - Control is not repeated in Part 6 Open Space, Recreation and Leisure section or within Part 7 Community Uses section, and
 - Control is located under another sub heading "*Commercial Floor space control*" indicates it was intended to cover commercial development.
- III. Floor Space Ratio limit is not appropriate for the Public Purpose zone for the following reasons:
 - The maximum Floor Space Ratio control is intended to be a way of limiting the size of development so that it is compatible with the surrounding development and streetscape. This makes sense for the Residential, Industrial and Business zones, but not for the Public Purpose zone;
 - Residential, Business and Industrial zonings are usually in a block. However, it is common for a single site (e.g. a church or community centre) to be zoned Public Purpose in the midst of surrounding

development which is differently zoned. In simply applying clause 23(1)(a) to single Public Purpose zoned sites, no regard is had to the surrounding development and so the development standard does not achieve the purpose of making the development compatible with the surrounding environment in terms of bulk, scale, amenity etc.

- Applying a maximum Floor Space Ratio of 1:1 on development in the Public Purpose zone fails to recognise the community value of such developments. Sub-clause 23(1)(a) limits non-residential development in the Business zone to and Floor Space Ratio of 1:1. Sub-clause 23(1)(b) allows and Floor Space Ratio of 1.5:1 for mixed development in the Business zone; increases of 50% in the Floor Space Ratio are permitted for certain types of desired development, so the development standard of 1:1 is subservient to encouraging that desired development. The same variation for desirable purposes in accordance with section 5 of the *Environmental Planning and Assessment Act 1979* should be permitted for Public Purpose zoned sites, especially those in or adjacent to the Business zone.
 - Imposing the same maximum Floor Space Ratio of 1:1 on single Public Purpose zoned sites regardless of their underlying zoning or adjacent development does not encourage the proper development of land for the social and economic welfare of the community or a better environment, nor the economic use and development of land. On the contrary, the value of some public land compared to surrounding land would be reduced and could skew decision making towards private development.
- IV. Considers that the verbal advice that, if the equivalent of clause 23(1) is included then Council can always lodge an State Environmental Planning Policy (SEPP) 1 objection, is inappropriate...not a good look... not right that have to obtain consent for development that is an appropriate size for its location and for which adjacent property owners would not have to lodge a SEPP 1. Preparing a Local Environmental Plan which encourage SEPP 1 Objections for the Public Purpose zone is not appropriate.
- V. Considers that there are sufficient other controls for Public Purpose / Infrastructure development to stop overdevelopment, without a maximum Floor space ratio being specified.
- VI. Considers that the *Draft Leichhardt Local Environmental Plan 2013* is not just a translation of *Leichhardt Local Environmental Plan 2000* and other mistakes have been corrected.

Response to Submission

The *Draft Local Environmental Plan 2013* is primarily a “translation” of the existing *Leichhardt Local Environmental Plan 2000*. This means, wherever practicable, existing zones, provisions and controls were matched with an equivalent provision under the Standard Instrument.

Council has undertaken a translation of Clause 23 1 (a) of *Leichhardt Local Environmental Plan 2000*. Failure to translate this clause into the *Draft Local Environmental Plan 2013* was an oversight and the current amendment ensures that Council is “translating” the current provisions of *Leichhardt Local Environmental Plan 2000*.

Historically the practice has been to apply the Floor Space Ratio limit to Public Purpose land. As evidence by the SEPP 1 application for the Hannaford Centre and development assessment report for Council's Administration building.

Notwithstanding above, some public purpose lands have masterplans in place for example the Wetherill Street Civic Precinct. It could be appropriate to propose a further amendment to give a higher Floor Space Ratio to the Wetherill Street Civic Precinct based on the masterplan.

Recommendation

1. That Council amend the *Draft Leichhardt Local Environmental Plan 2013* as outlined in the exhibited Planning Proposal (**Attachment 7**) as follows:
 - Insert new subclause *4.4B Exceptions to maximum floor space ratio for non-residential development [local]; and*
 - Show a maximum floor space ratio 1:1 for land zoned SP1 Special Activities, SP2 Infrastructure, RE1 Public Recreation and RE2 Private Recreation.
2. Council officers investigate options for amending the Floor Space Ratio controls for the Wetherill Street Civic Precinct.

5.4 Item 4 Amendments/additions Land Use Tables

Proposal

This amendment proposes to make minor changes and administrative corrections to the land use tables for the following zones of the *Draft Leichhardt Local Environmental Plan 2013*:

- R1 General Residential
- B1 Neighbourhood Centre
- B2 Local Centre
- B7 Business Park
- IN2 Light Industrial
- SP1 Special Activities

The Planning Proposal for this item is **Attachment 8** to this report.

Submission Received

There were no concerns raised regarding the proposed amendment directly. It is noted however, there was 1 submission objecting to the zoning of 37 Nicholson Street, Balmain East (Waterview Workshops) as B2 Local Centre. It is considered that the permitted uses within the B2 Zone are incompatible with surrounding residential development on the peninsula.

Response to Submission

This submission is not directly related to the proposed amendments to the land use tables and is addressed in Section 5.7 of this report.

Recommendation

That Council amend the land use tables for R1 General Residential, B1 Neighbourhood Centre, B2 Local Centre, B7 Business Park, IN2 Light Industrial and SP1 Special Activities of the *Draft Leichhardt Local Environmental Plan 2013* as outlined in the exhibited Planning Proposal (**Attachment 8**)

5.5 Item 5 Inclusion of Complying Development Controls for the installation of photovoltaic panels

Proposal

This amendment proposed to amend Schedule 3 Complying Development of the *Draft Leichhardt Local Environmental Plan 2013* to include controls for the installation of photovoltaic electricity generating systems on the primary street frontage of buildings on or in a heritage item or draft heritage item and in heritage conservation areas or draft conservation areas.

The installation of photovoltaic panels has been identified as one way in which Council and the community can work towards achieving its vision for a more sustainable and liveable community by reducing non-renewable fuel usage and greenhouse gas emissions.

The proposed amendments were proposed to enable the installation of photovoltaic panels on a greater proportion of buildings within the municipality, subsequent to obtaining a Complying Development Certificate.

The Planning Proposal for this item is **Attachment 9** to this report.

Submissions Received

There was one submission from the Heritage Council of New South Wales and two submissions from local residents objecting to the proposed amendment.

The following issues and comments were raised:

- I. Inconsistent with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*;
- II. Inconsistent with Standard Instrument Local Environmental Plan;
- III. Conflict with controls proposed in the *Draft Development Control Plan 2013*; and
- IV. Do not support installation of photovoltaic panels at the detriment to others.

Response to Submissions

In response to the submissions and internal concerns relating to the relationship between Local Environmental Plans and State Environmental Planning Policies Council sought legal advice on the matter. Council has been advised the proposed amendment *"Inclusion of Complying Development Controls for the installation of photovoltaic panels on the primary street frontage of buildings on or in a heritage item or draft heritage item and in heritage conservation areas or draft heritage conservation areas"* is inconsistent with Clause 8 of the State Environmental Planning Policy Infrastructure

2007 and therefore should not be included in the Local Environmental Plan as they would have no legal force.

Recommendation

That Council should not proceed with the proposed amendment *“Inclusion of Complying Development Controls for the installation of photovoltaic panels on the primary street frontage of buildings on or in a heritage item or draft heritage item and in heritage conservation areas or draft heritage conservation”* outlined in the exhibited Planning Proposal (**Attachment 9**).

5.6 Item 6 Rezoning 55 Justin Street, Lilyfield from IN2 Light Industrial to B7 Business Park

Proposal

This amendment proposes to rezone No.55 Justin Street Lilyfield being Lot 59 Sec B DP 1474, Lot 60 Sec B DP 1474 and Lot 61 Sec B DP 1474, from *IN2 Light Industrial* zone as exhibited under the *Draft Leichhardt Local Environmental Plan 2012* to *B7 Business Park*.

The site is currently zoned Industrial under *Leichhardt Local Environmental Plan 2000*.

The Planning Proposal for this item is **Attachment 10** to this report.

Response to Submissions

There were no concerns raised regarding the proposed amendment.

Recommendation

That Council amend the Land Zoning Map in the *Draft Leichhardt Local Environmental Plan Map 2013* – rezone No. 55 Justin Street, Lilyfield (Lot 59 Sec B DP 1474, Lot 60 Sec B DP 1474 and Lot 61 Sec B DP1474) from *IN2 Light Industrial* to *B7 Business Park* (as outlined in the exhibited Planning Proposal **Attachment 10**).

5.7 Submissions unrelated to Planning Proposal Amendments

There were 9 submissions that related to the principal *Draft Local Environmental Plan 2013* and did not relate to the content of the exhibited amendments.

These key issues included:

- I. Parramatta Road Corridor – floor space ratios increase, economic stimulus and affordable housing;
- II. Permissibility of childcare centres in Zone IN2 Light Industrial;
- III. Roads and Maritime Services – Zoning and Land Reservation Acquisition maps;
- IV. Rezoning request - 11 Loughlin Street, Rozelle and 37 Nicholson Street, Balmain (Waterview Workshops);

- V. Objection to proposed SP2 Infrastructure Zoning of 44-46 Smith Street, Balmain (currently the Inner Montessori School), permissible uses with the SP2 Zone and departure from the Department's direction;
- VI. Amendments to standard instrument mandatory clauses and model clauses; and
- VII. Inclusion of light rail stops as key sites.

Although Council is not able to deal with them as part of the current Planning Proposals the submissions have been acknowledged. The proposed methods for dealing with these submissions and the recommended responses are summarised below. Refer to **Attachment 4** for further information.

Response to Submissions

The public exhibition period for the principal *Draft Local Environmental Plan 2013* closed on 28 February 2013. The principal plan is currently with the Department of Planning and Infrastructure for finalisation by Parliamentary Counsel.

In summary, the recommended responses to the issues raised in the submissions can be categorised as follows:

- I. **No change required or proposed** – Council does not support matters raised in the submission or where changes relate to mandated standard clauses which Council cannot change.
- II. **Future Strategic Work required by Council** – Potential changes which will be addressed as part of future strategic work to be undertaken by Council such as rezoning requests/ Higher Floor Space Ratio for sites identified for review as part of Council's Strategic Sites, Centres and Corridors review. This does not however preclude proponents bringing forward private Planning Proposals.
- III. **Ongoing/housekeeping review** – Council will continue to ensure that information contained within both the written instrument and maps is up to date and correct. These items will be addressed via housekeeping amendments and will be subject to further community consultation.

Recommendation

That Council receive and note the submissions and recommendations as outlined in Table 4.

6.0 Summary of Recommendations

A summary of the recommendations is detailed in the table below.

Item #	Description	Recommendation
Item 1	Aims and Objectives	Amend the Aims of the Plan and Zone Objectives of the R1 Residential, B1 Neighbourhood Centre, B2 Local Centre and RE1 Public Recreation of the <i>Draft Leichhardt Local Environmental Plan 2013</i> in accordance with Table 1 and 2 of the exhibited

Item #	Description	Recommendation
		Planning Proposal (Attachment 5)
Item 2	Clause 4.3A Landscaped Area	Amend Clause 4.3A Landscaped Area for residential development in Zone R1 as outlined in Part 2 of the exhibited Planning Proposal (Attachment 6).
Item 3	Floor Space Ratio for non-residential development	<ol style="list-style-type: none"> Amend the <i>Draft Leichhardt Local Environmental Plan 2013</i> as outlined in the exhibited Planning Proposal (Attachment 7) as follows: <ul style="list-style-type: none"> Insert new subclause <i>4.4B Exceptions to maximum floor space ratio for non-residential development [local]</i>; and Show a maximum floor space ratio 1:1 for land zoned SP1 Special Activities, SP2 Infrastructure, RE1 Public Recreation and RE2 Private Recreation. Council officers investigate options for amending the Floor Space Ratio controls for the Wetherill Street Civic Precinct.
Item 4	Land Use Tables (permitted and prohibited development)	Amend the land use tables for R1 General Residential, B1 Neighbourhood Centre, B2 Local Centre, B7 Business Park, IN2 Light Industrial and SP1 Special Activities of the <i>Draft Leichhardt Local Environmental Plan 2013</i> as outlined in the exhibited Planning Proposal (Attachment 8).
Item 5	Complying Development controls for the installation of photovoltaic panels	Not proceed with the proposed amendment “Inclusion of Complying Development Controls for the installation of photovoltaic panels on the primary street frontage of buildings on or in a heritage item or draft heritage item and in heritage conservation areas or draft heritage conservation areas” outlined in the exhibited Planning Proposal (Attachment 9).
Item 6	55 Justin Street, Lilyfield	Amend the Land Zoning Map in the <i>Draft Leichhardt Local Environmental Plan Map 2013</i> to rezone No. 55 Justin Street, Lilyfield (Lot 59 Sec B DP 1474, Lot 60 Sec B DP 1474 and Lot 61 Sec B DP1474) from <i>IN2 Light Industrial</i> to <i>B7 Business Park</i> (as outlined in the exhibited Planning Proposal Attachment 10)
Misc	Submissions unrelated to Planning Proposal Amendments	That Council receive and note the submissions and recommendations as outlined in Table 4.

7.0 Conclusion

This report details the results of the public exhibition process for the proposed amendments to the *Draft Leichhardt Local Environmental Plan 2013*.

It is recommended that Council resolve to adopt the proposed amendments to the *Draft Leichhardt Local Environmental Plan 2013* outlined in the following planning proposals so that it can be forwarded to the Department of Planning and Infrastructure for assessment and approval.

Item 1	Aims and Objectives
Item 2	Clause 4.3A Landscaped Area
Item 3	Floor Space Ratio for non-residential development
Item 4	Land Use Tables (permitted and prohibited development)
Item 6	55 Justin Street, Lilyfield

8.0 Next Steps

The next step towards implementation is as follows:

- i. If endorsed by Council, the General Manager will forward the final planning proposals which outline the proposed amendments to the *Leichhardt Local Environmental Plan 2013* (written instrument and maps) together with the report on the outcomes of public exhibition and Council's resolution to Parliamentary Counsel and the Department of Planning and Infrastructure.
- ii. Council requests that a draft instrument be prepared under section 59(1) of the *Environmental Planning and Assessment Act 1979*.
- iii. Council and Parliamentary Counsel's Office to liaise directly about the content of the amendments to the *Leichhardt Local Environmental Plan 2013*.
- iv. Content of the *Leichhardt Local Environmental Plan 2013* and an Opinion issued by Parliamentary Counsel's Office that the plan can be made.
- v. Council advises the Department of Planning and Infrastructure that the plan has been made.
- vi. Council requests the Department of Planning and Infrastructure notify amendments to the *Leichhardt Local Environmental Plan 2013*.
- vii. The Department of Planning and Infrastructure requests Parliamentary Counsel notify the amendments to the *Leichhardt Local Environmental Plan 2013* on the NSW Legislation website
- viii. The plan comes into force on the day that it is published on the legislation website.

ATTACHMENTS

NOTE: The attachments to this report have been circulated to Councillors separately (electronically) and will be posted on Council's website

1	Council Resolutions – 21 May 2013 (C202/13) and 28 May 2013 (C223/13)
2	Gateway Determination 21 June 2013 – Items 1, 2, 3, 4, & 6.
3	Gateway Determination 14 June 2013 – Item 5, 55 Justin Street, Lilyfield
4	Summary Table of Submissions and recommended responses
5	Planning Proposal Item 1 Aims and Objectives
6	Planning Proposal Item 2 Clause 4.3A Landscaped Area
7	Planning Proposal Item 3 Floor Space Ratio for non-residential development
8	Planning Proposal Item 4 Land Use Tables (permitted and prohibited development)
9	Planning Proposal Item 5 Complying Development controls for the installation of photovoltaic panels
10	Planning Proposal Item 6 55 Justin Street, Lilyfield

LEICHHARDT MUNICIPAL COUNCIL

REPORT

DIVISION: INFRASTRUCTURE AND SERVICE DELIVERY

SUBJECT: ITEM F4 - WEEKEND CLEARWAY – VICTORIA ROAD, ROZELLE

AUTHOR: JOHN STEPHENS, TRAFFIC MANAGER

FILE REF: DWS 2170002

DATE: 19 SEPTEMBER 2013

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DIRECTOR'S SUMMARY - ORGANISATIONAL IMPLICATIONS

Financial Implications:	RMS proposed contribution to the Leichhardt Developer Contribution Plan for Transport and Access of \$220,000 to establish future public carpark and \$25,000 towards establishment and management of temporary carpark at No.85 Victoria Road leased by RMS.
Policy Implications:	Council enter into an agreement with the lessor and RMS for Council to enforce parking restrictions within the temporary carpark and retain any fine revenue.
Strategic Plan Objective:	2. Accessibility 4. A Sustainable Environment
Staffing Implications:	Council's Community Parking Officers to enforce temporary carpark.
Notifications:	RMS to undertake all community consultation with residents and businesses.
Other Implications:	Nil

1. **Purpose of Report**

To advise Council on the RMS proposal to introduce an 8AM-8PM CLEARWAY on weekends on Victoria Road between Iron Cove Bridge and The Crescent, Rozelle.

2. **Recommendations**

- a) That RMS be requested as part of its community consultation to include the relevant Precinct Committees and Chamber of Commerce and the RMS consultation period should be a minimum of 4 weeks.
- b) That RMS advise Council whether it has an alternate option should the owner of No.85 Victoria Road decide to terminate the short term lease with RMS.
- c) That RMS be requested to extend their short term lease option until a permanent parking solution is found.
- d) That RMS be requested to find another carpark to accommodate the loss of parking (24 spaces) in Victoria Road between Darling Street and Wellington Street and advise Council at the end of the consultation period.
- e) That the outcome of the RMS consultation be reported back to Council for consideration.

3. **Background**

In late 2011, RMS proposed a 24 hour clearway at all times along Victoria Road, Rozelle between Iron Cove and The Crescent, Rozelle.

At the February 2012 Ordinary meeting, Council considered a detailed report which included its submission to RMS on the proposal. A copy of Council's submission dated 29th February 2012 to RMS is attached in **APPENDIX B**.

4. **Report**

RMS representatives have recently approached Council with a proposal to implement an 8AM-8PM CLEARWAY on weekends on Victoria Road between Iron Cove Bridge and The Crescent, Rozelle.

4.1 **Traffic Committee Discussion of the Proposal**

The matter was discussed as an "Item without Notice" at the Local Traffic Committee meeting held on 5th September 2013. A copy of the discussion is shown below.

- The RMS representatives briefed the Committee on the proposed weekend Clearway 8AM-8PM on Victoria Road, Rozelle and the associated off-street car parking proposed as part of the Clearway.
- The RMS representative advised of the following proposed measures to minimise the impact on the loss of kerbside parking on the weekend:
 - Short-term Parking options
 - Carparking area at No.85 Victoria Road (upper level between Ellen Street and Evans Street) to be used temporarily for public parking to offset 11 parking spaces lost in Victoria Road in this section
 - RMS financial contribution to Council to manage this carpark

- Discussions are being held with the Balmain Campus of Sydney Secondary College for possible parking of the Rozelle Market stall holders on the weekend.
- The Clearways between 8am and 8pm allows business deliveries to occur between 8pm and 8am (next day).
- The proposal is subject to a review of environmental factors.
- RMS expected to implement the Clearway proposal in the next couple of months.
- The removal of kerbside parking in Victoria Road is unlikely to raise safety issues on users of the shared path as Clearway restrictions are currently provided on weekdays with no adverse safety issues arising. To control speeding, two safety cameras have been installed at the Evans Street and Terry Street intersections.
- RMS will be monitoring traffic movements following the installation of the proposed Clearways.
- Long term parking options
 - RMS financial contribution to Council's Sect94 plan to assist with future carpark in Rozelle.
- The Chair requested the RMS representative to consult the relevant Precinct Committees and Chamber of Commerce. The Chair also advised that the RMS consultation period should be a minimum of 4 weeks.
- The Deputy Chair raised concern should the owner of No.85 Victoria Road decide to terminate the short term lease with RMS does RMS have an alternate option.
- The representative for the Member for Balmain expressed concern for the small business operators in this section of Victoria Road and turning into Ellen Street to the proposed carpark.
- The RMS representative advised the loss of on-street parking would be offset by the proposed lease of the carpark and there had been no issues with bicycle riders on the shared path and vehicles accessing the carpark in its current form.
- The RMS representative advised that the Minister for Roads and Ports would be forwarding a letter to Council in the near future detailing the RMS proposals.

Committee Recommendation:

That the RMS proposals for off-street parking to offset the loss of kerbside parking due to the proposed weekend Clearway restrictions on Victoria Road, Rozelle be received and noted.

4.2 Letter from Minister for Roads and Ports

A letter dated 13th September 2013 has been received from the Hon. Duncan Gay MLC, Minister for Roads and Ports seeking Council's support for the proposal. A copy of the Minister's letter is attached to the **Appendix A**. Also, the Minister's letter advised that RMS is seeking Council's agreement to the management of both short and long term parking measures. RMS has offered to contribute \$220,000 to the Leichhardt Developer Contribution Plan for Transport and Access to establish a future public carpark in Rozelle and \$25,000 towards the establishment and management of a temporary carpark at No.85 Victoria Road to be leased by RMS.

The short term carpark at No.85 Victoria Road identified by RMS would provide approximately 20 carspaces and RMS is currently negotiating to lease this vacant carpark for an initial 6-12 months from September 2013 and proposes that Council manages the carpark, subject to Council's agreement and execution of a formal lease documents, including any assessments or approvals that may be required by Council.

RMS considers that a Development Consent is not required for the proposed temporary carpark and seeks Council's confirmation. Council's Acting Manager of Assessments has advised that the Infrastructure SEPP gives authorities like RMS unfettered power without the need for DA consent provided what they are doing is "road related works".

RMS has also identified a significant amount of carparking along Victoria Road is used by the Rozelle Market stall holders on the weekend and has identified a potential carpark within 500m of the markets. RMS has offered to assist the Market stall holders in contacting the site's owner to use the area all day on weekends.

4.3 Analysis of Temporary Car Park Option

An on-site inspection of the carpark located at No.85 Victoria Road (north-east corner of Ellen Street) was undertaken on 17th September 2013 and the following issues were noted:

- there are approximately 9 spaces on the northern and 9 spaces on the southern boundaries of the carpark with some redundant space that could accommodate informal motorcycle parking for about 3 motorcycles.
- The linemarking of the bays was in fair condition and would need to be remarked.
- The bay widths (2.5m), lengths (5.4m) and aisle width (7.3m) generally complied with Australian Standard.
- There were a number of floodlighting poles located in the carpark although it was unclear if they were in working order.
- The carpark can only be accessed by turning left off Victoria Road (citybound) into Ellen Street with a driveway located some 11m from Victoria Road.
- Egress is similarly left turn into Ellen Street then left turn into Victoria Road (citybound) only.
- The driveway opening is approximately 5.7m.
- Ellen Street is a 'No Through Road' and has a narrow carriageway width of approximately 4.75m with restricted '2 hour parking 8am-6pm Mon-Fri Permit Holders Excepted Area R1' along the western side (adjacent to Council's reserve) and side boundary of No.87 Victoria Road (Manning Funeral Home). There are 'No Parking' restrictions along the side boundary of the carpark in Ellen Street.
- The Ellen Street footpath adjacent to the carpark is 1.0m wide and the opposite footpath is 1.23m wide.

At the time of inspection, there was a vehicle parked opposite the driveway in Ellen Street and straddling the footpath. In this section of Ellen Street (between Victoria Road and the Ellen Street driveway of No.87 Victoria Road) two vehicles can currently park within the RPS area. Should Council take over management of the carpark, these two carspaces would need to be removed due to the narrow width of Ellen Street, the manoeuvring area required and subsequent traffic generation likely to be created. Therefore, the net gain would be 16 carspaces with a deficit of 4 carspaces.

According to the previous February 2012 report, there would be 20 parking spaces lost between Darling Street and Gordon Street. Therefore, the temporary carpark would not accommodate this total loss in the short term. Also, there are concerns should this carpark cease to operate before a longer term solution is found.

Therefore, Council should request RMS to undertake a longer term lease of the subject carpark until a permanent solution is found.

Recommendation:

Prior to Council taking over the management of the temporary carpark, the following matters need to be addressed:

- RMS needs to enter into a longer term lease of the subject carpark until a permanent solution is found.
- The parking bays need to be remarked.
- Remove the 2 resident parking spaces in Ellen Street opposite the driveway and extend the 'NO STOPPING' zone approx. 19m from Victoria Road up to the first driveway.
- Install a pictorial 'ALL TRAFFIC LEFT' sign in Ellen Street opposite the driveway for motorists egressing the carpark.
- Regulatory '2P 8AM-10PM Every Day' signage be installed within the carpark.
- Regulatory 'MOTORBIKE ONLY' signage be installed within the carpark's south-east corner adjacent to the staircase to the lower level parking area accessed via Evan Street.
- Access at the top of the staircase between the upper (proposed use) and lower carpark be closed off by placing a reflective barrier or similar treatment.
- Confirm with RMS:
 - whether the existing floodlighting works and can operate at night time to provide passive security for motorists.
 - That the carpark can be left open 24 x 7 which would offer some overflow parking for local residents to use.
- The above recommended on-street regulatory signage be referred to the Traffic Committee for approval, subject to consultation with the affected Ellen Street residents and Manning Funeral Home.

4.4 Analysis of Permanent Car Park Option

The proposal removes 44 parking spaces at the time of peak capacity. In the February 2012 report, Council noted the following information:

"Council also interviewed 80 drivers as they were parking their cars in Victoria Road and an analysis of the survey indicated the following:

- o 78% were non-residents of the LGA*
- o 60% were visiting markets*
- o 12% were visiting the Vet Clinic*
- o 7% were visiting shops/buy coffee*
- o Other destinations were Golf Shop (4%) and hotel as a work place (5%).*

Therefore, any removal of parking in Victoria Road will cause a significant deficiency in parking in the area, particularly in the morning hours on the weekend.

Weekend surveys of parking occupancy throughout Rozelle reflect similarly high occupancy rates throughout the centre and can also be attributed to Rozelle Markets during weekend days as mentioned above. These markets are considered an essential component of Rozelle Village

significantly contributing to the vitality and viability of the shopping centre. Removal of parking associated with the markets has the potential to:

- *force parking further into adjacent residential areas,*
- *impact on the viability of the markets and net income generated for Rozelle Public School and Rozelle shopping centre as a whole.”*

RMS has offered Council a financial contribution of \$220,000 to establish a future public carpark in the Rozelle shopping area. However, there are a number of uncertainties in respect to the provision of carparking in Rozelle with the future impact of the Rozelle Village development.

RMS needs to take a longer term strategic view towards providing a permanent parking solution in Rozelle for the Victoria Road Clearway proposal and in the interim period needs to provide a short term parking solution.

5. Summary/Conclusions

At the Traffic Committee meeting, the Committee raised a number of concerns that require a further response from RMS i.e.

- RMS agree to consult with the relevant Precinct Committees and Chamber of Commerce and the RMS consultation period should be a minimum of 4 weeks.
- Does RMS have an alternate option should the owner of No.85 Victoria Road decide to terminate the short term lease with RMS.

Whilst the RMS offer of providing a temporary carpark at Victoria Road / Ellen Street restores some parking losses, this only replaces parking losses between Darling Street and Evans Street and does nothing to accommodate peak parking losses between Terry Street and Darling Street, especially outside Rozelle Public School and when the Markets are operating on the weekend.

The RMS offer to assist the stall holders communicate with the owner of the Balmain Campus – Sydney Secondary College does not assist the parking loss for shoppers nor does it provide any guarantee for the stall holders.

This area was previously identified by Council as having a high parking occupancy, especially the section between Wellington Street and Darling Street of over 90% with the majority of side streets with parking occupancies over 75%. This has not been addressed by RMS at all in the short term and is the primary area of parking demand on weekends.

Council should propose that a further report be considered following the proposed consultation and that the short term solution be extended until a permanent solution can be found, including a short term solution for the section of Victoria Road between Wellington Street and Darling Street.

APPENDIX A



The Hon. Duncan Gay MLC

Deputy Leader of Government in the Legislative Council
Minister for Roads and Ports

M13/0789

Councillor Darcy Byrne
Mayor
Leichhardt Council
Po Box 45
LEICHHARDT NSW 2040

Dear Mayor

I refer to our recent meeting concerning a Roads and Maritime Services (RMS) proposal to implement 8am–8pm clearway restrictions on Saturdays and Sundays on Victoria Road, Rozelle. Improving weekend travel times on our main arterial routes is a key priority of the NSW Government. As we discussed, the provision of parking to meet the needs of local businesses is important to this proposal.

RMS seeks Council's support for the establishment of the weekend clearway on Victoria Road and Council's agreement to manage the short and long term parking measures detailed below.

Council has advised that it is progressing investigations on the provision of a permanent public car park and new child care centre within Rozelle. RMS is willing to contribute to the implementation of this car park to support Council in the provision of car parking for the Rozelle shopping area. Given consideration of the number of affected parking spaces, that the proposed clearway is for the weekends only, and the Leichhardt Developer Contribution Plan for Transport and Access, RMS proposes to contribute \$220,000 to the establishment of the permanent car park. We anticipate that RMS would have no ongoing role in the management of the car park.

As an interim measure, RMS has identified a possible site for temporary off-street parking. It is estimated that the property will provide around 20 car spaces. RMS is negotiating to lease the vacant car park for an initial 6-12 months from September 2013 to provide free regulated public parking.

RMS notes that Council is best placed to manage the delivery and operation of this new car park including Development Consent (if required), design, installation, operation and maintenance of the infrastructure. RMS is prepared to contribute \$25,000 towards the establishment and management of the car park by Council. RMS will also pay the lease payments.

RMS is keen to discuss with Council the acceptability and necessary arrangements to commission a regulated public car park at this location. Commencement of temporary alternative parking is subject to reaching agreement with Council on operational issues and execution of formal lease documents by RMS and subject to any assessment or approvals that may be required.

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M13/0789

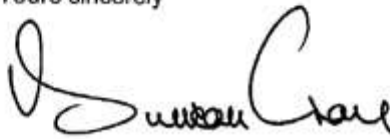
RMS considers that a Development Consent is not required for the proposed temporary car park, as it falls under the necessary requirements for exempt development under the State Environmental Planning Policy 2007. RMS is keen to obtain Council's confirmation on this position.

RMS has identified that a significant proportion of car parking along Victoria Road is used by stall holders for the Rozelle Markets. RMS has identified a potential all day car parking opportunity within 500 metres of the Markets. RMS will assist the Markets in contacting the site owner with a view to making the facility available. RMS has had encouraging first discussions with the site owner in this regard.

I look forward to confirmation of Council's support for this important proposal.

I appreciate Council's assistance in this matter. If you have any further questions, Mr Ken Kanofski Director Journey Management at RMS on (02) 8588 5600 would be pleased to take your call.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Duncan Gay', with a date '13-9-13' written below it.

Duncan Gay MLC 13-9-13
Deputy Leader of Government in the Legislative Council
Minister for Roads and Ports

APPENDIX B

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Proposed Establishment of Full-time
Clearways on Victoria Road between Iron
Cove Bridge and The Crescent, Rozelle

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Submission to
Roads and Maritime Services
by Leichhardt Council
29 February 2012

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1.0 Overview of Proposal

NSW Roads and Maritime Services are currently proposing to “improve the efficiency of traffic on Victoria Road” by introducing permanent, full-time clearway restrictions (24 hours per day, 7 days per week) along Victoria Road between The Crescent and Iron Cove Bridge.

This proposal will provide a minimum of 3 through-traffic lanes in each direction at all times by removing all existing kerbside parking. The following 44 existing kerbside car spaces will be removed:

- Westbound, between Gordon Street and Evans Street (6 parking spaces),
- Westbound, between Evans Street and Darling Street (11 spaces),
- Eastbound, between Terry Street and Crystal Street (10 spaces),
- Eastbound, between Wellington Street and Darling Street (14 spaces),
- Eastbound, between Prosper Street and Ellen Street (3 spaces).

Roads and Maritime Services propose that this measure is necessary to accommodate weekend daily traffic flows on Victoria Road. Roads and Maritime Services are currently seeking community comment prior to making a decision on the proposal. The period for comment closes on Friday 3 February 2012.

Subsequent to Council’s request for community consultation, Roads and Maritime Services held a public meeting, to discuss the proposal, on the evening of Wednesday, 1 February 2012.

2.0 Justification for the Proposal

The key justification for the proposal is the need to reduce traffic congestion on weekends; sighting weekday traffic volumes as 75,000 vehicles, with Saturdays and Sundays experiencing 70,000 and 60,000 vehicles per day respectively. Additional consideration is given to 23 bus routes which feed Victoria Road and the benefit they would gain by reducing delay on Victoria Road.

2.1 Consideration of the Sinclair Knight Merz Study

In the second half of 2011 Roads and Maritime Services commissioned Sinclair Knight Merz to conduct an examination of the operational efficiency of Victoria Road. The study culminated in a report entitled “Victoria road – operational efficiency and parking review (November 2011).” This report provides an examination of the current traffic operation and parking utilization on Victoria Road between Iron Cove Bridge and The Crescent, and is the basis for the current proposal.

Arising from their analysis the consultants state the following:

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"The review of operational efficiency and parking on Victoria Road between Iron Cove Bridge and The Crescent, and on Darling Street between Victoria Road and Waterloo Street/Belmore Street, has identified the following:

- *Parking utilisation on weekdays at the two locations on Victoria Road is very low. This was confirmed during a site visit that was undertaken by SKM on Wednesday 19 October 2011.*
- *Parking on Victoria Road between Wellington Street and Darling Street on weekends can be attributed to markets that are held within the grounds of Rozelle Public School, which is located on the block bounded by Victoria Road, Wellington Street, Merton Street and Darling Street. The survey shows that parking utilisation at this location is greatest in the morning and gradually decreases from 12:00PM.*
- *Victoria Road westbound at Gordon Street – vehicles travelling in the kerbside lane were observed making last-minute lane changes upon realisation that vehicles were parked on the departure side of the intersection. Visibility of vehicles parked in the kerbside lane is limited by the horizontal and vertical alignment at this location, due to two successive lateral shifts in the horizontal alignment coincident with an increasing vertical grade. This situation creates the potential for rear-end and side-swipe type crashes.*
- *The capacity of the Victoria Road/Darling Street intersection is limited by parking on Darling Street southbound, between Hancock Lane and Belmore Street, and on the two Victoria Road approaches.*

A number of options that could potentially assist in improving operational efficiency in the study area were identified and analysed in more detail. Based on the results of the analysis, SKM recommends the following options for the RMS to consider for implementation:

- *Prohibit parking on Victoria Road westbound, between Gordon Street and Evans Street, 24 hours a day, 7 days a week.*
- *Prohibit parking on Victoria Road westbound, between Evans Street and Darling Street, 24 hours a day, 7 days a week.*
- *Prohibit parking on Victoria Road eastbound, between Terry Street and The Crescent, 24 hours a day, 7 days a week.*
- *Undertake a detailed parking study of Darling Street and surrounding streets."*

In response to the above statements, Council provides the following comments:

- While the observed low rates of kerbside occupancy on weekdays reflect the existing situation the removal of such parking will have a significant impact on future development of Rozelle.
- It is agreed that much of the high parking occupancy encountered on Victoria Road during weekends is associated with Rozelle Markets.

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Council undertook parking occupancy surveys in Victoria Road and the side streets on the weekend of the 11th and 12th February 2012 which confirmed a high occupancy level of over 90% in the section of Victoria Road between Wellington Street and Darling Street. The highest occupancy levels occurred at 11am and the majority of side streets had high occupancy levels of over 75%. The parking turnover rate was quite high at around 50%.

- Council also interviewed 80 drivers as they were parking their cars in Victoria Road and an analysis of the survey indicated the following:
 - 78% were non-residents of the LGA
 - 60% were visiting markets
 - 12% were visiting the Vet Clinic
 - 7% were visiting shops/buy coffee
 - Other destinations were Golf Shop (4%) and hotel as a work place (5%).

Therefore, any removal of parking in Victoria Road will cause a significant deficiency in parking in the area, particularly in the morning hours on the weekend.

Weekend surveys of parking occupancy throughout Rozelle reflect similarly high occupancy rates throughout the centre and can also be attributed to Rozelle Markets during weekend days as mentioned above. These markets are considered an essential component of Rozelle Village significantly contributing to the vitality and viability of the shopping centre. Removal of parking associated with the markets has the potential to:

- force parking further into adjacent residential areas,
- impact on the viability of the markets and net income generated for Rozelle Public School and Rozelle shopping centre as a whole.

Additionally, relatively high rates of kerbside occupancy are encountered in the centre on Friday and Saturday evenings as a result of the café and restaurant culture of the area.

- The "last minute lane changes" observed on Victoria road, resulting from parked vehicles are prevalent through out Sydney. They are regularly encountered, at the end of clearway times, on any major roads that have peak period clearways. Increased driver awareness supported by signage could prove beneficial at this and all similar locations.
- The intersection capacity issues associated with parking on Darling Street have been addressed on several occasions and it is considered that the removal of parking on Darling Street would very significantly impact on the viability and vitality of Rozelle shopping centre. The potential need for the removal of this parking to accommodate

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increased traffic flows was a key consideration in the 2011 Joint Regional Planning Panel's refusal of the "Rozelle Village" development. Council and the local community strongly oppose any steps to remove parking on Darling Street, Rozelle.

In summary, concern is expressed that while the SKM analysis addresses traffic operational issues; no consideration of environmental, health, economic, aesthetic, urban design or community impacts have been provided.

Further, there is no apparent consideration of traffic management initiatives other than 24 hour, 7 days per week parking prohibitions.

In order to adequately address the numerous issues associated with the RMS proposal it is essential that detailed consideration be given to the following:

- Consequences of not proceeding with the proposal;
- Parking demand for adjacent areas;
- Health issues;
- Impact on Regional Cycle Route Shared Path;
- The social and economic impacts of the proposal on Rozelle shopping centre and the adjacent community;
- Safety implications of potential increases in speed resulting from the increased road capacity, particularly at times when traffic volumes are low (eg at night or early in the morning);
- Environmental, social and urban design implications of the removal of parking from Victoria Road and the displacement of these vehicles to the adjacent street network;
- The long term social and environmental consequences of prioritising traffic flow ahead of the sustainable transport and community development of Inner Sydney.

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3.0 Specific Concerns raised by Council and Local Community

Concern is specifically expressed that the establishment of a full-time clearway on Victoria Road will:

3.1 Jeopardise the vitality and viability of Rozelle Shopping Centre by reducing the availability of convenient parking within both Rozelle north and south shopping centres – a total of 73 public off-street car spaces are currently available in Rozelle north, with 34 spaces available in Rozelle south. (While the 34 spaces in Rozelle south are currently used as public parking they are privately owned, being part of the future “Rozelle Village” Development).

Recent surveys indicate that Rozelle’s public off-street car spaces regularly experience peak occupancy of 90%, or greater, on both weekdays and weekends. Additionally, kerbside parking occupancy in Rozelle Centre averages 80% during weekday business hours and regularly exceeds 90% on Friday evenings and Saturdays.

Additional surveys conducted between 9am and 3pm on Saturday and Sunday (11th and 12th of February 2012) indicate that; while the average weekend (daytime) occupancy of Victoria Road spaces is approximately 50%, the average occupancy of adjacent streets exceeds 75%. Further, the section of Victoria Road between Wellington and Darling Streets reached capacity at 11am on the Saturday.

With a total of 665 publicly available car spaces (off-street and kerbside) the proposed 44 displaced car spaces is equivalent to 7% of the centre’s existing supply. Based on existing occupancy rates, the proposed removal of 44 spaces on Victoria Road has the potential to result in the centre’s parking supply regularly reaching saturation. A consequence of parking saturation could be the forcing of parking into nearby residential streets or a possible decline in centre’s attractiveness to non-local shoppers.

3.2 Impact on the future development of Rozelle Shopping Centre – Current strategic and community planning for Rozelle envisages the further development of a the high street shopping strip, including a mix of retail, café and community uses. Plans to continue the revitalisation of the southern portion of Rozelle shopping centre rely on encouraging active frontage uses. Such uses require pedestrian/shopper amenity and convenient access to ensure their viability.

To date Rozelle has maintained a “human scale” with kerbside parking isolating the footpath from the impacts of high volumes of through-traffic both visually and psychologically. Removal of the kerbside parking would open the urban space considerably by adding some 15 metres of open roadway to what is currently perceived as a 3 metre footpath flanked by shops and parked cars.

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Consequently it is considered that the removal of kerbside parking from Victoria Road could potential destroy the human scale of the centre, and it's associated urban fabric, resulting in a loss of revitalisation potential for the centre.

3.3 Jeopardise Business Viability by Removing Loading and "Drop-in" Facilities from Victoria Road – The permanent removal of kerbside parking from businesses which front Victoria Road (such as the Ruby Hotel) will result in several of these premises having no ready access to loading facilities or convenient short-stay parking. The absence of these facilities is likely to significantly affect the viability of these businesses.

The owner of the Bridge Hotel has raised concerns over the future of the hotel as an entertainment venue if the clearways proceed. The Bridge Hotel is one of Sydney's most well known music venues. It has played host to many international and our most famous local acts. Members of bands such as The Rolling Stones, Police, Eric Burdon and The Animals. Local acts such as Midnight Oil, Diesel, James Reyne and many acts from New Orleans, Chicago, Memphis, the African Congo have all played at the venue. It is vitally important that RMS consider the economic impacts on this business and all other businesses that rely on the Victoria Road parking.

3.4 Amplify the existing barrier effect created by Victoria Road, further dividing Rozelle Shopping Centre and Rozelle community – As a result of the traffic volumes, noise, safety and urban design issues associated with Victoria Road, it already represents a significant physical and psychological barrier between the Rozelle north and Rozelle south "High Street" shopping areas. This barrier effect will be exacerbated by the establishment of full-time clearways by encouraging increased vehicle speeds, traffic volumes and noise, while reducing pedestrian and environmental amenity.

The likely result of the establishment of full-time clearways on Victoria Road will be a significant increase in the division of the existing centre encouraging the development of two isolated centres rather than a single centre with complementary land uses.

This psychological division will relate to both the "High Street" shopping centres and the residential communities. Increasing the barrier effect of Victoria Road will potentially reinforce this fortress effect isolating Rozelle south and Lilyfield (from the rest of Leichhardt LGA) which are bounded by the City West Link Road, Victoria Road and Iron Cove. This segregation of Rozelle south from Rozelle north may then drive Rozelle north's cultural identity toward the peninsula community, ultimately causing Rozelle north to challenge rather than complement Balmain.

Another consequence of the reduced pedestrian activity, likely to result from this increased barrier effect, is a corresponding reduction in the passive

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surveillance of shop-fronts; an important community safety consideration for all retail businesses.

The long term social and economic impacts of this division could be far reaching and may significantly influence the economic viability of Rozelle.

3.5 Removal of Parking Buffer for Frontage Uses – it is generally accepted that the presence of kerbside parking along busy roads offers a visual and psychological buffer from the road's traffic. The removal of this parking, through the establishment of full-time clearways, increases exposure of footpath users and frontage uses to the visual and psychological impacts of the road's traffic.

3.6 Reduce pedestrian safety and amenity by increasing vehicles speeds, and volumes, in the vicinity of Rozelle Shopping Centre – The establishment of full-time clearways on Victoria Road will result in uniform traffic capacity throughout the day and night, on weekdays and weekends. While increased capacity will reduce delay it will also result in the potential for increased speed. This will be of particular concern when there are low traffic volumes or high pedestrian volumes.

Due to the number of cafes, restaurants and hotels in Rozelle relatively large numbers of pedestrians are encountered outside normal business hours, particularly on Friday and Saturday nights. The night-time "departure" of these patrons has the potential to coincide with relatively low traffic volumes (and consequently higher vehicle speeds) on Victoria Road, significantly increasing the potential for conflict.

In addition to the increased capacity, resulting from extra through-traffic lanes, the removal of parking manoeuvres from the kerbside will reduce the "friction effect" associated with kerbside parking and the level of caution exercised by drivers on Victoria Road.

3.7 Result in the Victoria Road becoming an "urban highway" isolating communities along its length – The introduction of full-time clearways on Victoria Road will have the potential to encourage increased private car travel demand as a result of the reduced delay and increased convenience. Ultimately, as this demand increases the next western "pinch point" creating delay will be Drummoyne shops. Like Rozelle, Drummoyne is dissected by Victoria Road which has 2 through lanes and a kerbside parking lane in each direction.

During weekday am and pm peak periods (6am-10am and 3pm-7pm) kerbside parking is replaced by clearways in each direction. Ultimately, reduced delay in the Rozelle section of Victoria Road will encourage increased travel demand, potentially placing additional strain on capacity through Drummoyne.

As a consequence of this increased demand it is possible that Roads and Maritime Services may then be compelled to extend the full-time clearways

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through Drummoyne. Such an action would provide motorists with some 5+ kilometres of uninterrupted 6 lane roadway and have the potential to significantly influence mode choice toward private car travel.

The long term impact of such a road is likely to include:

- division of frontage communities and shopping centres;
- increased convenience of private car travel and consequently increase private car travel demand;
- increased vehicle speeds, particularly outside peak periods.

3.8 Set a precedent for the on-going development of full-time clearways on Sydney's inner city road network – The precedent set by prioritising cars through the establishment of weekend clearways on Inner Sydney roads will create the perception that the major urban roads of Inner Sydney are solely dedicated to through-traffic and unsatisfactory for destination uses. The land use and community planning implications of this may have severe consequences for the long term vitality of Inner Sydney.

Concern is expressed that should full-time clearways be established on Victoria Road, the nature of this route would become akin to that of the City West Link Road or less desirable sections of Parramatta Road (eg Annandale to Taverner's Hill). The precedent would then be set to establish similar measures on other state and regional routes such as King Street, Cleveland Street, Liverpool Road and Oxford Street.

Additionally, as travel demand on these routes increases it is likely that adjoining feeder routes will become congested. Consequently the future may see Roads and Maritime Services under pressure to establish full-time clearways on roads like Darling Street, Rozelle, in order to 'feed' major roads.

This potential "incremental creep" of Clearway and No Stopping restrictions onto streets like Darling Street could ultimately sterilise Inner Sydney's shopping strips by:

- Removing opportunities for short stay (pick-up or "drop-in") parking;
- Alienating each side of the centre (in the case of Rozelle this could effectively divide the centre into four small, non-self-sustaining centres);
- Reducing shopper amenity;
- and, reducing pedestrian and cycle safety.

3.9 Prioritising of private car travel over sustainable transport and in so doing reducing both local and regional environmental amenity – While reference to the 23 bus routes has been made in the Roads and Maritime Services proposal it appears that the key justification for the increased road capacity is private car travel as there is no mention of extended bus lanes, extended operation of the existing bus lanes, or increased bus frequency or capacity.

Key concerns with the proposal's impact on sustainable transport include;

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- possible reduced attractiveness of bus travel due to the increased convenience and reduced delay for private car travel;
 - reduced attractiveness of cycling due to increased traffic speeds on Victoria Road. This reduced attractiveness is likely to be a consequence of:
 - * car speeds being incompatible (and potentially unsafe) mixed of traffic (cars, buses and bicycles) in traffic lanes;
 - * increased difficulty/reduced safety for cyclists entering Road from side streets,
- with a
Victoria

While a shared path is provided for access between Rozelle centre and Iron Cove/The Bay Run, increased traffic speeds and volumes will reduce the attractiveness of this path for both pedestrians and cyclists.

- reduced amenity for pedestrians choosing to walk along Victoria Road's frontage footpaths, due to increased vehicle speeds, noise and increased traffic volumes.

3.10 Part 3A Approval

On 9 April 2009 the Minister for Planning granted approval, under Part 3A of the Environmental Planning and Assessment Act, for the Victoria Road Upgrade. It is considered that this approval assumed the continuance of kerbside parking on Victoria Road and that the imposition of full-time clearways on Victoria Road would, at the very least, require a modification to this approval – which has not been obtained by Roads and Maritime Services.

4.0 Comparative Study of Parramatta Road, Leichhardt and King Street Newtown

A simple case study comparing Parramatta Road, Leichhardt with King Street Newtown, provides a ready example of the implications of creating full-time clearways in High Street shopping areas.

In the late 1970s and early 1980s the, then Department of Main Roads, established full-time clearways on Parramatta Road, between Taverner's Hill and Johnston Street, Annandale. These clearways required the removal of some 70 kerbside car spaces from Parramatta Road.

Subsequently, the Department purchased 2 nearby properties and provided approximately 55 off-street spaces, remote from the Parramatta Road frontage uses. Subsequently the combined effects of the loss of frontage parking, reduced protection for the footpath and frontage uses, increased speeds and traffic volumes resulted in the existing unattractive and unsafe conditions on Parramatta Road.

Since the mid-1980s Leichhardt Council has been pursuing initiatives to improve the local environment, aesthetic vitality and economic viability of this area, however nothing has to date successfully revitalised this area.

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In comparison; during the early 1990s the, then Roads and Traffic Authority, attempted to establish full-time clearways on King Street, Newtown. In response South Sydney Council and the local community were successful in discouraging the Authority from proceeding.

Subsequently, King Street, Newtown has become a thriving High Street community with kerbside parking available at all times other than weekday peak periods. Today's traffic volumes, though relatively high, generally travel at slow speeds and footpath pedestrians are protected from the visual and psychological impact of the traffic.

Should the full-time clearways have been imposed on King Street the possibility of Newtown's revitalisation occurring would have been highly unlikely.

This comparison of, what were 2 similar High Street shopping areas clearly illustrates the potential harm that full-time clearways can cause to a community.

5.0 Conclusion

Leichhardt Council considers that the current proposal by Roads and Maritime Services to introduce full-time, clearway restrictions on both sides of Victoria Road between Iron Cove Bridge and The Crescent is unacceptable and will result in significant detrimental impacts on Rozelle now and in the future.

It is Council's opinion that, based on the concerns expressed in this submission, the proposal to establish full-time clearways on Victoria Road between Iron Cove Bridge and The Crescent will significantly increase road capacity at the expense of local businesses and the communities of Rozelle, Lilyfield and Balmain.

Such a proposal is not in keeping with good planning practice for land use, community development and sustainable transport. Consequently Council requests that Roads and Maritime Services not proceed with this, or any similar, proposal.

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ITEM F4

LEICHHARDT MUNICIPAL COUNCIL

REPORT

DIVISION: INFRASTRUCTURE AND SERVICE DELIVERY

SUBJECT: ITEM F5 - LOCAL INFRASTRUCTURE RENEWAL SCHEME

AUTHOR: PETER GAINSFORD, DIRECTOR INFRASTRUCTURE AND SERVICE DELIVERY
DAVID MURRAY MANAGER FINANCE

FILE REF: DWS

DATE: 18 SEPTEMBER 2013

WORD PROCESSING REF: F:\Store\COUNCIL REPORTS\COUNCIL REPORTS

DIRECTOR'S SUMMARY - ORGANISATIONAL IMPLICATIONS

Financial Implications: 3% interest subsidy on a loan of \$2.5 million, saving of approximately \$400,000 over 10 years.

Policy Implications: Nil

Strategic Plan Objective: Infrastructure Maintenance and Provision;
A Sustainable Environment; Sustainable Services and Assets; Place where we live and work.

Staffing Implications: Nil

Notifications: Nil

Other Implications: Nil

1. Purpose of Report

To inform Council of the approval of an application for subsidised loan funding under the State Government Local Infrastructure Renewal Scheme for Leichhardt Park Aquatic Centre.

2. Recommendation

- 2.1 That Council execute the Local Infrastructure Renewal Scheme Funding Agreement (including affixing the common seal) for an interest subsidy on loan funding of \$2.5 million for the Leichhardt Park Aquatic Centre upgrade of the program pool, spa pool, mushroom pool and program pool structure.
- 2.2 That Council borrow \$2.5 million, subject to tendering for the Leichhardt Park Aquatic Centre infrastructure works and reporting back to Council.

3. Report

The NSW Government has recognised that investment in infrastructure is needed across NSW and has created a Local Infrastructure Renewal Scheme (LIRS). LIRS aims to provide a 3% interest subsidy to assist councils to cover the cost of borrowing for expenditure on infrastructure renewal projects. The subsidy aims to provide an incentive to councils to make greater use of debt funding to accelerate investment in infrastructure backlogs.

Council was successful in round 1 of the LIRS with \$1.75M loan for the sea wall in Leichhardt Park between Lilyfield Road and Glover Street. On 11 December 2012 a report was presented to Council recommending applying for round 2 of LIRS funding for the upgrade of the Leichhardt Park Aquatic Centre program pool, spa pool, mushroom pool and program pool structure.

Geoff Ninnies, Fong and Partners have undertaken a detailed investigation into the Leichhardt Park Aquatic Centre to identify areas that need upgrading over the next 10 years as the centre was originally constructed in 1960 with an upgrade in the early 1990's. Council has subsequently allocated \$4.8M in funding in the Long Term Financial Plan over the next 10 years to undertake these works.

The first stage of these works consist of replacement of entire structure over the program pool, new filtration system for the program pool, spa pool and mushroom pool. The works will also involve new tiling for all three pools and temporary relocation of the learn to swim program which is estimated to cost \$2.5M.

On the 11th December 2012 Council resolved as follows.

“That Council submit an application under the State Government Local Infrastructure Renewal Scheme for a 3% interest subsidy on loan funding of up to \$2.5 million for the Leichhardt Park Aquatic Centre upgrade of program pool, spa pool, mushroom pool and program pool structure”.

Council was notified on the 18th August 2013 that it was successful in with the application.

The LIRS scheme provides an interest rate subsidy of 3% below commercial rates. This would result in a saving in interest repayments of approximately \$400,000 for a loan of \$2.5 million over 10 years. The loan could be repaid from funds already allocated in the long term financial plan for LPAC infrastructure renewal.

4. Conclusion

Council has the financial capacity to borrow \$2.5 million via a subsidised loan for the LPAC infrastructure and bring forward important infrastructure renewal works.

It is recommended that Council proceed with detailed design works in order to tender the Leichhardt Park Aquatic Centre Infrastructure Works, and borrow \$2.5 million subject to reporting back to Council.

LEICHHARDT MUNICIPAL COUNCIL

NOTICE OF MOTION

DIVISION:	MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN
SUBJECT:	ITEM H2 - BALMAIN TELEPHONE EXCHANGE PETITION
DATE:	18 SEPTEMBER 2013
WORD PROCESSING REF:	G:\BP\REPORTS\2013\ 24 09 13 \NOM - BALMAIN TELEPHONE EXCHANGE

Cr Channells**Background**

The demolition of the unused portion of the Balmain Telephone Exchange and the creation of a public open space has wide community support with many residents working to achieve this goal.

Recently the Balmain Association working together with the Balmain and Rozelle Chamber of Commerce have circulated a petition amongst our community to focus attention on this project and highlight public support.

As the petition states;

The Balmain Telephone Exchange is an eyesore that has not only been an insult to Balmain's unique commercial streetscape heritage but also has hidden the side of the iconic 1886 James Barnet designed Post Office and Court House and removed public access to the open space which existed there before the exchange was built in 1957. Telstra has agreed to the demolition of the front of the exchange provided Council pays for the demolition and purchases the site.

Your petitioners therefore ask the Council to reach agreement with Telstra to finance the demolition of the unused part of the Darling Street front of the exchange and purchase the open space so created to form a public plaza.

Recommendation

That Council;

1. Receive and take note of the petition presented on behalf of the Balmain Association and the Balmain & Rozelle Chamber of Commerce
2. Reassert it's commitment to this project and continue negotiations with Telstra to complete the re-establishment of this public open space.