



## Planning Proposal

67, 73-83 Mary, 50-52 Edith & 43 Roberts Streets, St Peters



## Amendment to Marrickville LEP 2011

Submitted to the Department of Planning and Environment  
On Behalf of JVM Holdings and Chalak Holdings Pty Ltd

November 2017 ■ 15869

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This report has been prepared by:



Nathan Croft

17/11/2017

This report has been reviewed by:



Andrew Duggan

17/11/2017

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*JBS&G*

## Executive Summary

This Planning Proposal has been prepared on behalf of JVM Holdings and Chalak Holdings Pty Limited and seeks to amend the *Marrickville Local Environmental Plan 2011* (LEP) Land Use Zone, Height of Building and Floor Space development controls and insert an additional clause regarding flexibility in building height in Schedule 1 specifically relating to 67, 73 - 83 Mary, 50-52 Edith & 43 Roberts Streets, St Peters (the Site).

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Act 1979 (NSW)* (EP&A Act), and includes the requirements as set out in *A guide to preparing planning proposals* published by the then Department of Planning and Infrastructure in October 2012.

- **Part 1** – A statement of the objectives and intended outcomes of the proposed instrument
- **Part 2** – An explanation of the provisions that are to be included in the proposed instrument
- **Part 3** – The justification for those objectives, outcomes and the process for their implementation
- **Part 4** – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- **Part 5** – Details of the community consultation that is to be undertaken on the planning proposal

Accompanying this report is an Indicative Scheme prepared by Tonkin Zulaikha Greer (**Appendix A**), a Proposed Site Specific DCP (**Appendix E**) and specialist consultant reports appended to this Proposal (refer to **Contents**).

## 1.0 Introduction

This Planning Proposal has been prepared by JBA on behalf of JVM Holdings and Chalak Holdings Pty Limited (herein referred to as the Proponent). It seeks to amend the provisions of the *Marrickville Local Environmental Plan 2011* (LEP) as they relate to 67,73-83 Mary, 50-52 Edith & 43 Roberts Streets, St Peters (the Site), also known as 75 Mary Street, St Peters, Precinct 75 and the Taubman's site.

The purpose of this Planning Proposal is to seek amendments to the LEP to facilitate a mixed-use development on the site. This will be achieved through an amendment to the land use zoning from IN2 Light Industry and R2 Low Density Residential to B4 Mixed Uses, a flexible and graduated change to the height control (where no height control exists at present) and an FSR control of 2.2:1.

Should the Planning Proposal be supported, the Proponent proposes to retain and enhance the existing employment generating, creative use precinct by upgrading the facilities to satisfy contemporary access, fire safety and amenity standards and integrate the use into the surrounding area by encouraging community interaction, creating pedestrian linkages and dealing with traffic and parking demands on site. A significant portion of the site is an at grade car parking which creates the opportunity for a residential interface providing a buffer to the lower density residential uses beyond and providing a local population to support and enhance the precinct. The site provides the opportunity for the provision of additional public open space and an associated series of pedestrian networks linking the area, through the site, to the nearby Sydenham station and the Princes Highway corridor.

The indicative scheme, provided in support of this Planning Proposal, demonstrates that a mixed-use redevelopment is achievable on this site at the scale proposed. The process would require a future DA approval and be subject to additional requirements at that stage.

This Planning Proposal describes the site and the proposed LEP amendments. It is supported by an indicative scheme of how the site might be developed considering the proposed changes. This Planning Proposal should be read in conjunction with the indicative scheme prepared by Tonkin Zulaikha Greer and specialist consultant reports appended to this Proposal (refer to Table of Contents).

This Planning Proposal has been prepared having regard to “*A guide to preparing local environmental plans*” and “*A guide to preparing planning proposals*” published by the then Department of Planning and Infrastructure.

### 1.1 Background

A Preliminary Planning Proposal for the site was completed by Mersonn Pty Ltd in December 2015, with a concurrent development application for mixed use development completed by JBA in February 2016. The Planning Proposal was supported by Council staff but subsequently refused by the elected Council. Following the refusal of the proposal by Marrickville Council in March 2016, the proposal was lodged with the Joint Regional Planning Panel for a Pre-Gateway Review.

The JRPP reviewed the application on 6 October 2016 and considered that the proposal has both strategic and site-specific merit. JBA responded to a request for further information from the Sydney East Joint Regional Planning Panel (JRPP) Pre-Gateway Review for Panel Ref #2016SYE106.

In February 2017, the Central Sydney Planning Panel determined that the proposal should proceed to Gateway. In July 2017, the Department of Planning and Environment (the Department) requested that the Planning Proposal be consolidated to be submitted as one single package including referenced/numbered annexures.

JBA has been engaged to prepare the consolidated Planning Proposal for submission to the Department ahead of its exhibition.



## 2.0 The Site

### 2.1 Site Location and Context

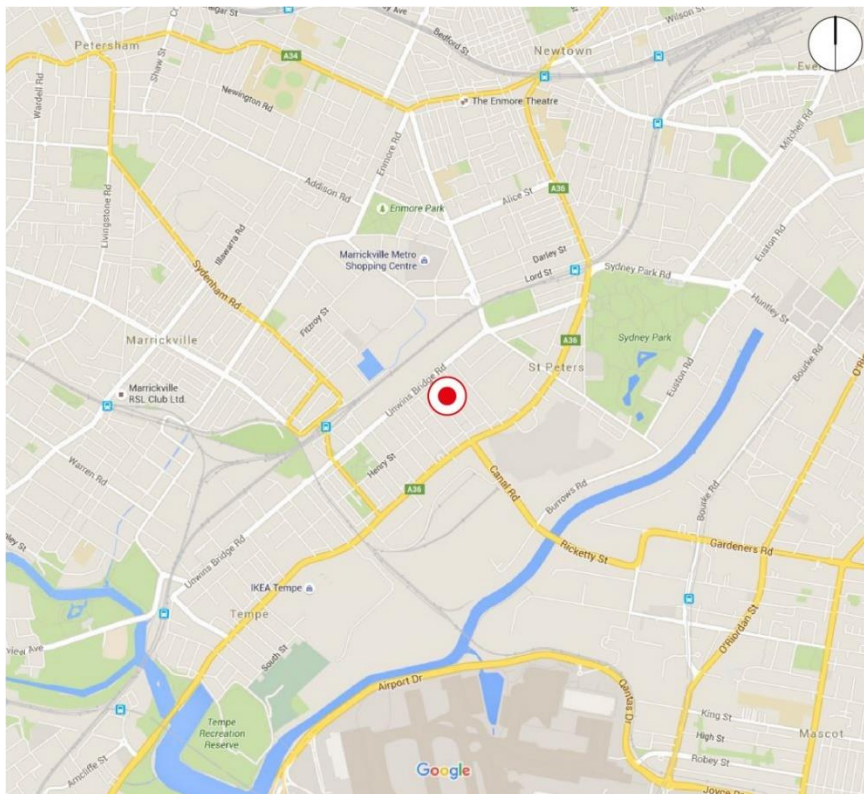
The site is located at 67, 73-83 Mary, 50-52 Edith & 43 Roberts Streets, St Peters Sydney Metro Northwest within the Marrickville Local Government Area. The site is located approximately 8km south-west of the Sydney CBD and within 500m of Sydenham Station.

The site has a western boundary to Mary Street of approximately 108.4m and a frontage to Edith Street of approximately 142.98m. The common northern boundary is approximately 100.585m. The common southern boundary is stepped 52.26m, 28.12m and 53.72m.

The broader block in which the site is located is comprised of predominantly residential development and is bound by Unwins Bridge Road to the north and the Princes Highway to the south. The site is approximately 600 metres from Sydenham train station and 1 kilometre from St Peters station. The Sydney CBD is approximately 5 kilometres north-east of the site and Sydney Airport is located 1 kilometre to the south.

Historically an industrial area, St Peters is increasingly home to a variety of residential, commercial, and industrial uses. The site is located within a predominantly residential area, characterised by one and two storey developments.

The site's location within the context of the surrounding area is shown at **Figure 1**.

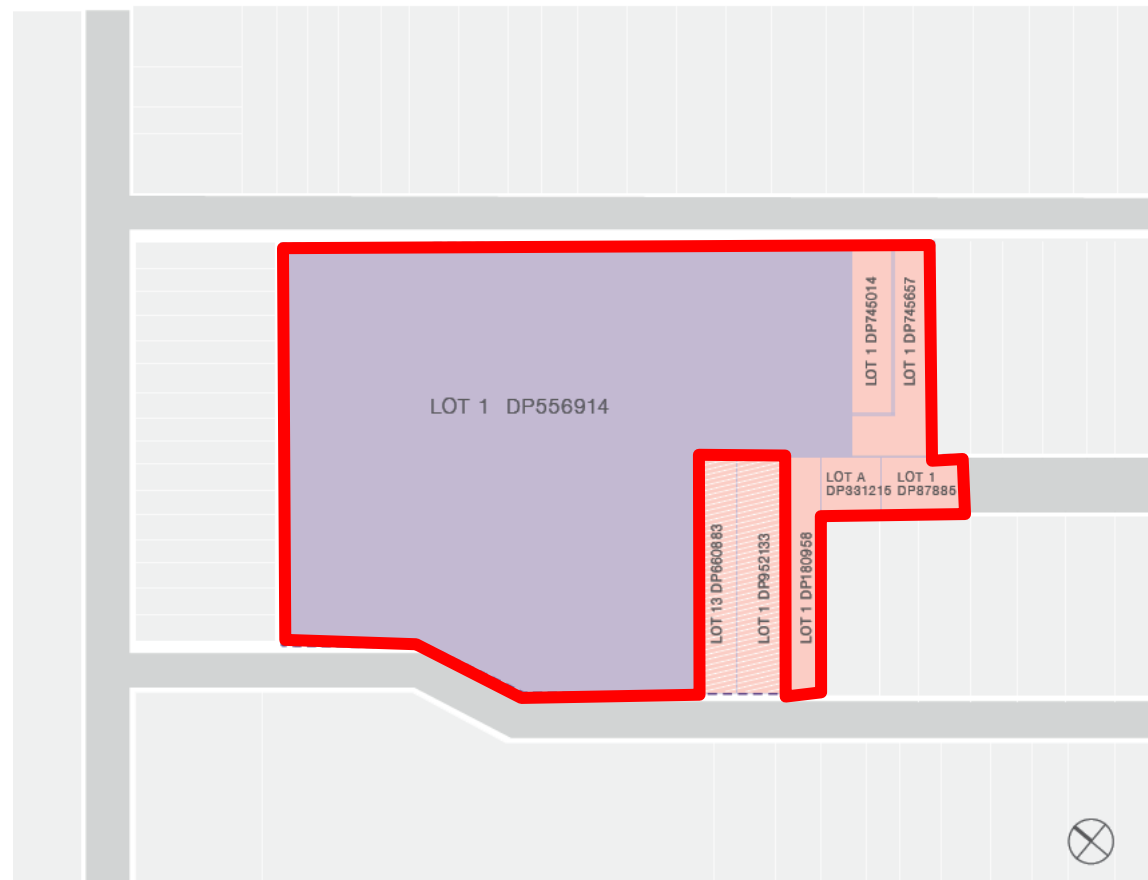


**Figure 1 – Site in context**  
Source: Google Maps and JBA

## 2.2 Site Description

The site consists of six allotments and is legally described as:

- Lot 1 DP 556914;
- Lot 1 DP 745014;
- Lot 1 DP 745657;
- Lot A DP 331215;
- Lot 1 DP 87885; and
- Lot 1 DP 180958;



**Figure 2 – Land subject to this Planning Proposal**  
*Source: Tonkin Zulaikha Greer*



**Figure 3** – Proponent Ownership  
 Source: Tonkin Zulaikha Greer

The site has a total area of approximately 1.5258 hectares and is irregular in shape.

- Lot 1 DP556914 13,395m<sup>2</sup>;
- Lot 1 DP745014 365.33m<sup>2</sup>;
- Lot 1 DP745657 575.7m<sup>2</sup>;
- Lot A DP331215 215m<sup>2</sup>;
- Lot 1 DP87885 273m<sup>2</sup>; and
- Lot 1 DP180958 434m<sup>2</sup>;

An aerial photo of the site is shown at **Figure 4**.



The Site

**Figure 4** – Aerial photograph of the site  
Source: Nearmap

Land zoned industrial south of Mary Street is not included as part of this planning proposal, primarily because it is not under the ownership of the proponent. Notwithstanding this, it also sits directly within the 25+ ANEF contour levels and therefore it is difficult to incorporate this into a residential use.

### Existing Development

The site accommodates buildings of various ages and styles which are used for light industrial and artisan purposes. On-site parking is available in an existing at grade parking area on the southwestern portion of the site. Most of the buildings on the site would appear to have been constructed during the Taubmans occupation between 1905 and 1943 with most of the buildings constructed from the late 1920's to the early 1940's. There are currently 11 existing buildings on the site of various heights ranging from one to three storeys, as well as a cottage and three residential dwellings (all shown in **Figure 5**).

The north-west boundary of the site has substantial 2–3 storey buildings, the tallest of which are approximately 14.5 metres in height. The scale of these buildings is maintained through the central portion of the site, along Mary Street and Edith Street, and then decreases towards the south east of the site. This portion of the site has a number of small, single storey buildings and the north-east corner of the site is currently free of structures and used for car parking.



**Figure 5** – Existing development on the site, showing building numbers  
Source: Tonkin Zulaikha Greer

### Topography

The site has a slope of approximately 5 metres down from Edith Street to Mary Street.



**Figure 6** – Site indicating 5m contour  
Source: Mersonn

### Vegetation

The site is largely unvegetated except for some 25 trees located around the residential dwellings within the site

### Heritage

The site is not affected by heritage constraints nor are there any heritage listed properties in the vicinity.

### Access

The site has two street frontages, to Mary Street and Edith Street. Vehicles may access the site from entrances on each frontage. There is currently a

large car park on the north-eastern corner of the site which can accommodate approximately 80 cars. The site is also accessible to pedestrians and is approximately 600 metres from Sydenham station and 1 kilometre from St Peters station.



**Figure 7** – Building 1 and 2 viewed from Mary Street



**Figure 8** – Vehicle entrance to the site from Mary Street and existing cottage



**Figure 9** – The site as viewed from Mary Street towards Unwins Bridge Road



**Figure 10** – The site viewed from Edith Street



**Figure 11** – The site viewed from Edith Street, showing building 5 and existing car park

## 2.3 Surrounding Development

Land uses immediately surrounding the site are predominantly one and two storey residential dwellings as well as two-storey light industrial warehouses located south-west across Mary Street.

### Unwins Bridge Road

The dwellings adjoining the site to the north-west front Unwins Bridge Road. The dwellings are oriented north south and directly adjoin the buildings on the subject site with a series of gardens.

The area to the north of the site over Unwins Bridge Road comprises the larger Marrickville industrial area and the Marrickville Metro Shopping Centre is also located approximately 650 metres north of the site.

### Mary Street

An industrial estate adjoins the subject site to the south across Mary Street. The site is zoned Light Industrial and is surrounded by residential land zoned R2 under the provisions of Marrickville LEP 2011. The land is variously developed with single dwellings which generally fronts Mary Street.

The dwellings are a mixture of detached and semi -detached single and two storey dwellings with an irregular subdivision pattern of small lots. Dwellings are built close to the street alignment with open space to the rear.

More recent medium density development of attached dwellings occurs on the larger allotments.

### Roberts Street

Low density residential land adjoins the site on Roberts Street to the south and is zoned R2 under the provisions of Marrickville LEP 2011. The land is variously developed with single dwellings which generally fronts Roberts Street.



The dwellings are a mixture of detached and semi-detached single and two storey dwellings with an irregular subdivision pattern of small lots. Dwellings are built close to the street alignment with open space to the rear.

### Edith Street

Low density residential land adjoins the site on the south side of Edith Street to the south and is zoned R2 under the provisions of Marrickville LEP 2011. The land is variously developed with single dwellings which generally front Edith Street.

The dwellings are a mixture of detached and semi-detached single and two storey dwellings with an irregular subdivision pattern of small lots. Dwellings are built close to the street alignment with open space to the rear.

The north side of Edith Street opposite the subject site is predominantly residential interspersed with former small-scale warehouse uses. The subdivision pattern is varied and irregular with lots fronting Edith Street and through-block lots fronting Silver Street to the north.

The land is zoned R2 low density residential and accommodates a variety of single and two storey dwellings of mixed age and style.



**Figure 12** – Light industrial development located adjacent to the site across Mary Street



**Figure 13** – Residential development on Mary Street adjacent to the site typical of the surrounding area



**Figure 14** – Two-storey residential development on Mary Street



Figure 15 – Residential development on Roberts Street typical of the surrounding area



Figure 16 – Residential development on Edith Street



**Figure 17** – Commercial development on Unwins Bridge Road

## 2.4 Development History

The site was originally amalgamated by Taubmans Paint and varnish works during their ownership from 1903 to 1965. The site was subsequently acquired by Genimpex Pty Ltd (1965 – 2013) and JVM Holdings and Chalak Holdings Pty Ltd (2013) which amalgamated further lots into the site.

Since 1965 (when Taubmans relocated to Villawood) the site has been used by a variety of mixed uses, light industries, warehousing and more latterly creative industries. These uses have adaptively repurposed the Taubmans facilities into a dynamic creative business precinct. Most of the buildings on the site would appear to have been constructed during the Taubmans occupation between 1905 and 1943 with most of the buildings constructed from the late 1920's to the early 1940's.

A variety of use applications have been approved on the subject site for the light industrial and creative industry tenants since the 1960's.

## 2.5 Demographics

A summary of key demographic indicators are outlined below.

- At the time of the 2011 census, there were 2,871 people living in 2,561 dwellings with an averaging household size of 2.2.
- The traditional owners of Marrickville LGA are the Cadigal Wangal clans of the Eora nation. In 2011, Aboriginal and Torres Strait Islander people made up 1.0% of the population, which is fairly consistent with the LGA, but lower than the NSW average at 2.5%.
- The median age of residents living in St Peters in 2011 was 35 years. This is on par with the LGA and State average.

## 2.6 Existing Local Services

### Public Transport

The site is approximately 500 metres from Sydenham train station and 1 kilometre from St Peters station. There are also Sydney Bus routes within walking distance.

### Education

The area has a number of educational institutions in the locality, including:

- St Peters Primary School
- Marrickville Primary School; and
- St Pius' Catholic Primary School.

### Health

The proposed development is located close by to a number of health care services, including Royal Prince Alfred Hospital, which is less than 3km from the site. There are a number of medical centres and other health practitioners in the vicinity that will be able to service the new residents.

### Shopping

There are a number of nearby shopping destinations that would service the proposed development. These including Marrickville Metro Shopping Centre (700 metres).

### Open Space

There are a number of parks in the surrounding area, being Sydney Park, Camdenville Park and Simpson Park as well as smaller local parks.

- The vast majority of St Peters residents were born in Australia (61.9%). Other countries of birth were England (6.0%), New Zealand (3.2%) and China (1.8%).
- In terms of employment statistics, 43.8% of residents work full time and 13.1% work part time. The majority of workers are Professionals, Managers and Clerical and Administrative workers).
- 20.4% of St Peters' homes are owned outright, 39.2% are mortgaged, and 37.5% of are rented.
- 17.5% of residents earned an individual income of more than \$1,500 per week.

## 3.0 Existing Planning Controls

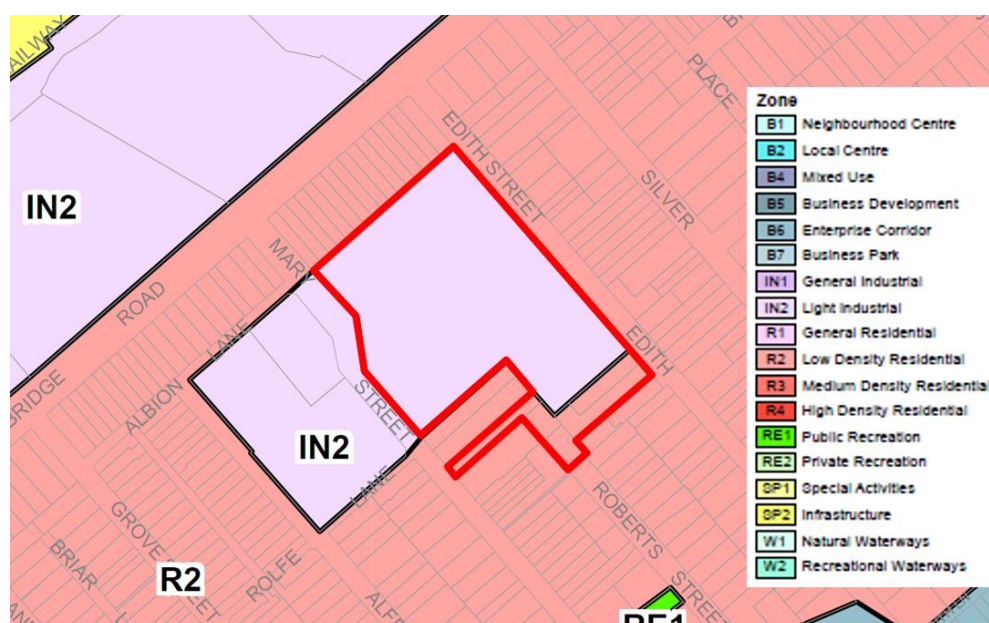
This section of the report describes the existing planning controls that apply to the site under the current legislative planning framework and establishes the amendments to the LEP and DCP required to pursue the indicative development concept.

### 3.1 Marrickville Local Environmental Plan 2011

The Marrickville Local Environmental Plan 2011 (LEP) is the primary environmental planning instrument that applies to the site. These controls are discussed below.

#### 3.1.1 Zoning

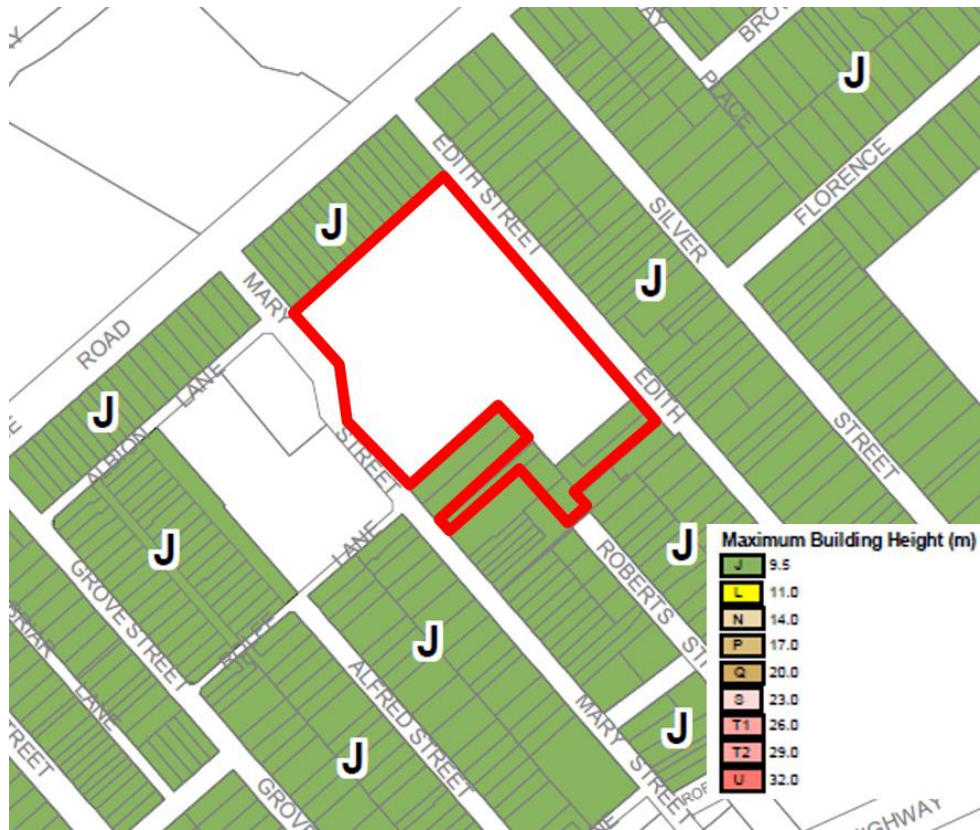
Under the LEP the site is part zoned IN2 – Light Industrial and R2 – Low Density Residential as shown in **Figure 18** below. This Proposal seeks to rezone the site to B4 - Mixed Use.



**Figure 18** – Current Site zoning  
Source: LEP

#### 3.1.2 Building Height

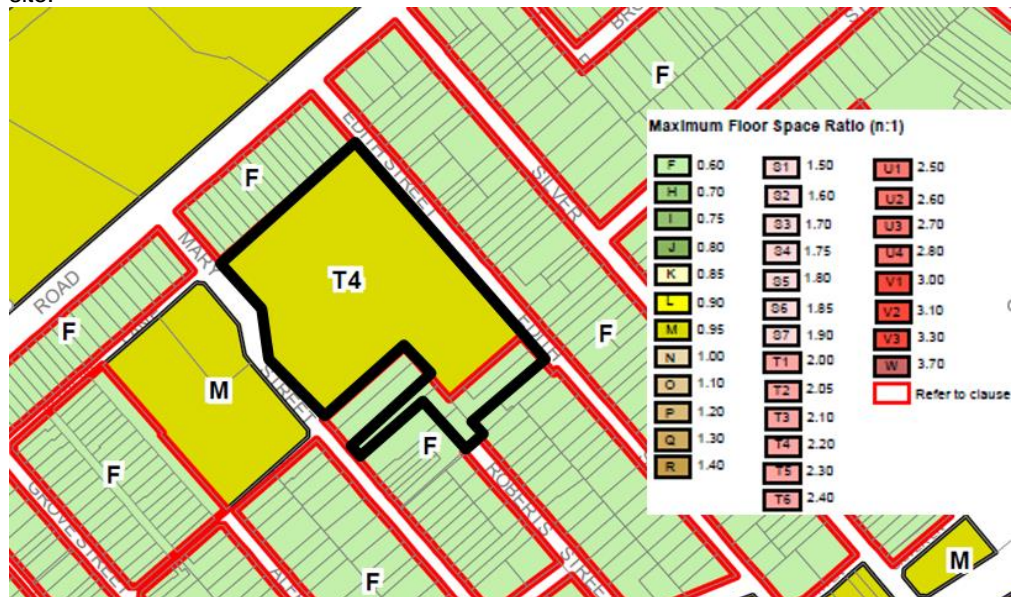
The LEP does not currently include a height of building development standard for the IN2 zoned land. The R2 part of the site is however subject to the requirements of the LEP which allows a building height of 9.5 metres as shown in **Figure 19** below. This Proposal seeks to flexibly impose a range of height limits (9.5, 17.0, 20.0, 23.0 and 29.0 metres) that respond to the existing buildings on site and to the adjoining and nearby building forms.



**Figure 19** – Existing Height of Buildings  
Source: LEP

### 3.1.3 Floor Space Ratio

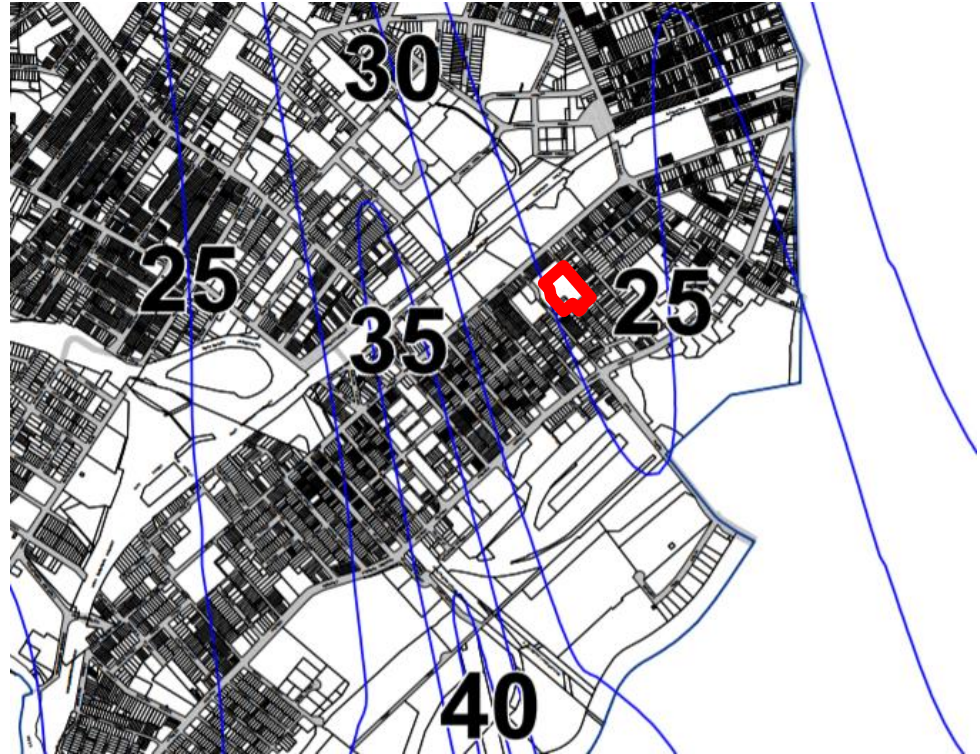
The LEP imposes an FSR of 0.6:1 for the R2 land and 2.2:1 for the IN2 zoned land as shown in **Figure 20** below. This Proposal seeks to extend the 2.2:1 FSR across the site.



**Figure 20** – Existing FSR map (noting that the T4 is incorrectly coloured)  
Source: LEP

### 3.1.4 Australian Noise Exposure Forecast

The LEP requires Council consider the noise affectation associated with Sydney Airport on land subject to aircraft noise. This land is identified as land with an Australian Noise Exposure Forecast (ANEF) 2033 contour of 20 or greater which includes the site.



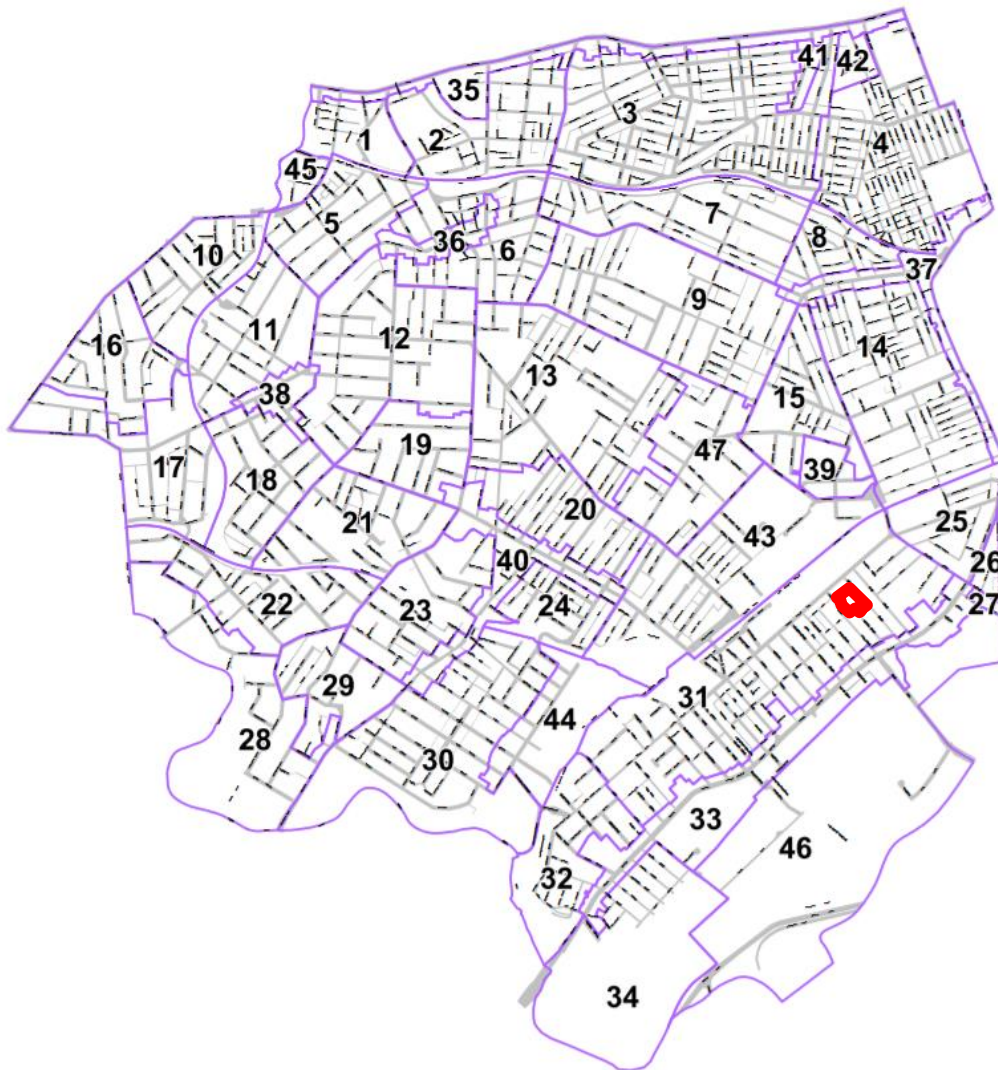
**Figure 21 – ANEF Contours**  
Source: Inner West Council

## 3.2 Marrickville Development Control Plan 2011

The Marrickville Development Control Plan 2011 (DCP) builds upon and provides more detailed provisions than the LEP. The DCP includes controls based on development typology. Part 4 details the requirements for residential development and Part 6 details the requirements for industrial development. These controls are generally not relevant to the proposed land uses and are therefore not discussed further.

In addition to the typology controls, Part 9 of the DCP includes strategic controls based on the location of the site, with the former Marrickville LGA being divided into 41 precincts. The site is within Unwins Bridge Road (Precinct 31). There are no site-specific development controls for the Precinct.





**Figure 22 – DCP Precincts**  
Source: DCP

The DCP identifies this precinct as being characterised predominantly by low density Victorian, Federation, Inter-War, and Contemporary residential dwellings followed by industrial, commercial, and institutional land uses. It recognises a generally uniform subdivision pattern of small lots with narrow street frontages with narrow street widths and footpaths. Industrial lots within the precinct are an exception and have an inconsistent subdivision pattern.

The DCP indicates the desired future character for the area is:

1. To protect and preserve the identified period buildings within the precinct and encourage their sympathetic alteration or restoration.
2. To protect the identified Heritage Items within the precinct.
3. To maintain distinctly single storey streetscapes that exist within the precinct.
4. To protect groups or runs of buildings which retain their original form including roof forms, original detailing and finishes.
5. To protect significant streetscapes and/or public domain elements within the precinct including landscaping, fencing, open space, sandstone kerbing and guttering, views and vistas and prevailing subdivision patterns.
6. To preserve the predominantly low density residential character of the precinct.
7. To support pedestrian and cyclist access, activity and amenity including maintaining and enhancing the public domain quality.

8. *To ensure that the provision and location of off-street car parking does not adversely impact the amenity of the precinct.*
9. *To protect the identified values of the Collins Street Heritage Conservation Area.*

This Planning Proposal proposes the addition of new Site-Specific controls to be added into 9.31.5.

## 4.0 The Planning Proposal

This section of the report describes the Planning Proposal process and the indicative design scheme.

### 4.1 The Process

In accordance with department guidelines, this planning proposal has been prepared by the JBA on behalf of the Proponent.

The Planning Proposal has been informed and supported by the following detailed technical investigations:

- Urban Design;
- Ecological Sustainability;
- Servicing;
- Traffic and Parking;
- Security, Fire, Structural and BCA Assessments;
- Geotechnical;
- Contamination;
- Waste;
- Noise;
- Heritage; and
- Landscape.

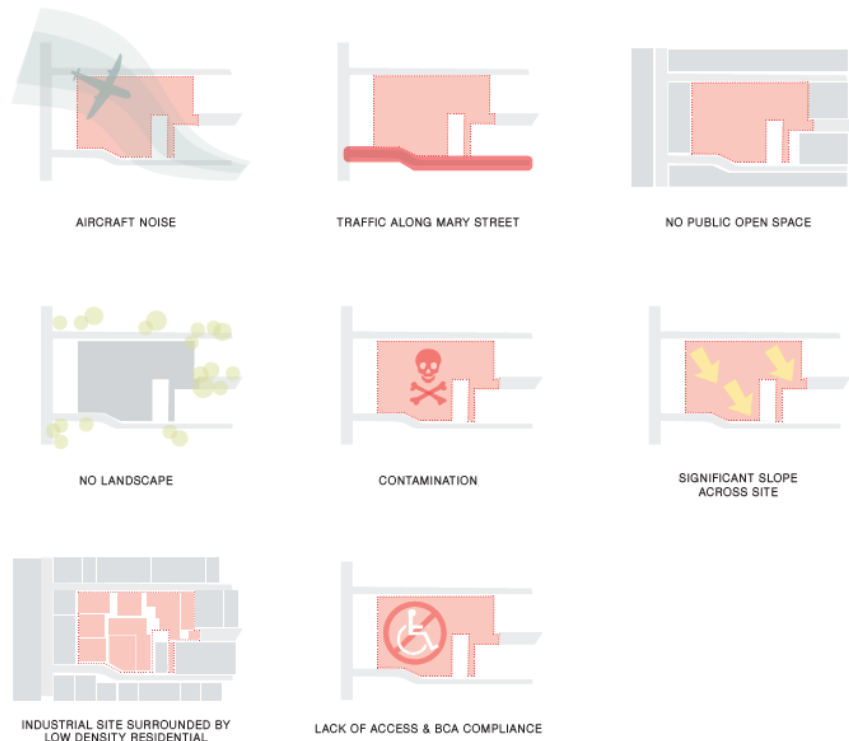
These technical studies are provided as appendices to this report (refer to table of contents). If adopted and incorporated into the LEP, the Planning Proposal will guide future development within the subject site. Key steps in the preparation of this Planning Proposal included:

- **Understanding place** - effective strategy is based on a clear understanding of place. This step investigated the site and its context
- **Building the evidence base** – using existing studies and strategies as a platform and undertaking supplementary studies and strategies
- **Defining the challenge** – clearly identifying the key issues to be investigated and resolved so that the strategic planning proposal process is focussed on tackling the right issues
- **Developing a vision and key outcomes** – developing a vision and key outcomes for the future of the site
- **Generating strategy and initiatives** – developing strategy and initiatives that address the key issues and seek to achieve the vision and key outcomes
- **Evaluation** – assessing the strategy and initiatives against state and local strategic and statutory planning policy to ensure its promotes or is consistent with the intent of these policies
- **Implementation** – preparing proposed amendments to existing zoning, FSR and height controls in the LEP to facilitate the intended outcomes of the proposal.

## 4.2 Site Constraints

In establishing the sites development potential, the following site constraints were recognised by Tonkin Zulaikha Greer:

- Aircraft noise;
- Traffic;
- Lack of public open space and landscape amenity;
- The historical pattern of the development of the site;
- Contamination;
- Slope;
- Land use context of industrial ringed by residential; and
- Lack of access and compliance with modern building standards



**Figure 23 – Constraints Analysis**  
Source: Tonkin Zulaikha Greer

The development scheme can respond to these constraints however there exist further planning constraints which artificially constrain the site:

- Maximum building height on the R2 part of the site;
- The historical pattern of the development of the site;
- Maximum FSR; and
- Industrial zoning of most of the site.

While the local area is relatively intensively developed for residential uses it is characterised by a lack of local facilities and public open space. The local context is also relatively poor in terms of pedestrian connectivity and the occurrence of local centres. The local and neighbourhood centres within the Marrickville Local Government

Area tend to be concentrated further to the west and north with little in the way of retail or community precincts within proximity of the site.

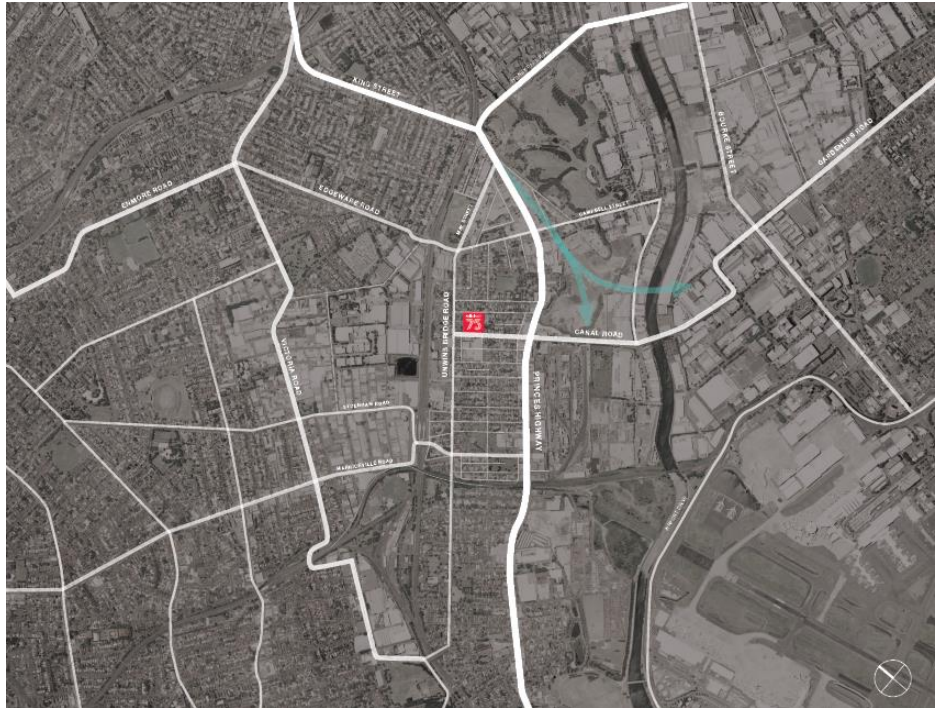


**Figure 24 – Open Space**  
Source: Tonkin Zulaikha Greer



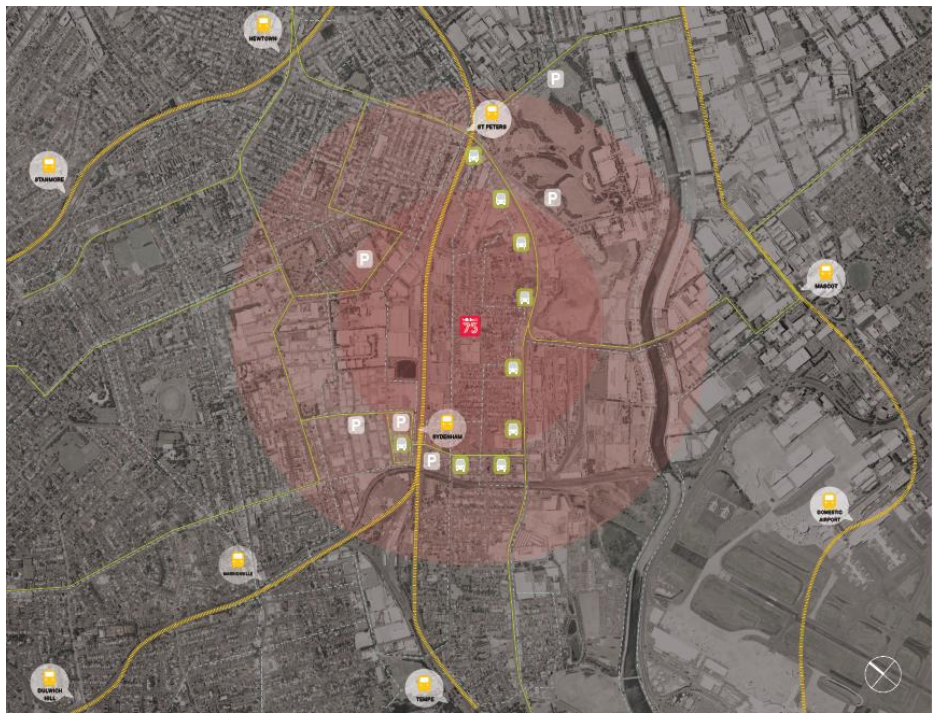
**Figure 25 – Community Infrastructure**  
Source: Tonkin Zulaikha Greer

The subject site is located between two major north-south arterials being the Princes Highway and Unwins Bridge Road. Mary Street currently provides a significant east-west linkage between these routes and connects with Canal Street and Gardeners Road to the east. These are highly traffic routes which offer little pedestrian amenity and the current local road network offers little in the way of alternative pedestrian or bicycle routes between these corridors.

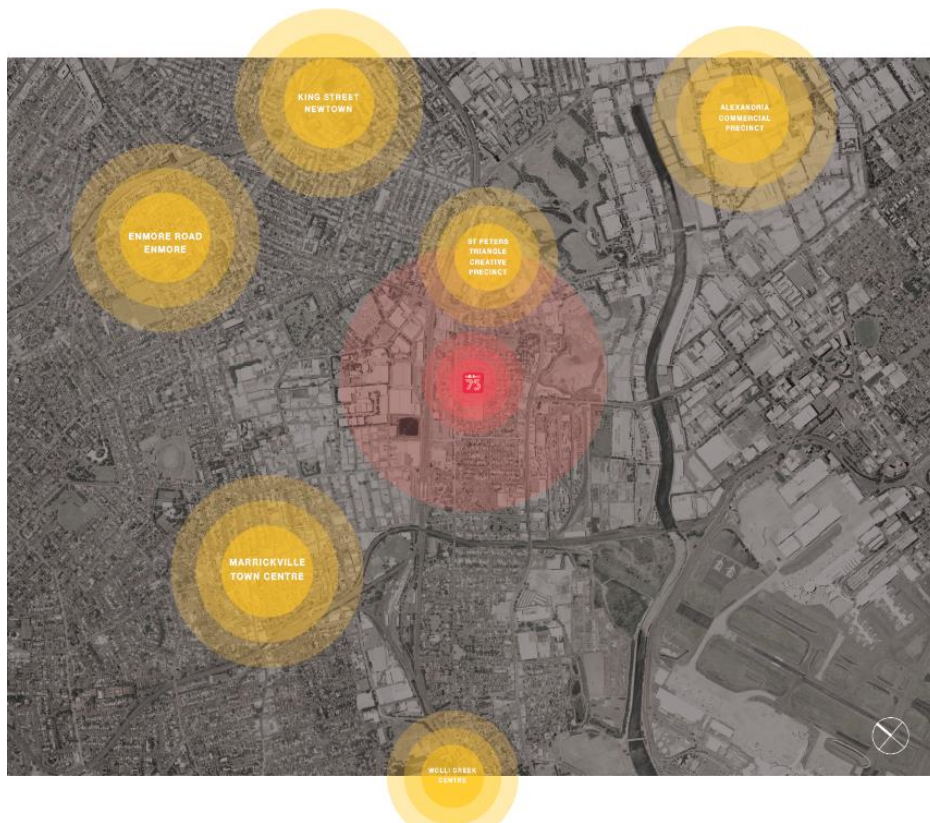


**Figure 26 – Road Network**  
 Source: Tonkin Zulaikha Greer

The future of the Princes Highway under the Sydney Metropolitan Plan and the Marrickville LEP is for the future development of this corridor as an intensive mixed-use locality. It is noted that Enterprise Corridor is adopted in the Marrickville Urban Strategy stretching from St Peters through Wollie Creek and dependent on the parallel rail infrastructure following to the north.



**Figure 27 – Public Transport**  
 Source: Tonkin Zulaikha Greer



**Figure 28 – Centres**  
Source: Tonkin Zulaikha Greer

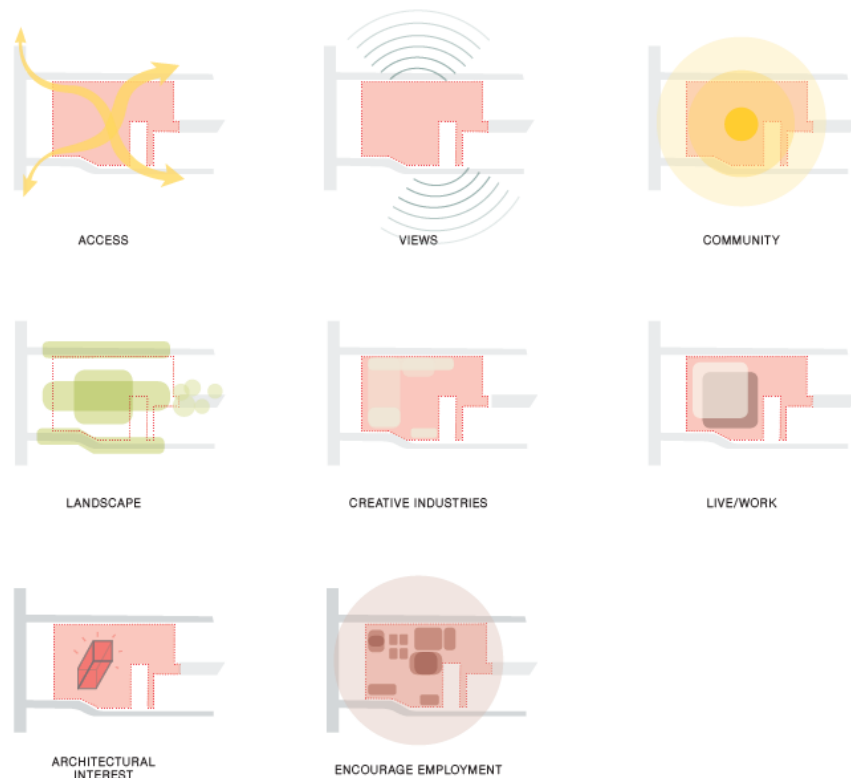
Reconsidering these constraints provides for an economically viable redevelopment scheme that has the potential to address the shortcomings of the locality.

This Planning Proposal will seek to address these planning constraints on the basis that they unreasonably restrict a site that is suitable for a mixed-use development that is consistent with State, regional and local strategic planning policies. Development that is free of these constraints can deliver an urban outcome that is suitable to the unique opportunities presented by the site.

### 4.3 Site Opportunities

In establishing the sites development potential, Tonkin Zulaikha Greer recognised the following site opportunities:

- Access through the site;
- Views from the site;
- Potential for a new community space and focus;
- Landscape embellishment;
- Foster and expand the existing creative industries base;
- Live/work housing solutions;
- Express the existing and create new architectural interest; and
- Encourage employment land uses on the site.



**Figure 29** – Opportunities Analysis  
Source: Tonkin Zulaikha Greer

## 4.4 Indicative Scheme

A number of preliminary options were investigated before and during the preparation of the indicative design scheme and prior to the preparation of the Planning Proposal:

- Option 1: Do nothing
- Option 2: Develop the site in accordance with the existing land use zoning (ie. incorporate an additional circa 1,000m<sup>2</sup> light industrial floor space within the site)
- Option 3: Rezone the land and introduce appropriate site-specific controls resultant from a detailed strategic assessment of the site capacity.

Option 3 provided significant benefits by way of rationalising the existing development of the site, presenting an opportunity for site remediation, providing for upgraded and new development and facilitating development considerate of the site constraints and opportunities.

An indicative design scheme has been produced by Tonkin Zulaikha Greer (refer to **Appendix G**). The indicative scheme has been designed to show how the site may be developed under the LEP and DCP provisions, as proposed to be amended.

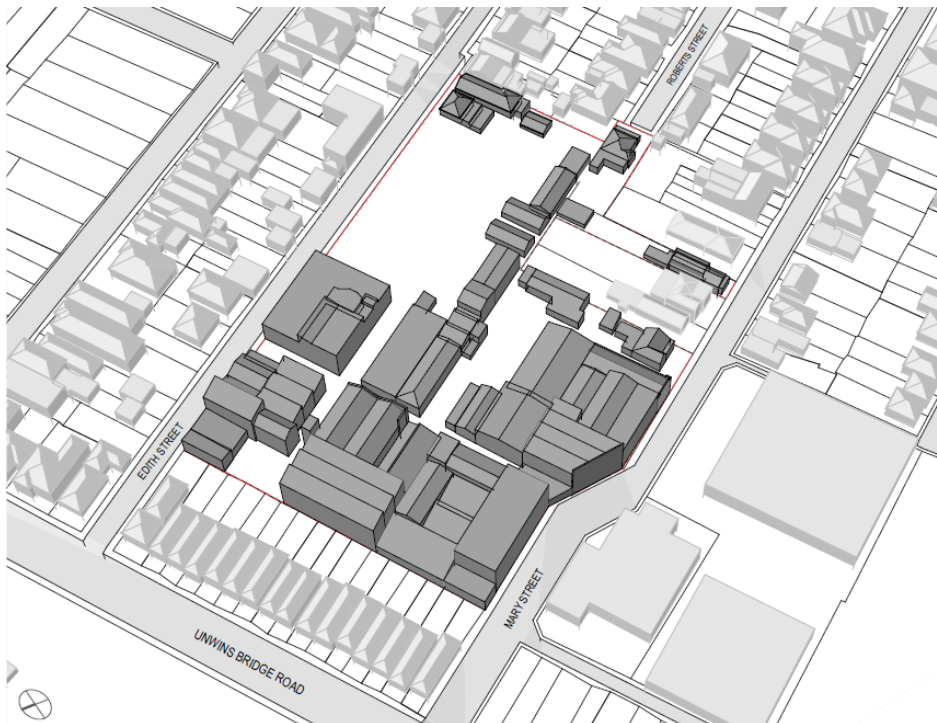
The indicative scheme has first considered the value of the existing buildings and has sought to retain these as contributory to the existing character of the site. The retention of the existing buildings is also considered important to retaining the existing creative industries on-site. Generally, those buildings selected for demolition are of poor construction, lightweight materials, modern additions or obstruct intended future through site links.

New buildings have been located to reinstate a sense of order to the urban layout and to frame the existing street and future on-site public domain.

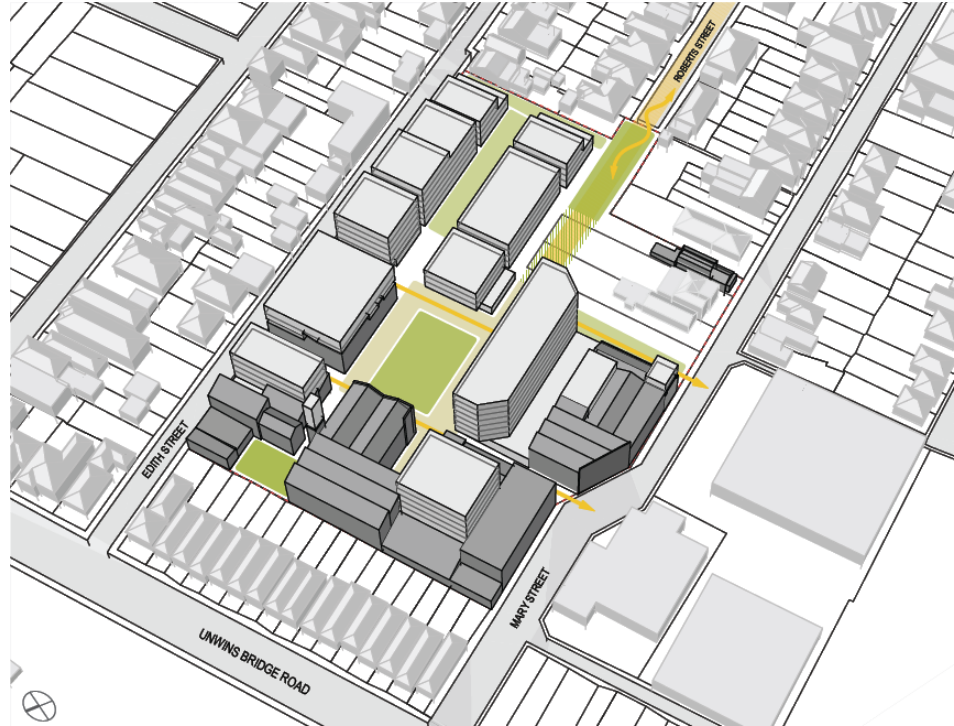


Key features of the indicative scheme include:

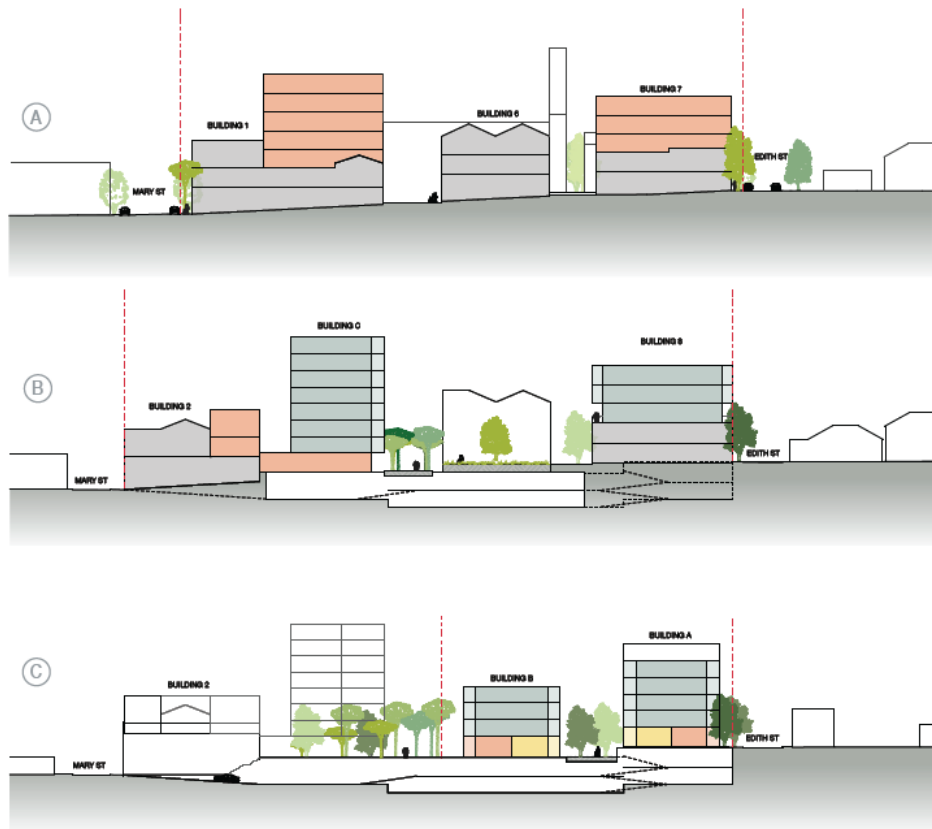
- Retention and adaptive reuse of higher quality, robust buildings that retain the industrial character of the site;
- Removal of newer and lightweight, more temporary, contemporary buildings;
- New pedestrian and cycle through site linkages to encourage activation and passive surveillance;
- Reinstatement of the street block pattern delivered as linear connections fronted by buildings;
- Underground car parking;
- A series of vertical circulation points;
- High quality embellished public domain and semi-private resident gardens; and
- Landscaped public areas.



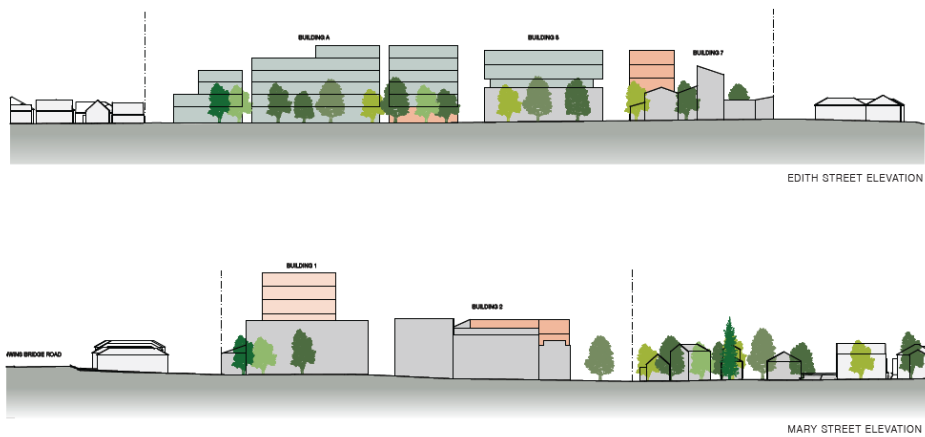
**Figure 30** – Existing development on the site  
Source: Tonkin Zulaikha Greer



**Figure 31** – Intended completed design scheme  
Source: Tonkin Zulaikha Greer



**Figure 32** – Intended building massing  
Source: Tonkin Zulaikha Greer



**Figure 33** – Intended building massing  
*Source: Tonkin Zulaikha Greer*

The intended outcome for the subject site is a built form consistent with the intention of providing a more appropriate edge development which retains and improves amenity while providing access through the site for residents of surrounding buildings and broader locality.

The impacts of the Scheme are discussed further in **Section 6.0**.

## 5.0 Assessment of Planning Proposal

This section of the report describes the Planning Proposal and design principles that establish the foundation for the proposed amendments to the LEP and DCP. Further detail is provided throughout the environmental assessment in the following chapters.

The following section includes an assessment against the requirements in *A guide to preparing planning proposals* published by the then Department of Planning and Infrastructure in October 2012. This section demonstrates the need for the proposal and its relationship with the strategic planning framework.

### 5.1 Part 1 – Objectives and Intended Outcomes

This section of the Planning Proposal sets out the objectives or intended outcomes of the Planning Proposal.

The main objectives of the Planning Proposal are to amend the LEP to:

- a) Provide for the opportunity for the future development of a mixed-use development which:
  - Provides for the continued and upgraded use of the site for creative industries
  - Provides for diversity and housing choice locally and contributes to supply and diversity across the LGA; and
  - Is located within close proximity and within ready access to services and facilities including public transport.
- b) Provide for a development that is well suited to the area and to this specific site, has clear connections with its surrounding context and which will make a positive contribution to the character of the area.

The Planning Proposal does this by amending the LEP to facilitate a mixed-use development on the site. This will be achieved through an amendment to the land use zoning from IN2 Light Industry to B4 Mixed Uses, a flexible and graduated change to the height control (where no height control exists at present) and an FSR control of 2.2:1 (where no FSR control exists at present).

The intended outcome of the Planning Proposal is to enhance the existing employment generating, creative use precinct by upgrading the facilities to satisfy contemporary access, fire safety and amenity standards and integrate the use into the surrounding area by encouraging community interaction, creating pedestrian linkages and dealing with traffic and parking demands on site.

The redevelopment of the at grade car parking as a residential interface will provide a buffer to the lower density residential uses beyond and provide a local population to support and enhance the precinct. The development of the site will provide additional public open space and an associated series of pedestrian networks linking the area, through the site, to the railway station and the Princes Highway corridor.

### 5.2 Part 2 – Explanation of Provisions

The Planning Proposal incorporates amendments to the LEP as it relates to the site at 67,73-83 Mary, 50-52 Edith & 43 Roberts Streets, St Peters. To achieve the objectives outlined in Part 1 (**Section 5.1**), this Planning Proposal seeks to amend the LEP as shown below in **Table 2**.

The proposed outcome will be achieved through an amendment to the LEP land use zone, height of building and floor space ratio mapping as well as the inclusion in Schedule 1 of a site-specific amendment to provide for flexibility in the height limits for the site. The intent of these provisions is to allow for a mixed-use development, such as the indicative scheme, that helps meet current strategic planning objectives and targets.

**Table 1 – Existing Controls and Proposed Amendments**

	Existing	Proposed
<b>Land Use Zone</b>	R2 Low Density Residential	B4 Mixed Use
	IN2 Light Industrial	
<b>Building Height</b>	9.5 metres	3.0, 9.5, 17.0, 20.0, 23.0 & 29.0 metres
	No Height Limit	Schedule 1 flexibility inclusion
<b>Floor Space Ratio</b>	0.6:1	2.2:1
	2.2:1	

The proponent has no objection to a drafting of a provision by parliamentary council into the draft LEP that would suspend Clause 1.8A in respect of the consideration of any DAs that may have been lodged concurrently with the assessment planning proposal and certainly before the making of any subsequent Draft LEP.

### 5.2.1 Land Use Zone

The Planning Proposal seeks to amend the existing IN2 Light Industrial and R2 Low Density Residential to B4 Mixed Use. The land at 71 Mary Street is retained as R2 Low Density Residential.

The objectives of the B4 Mixed Use zone:

#### 1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To support the renewal of specific areas by providing for a broad range of services and employment uses in development which display good design.
- To promote commercial uses by limiting housing.
- To enable a purpose built dwelling house to be used in certain circumstances as a dwelling house.
- To constrain parking and restrict car use.

The B4 Mixed Use zone land uses:

#### 2 Permitted without consent

Home occupations

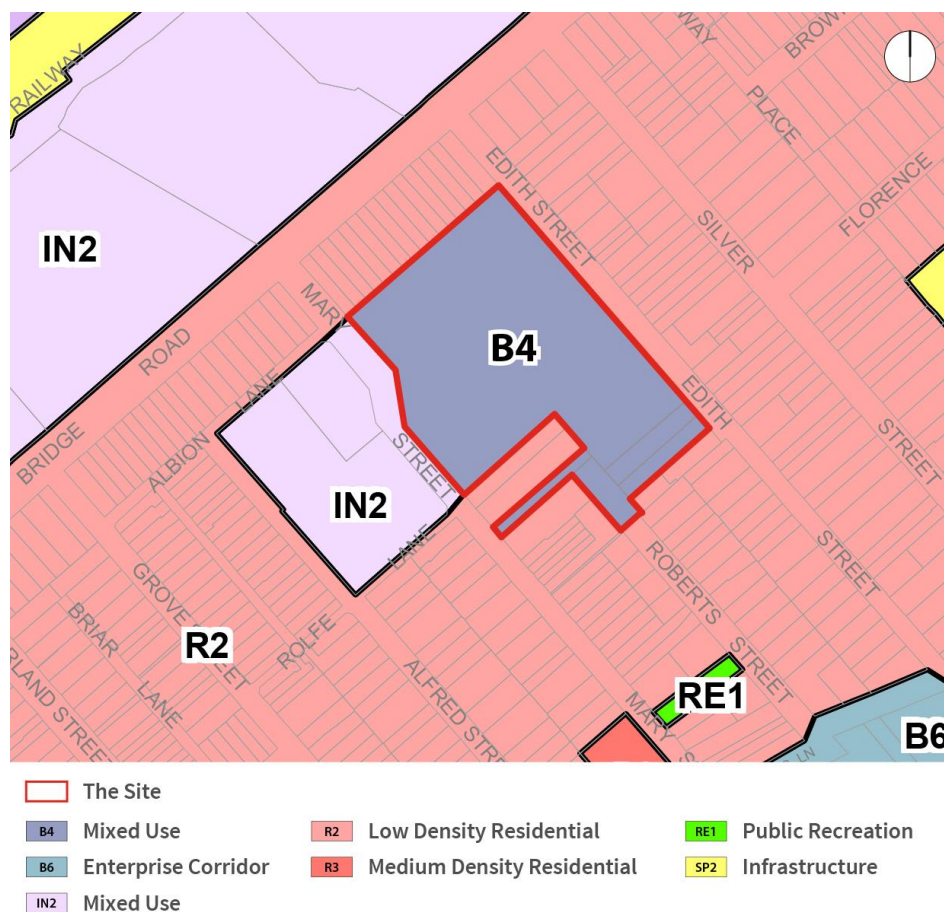
#### 3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Dwelling houses; Educational establishments; Entertainment facilities; Function centres; Group homes; Hostels; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

#### 4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism

*boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Port facilities; Recreation facilities (major); Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities*



**Figure 34 – Proposed site zoning**  
Source: JBA

From the outset of the planning proposal it was Council’s preference and direction that the preferred zoning across the site be a B4 Mixed Use Zone. Council believed that this provided the requisite flexibility and best sat within its hierarchy of business and residential zones.

The B4 mixed use zone generally permits the uses proposed within the planning proposal. However, it has been noted by both Council and the proponent that the B4 Zone does not permit new residential accommodation in a form other than ‘shop top housing’. For a development to be ‘shop top housing’, no residential accommodation (other than lobbies) can be provided at ground floor level. Buildings A and B are proposed to contain a mix of commercial and community uses at ground floor level for a portion of the building only. The remaining proportion of ground floor will include residential accommodation. Consequently, those buildings would not fall under the definition of ‘shop top housing’ within the MLEP 2011. These buildings would be

considered 'mixed use' developments incorporating either 'commercial premises' and/or 'community facility' and a 'residential flat building'. As 'residential flat buildings' are prohibited in the B4 mixed use zone, a site-specific Schedule 1 inclusion to permit a residential flat building is required.

The draft Schedule 1 additional permitted use clause could be as follows:

*(2) Development for the purpose of residential accommodation is permitted with consent, but only as part of a mixed-use development.*

Other zoning options have been considered in the preparation of this planning proposal, as outlined below.

### **Option One – B7 Zone**

It is noted that a B7 Business Park Zone would allow for the development of residential flat buildings. This zone has the objective of providing for creative industries such as the arts, technology, production and design sectors. It is an employment zone that permits limited residential development and only in conjunction with employment uses at the ground floor and it is promoted through the Marrickville Creative Industries Policy 2011. However, the permissibility of residential flat buildings is similar to that of a B4 zoning, in terms of restricting residential on the ground floor. As such complete B7 zoning of the site would also require a Schedule 1 additional permitted use as is currently proposed through the B4 Mixed Use zone.

### **Option 2 – R3 Zone**

An R3 Medium Density Residential zone would also allow for residential flat buildings, but only as part of the conversion of existing industrial and warehouse buildings, as is the case with office premises. Office premises are also provided for (in conjunction with retail premises) in existing buildings designed and constructed for commercial purposes. As noted in the TZG Design Report, whilst some of the buildings are being adaptively reused, a number of new buildings are also proposed and the commercial use of these buildings under an R3 zoning would be restricted. Accordingly, it is considered that a R3 zone across the entire site is not appropriate.

### **Option 3 – Split Zone**

There is the potential to split the site into two zones comprising a residential and commercial precinct. However, this split zoning would still be subject to the constraints of the options as outlined above in terms of ground floor residential uses in respect of the B4 and B7 zone and the prohibition of standalone residential flat buildings in the R3 zone.

### **Preferred Zoning – B4 Mixed Use**

The advantage of the B4 Mixed Use Zone is that it allows for a wide range of permissible uses throughout the site, including commercial, residential, retail and community uses. Given the intent of the development as a true mixed-use precinct, the B4 Zone is by far the most preferable and most appropriate. None of the options explored are perfect in terms of their land use table, however the use of B4 Zones in areas of southern Sydney including Harold Park, East Village and places like Potts Point where there are true mixed-use precincts demonstrates why this is an appropriate zone in this instance.

The TZG Design Report illustrates the intention to integrate its industrial past and current creative vibrancy and future liveability. It does this by blending the existing commercial uses along the north western portion of the site with the proposed residential uses to the north east. These buildings maintain commercial uses at the lower levels, with residential uses proposed above. However, as mentioned, not all of the residential buildings have activated ground floors. It has been concluded that a B4 mixed use zone with the

additional permitted use in Schedule 1 is the most appropriate means of meeting this vision.

Whilst we acknowledge that the B4 Zoning is a broad zone, the proponent's vision for the site is reflected in a draft DCP and a draft planning agreement with Council and the panel therefore can have confidence that the scheme underpinning the Planning Proposal will be delivered.

### 5.2.2 Height of Buildings

The Planning Proposal seeks to impose a new height limit on the existing IN2 zoned land and increase the height limit on the existing R2 land. A range of heights limits (3.0, 9.5, 17.0, 20.0, 23.0 and 29.0 metres) are sought that increase towards the centre of the site.



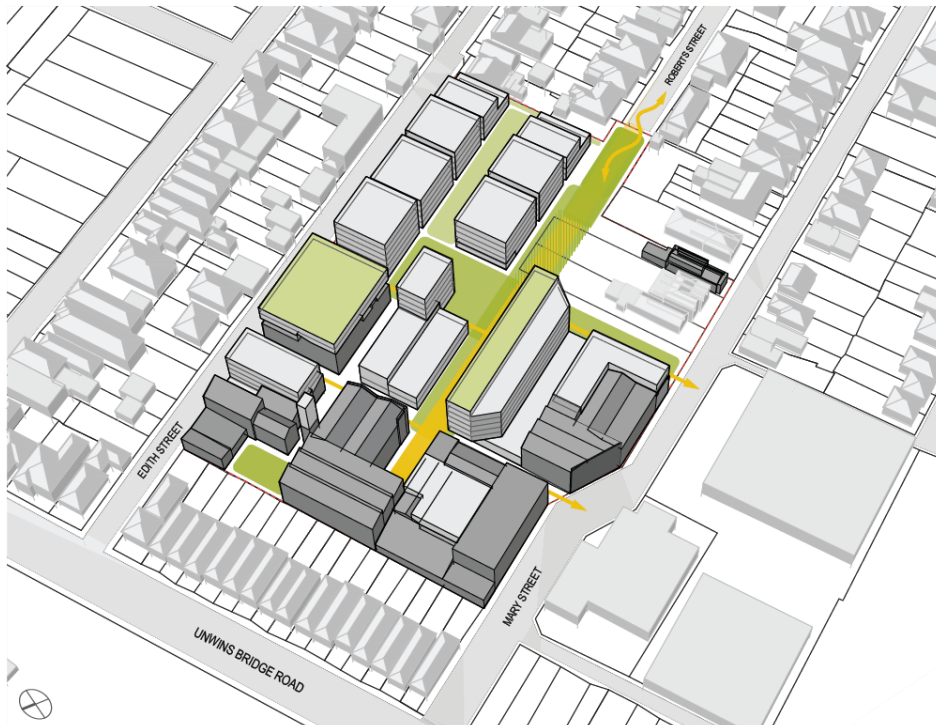
**Figure 35 – Height of Buildings**  
Source: JBA

Outlined below is a chronology of the proposal process that gives an understanding of the rationale behind the proponent's proposed building heights. As discussed, the building heights were considered to be reasonable by Council staff up until the Council meeting of 3 February 2016. The revised heights following this date are considered unreasonable by the proponent for reasons outlined below.

#### 2014-2015 – Initial Proposal

The initial proposal incorporated a range of building heights ranging from 9.5m to 29m. Building 1 had a maximum height of 29m proposed and Building 7 had a maximum height of 23m as illustrated on the plan below:





**Figure 36 – Site plan of initial proposal (now superseded)**  
 Source: Tonkin Zulaikha Greer

On 17 June 2015, the initial proposal was considered by Marrickville’s Architectural Excellence Panel. The panel was made up of Kate Napier (Heritage and Urban Design Advisor, Marrickville Council) and Roderick Simpson (Director, Simpson + Wilson). A copy of the Panel’s report is attached as **Attachment F**.

The recommendations of Marrickville Council’s Architectural Excellence Panel as they related to height are summarised below in **Table 1** as is the manner in which the proponent responded to the recommendations.

**Table 2 – Recommendations of the Architectural Excellence Panel**

Architectural Excellence Panel Recommendation	Proponent Response
Overall support for scheme but requires resolution of residential amenity, shadow impacts (on buildings A+B and public domain as well as adjoining properties), site planning and justification for height of Building D.	As a result of the panel review, the proponent moved to remove Building D from the site plans (see <b>Figures 3 and 4</b> below). This has resulted in a reconfigured open space and has resolved shadow impacts on Buildings A and B. The public domain has a DCP control stipulating solar access requirements that is further described later in this response (see <b>February 2016 – Council Assessment and initial consideration by Councillors</b> ). Building design has been amended to ensure overshadowing impacts on adjoining properties is minimal, as can be seen in <b>Figure 5</b> .



**Figure 37 – Initial site plan**  
 Source: Tonkin Zulaikha Greer



**Figure 38 – Revised site plan**

### **February 2016 – Council Assessment and initial consideration by Councillors**

When Council officers reported the matter to Council on 3 February 2016, the report to Council had been prepared with the benefit of the review by Council's Architectural Excellence Panel and the resulting updated plans put forward the proponent. The report to Council considered the proposed building height for Building A to be reasonable (refer to page 212 of the report).

Council officers considered that the heights of Buildings 7 and 8 may require further consideration so that they did not exacerbate the overshadowing of the central open space. Accordingly, the draft planning controls for the subject site have included a requirement (Recommendation 1. (e)) that 50% of the central open space receives at least 2 hours of solar access between 9.00am and 3.00pm midwinter. It was noted that this may require some relocation of massing from Buildings 7 and 8.

The overshadowing of 48 Edith Street was also specifically considered by Council officers and it was concluded that the proposal meets the solar access requirements of clause 2.7.5.1 C8 ii. of the DCP as it will receive solar access to the majority of its open space between 10.00am and 12.00 noon.

It was recommended by Council officers that Council support the planning proposal subject to the relevant conditions listed above (in part). However, at the meeting on 3 February 2016 Council resolved to not proceed with the planning proposal. At this meeting, a comment was made by Councillor Macri that he felt that six storeys on Edith Street was too high and as such requested the proposal be amended. There was no reasoning behind the Councillor's comment apart from that he 'felt it was too high'.

These same heights had been endorsed by Council staff and had been developed in response to Council's Architectural Excellence panel. Following the rejection of the planning proposal by the Councillors the comments of Councillor Macri was reflected in a Council further redrafted site specific DCP that reduced heights to 17m, contradicting the Council's own draft LEP map that retained a height of 23m.

### **October 2016 – Review by JRPP**

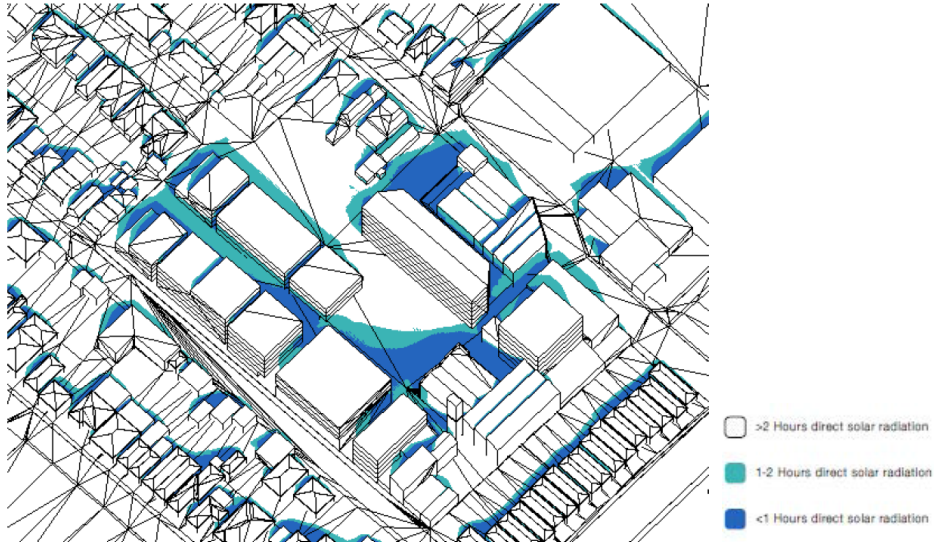
Whilst the above is instructive in terms of the history of the assessment of heights, the fact is that the proponent seeks to undertake a mixed-use development with heights ranging from 9.5m to 29m and in particular the following building heights:

- Building A: 23m
- Building B: 17m
- Building C: 29m
- Building 1: 29m
- Building 2: 17m
- Building 6: 29m
- Building 7: 23m
- Building 8: 23m

We believe that the heights of buildings are appropriate because:

1. The building heights have been reviewed and endorsed by Council's Architectural Excellence Panel (see **Attachment F**)
2. Solar access to open space is to be maintained and this adopted in the draft DCP provisions
3. Solar access to surrounding developments is maintained as per TZG assessment (refer to **Figure E** below)

4. The heights are appropriate in this urban setting and so close to multiple points of mass transit
5. The heights are complementary to the existing buildings on the site
6. A relatively modest FSR is achieved on the site even with the proposed building heights

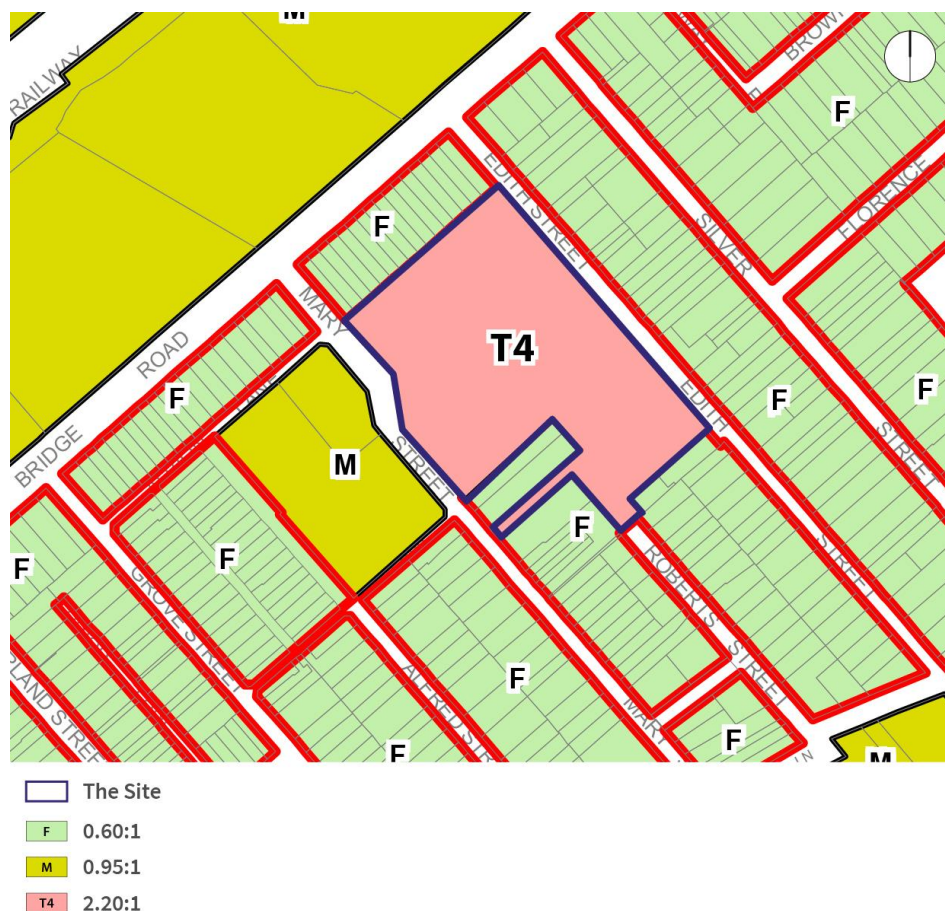


**Figure 39** – Solar Study – Mid-Winter  
Source: *Tonkin Zulaikha Greer*

The proponent supports the control stipulating overshadowing requirements of the open space (Recommendation 1. (e) as referred above). The proponent does not support further decreasing the height controls as any reduction is simply not warranted and would be inconsistent with the recommendation of Council officers in their report of 3 February 2016.

### 5.2.3 Floor Space Ratio

The Planning Proposal seeks to apply an FSR of 2.2:1 across the entire site.



**Figure 40 – FSR**  
Source: JBA

## 5.2.4 Planning Panel Flexible Clause

The LEP indicates maximum height controls for various parts of the site. It is accepted by the proponent that there should be some flexibility in the control to avoid the need for variation of the control at the development application stage as a result of detailed architectural design.

Within the LEP, it is proposed to include a provision that allows for flexibility in the application of the height limits for the site without the need for a variation under Clause 4.6 of the LEP. This inclusion will ensure that the Planning Proposal is consistent with the recommendations of the Central Sydney Planning Panel advice provided on 15 February 2017. Their recommendation stated that:

*The Panel is aware that in an amendment to the LEP specifying varying height limits over one site, it is advantageous to have some flexibility in relation to the exact boundary between different height limits. The Panel suggests that, instead of having recourse to a variation under Clause 4.6 of the Marrickville LEP, it would be better to include flexibility clause in this amendment, to the effect that the boundary between different height limits may be varied in any horizontal direction by up to 1 metre.*

## 5.2.5 Local Flexible Clause

Within the LEP, it is proposed to include a provision to support a concurrent amendment to the DCP (refer to **Section 5.3** below regarding proposed objective O2) control to retain a mixed use precinct by ensuring that a limit on the quantum of residential development permitted to 50% of total gross floor area to ensure the precinct retains a mix of spaces for future and current industrial/commercial tenants

and residents. This is intended to support ongoing creative industries and employment in the zone with residential development.

### 5.3 Concurrent Amendments to the DCP

The Planning Proposal seeks to amend the land use zoning of the site to permit a mixed-use development outcome. Part 5 of the DCP details the requirements for mixed use development and will become relevant for any future development scheme. No changes are proposed to Part 5 – the only DCP amendment likely to be required is the addition of site specific controls.

To provide certainty to the indicative development scheme it is proposed to amend the DCP with the addition of new Site-Specific controls to be added into the Part 9 precinct controls specifically the inclusion of a new Section 9.31.5.

The amendments include the objectives for a mixed-use development of the site that provides a cap on residential land uses, requires adaptive reuse and exception design quality, ensures the site is suitable for the intended land uses and provides significant public benefit:

- O1 *To provide for the redevelopment of the site into a mixed-use precinct incorporating commercial, community and residential uses.*
- O2 *To ensure that the precinct provides an appropriate mix of land uses by limiting the amount of residential development permitted to a maximum of 50% of the total permissible floor area.*
- O3 *To retain and adaptively re-use select existing buildings to reflect the industrial heritage and character of the site.*
- O4 *To ensure that new buildings are of exceptional design quality.*
- O5 *To ensure that new residential development provides good amenity for residents and does not adversely impact on existing surrounding development.*
- O6 *To ensure that the site is remediated to an acceptable standard to accommodate residential development.*
- O7 *To increase the amount of landscaping and greenery across the site, including deep soil plantings, green roofs and walls and open space areas.*
- O8 *To improve permeability through the site to benefit the wider area.*
- O9 *To provide safe pedestrian and cyclist access through the site to improve local connectivity.*
- O10 *To provide an accessible space for community purposes.*
- O11 *To accommodate a range of building heights across the site up to 29 metres.*

The controls proposed relate to building height, site design, building retention, land use, open space, public domain improvements, vehicular access and parking.

### 5.4 Concurrent Development Application

To provide greater certainty and clarity regarding the outcomes of the Planning Proposal it is proposed to lodge a development application for the site redevelopment so that it can be placed on public exhibition with the Planning Proposal (subject to the Gateway determination).

### 5.5 Voluntary Planning Agreement

The proponent is currently in the process of negotiating the terms of a Voluntary Planning Agreement with Inner West Council.

### 5.6 Part 3 – Justification

A Planning Proposal will provide a better outcome than a development application based on current statutory and local planning provisions because it will:

- Allow for the suitable staged and co-ordinated use and redevelopment of the entire site;
- Allow for a mixed-use development in a form and of a scale that is economically viable and that will support the continuing use of the site for creative industries whilst limiting the impacts of the intended development scheme on neighbouring properties;
- Provide for, and contribute to, residential dwelling targets;
- Provide for more housing, of a high level of amenity, in accordance with the objectives of the NSW Government; and
- Acknowledges the specific constraints and opportunities presented by the unique locational and other characteristics of this site.

The following section includes an assessment against the requirements in 'A guide to preparing local environmental plans' (April 2013) and 'A guide to preparing planning proposals' (October 2012) published by the former Department of Planning and Infrastructure.

The *Environmental Planning and Assessment Act 1979* (the Act) and the 2000 Regulation set out amongst other things, the:

- requirements for amending planning instruments;
- requirements regarding the preparation of a local environmental study as part of this process;
- matters for consideration when determining a development application; and
- approval permits and/or licenses required from other authorities under other legislation.

This Planning Proposal has been prepared in accordance with the requirements set out in section 55 of the Act, in that it explains the intended outcomes of the proposed amendment to the instrument to which this Proposal relates. Further, it also provides justification and an environmental analysis of the proposal.

## 5.7 The Need for a Planning Proposal

The site has been the subject of consultation with Marrickville Council and the Department. That consultation has focused on the proposed changes to the land use zones and the resultant built form appropriate for the site.

### 5.7.1 Q1 – Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal has been initiated by the proponent as a result of a detailed strategic merits study. The land use, building height and FSR proposed are the result of a thorough site and design analysis for a mixed-use development on site. This analysis by Tonkin Zulaikha Greer, and the feedback from the Marrickville Design Review Panel, led to the indicative scheme illustrated in the plans at **Appendix G**, and is the basis for the standards proposed by the amended mapping and the proposed Schedule 1 amendment.

Details of the study are provided in **Section 4.2** of this planning proposal. It is considered reasonable to amend the controls for the subject site in response to the design study. The site is an isolated industrial site surrounded by low density residential uses which are compromised by the edge effects. The current development on the site is unable to provide for contemporary servicing nor are the impacts of the current land uses able to be mitigated. The redevelopment of the site will effect a tangible positive benefit for the quality of life of the occupants and residents because of the introduction

of mixed uses. The inclusion of a height control and amended FSR control will guide development of the site.

### **5.7.2 Q2 – Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. The Planning Proposal is the best means of achieving the objectives and intended outcome of the proposal.

In preparing this Planning Proposal, three options were considered. These options are listed below:

- Option 1: Do nothing
- Option 2: Develop the site in accordance with the existing land use zoning (ie. incorporate an additional circa 1,000m<sup>2</sup> light industrial floor space within the site)
- Option 3: Rezone the land and introduce appropriate site-specific controls resultant from a detailed strategic assessment of the site capacity.

Option 3 was chosen as the most suitable way to achieve a further development of the site that also has the benefit of providing residential land uses that can support the existing creative industries and contribute to housing supply and diversity. It also provides for the upgrade and rationalisation of the existing built form.

The amendment to the land use zone, building height and FSR is considered a practical outcome to facilitate the development whilst having a minimal impact on the surrounding properties. The provision of further site-specific controls within the DCP respect the unique qualities of the site and provide for the continued use by the existing creative industries.

The justification to proceed with the amending LEP has taken into consideration the public interest and the consequence of not proceeding with the necessary changes to the planning controls.

The following table provides an evaluation of the Planning Proposal against the key criteria for a Net Community Benefit Test set out in the Department of Planning's Draft Centres Policy. While the subject site is not located in a recognised centre it is considered appropriate to use the evaluation criteria to ensure consistency with the assessment process in determining the net community benefit test for the amending LEP.

The assessment of the key evaluation criteria in the table, it is considered that the proposed changes to the Marrickville LEP 2011 will produce a net community benefit.

**Table 3 – Key Evaluation Criteria for net community benefit**

Test	Response
Will the LEP be compatible with agreed State and regional strategic direction for development in the area?	<p>The LEP is compatible with the following State and regional strategic directions;</p> <ul style="list-style-type: none"> <li>▪ To achieve a balance between greenfield development and redevelopment in existing areas;</li> <li>▪ To improve and enhance existing employment generating uses in established areas well served by public transport;</li> <li>▪ To resolve the edge effects between employment generating uses and adjoining residential areas;</li> <li>▪ To co-locate employment and residential development;</li> <li>▪ To concentrate activity in accessible centres;</li> <li>▪ To provide new housing within the walking catchments of existing and planned centres of all sizes with good public transport;</li> <li>▪ To produce housing that suits our expected future needs; and,</li> <li>▪ To improve the quality of new housing development and urban renewal</li> </ul>
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional or subregional strategy?	The LEP is located in the Global Economic Corridor identified in the Metropolitan Strategy.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	The LEP arises from the recommendations of the Marrickville Strategy which can consistently be extended to this block where the site conditions provide unique opportunities which are consistent with the desired outcome. The expectations of the landowner or other landowners in the precinct will be informed by the findings.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	There are no identified cumulative effects from spot rezoning in the locality that needs to be considered.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Permanent employment activity will be enhanced and increased within the non-residential tenancies of the site and the management of the residential edge components.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The amending LEP will increase the quality of residential housing supply and affordability from the site.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access?	The existing public infrastructure (road, utilities and rail) is capable of servicing the proposed development of the site. There will be improved pedestrian access in the locality of the subject site. The subject site is well serviced by bus and train being within the proximity of the Sydenham station. The Sydney Metro will increase capacity on the rail network servicing the site by 2024.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	The proposal is expected to reduce car distances travelled by collocating work and residential uses and proximities to services and existing public transport. This will result in a decrease in greenhouse gas emissions and operating costs and result in improved road safety.



Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	Yes. There is significant investment in the existing rail network. The patronage on the rail network will increase.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts?	No
Is the land constrained by environmental factors such as flooding?	No
Will the LEP be compatible or complementary with surrounding land uses?	The LEP will be compatible with existing development in the area.
What is the impact on amenity in the location and wider community?	The proposal will provide for improved streetscape and contribute to the revitalisation of this precinct. In particular, the proponent will enter into a Voluntary Planning Agreement (VPA) that will contribute to the provision of new open space and pedestrian and cycle access in the precinct.
Will the public domain improve?	Yes. The VPA will contribute to the provision of more public open space in the precinct and provide improved movement interface.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The proposal will increase the number of employment uses operating in the area and will provide a mix of non-residential tenancies through the site.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	No
What are the public interest reasons for preparing the draft plan?	The public interest for preparing the draft plan includes: <ul style="list-style-type: none"> <li>■ Improved and increased creative industry employment opportunities;</li> <li>■ Improved facilities to service employment generating uses on the site;</li> <li>■ Improved residential interface;</li> <li>■ Improved streetscape and pedestrian interface;</li> <li>■ Provision of public open space;</li> <li>■ Meet the demand for dwellings with high amenity and access to services;</li> <li>■ Improved sustainability due to proximity to public transport and services.</li> </ul>
What are the implications of not proceeding at this time?	The site will be redeveloped at a lesser intensity with little public benefit accruing from the redevelopment with future uncertainty in the preferred future built form of the precinct. The site is unlikely to be remediated as it is the proposed residential land uses that are driving and facilitating this process.

Source: Adapted from Mersonn Pty Ltd

## 5.8 Relationship with Strategic Planning Framework

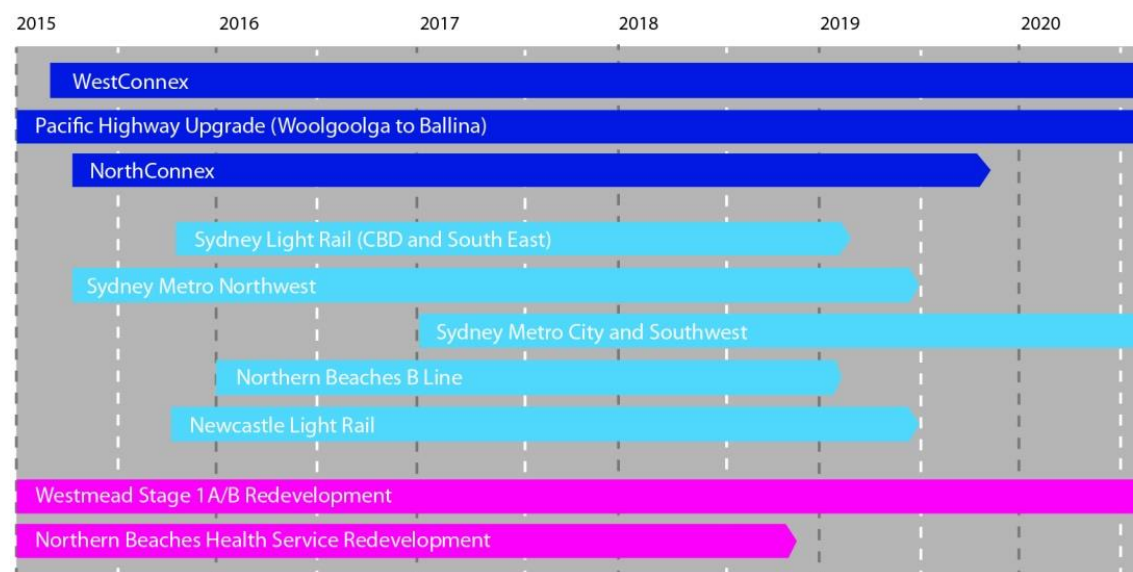
### 5.8.1 Q3 – Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

#### State and Regional Strategic Framework

##### NSW State Plan 2021

The New South Wales State Plan sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The Plan nominates one of the key challenges for the State as being the planning challenges that arise from continued population growth.

The rezoning and future redevelopment of the site is considered to be consistent with the State Plan as it will provide jobs and encourage housing diversity in a location that is close to nearby services and facilities. It will also support the investment in the Sydney Metro Southwest.



**Figure 41** – Key infrastructure projects and their committed delivery timeframe, as identified in the Premier's priorities

Source: Infrastructure NSW

##### A Plan for Growing Sydney

Released in December 2014, *A Plan for Growing Sydney* is the NSW Government's strategic metropolitan plan to guide growth across Sydney over the coming decades. The Plan identifies a substantial growth challenge and sets out a series of infrastructure programs and planning directions to facilitate this. Recent amendments to the Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act) introduced a new Part 3B of the Act which gives *A Plan for Growing Sydney* statutory effect as the primary strategic planning document for development in Sydney (Section 75A(2)(b)).

**Table 4 – Consistency with A Plan for Growing Sydney**

<b>Goal/ Direction/Action</b>	<b>Comment</b>
<b>Goal 1: Sydney's Competitive Economy</b>	
Direction 1.6 Expand the Global Economic Corridor	The subject site is located within St Peters and the intended development will support and expand employment within the Global Economic Corridor. The Planning Proposal proposes a mixed-use development outcome on land within the global economic corridor. The commercial component of the development is focused on promoting and expanding the existing creative industries on the site. The continued use of the site for creative industries contributes to the diversity of employment in Sydney. The Planning Proposal seeks to the existing creative industry base as a vibrant hub.
<b>Goal 2: Sydney's housing choices</b>	
Direction 2.1 Accelerate housing supply across Sydney	The Planning Proposal provides an opportunity for diversity of housing in a predominately single, detached dwelling area. It will contribute to the supply of housing. The Planning Proposal will provide housing where housing is not currently permissible in the form of apartments.
Direction 2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs	The Planning Proposal applies to a site that is within walking distance of public transport services providing transport to nearby local centres and the CBD.
Direction 2.3: Improve housing choice to suit different needs and lifestyles	The Planning Proposal seeks to provide apartments which present a more affordable housing option to the single dwellings in the immediate locality.
<b>Goal 3: Sydney's great places to live</b>	
Direction 3.1 Revitalise existing suburbs	Focusing new housing within Sydney's established suburbs brings real benefits to communities. The facilitation of housing on this site has the potential to provide housing close to employment and of a price point that is more accessible than the existing housing stock.
Direction 3.3 Create healthy built environments	The subject site is within walking distance of public transport, and other recreational facilities and provides the opportunity for people to walk and cycle which promotes social cohesion and community connectivity. Overall the proposal supports strong, healthy and well connected community.
<b>Sydney's Subregions</b>	
Central Subregion	The Planning Proposal is consistent with the priorities for the Central Subregion.
Accelerate housing supply, choice and affordability and build great places to live	The planning proposal seeks to provide increased capacity for a mixed-use development (commercial and residential), thereby increasing dwelling supply
A Competitive Economy	The Planning Proposal will increase the quantum of employment floor space generating commercial opportunities to support the local economy.
Centres and Corridors	Increasing the density of the site will support the viability of the global economic corridor which will enhance the potential for a vibrant community.
Housing	The Planning Proposal seeks residential land uses on the subject site. Increasing the level of housing choice in this appropriate location will support the growth of the Precinct.
Transport	The Planning Proposal provides for density in a location close to transport. The indicative design scheme provides opportunities to increase walking and cycling by establishing through site links.
Environment, Heritage and Resources	The increased density of the subject site will not result in an adverse impact to the environment or heritage. The future design of this mixed use development will be sensitive to the significance of the locality.
Parks, Public Places and Culture	Commitments detailed in the Draft Voluntary Planning Agreement provide a direct benefit by providing public spaces for the use of the community. Other privately owned spaces on the site will supplement the public spaces.

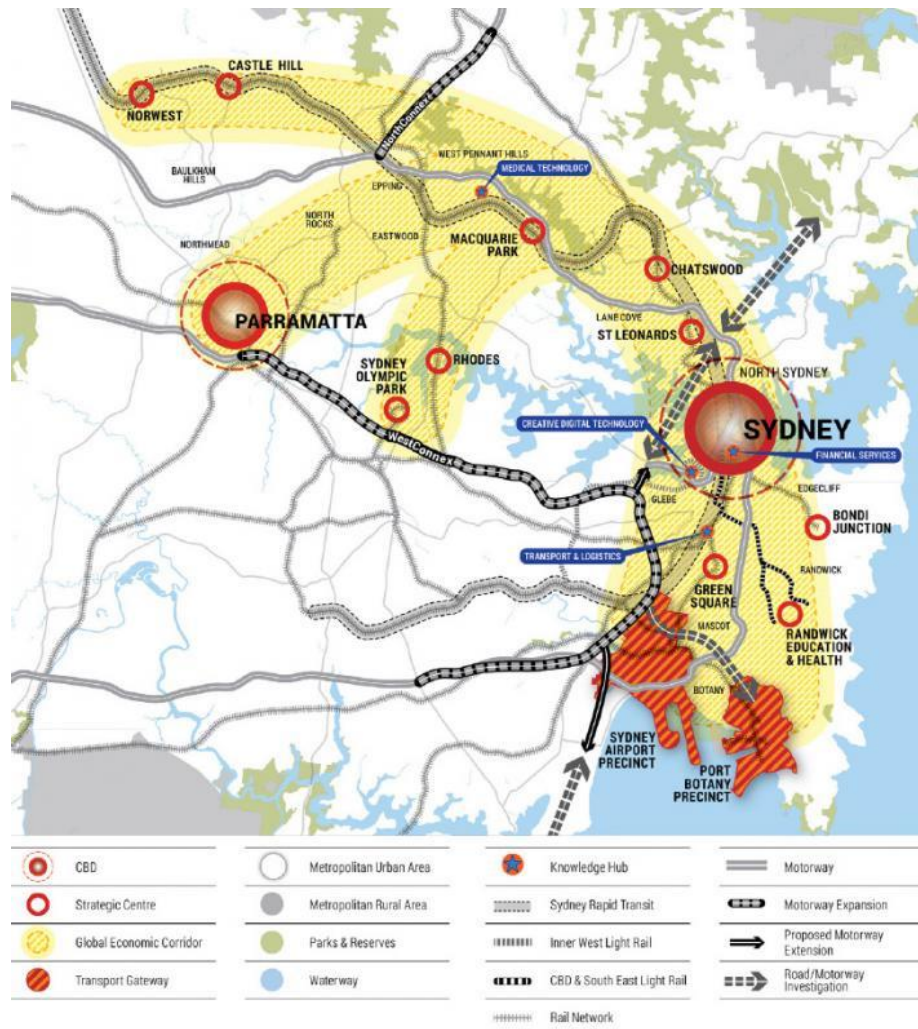
The Planning Proposal is considered consistent with the Priorities for the Central Subregion. It is considered that the redevelopment of the site will also contribute to the 'key directions':

- Plan for housing choice in an appropriate location;

- Develop and support improvements to the increasingly integrated transport system; and
- Improve the quality of the built and natural environment while aiming to decrease the subregion’s ecological footprint.

A Plan for Growing Sydney is the foundation for achieving region-wide outcomes in relation to the economy and employment; centres and corridors; housing and transport; environment; parks and implementation and governance for Sydney. The goals which support the overarching vision for Sydney to become a strong global city and great place to live are:

- A competitive economy with world-class services and transport;
- A city of housing choice with homes that meet our needs and lifestyles;
- A great place to live with communities that are strong, healthy and well connected; and
- A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.



**Figure 42 – Global Economic Corridor**  
 Source: Department of Planning and Environment

**NSW Long Term Transport Master Plan 2012**

The NSW Long Term Transport Master Plan 2012 has the aim of better integrating land use and transport. A Plan for Growing Sydney has been prepared to integrate with the Long Term Transport Master Plan.

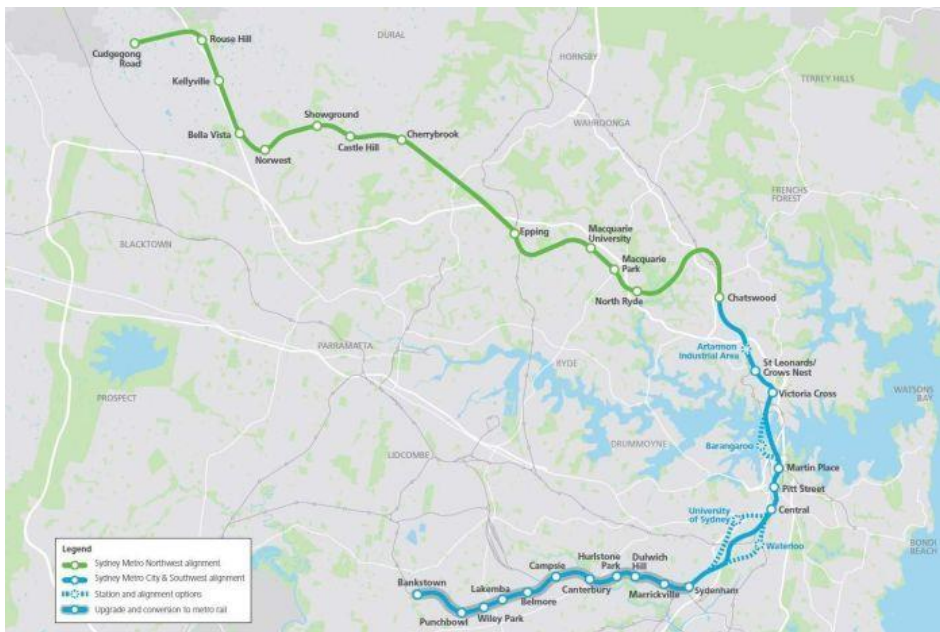
The site is located nearby to the Sydney rail network which provides access to nearby strategic centres and is therefore ideally located to provide for housing and employment.

The Planning Proposal will best serve the objectives of this Plan through:

- supporting the current expansion of the rail system, by providing employment and residential density in direct proximity to the future Sydenham metro rail station;
- reducing private vehicle trips outside the Precinct by providing for local retail needs relieving pressure on the road system;
- encouraging public transport use by providing housing adjacent the Sydenham metro rail station; and
- contributing towards an improved pedestrian network, and encouraging cycling through new links to the station.

**Sydney’s Rail Future: Modernising Sydney Trains**

Sydney’s Rail Future: Modernising Sydney’s Trains is the NSW Government’s long-term plan to increase the capacity of Sydney’s rail network by investing in new services and upgrading existing infrastructure. The Sydney Metro City and Southwest project was announced as Stage 2 of the first tier of planned improvements for transforming Sydney’s rail network.



**Figure 43 – Sydney Metro Northwest, City, and Southwest Map**  
 Source: Sydney Metro

Accordingly, the provision of increased employment and proposed increase in residential density recognises and responds in an appropriate and anticipated manner to the catalytic effect of the improved rail network.

**Draft Eastern (formerly Central) District Plan**

In November 2016, the Greater Sydney Commission (GSC) released draft District Plans. The purpose of the District Plans is to provide a layer of sub-regional strategic planning that sits between the overarching ‘A Plan for Growing Sydney’ and detailed Local Environmental Plans. The site is in the Central District.

The following discussion demonstrates consistency with the relevant provisions of the draft Central District Plan including but not limited to sustainability, creative employment, housing diversity and affordability, adaptive reuse of buildings and the mixing of employment and residential use on the one site.

The site is not located within a Strategic Centre, however the site forms part of the revised Sydenham Precinct of the Sydenham to Bankstown Urban Renewal Corridor, as recognised in the draft District Plan. There is a vision for this precinct to become a creative and entrepreneurial district, for which the proposal contributes to this vision in the following ways:

- A leading Sydney example of an employment generating creative use precinct currently exists on site. Providing a local population on site will support and enhance this precinct;
- The proposal will improve the residential interface between the existing residential areas and the ex-industrial creative industries of the precinct; and
- The proposal will improve the streetscape and pedestrian interface, whilst maintaining the ‘fascinatingly gritty’ nature of the area recognised in the *Marrickville Creative Industries Policy 2011*.

The following sections discuss in further detail segments of the draft Central District Plan as highlighted by the Sydney Central Planning Panel.

**Table 5** – The proposal in relation to Sustainability Priorities of the draft Central District Plan

Overarching Sustainability Priorities	Comment
Enhancing the Central District in its landscape	Due to the site’s history as the former Taubmans Paint Factory, the natural features of the site including vegetation, biodiversity and waterways are limited. The proposal will enhance natural features on the site through the development of a series of high quality public spaces, including a central public open space.
Protecting the District’s waterways	The site is not located within close proximity to a District waterway. The proposed development is also subject to the Water Sensitive Urban Design requirements under Section 2.17 of the DCP, which outline stormwater quality load reduction controls that will be implemented as a result of the development further protecting the District’s waterways.
Managing coastal landscapes	Not applicable – the site is not located within close proximity to the coast.
Protecting and enhancing biodiversity	As detailed above, due to the site’s history as the former Taubmans Paint Factory, biodiversity on the site is limited. The proposal will enhance biodiversity through the development of high quality public spaces, including a central public open space.
Delivering Sydney’s Green Grid	The proposal increases access to open space, creates new high quality public areas and spaces and makes the urban environment greener.
Creating an efficient Central District	The proposal assists in creating an efficient Central District by upgrading a portion of the District’s grey grid of ageing infrastructure with a focus on urban renewal areas and precincts. This upgrade includes improvement to energy and wastewater outputs.
Planning for a resilient Central District	According to the draft District Plans, the most significant natural hazards and acute shocks that could affect the Central District include coastal inundation and flooding. The site has not been identified as being at risk to these events.

## Sustainability

In addition to Productivity and Liveability, Sustainability is a central chapter of the draft District Plans. **Table 5** outlines the overarching sustainability priorities and discusses the proposed development in relation to these priorities.

## Creative Employment

A key productivity priority identified in the draft District Plans is to enhance the Eastern City’s role as a global leader by fostering and supporting the growth of innovation and creative industries. The site currently has over 70 innovative businesses working collaboratively on site. The site offers a range of different sized office spaces which allow these businesses to grow on site, which is considered to be a unique offering for the region that strongly contributes to growth of innovation and creative industries in the District.

The Planning Proposal presents a unique opportunity to promote the existing creative industry precinct by upgrading the facilities to satisfy contemporary access, fire safety and amenity standards and integrate the use into the surrounding area by encouraging community interaction, creating pedestrian linkages and dealing with traffic and parking demands on the site.

The site covers 16,629sqm and currently has 13,780sqm of leasable light industrial floor space. The proposal would yield 5,662sqm of commercial office space in addition to 9,676sqm of retained light industrial space to add to the employment generating capacity of the vicinity. This therefore equates to an increase in the total amount of employment generating space to over 15,000sqm. The Planning Proposal strongly builds on the successful role in growing innovative and creative industries that the Precinct currently plays.

### Housing Diversity and Affordability

A key liveability priority is to improve housing diversity and affordability. The draft District Plans aim to achieve this in ways including planning and delivering on housing diversity and facilitating integrated infrastructure planning. The proposal will allow for a unique residential offering of residential apartments within a creative precinct.

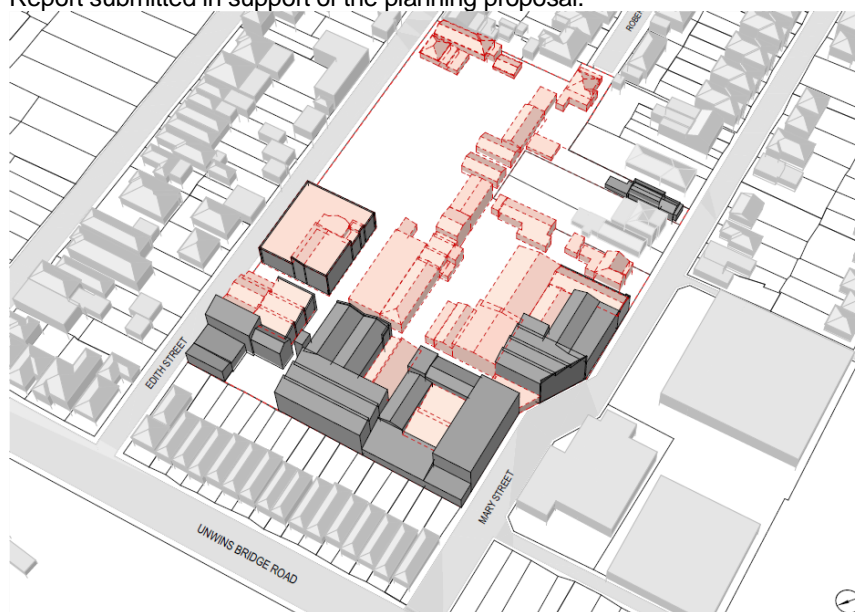
The Central District has the second highest housing targets (5 and 20 year) of all Districts, following the West Central District. The targets are an additional:

- 46,550 dwellings within 5 years (of which the Inner West Council is to target 5,900 dwellings (13% of the total District)); and
- 157,500 dwellings within 20 years.

The proposal will assist in the meeting of housing targets for both the Inner West Council and the Central District, with a total of 180 residential units including 38 adaptable units.

### Adaptive Reuse of Buildings

Sustainability Action S7 in the draft Central District Plan aims to identify land for future waste reuse and recycling. The adaptive reuse of some of the existing buildings (Buildings 1, 2, 6, 7 and 8; refer to **Figure 44**) within the site as proposed will result in a significant waste reduction as outlined in the Ecological Sustainable Design (ESD) Report submitted in support of the planning proposal.



**Figure 44 – Selective Demolition Plan**  
Source: Tonkin Zulaikha Greer

■ Existing Building to be Retained  
■ Existing Building to be Demolished

## Mixing of Employment and Residential Use on the One Site

We consider that that the proposal is a blueprint for creative hubs that meets the objectives of the draft Central District Plan.

The draft District Plans have taken a precautionary approach to the development of employment and urban services land (which have been renamed from 'industrial lands'). This approach extends to the rezoning of employment and urban support lands or adding additional permissible uses that would hinder their role and function.

In the Central Sydney Planning Panel's advice that the planning proposal should be submitted for a Gateway determination (15 February 2017), the panel considered that this rezoning proposal satisfied the precautionary principle, because the site is an isolated piece of industrial land, it accounts for less than 1% of the LGA's stock of industrial land and also because the amount of floor space devoted to employment will be greater following the proposed rezoning than it is now. This includes 5,662sqm of commercial office space and 9,676sqm of light industrial being retained. One of the buildings is to be repurposed for residential uses, whilst the rest will be retained for employment uses.

Moreover, two studies undertaken by the former Marrickville Council (the Marrickville Urban Strategy of 2007 and the Marrickville Employment Land Study of 2015) supported the conversion of this type of isolated industrial site to alternative use.

The implications of mixing various uses (e.g. employment and residential uses) on the one site is not discussed in detail in the draft District Plans other than the precautionary approach to rezoning industrial lands as outlined above. However, the proponent considers this action to be suitable in this context for the following reasons:

- A residential population will contribute to the ongoing activation of an existing creative precinct;
- The proposal offers a unique repurposing of existing buildings for primarily employment uses, protecting the industrial heritage and 'gritty' nature of the wider Sydenham precinct; and
- The proposal will contribute to housing targets for the LGA by increasing residential offering in a precinct on a site not constrained by issues faced in nearby areas including flooding and aircraft noise.

## Revised Draft Eastern City District Plan

In October 2017, the GSC released a revised Draft Eastern City District Plan (renamed from the Central District). Two main actions (numbered Actions 50 and 51) from this revised plan are directly relevant to the subject planning proposal, which relate the management of industrial and urban services land. These actions, and a response in relation to the subject Planning Proposal are outlined below.

*50. Manage industrial land in the Eastern City District by protecting all industrial zoned land from conversion to residential development, including conversion to mixed uses.*

This matter was considered by the JRPP in their assessment of the subject Planning Proposal, even considering that the proposal was conceived prior to the release of the initial draft District Plans. The Panel considered that the rezoning proposal satisfies the precautionary principle, because the site is an isolated piece of industrial land and also because the amount of floor space devoted to employment will be greater following the proposed rezoning than it is now. Moreover, two studies undertaken by the former Marrickville Council (the Marrickville Urban Strategy of 2007 and the Marrickville Employment Land Study of 2015) supported the conversion of this type of isolated industrial land to alternative use.



The siting of areas to be used for residential purposes is not currently used for intensive industrial or job generating use. The site is primarily an at-grade car park and small warehouse spaces.

*51. Facilitate the contemporary adaptation of industrial and warehouse buildings through increased floor to ceiling heights.*

As detailed above (e.g. adaptive reuse of buildings), this proposal facilitates contemporary adaptation of industrial and warehouse buildings in a way that will ultimately increase commercial floorspace for employment uses. This includes the adaptive reuse of Buildings 1, 2, 6, 7 and 8.

## Draft Greater Sydney Region Plan

In October 2017, the GSC released the draft Greater Sydney Region Plan. The Plan sets out a vision, objectives, strategies and actions for a metropolis of three cities across Greater Sydney. It includes 40 objectives across the themes of:

- Infrastructure and collaboration;
- Liveability;
- Productivity;
- Sustainability; and
- Implementation.

The Plan, which operates at a regional level, does not have any site-specific implications for this proposal. It demonstrates the connectivity between the three cities and how objectives will be met and measured.

As outlined above in relation to the *Revised Draft Eastern City Plan*, a key relevant objective is to ensure industrial and urban services land is planned, protected and managed. It states that in the Eastern Harbour City, there are many smaller industrial precincts which have a higher than average proportion of urban services activities. Therefore while they may appear to be only a small part of the industrial land supply they are important for providing urban services and in some cases creative industries. Whilst this matter has been considered by the JRPP in their assessment of this proposal, a key outcome of the proposed development concept is to increase the ability of creative industries on site to trade and manufacture on site.

Ultimately, the proposal meets the key objectives of the Plan in that it will create a more liveable neighbourhood and provide more homes closer to jobs. The project offers significant public benefits in terms of the provision of public spaces, and will help the Eastern City meet its housing and job targets. In line with the vision to 2056, this small scale urban renewal acknowledges local identity and amenity which is essential to building on the credentials of the Eastern Harbour City.

### **Sydenham to Bankstown Urban Renewal Corridor Strategy**

The NSW Government is currently planning for dwellings and jobs growth along the Sydenham to Bankstown Corridor through the finalisation of the draft Sydenham to Bankstown Urban Renewal Corridor Strategy. The Strategy will identify the necessary State public infrastructure required to support growth of the Sydenham precinct.

The proposal includes the intention to provide an equitable contribution towards State public infrastructure to support the implementation of Sydenham to Bankstown Urban Renewal Corridor Strategy, if required.

As the planning proposal progresses, the proponent will continue to liaise with the relevant Government agencies to work through the appropriate form of this contribution and any necessary amendments to the Marrickville Local Environmental Plan 2011.

## 5.8.2 Q4 – Is the planning proposal consistent with a Council’s local strategy and other local strategic plan

The former Marrickville Council prepared a number of key strategic planning documents that outline Council’s strategy for the LGA. The following provides a summary of how the Planning Proposal is consistent with the objectives of the local strategic plans.

### Marrickville Urban Strategy 2007

The former Marrickville Council first prepared the Marrickville Urban Strategy (MUS) in 2005. The MUS was adopted by Council in April 2007 and provides the planning context for future development across the Marrickville LGA.

It recognises the myriad of redevelopment constraints inherent in the LGA and recognises that policy changes are required if anticipated dwelling demands are to be satisfied. It recognises that some form of policy intervention is required to prevent the tightness of supply contributing to continuing declining population, declining housing affordability and discouraging community diversity.

The MUS provides a consolidated planning framework for the Marrickville LGA. The intention of the strategy is to translate the principles of the Sydney Metropolitan Plan within a local planning context. The following are urban renewal approaches within the plan:

1. Focus on residential density in and around centres;
2. Focus on commercial zoned land in centres;
3. Rezone select industrial sites;
4. Develop new centres;
5. Rezone select special uses sites; and
6. Increase density in infill areas

This Planning Proposal draws on approaches 3 and 6.

The MUS identifies the site as a ‘Strategic Employment Area.’

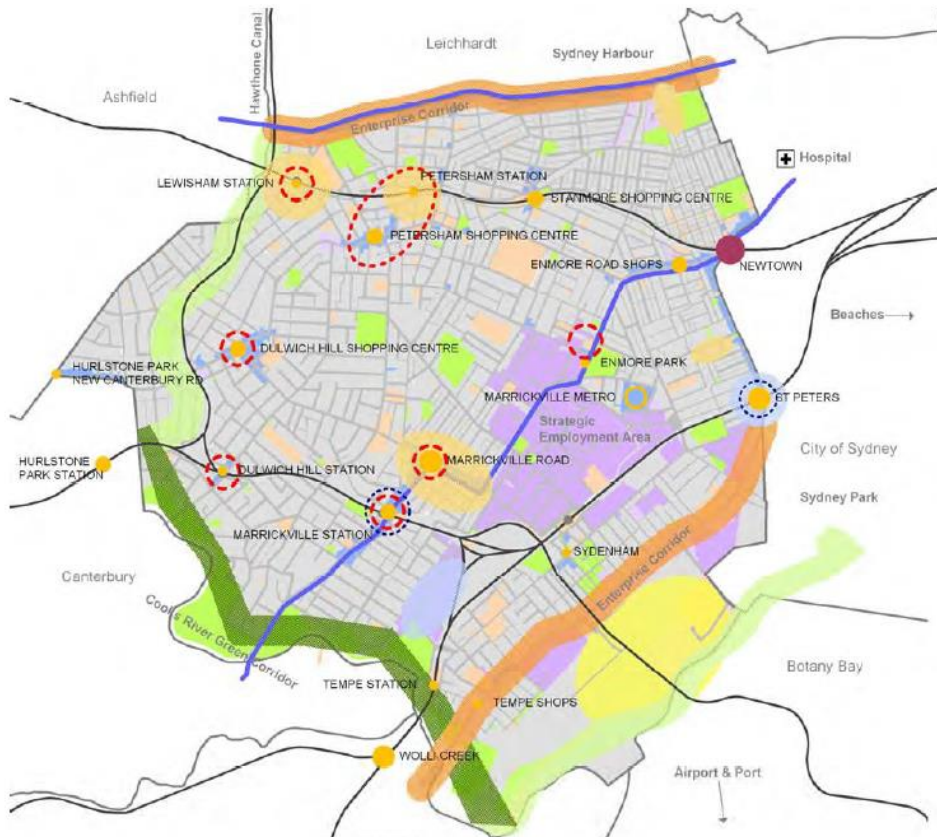
This focus on employment is in line with Marrickville Council’s long term urban strategy for this locality, whereby the site is within the ‘Strategic Employment Area’ adjacent to the ‘Enterprise Corridor’ along the Princes Highway.

The MUS provides Urban Strategy Objectives and Actions relevant to the Planning Proposal:

- 1.4: Select rezoning of industrial sites.
- 1.8 Consider increased dwellings in out-of-centre locations that have good access to public transport and open space.
- 3.2 Preserve and strengthen strategic employment lands
- 3.3 Improve amenity in industrial areas
- 4.1: Identify opportunities for strategic employment lands renewal.
- 4.4: Support creativity and innovation.
- 5.1: Focus new development in areas within walking distance of centres and public transport.
- 5.3: Review development controls to prioritise walking, cycling and access to public transport.
- 7.2: Provide for community services.
- 9.4: Prioritise improvements to walking and cycling access to open space.

- 12.1: Create an urban structure that supports physical activity and opportunities for walking and cycling.
- 12.2: Create places for community interaction.

Many of the recommended actions within the MUS have been incorporated into the draft Marrickville LEP and DCP 2010. It is considered that the Planning Proposal can positively contribute to the objectives of the MUS by retaining and expanding existing employment land uses at the same time as assisting achievement of housing density targets.



**Figure 45 – Marrickville Urban Strategy**  
 Source: Tonkin Zulaikha Greer

### Marrickville Employment Lands Study

The Marrickville Employment Lands Study (MELS) contributes to a more detailed understanding of future industrial land needs in the Marrickville LGA and was completed in April 2008. The MELS was updated in 2014 to assist Council's consideration of proposals to rezone industrial areas across the LGA.

The MELS acknowledges that creative industries are potentially an activity with persistent or growing demand for Marrickville's industrial land. Creative industries in particular may look to start up in Marrickville in some of the transitioning industrial areas or may migrating there after being priced out of the city-fringe areas such as Surry Hills and Ultimo-Pymont. The MELS recognises these activity types can be mostly accommodated within existing industrial precincts under current planning controls.

The MELS identifies the greatest pressure on Marrickville's industrial land as residential development.

Action 4.3 of the MELS strategies is relevant to the Planning Proposal:

- Consider rezoning of select residential interface sites to B4 Mixed Use.

*Some industrial sites that are peripheral to the main industrial precincts, or are fragmented, but have good public transport accessibility and are not within the ANEF 25 contour may be appropriate for mixed use zoning. Rezoning to B4 Mixed Use should not compromise existing industrial activity and should not jeopardise the future role and function of industrial precincts and should not risk the ability of the LGA to meet demand employment targets.*

It is considered appropriate that the site be rezoned in accordance with the MELS as the site specific controls in the proposed DCP will ensure the site continues to expanding existing employment land uses at the same time as assisting achievement of housing density targets.



**Figure 46** – Marrickville Employment Lands Study  
Source: Tonkin Zulaikha Greer

## 5.9 Relationship to Statutory Planning Framework

### 5.9.1 Relevant Legislation and Regulations

#### Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulations 2000* set out amongst other things the:

- Requirements for rezoning land;
- Requirements regarding the preparation of a local environmental study as part of the rezoning process;
- Matters for consideration when determining a development application; and
- Approval permits and/or licenses required from other authorities under other legislation.

This Planning Proposal has been prepared in accordance with the requirements set out in Section 55 of the EP&A Act in that it explains the intended outcomes of the proposed instrument. It also provides justification and an environmental analysis of the proposal.

## 5.9.2 Q5 – Is the planning proposal consistent with applicable State Environmental Planning Policies?

### State and Regional Statutory Framework

The consistency of the Planning Proposal with the relevant State Environmental Planning Policies (SEPPs) is addressed in **Table 3** below.

**Table 6** – Consistency against SEPPs

State or Regional Policy	Consistent			Comment
	YES	NO	N/A	
SEPP No. 1 Development Standards			✓	The Standard Instrument Clause 4.6 supersedes the SEPP.
SEPP No. 55 – Remediation of Land	✓			SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing risk and harm to human health or any other aspects of the environment. In particular, it requires the consent authority to consider if remediation work is required for rezoning land or building works, and ensure that the subsequent remediation works are satisfactory with respect to standards and notification requirements. The site is capable of being used for commercial and residential purposes, with any requirement for remediation of the site addressed in the detailed DA for the mixed-use development.
SEPP No. 65 Design Quality of Residential Flat Development	✓			The PP will achieve consistency with the SEPP through application of design excellence provisions. The Architectural Indicative Scheme addresses in detail the implications for realising the design quality principles in the SEPP and demonstrated an appropriate built form on the site.
SEPP (Affordable Rental Housing) 2009			✓	The Planning Proposal will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Building Sustainability Index) BASIX 2004	✓			Future residential DA's would be subject to the requirements of the BASIX SEPP.
SEPP (Exempt and Complying Development Codes) 2008			✓	Not applicable to this proposal
SEPP (Infrastructure) 2007	✓			The Planning Proposal will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (State and Regional Development) 2011			✓	Not applicable to this proposal
SEPP (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP)	✓			The Planning Proposal will not contain provisions that will contradict or would hinder application of this SEPP.

## Local Statutory Framework

### Marrickville LEP 2011

The Planning Proposal's consistency with the overall aims of the LEP is demonstrated in **Table 4** below.

**Table 7 – Consistency with the overall aims of Marrickville LEP 2011**

Aim	Proposal	Consistency
(a) to support the efficient use of land, vitalisation of centres, integration of transport and land use and an appropriate mix of uses,	This Planning Proposal seeks to provide for mixed use development that maximises the efficiency of the land by reorganising the urban form to increase the employment floor space in addition to providing housing on the site	✓
(b) to increase residential and employment densities in appropriate locations near public transport while protecting residential amenity,	This Planning Proposal seeks to contribute to the range of housing available within close proximity to public transport.	✓
(c) to protect existing industrial land and facilitate new business and employment,	The site makes up less than 1% of the industrial land in the LGA nonetheless the employment floor space is being increased by the proposal.	✓
(d) to promote sustainable transport, reduce car use and increase use of public transport, walking and cycling,	This proposal provides for through site links, street block permeability which will encourage walking, cycling and public transport use.	✓
(e) to promote accessible and diverse housing types including the provision and retention of affordable housing,	This proposal aims to provide housing that supports the existing creative industries precinct and provide apartments as a more affordable alternative to existing local single dwelling stock.	✓
(f) to ensure development applies the principles of ecologically sustainable development,	A range of ESD measures have been proposed for the future development of the site.	✓
(g) to identify and conserve the environmental and cultural heritage of Marrickville,	Not applicable. No impact on any heritage items.	✓
(h) to promote a high standard of design in the private and public domain.	This proposal respects and responds to the character of the site and provides for future buildings to contribute to the neighbourhood amenity. Public domain works are focused on accessibility.	✓

The Planning Proposal's consistency with the objectives of the B4 Mixed Use zone is demonstrated in **Table 5** below.

**Table 8 – Assessment against the B4 Mixed Use Objectives**

Objective	Proposal	Consistency
• To provide a mixture of compatible land uses.	The proposal seeks a mix of non-residential supported by residential development	✓
• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport	The proposal seeks to collocate compatible and synergistic land uses on a site well located to public transport	✓

patronage and encourage walking and cycling.		
• To support the renewal of specific areas by providing for a broad range of services and employment uses in development which display good design.	The indicative design scheme provides for the renewal of the site through adaptive reuse, upgrades, and renewal	✓
• To promote commercial uses by limiting housing.	The proposal seeks to increase employment floor space at the same time as providing for housing on the site that will support the employment land use	✓
• To enable a purpose built dwelling house to be used in certain circumstances as a dwelling house.	Not applicable to this proposal	N/A
• To constrain parking and restrict car use.	Parking is restricted	✓

### 5.9.3 Q6 – Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

The Planning Proposal is consistent with the relevant directions for Planning Proposals issued by the Minister for Planning under Section 117(2) of the EP&A Act.

#### Ministerial Directions

Ministerial Directions under Section 117 of the EP&A Act set out a range of matters to be considered when preparing an amendment to a Local Environmental Plan. The relevant Section 117 Directions for this Planning Proposal have been outlined at **Table 6** below.

**Table 10** – Assessment against 117 Directions

Ministerial Directions	Consistent			Comment
	Yes	No	N/A	
<b>Employment and Resources</b>				
1.1 Business and Industrial Zones	✓			This planning proposal retains the existing employment floor space quantum and supports its continued relevance by upgrading it and providing increased amenity for workers and housing diversity to support the employment uses and activate the site.
1.2 Rural Zones			✓	Not applicable
1.3 Mining, Petroleum Production and Extractive			✓	Not applicable
1.4 Oyster Aquaculture			✓	Not applicable
1.5 Rural Lands			✓	Not applicable
<b>Environment and Heritage</b>				
2.1 Environment Protection Zones			✓	Not applicable
2.2 Coastal Protection			✓	Not applicable

2.3 Heritage Conservation			✓	Not applicable
2.4 Recreation Vehicle Areas			✓	Not applicable
<b>Housing, Infrastructure and Urban Development</b>				
3.1 Residential Zones	✓			This planning proposal will encourage a greater diversity of housing type in this locality. The site is well serviced for utilities and other infrastructure.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable
3.4 Integrating Land Use and Transport	✓			The proposal locates employment floor space and residential accommodation close to in an existing urban area and close to transport infrastructure.
3.5 Development Near Licensed Aerodromes	✓			The proposal includes accommodation only within the 20-25 AENF contours with non-residential in the 25-30 AENF contour.
3.6 Shooting Ranges			✓	Not applicable
<b>Hazard and Risk</b>				
4.1 Acid Sulfate Soils	✓			The site is mapped as Class 5 Acid Sulfate Soils
4.2 Mine Subsidence and Unstable Land			✓	Not applicable
4.3 Flood Prone Land			✓	Not mapped as being flood prone land
4.4 Planning for Bushfire Protection			✓	Site is not mapped as being bushfire prone land.
<b>Regional Planning</b>				
5.1 Implementation of Regional Strategies			✓	See comments above on District Plans. No Regional Plans apply.
5.2 Sydney Drinking Water Catchments			✓	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast			✓	Not applicable
5.8 Second Sydney Airport Badgerys Creek			✓	Not applicable
5.9 North West Rail Link Corridor Strategy			✓	Not applicable
<b>Local Plan Making</b>				
6.1 Approval and Referral Requirements			✓	No new concurrence provisions are proposed
6.2 Reserving Land for Public Purposes			✓	No new reservation is proposed
6.3 Site Specific Requirements	✓			Site specific amendments to the LEP are sought but they are not restrictive or onerous, seeking only to provide flexibility regarding the use of height over the



				site consistent with the request for inclusion by the Planning Panel
<b>Metropolitan Planning</b>				
7.1 Implementation of A Plan for Growing Sydney	✓			The Planning Proposal is consistent with the objectives and strategies of A Plan for Growing Sydney (see <b>Section 6.5.1</b> )
7.2 Implementation of Greater Land Release Investigation			✓	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy			✓	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable

## 5.10 Environmental, Social and Economic Interests

### 5.10.1 Q7 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

This Planning Proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats. There has been no critical habitat or threatened species, populations or ecological communities, or their habitats, identified on this site.

### 5.10.2 Q8 – Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

A Geotechnical Assessment (**Appendix N**) has been prepared and attached to this report. It gives an indication of the likely impacts and constraints on any future development of the site. This report is further addressed in **Section 6.9**.

A Contamination Report (**Appendix O**) has been prepared and indicates that contamination does not pose an impediment to rezoning and can be addressed during the DA assessment phase.

The site is an existing urban site devoid of significant vegetation with no ecological value. There are no likely other environmental impacts as a result of this Planning Proposal. The proposed change to the zoning, FSR and height limit is not likely to give rise to any particular environmental impact given the location of the subject site and the nature of existing built form in the area.

Any future development of the site will be assessed against the environmental provisions of the applicable planning instruments.

### 5.10.3 Q9 - Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will result in positive social and economic effects for the local area through the generation of local employment opportunities during construction and operation. It will improve local facilities, employment opportunities, movement networks, increase housing stock close to public transport and amenities, provide greater housing choice as well as improve public domain facilities and the pedestrian interface with the surrounding streets.

The Social Impacts of the proposal have been assessed in greater depth in **Section 6.11** and the Public Benefits are discussed further in **Section 6.12**.

## 5.11 State and Commonwealth Interests

### 5.11.1 Q10 – Is there adequate public infrastructure for the planning proposal?

The site is located in an established urban area and has access to a range of existing facilities and services. Future development applications will require further investigation of the likely provision of services that will be required, however it is anticipated that the public infrastructure will adequately serve the area.

### 5.11.2 Q11 – What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth authorities will have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition period. At this stage, the Planning Proposal is not considered to be of a scale that would require preliminary discussions with these authorities.

Any future Development Application will be referred to the relevant authorities as required.

## 5.12 Part 4 – Mapping

Maps of the proposed amendments to the LEP land use zone, height of buildings and floor space ratio controls applying to the site have been provided and are located at **Appendix B to D**.

## 5.13 Part 5 – Community Consultation

It is proposed that in accordance with 'A guide to preparing local environmental plans' that the Planning Proposal undergo a 28 day public exhibition period. It is noted that confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway determination.

Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

## 5.14 Project Timeline

It is projected that the planning proposal will generally follow the project timeline shown in **Table 10**. This timeline will be confirmed as part of the Gateway Determination.

**Table 21** – Project timeline

Stage or Milestone	Duration	Approximate date
Anticipated commencement date (date of Gateway determination)	N/a	2.10.17
Anticipated timeframe for the completion of required technical information	No further technical studies expected	N/a
Timeframe for government agency consultation (pre- and post-exhibition as required by Gateway determination)	3 weeks (during exhibition)	October 2017
Commencement and completion dates for public exhibition period	5 weeks	November 2017
Dates for public hearing (if required)	None anticipated	N/a
Timeframe for consideration of submissions	1 month	December 2017
Timeframe for the consideration of a proposal post exhibition	TBC	TBC
Date of submission to the department to finalise the LEP	1 month (dependent on Council meeting schedule)	February 2018
Anticipated date RPA will make the plan (if delegated)	1 month	February/March 2018
Anticipated date RPA will forward to the department for notification.	1 month	March 2018

## 6.0 Assessment of Planning Issues

This section considers the key planning issues associated with the Planning Proposal as well as those associated with a future development.

In establishing the Planning Proposal, an indicative scheme and renders of the scheme were prepared by Tonkin Zulaikha Greer to ensure that all relevant built form, separation, amenity, and design parameters have been considered, and to establish a reasonable scale and density for this type of development on this particular site. Accordingly, the outcomes of these investigations and analysis (**Appendix D**) have largely guided the content of this Planning Proposal.

In order to provide Inner West Council and the community with greater certainty of the future built form, a Proposed Site Specific DCP has been prepared by the former Marrickville Council (**Appendix E**).

By adopting this approach, the built outcomes and associated impacts of the Planning Proposal (and subsequent DA) can be tested, understood and clearly presented.

### 6.1 Heritage

The site is not located within a conservation area nor does it contain any heritage items, however at Council's request, a heritage assessment has been undertaken to establish the heritage values and overall character of the site and the immediate surrounding residential context. An assessment of the impacts of the likely demolition, scale, intensification, materials, and connections has been undertaken.

Most of the buildings on the site appear to have been constructed during the Taubmans occupation between 1905 and 1943 with most of the buildings constructed from the late 1920's to the early 1940's. Since 1965 (when Taubmans relocated to Villawood) the site has been used by a variety of mixed uses, light industries, warehousing, and more recently creative industries. These uses have repurposed the Taubmans facilities with very little works undertaken or improvements made.

The architectural and heritage assessment identifies buildings and fabric of merit. Generally, the buildings are an accretion of structures of varying age and utility which have been combined and extended over time.

The analysis identifies the potential demolition of buildings 3, 4, 5 and 9, 10 and 11. Further elements of buildings are identified for demolition as intrusive later additions to improve the functioning and compliance of the buildings to be retained and adaptively reused. The dwellings on the site are not heritage items, nor located within a conservation area but are considered representative examples of houses constructed between 1900 and 1940.

The study concludes that while the site does not meet the criterion for local heritage significance; the history of use, contribution to the local character and the community of tenants established through the variety of leases since 1965 contribute towards a recommendation that the site be adaptively reused as a sustainable outcome that retains a tangible link to the former industrial use.

The assessment concludes that the planning proposal will have minimal impact on the heritage values of the site and surrounding area.

This planning proposal and the proposed site specific DCP provides for the more robust buildings to be adaptively reused so that the former use of the site can be interpreted.



**Figure 47 – Demolition Plan**  
 Source: Tonkin Zulaikha Greer

## 6.2 Built Form

The resulting built form has been addressed within the indicative scheme prepared by Tonkin Zulaikha Greer (**Appendix G**). A Proposed Site Specific DCP has been prepared (**Appendix E**) that will provide certainty to the future built scale, massing and form.

The indicative design scheme is predicated on many design principles:

### Adaptive Reuse

Many of the existing buildings on site are to be retained for local creative industries to maintain the sites unique industrial character.

### Pedestrian Focus

Pedestrian and bicycle amenity for residents of the site and the surrounding residential area is increased by creating a link through the subject site towards Unwins Bridge Road. A functional and permeable internal street pattern will act to encourage both movement through and moments within the site.

### Site Activation

Increased pedestrian activity within the site increases exposure, activity, and interest for the creative industries on site and supports the long-term viability of businesses. The redeveloped site is intended to be a focus for the community.

### Passive Surveillance

An active and well populated pedestrian environment is recognised as a highly effective strategy for crime prevention both within the site and the immediate surrounds.

### Coordinated Masterplan

In the long term the site is intended to be reordered and integrated with the surrounding neighbourhood.

### Land Use Distribution

Residential uses are located along the eastern boundary interfacing the neighbouring residential along Edith Street and establishing a buffer between the residential and creative industry uses. Mixed uses occupy the centre of the site. Creative and light industry uses are located at the western boundary.

### Streetscape Massing

The pedestrian paths act to divide the building massing to the street.

### Vehicle Access

Vehicles entry points into the site is restricted to funnel vehicles to the collector road system and minimise the traffic impacts in the locality. Parking is exclusively located underground to reduce the visual impact of vehicles and emphasise the pedestrianised nature of the site.

### Public Gathering Spaces

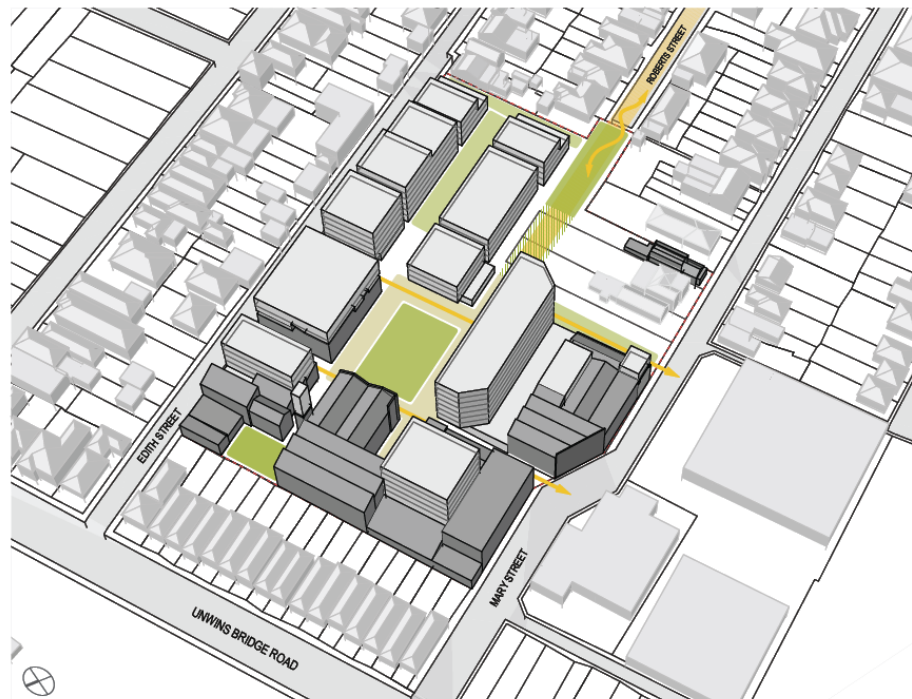
A central plaza and park is envisaged framed by cafes, restaurants, community spaces and retail space for the local community.

### Retention of the Creative Industries

The retention of the existing buildings is intended to ensure the continued occupation of the site by the existing creative industries.

### Commercial Floor Space

An additional 5,600m<sup>2</sup> commercial floor space replaces the 4,600m<sup>2</sup> floor space proposed to be demolished consistent with the currently permissible floor space control (0.95:1).



**Figure 48** – Completed Built Form  
Source: Tonkin Zulaikha Greer

## 6.3 Residential Amenity

The design of the indicative scheme has considered the local context to minimise the impact on neighbouring properties as much as possible. Setbacks have considered the streetscape reinstate a built form along Edith Street to replace the existing open car park.

Residential land uses are focused at the south-eastern end of the site adjoining existing residential development. There are also opportunities for residential land uses atop the new and existing commercial buildings. The indicative design scheme can comply with

the design requirements of SEPP65 although this is a matter for assessment at DA stage.

The indicative design scheme is predicated on several design principles specific to the residential component:

### Building Massing

Building heights transition from the one and two storey residences along the south-eastern boundary to the existing industrial scale forms on site. The proposed building massing and setbacks respond to the scale of the adjoining development.

### Defining the Streetscape

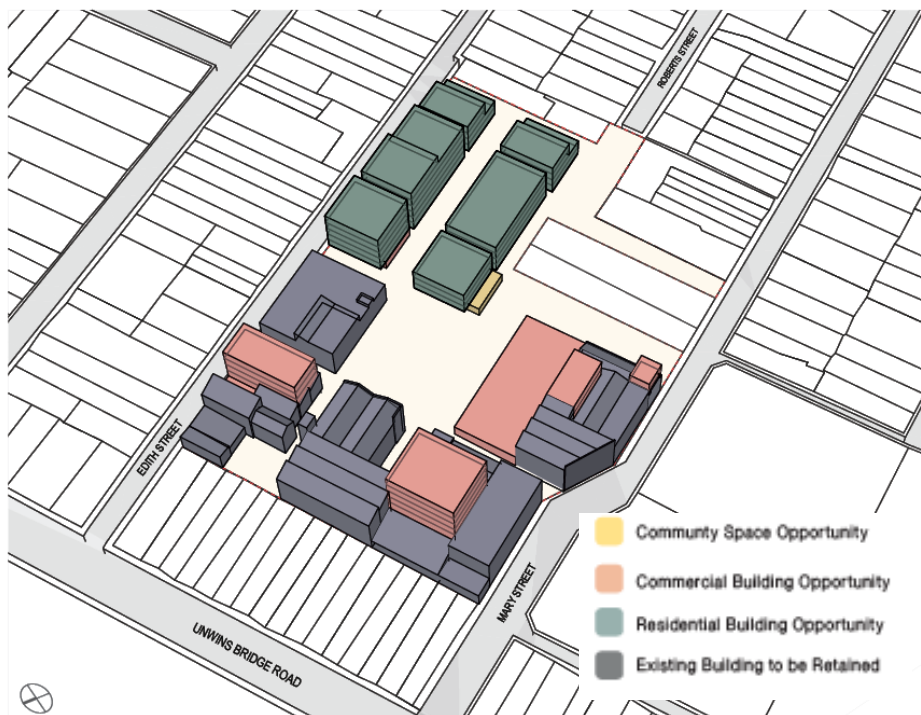
Residential buildings are proposed to replace the existing at grade car park so as to redefine the street domain and provide a transition to the larger commercial buildings.

### SEPP 65

SEPP 65 provides guidance with respect to privacy, solar access and cross ventilation.

### Open Space Interface

The buildings are focused around the public domain, be it the street or the open spaces that are create within the site. They overlook these spaces yet are designed to provide semi private open spaces available to residents.



**Figure 49** – New residential apartments  
Source: Tonkin Zulaikha Greer

Different design principles are relevant to the residential component within the mixed-use buildings:

### Massing

Building heights are greatest at the centre of the site where the impacts on adjoining neighbours are minimised.

### Mixed Use

The central portion of the site blends the existing commercial uses along the north western portion of the site with the proposed residential uses to the north east.

### Diversity

A variety of housing forms appeals to the widest cross section of the community.



**Figure 50** – New residential on top of existing and new commercial land uses  
 Source: Tonkin Zulaikha Greer

## 6.4 Landscape

A detailed Landscape Analysis and Site Strategy has been prepared for the site. The assessment identifies the distinct lack of existing landscaped areas and vegetation characteristic of industrial sites.

The devoid nature of the site provides an opportunity to interpret the history of the past uses through the future landscape design and the major constraint to new planting, aside from the future building footprints, will be the location of the underground car park.

The indicative design scheme provides for a central green axis intersecting a central public open space and punctuated by pedestrian oriented through site links. The landscape focus is on providing a high quality public domain that can act as an urban sanctuary and encourages the community to gather.





**Figure 51** – Landscape Concept  
Source: James Mather Delaney Design Pty Ltd

## 6.5 BCA, Structural Assessment and Fire Safety Audit

An assessment of the proposed design has been undertaken against the Deemed-to-Satisfy provisions of the relevant sections of the BCA to identify compliance issues and potential solutions. It also assessed the impact of the upgrade works that are proposed as part of the indicative design scheme. The assessment revealed that it is possible to comply with the BCA either through the Deemed-to-Satisfy provisions or through Fire Engineered Solutions.

The BCA report is supplemented by a Fire Safety Audit that confirms that a fire engineered Alternative Solution is possible to meet the relevant Performance Requirements of the BCA.

An investigation of the structural integrity of the existing buildings and the impact of the proposed demolitions, adaptive reuse and new construction associated with the intended design scheme has been undertaken by SDS Consulting Engineers. The report concludes that the structural integrity of the existing buildings will not be compromised or undermined by the construction of the new buildings and basement car park. Furthermore, the existing buildings are structurally suitable for the incorporation of the proposed works and additions.

## 6.6 Services

An investigation of the existing site services has been undertaken by IGS Engineering Services. Consultations have been carried out with Railcorp, RMS, Ausgrid, Sydney Water, Jemena, Telstra/Optus/Uecomm and Marrickville Council. Based on information received sufficient supply is available for sewer, gas, telecommunications and stormwater services.

Further consultation will be required throughout the development process:

- Ausgrid regarding new substations and decommissioning the existing one (S.723);
- Sydney Water for water main upgrade from the corner of Unwins Bridge Road and Edith Street;
- Sydney Water for sewer diversion within the site/precinct;

- Marrickville Council for OSD; and
- NBN endorsement.

### Power

An existing substation servicing the site will need to be decommissioned and replaced with two new substations to service the development of the site.

### Natural Gas

There is existing gas mains reticulation along Mary Street, Edith Street and Roberts Street and a gas main on Unwins Bridge Road. This capacity is adequate for the proposed new development.

### Telecommunications

Multiple conduits are located along Unwins Bridge Road, Edith and Mary Street. High bandwidth services are available in the direct vicinity of the site. The telecommunications services are expected to have capacity to suit the needs of the proposed new development.

### Stormwater

Council's requirement for post-development site discharge is limited to the existing site conditions. This means that the maximum discharge from the development should be limited to the existing site conditions discharge for all storms ranging from 5-yr to 100-yr ARI event. As the site is almost entirely hard surfaces with no current detention of stormwater it is expected that any redevelopment will reduce the discharge from the site.

### Water and Sewer

There are water mains running along Mary and Edith Streets and a larger main on Unwins Bridge Road. It is likely that the mains will require upgrade from Unwins Bridge Road.

Gravity sewer services reticulate along Mary Street and within the site to Roberts Street. The sewer mains will be sufficient to cater for sewer/drainage requirements of the proposed new development however the main within the site will require diversion to accommodate the intended development.

## 6.7 Acoustic Assessment

An Acoustic Assessment of both traffic and aircraft noise has been undertaken to inform the Planning Proposal. Most of the subject site is located between the ANEF 20 and 25 contours (with a small portion in the north-western corner within the 25 – 30 ANEF). The part of the site within the 25 – 30 ANEF will have no residential accommodation. The report concludes that all internal noise levels within the development will be less than the required criteria within the Australian Standards and will result in an acceptable acoustic amenity for future occupants.

## 6.8 Traffic, Parking and Access

An investigation of the traffic and parking environment has been undertaken by McLaren Traffic Engineering. The assessment concludes that the Planning Proposal is supportable in terms of its traffic and parking impacts subject to a number of recommendations:

- Car share vehicles be used to fill the numeric car parking shortfall;
- Car parking access be shared between the residential and commercial land uses;
- A management plan be prepared for servicing and waste collection to avoid conflict and to reduce the amount of loading bays required for the entire development; and

- Implement changes to the existing kerbside parking in Edith Street.

It is expected that Council would require any future DA be accompanied by a traffic study to demonstrate that the access and car parking is suitable for the proposed scale of the development, and the level of traffic can be accommodated satisfactorily without adversely affecting local intersection performance.

## 6.9 Contamination and Geotechnical Assessment

An Environmental Site Investigation has been carried out given the history of industrial uses on the site. Contamination was identified at multiple locations and is likely to have resulted from past filling and from the previous site operations. Soil and groundwater contaminations were noted in both fill and residual strata and are likely to require remediation.

The investigation concluded that the conditions of the site soil and groundwater do not prevent the site being rezoned to allow mixed residential and commercial land-use and the site contamination issues can be managed through the development application process in accordance with the State Environmental Planning Policy 55 (SEPP 55) – Remediation of Land and the Marrickville Council Contaminated Land Policy.

A suitably accredited contamination consultant has been engaged in order to assess the sites of the building that are to be adaptively reused as part of a future DA.

A preliminary Geotechnical Investigation has been carried out which identifies the specific sub-surface site conditions, ground water and acid sulphate soils. The study has shown shallow fill overlying a residual soil and weather bedrock profile. The site is listed as Acid Sulfate Soils Class 5. The report considers there is low risk of geotechnical conditions preventing the development of the site.

## 6.10 Flooding

The site has not been mapped as being located within the flood planning area by the LEP. The site does not have a history of flooding.

## 6.11 Social Impact

Social impacts are defined as significant changes to:

- People's way of life and how they live, work, play and interact on a daily basis;
- Their culture including shared beliefs and customs;
- Their community, its cohesion, stability, character, services and facilities;
- Their health, including physical and mental health.

### Housing Choice

This proposed development would provide a greater diversity of housing choice for residents of the local area. It would also increase the supply of smaller dwelling types. This would contribute to increased housing supply and diversity in the area, which is important to ensure different household types have access to appropriate housing, whilst supporting a diverse community.

### Mobility and Access

Incorporating accessibility into design of the built environment is a key requirement to ensure older people, people with a disability, young people and parents with prams can move freely and independently throughout the community.

The proposed development includes 20% adaptable dwellings, each with associated accessible sanitary and kitchen facilities and accessible car parking spaces.

The provision of public transport, walking and cycling facilities are essential to ensuring quality of life and socially sustainable communities. The proposed development is close to bus stops and rail stations, ensuring ease of access to public transport options.

### Community and Recreation Facilities and Services

Whilst the proposed development is proposed to increase the number of residents in the local area, the number of additional residents is not considered to pose a strain on the existing community recreation facilities in the area.

The proposed development includes a community facility, as well as supporting creative industries that will add to the vibrancy of the locality.

### Crime Prevention

The clear definition of the sequences of the common spaces, including entry foyers and naturally lit lobbies, will positively contribute to the safety and security of the future inhabitants of the development. The entries have been designed to provide architectural, landscape and spatial interest and a clear address.

The design of the development optimises safety and security, both internal to the development and for the public domain. Safety and security has also been considered in accordance with Crime Prevention Through Environmental Design principles of surveillance, access, territorial reinforcement and space management as follows:

- Surveillance is provided through casual overlooking of streetscape, communal open spaces and through-site links from apartment windows;
- Access control is achieved through security entry (smart key entry and video intercom) for the lobby, basement and communal open space entry points;
- Territorial reinforcement is provided through landscaping and fencing where appropriate to delineate public and private spaces within the development with appropriate maintenance and management policies; and
- Space management will be achieved through selection of appropriate materials/finishes and routine maintenance of the through-site link, landscaping, paving, wayfinding signage and low-level illumination, to ensure a positive contribution to the public realm and to resist graffiti and anti-social behaviour.

### Health

The proposed development is not anticipated to strain the existing health service facilities in the area.

As previously described, the proposed development is located close by to health care services, including Royal Prince Alfred Hospital, which is less than 3km from the site. There are medical centres and other health practitioners in the vicinity that will be able to service the new residents.

## 6.12 Public Benefit

There is a well-documented need for greater housing supply and diversity throughout the Sydney metropolis and the Inner West LGA is no exception.

The planning proposal is considered to provide a public benefit to the local area by:

- Creating new commercial and retail opportunities;
- Upgrading existing creative industry spaces;
- Retaining buildings that demonstrate the history of land uses and contribute to the character of the area;
- Creating a new community space;

- Increasing housing supply in the area to include a variety of apartment types;
- Providing housing close to public transport;
- Contributing to housing diversity within the Inner West LGA;
- Providing new through site access;
- Providing more casual surveillance in the area – achieving CPTED principles;
- Remediating contamination associated with the historical industrial uses of the site;
- Providing improved accessibility and essential life services throughout the site; and
- Fostering creative and artistic uses within the site.

The change in land use zoning, increase in height limit and FSR proposed by the Planning Proposal on the site is necessary to deliver a significant local public benefit.

## 6.13 Ecologically Sustainable Development

The indicative design scheme is predicated on the principles of ecologically sustainable development:

- Natural lighting to reduce power consumption
- Sensitive and intelligent material selection
- Building design and orientation to maximise solar access and thermal comfort
- Waste separation and recycling
- Adaptive reuse
- Materials reuse and the use of salvaged items
- Smart building services technologies
- Low flow water saving fittings
- Water sensitive and conservative landscaping
- Rainwater harvesting and reuse for irrigation and garden watering
- Smart water metering

## 7.0 Conclusions and Recommendation

This Planning Proposal seeks amendments to the LEP to facilitate a mixed-use development on the site. This will be achieved through an amendment to the land use zoning from IN2 Light Industry to B4 Mixed Uses, a flexible and graduated change to the height control and an FSR control of 2.2:1.

The Proponent proposes to enhance the existing employment generating, creative use precinct by upgrading the facilities to satisfy contemporary access, fire safety and amenity standards and integrate the use into the surrounding area by encouraging community interaction, creating pedestrian linkages and dealing with traffic and parking demands on site. A significant portion of the site is an at grade car parking which creates the opportunity for a residential interface providing a buffer to the lower density residential uses beyond and providing a local population to support and enhance the precinct. The site provides the opportunity for the provision of additional public open space and an associated series of pedestrian networks linking the area, through the site, to the railway station and the Princes Highway corridor.

The indicative scheme, provided in support of this Planning Proposal, demonstrates that a mixed-use redevelopment is achievable on this site at the scale proposed. The process would require a future DA approval and be subject to additional requirements at that stage.

This Planning Proposal is considered justified for the following reasons:

- The proposal is considered consistent with the metropolitan, district and local strategic planning frameworks that emphasise the need to provide housing diversity;
- The proposal is consistent with the applicable SEPPs;
- Our preliminary analysis of the concept scheme has concluded that the proposal is unlikely to have any significant adverse environmental impacts;
- The proposed rezoning will permit housing to be provided in tandem with increased employment floor space and the continuing use of the land for creative industries;
- There is significant public benefit in providing site specific controls that permit the continuation of employment on the site supported by residential development.

A development concept has been prepared that takes into account the opportunities and constraints of the site. The LEP amendments described in this report will ensure redevelopment can be undertaken with consistency across the site.

In light of the above, we recommend that the Planning Proposal proceed through the Gateway process to public exhibition.

**Land to which this Planning Proposal Applies**



 The Site