



PLANNING PROPOSAL REPORT
From Strategic Planning and Policy team

Item No	1
Planning Proposal No.	IWC_PP_2020_01 – 389 Illawarra Road, Marrickville
Address	389 Illawarra Road, Marrickville
Proposal	Planning proposal to amend the <i>Marrickville Local Environmental Plan 2011</i> to include 389 Illawarra Road, Marrickville (Lots 4, 5 and 6, DP 2595) as an item of local heritage significance.
Main issues	The heritage significance of the property has been established and the planning proposal is the only way to ensure its protection. The proposal has sufficient strategic merit to proceed to the Department of Planning, Industry and Environment for a Gateway determination.

RECOMMENDATION:

That the Inner West Planning Panel advise Council to:

1. **Approve the planning proposal to list 389 Illawarra Road, Marrickville as an item of environmental heritage for submission to the Department of Planning, Industry and Environment with a request for a Gateway determination.**

1.0 BACKGROUND

The *Marrickville Local Government Area Southern Area Heritage Review* was completed in April 2015. The Study Area was the southern portion of the ex-Marrickville LGA, bounded by the Illawarra Line railway to the north, Barwon Park Road to the west, the LGA boundary, Alexandra Canal and the Cooks River to the south, and the Cooks River and Garnet Street to the east. The Study Area encompassed the suburbs of Dulwich Hill (part), Marrickville (part), Tempe, Sydenham and St Peters. The aim of the study was to identify built and landscape items of heritage value, including potential heritage conservation areas, related to European occupation of the area (post-1788).

The Review recommended the listing of 30 potential built heritage items in Schedule 5 of MLEP 2011, including the Church of Christ at 389 Illawarra Road, Marrickville, and provided a draft heritage inventory for the property establishing its significance.

At its meeting of 21 July 2015, Marrickville Council considered a report on the outcomes of three separate heritage projects across the LGA, including the Southern Area Heritage Review. Council resolved to list 71 new heritage items, including 389 Illawarra Road, Marrickville.

A planning proposal was prepared and submitted to the Department of Planning and Environment on 13 October 2015. A Gateway determination was issued on 4 November 2015. The planning proposal was exhibited between 4 July and 25 August 2016, receiving 23 submissions. A post-exhibition report was presented to the Council meeting of 28 February where the Administrator determined that the matter be deferred to allow further consideration of issues raised.

Council's Consultant Heritage Architect subsequently conducted an independent heritage assessment of the property and concluded that it satisfied four of the Heritage Office's criteria for heritage listing, and recommended that the listing proceed. The owner submitted a heritage assessment report contending that the church does not meet any of the criteria for listing.

Despite the Council officer report recommending that Council list 389 Illawarra Road, Marrickville, the Administrator determined on 26 April 2017 that six properties, including the subject, be deleted from the planning proposal to be further considered as part of a future heritage study to inform an Inner West LEP.

Recent background

On 23 August 2019, a development application (DA201900287) was lodged with Council to demolish existing structures and construct a 6 storey mixed use development comprising 2 retail tenancies, 55 boarding rooms and 4 dwellings at 387-389 Illawarra Road, Marrickville.

In response to the imminent threat associated with the DA, Council undertook a preliminary heritage assessment. It concluded that it was likely to be found, on further inquiry or investigation, to be of local heritage significance and recommended that an interim heritage order (IHO), applying to the church and its curtilage, be issued to protect it from potential demolition whilst further assessment of its heritage significance was carried out.

A recommendation was made to Council's Chief Executive Officer that an IHO be placed on the property. The IHO was authorised by Council on 13 January 2020 and notified in the Government Gazette of 15 January 2020. Under the terms of the IHO, it lapses six months from the date that it was made (15 July 2020), unless Council has passed a resolution which seeks to place the item on the heritage schedule a local environmental plan.

Council engaged a heritage consultant (Hector Abrahams Architects) to provide an expert heritage assessment (included as **ATTACHMENT 1**). The assessment established that the church meets the NSW Office of Environment and Heritage's criteria for local heritage significance and recommends the property be heritage listed.

The applicant for the DA at 387-389 Illawarra Road, Marrickville made an appeal to the Land and Environment Court against the making of the IHO by Council, the outcome of which is pending.

2.0 SITE AND CONTEXT

Site Description

389 Illawarra Road, Marrickville (the site), shown in Figure 1, is comprised of three lots (Lots 4, 5 and 6 DP 2595) totalling approximately 450 sqm in area, with a frontage and rear boundary of approximately 14.5m. The site is located on the south eastern side of Illawarra Road, at the end of Greenbank Street, and adjoined to the rear by an unnamed lane. It is located approximately 150m from Marrickville Station.



Figure 1: Aerial showing cadastre and location of 389 Illawarra Road, Marrickville (outlined in red)

Located on the site is a free-standing church building “in the Arts and Crafts style with gothic details, constructed of face common brick, with cement rendered bands and a chequerboard render pattern at the apex of the gable wall. The 1940 side entry porch is constructed of red brick. There is a parapet of face brick with rendered coping and a finial at the apex. The roof is covered by glazed terracotta Marseille tiles” (HAA, 2020 p.8).



Figure 2: Church of Christ building viewed from Illawarra Road



Figure 3: The Church of Christ terminates the view looking east along Greenbank Street

Current Planning Controls

The site is zoned B2 Local Centre under MLEP 2011 and has a maximum permissible FSR of 2.5:1 and maximum building height of 20m.



Figure 4: Extract of zoning map of MLEP 2011 (site within red boundary)

The building is not listed as an item of environmental heritage in MLEP 2011, and it is not located within a heritage conservation area. It is, however, identified as a Period Building within the Marrickville Development Control Plan 2011 (MDCP 2011) (refer to Figure 5 below).



Figure 5: Period Buildings Map of MDCP 2011 with the subject site outlined in purple

MDCP 2011 defines Period Buildings as “buildings, not listed as heritage items, which are not located within a heritage conservation area, which are generally intact that make a positive and valuable contribution to the character of the streetscape and broader townscape”.

3.0 PLANNING PROPOSAL

To achieve the intended outcome, the planning proposal (**ATTACHMENT 2**) seeks to amend the MLEP 2011 to include 389 Illawarra Road, Marrickville (Lots 4, 5 and 6, DP 2595) in Schedule 5 Environmental heritage as an item of local significance and identify the site on the Heritage Map. In the event that the consolidated Inner West LEP is published in advance of the subject planning proposal being finalised, the amendment would be incorporated into the Inner West LEP. This would not alter the intended outcome.

The planning proposal is consistent with the recommendation of the heritage assessment by Hector Abrahams Architects (as well as earlier reports) that the property be listed. It also aligns with relevant strategic plans, including the Greater Sydney Region Plan, Eastern City District Plan and Inner West Council’s Local Strategic Planning Statement, Housing Strategy and draft Employment and Retail Lands Strategy.

4.0 CONCLUSION

It has been identified that the former Church of Christ at 389 Illawarra Road, Marrickville is of local heritage significance. Accordingly, heritage listing of the property should be progressed to ensure its protection.

The property is currently protected by an interim heritage order which will lapse on 15 July 2020 unless Council has resolved to seek to place the property on the heritage schedule of an LEP. Accordingly, the planning proposal must be progressed as a matter of urgency to ensure the property is provided appropriate protection.

It is recommended that the Inner West Local Planning Panel advise Council to forward the planning proposal to the Department of Planning, Industry and Environment for a Gateway determination in

accordance with Section 3.34 of the *Environmental Planning & Assessment Act 1979*.

5.0 ATTACHMENTS

- Attachment 1 – Heritage Assessment for 389 Illawarra Road, Marrickville, Hector Abrahams Architects (18 May 2020)
- Attachment 2 – Planning proposal – 389 Illawarra Road, Marrickville
- Attachment 3 – 26 April 2017 Council report on Marrickville Heritage Review including relevant attachments