STATEMENT OF ENVIRONMENTAL EFFECTS

2-18 Station Street, Marrickville NSW

Demolition of Existing Structures and Construction of a Mixed Use Development comprising a Boarding House and Commercial Premises

29 June 2020 | P246

Weir Phillips Heritage and Planning

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1.0 INTRODUCTION

1.1 Purpose

This Statement of Environmental Effects has been prepared in accordance with Schedule 1(2)(1)(c) of Environmental Planning and Assessment Regulation 2000 ('EPA Reg. 2000') for the purposes of indicating, as required, the following:

(a) the environmental impacts of the development,

(b) how the environmental impacts of the development have been identified,

(c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,

(d) any matters required to be indicated by any guidelines issued by the Planning Secretary for the purposes of this clause.

It has been prepared to accompany a development application for demolition of existing structures and the construction of a 10 storey mixed-use development comprising commercial premises and a boarding house containing 130 boarding rooms at 2-18 Station Street, Marrickville NSW.

1.2 Executive Summary

The proposal involves the construction of a new boarding house with ground floor commercial uses on the ground floor. The site is a landmark site in a prominent location of strategic importance and provides the following benefits:

- Adjacent Marrickville Railway Station which is a busy major rail hub providing direct rail access both to Sydney CBD and other parts of the Sydney Metropolitan Area;
- Within Marrickville Town Centre;
- Adjacent the busy commercial mixed use strip of Illawarra Road;
- Adjacent a bus stop for several bus routes;
- Within reasonable proximity by public transport of employment lands, major educational institutions and other commercial and community facilities; and
- Surrounded on two frontages by a small pedestrian plaza connecting it both to the adjacent railway station and the surrounding town centre.

In concert with its key location, the proposal would provide extensive environmental planning benefits including the provision of:

- an upgrade to the currently dilapidated site;
- an urban place marker for railway station in the broader context of the town centre;
- much needed affordable rental housing units in close proximity to public transport, commercial and retail uses, Sydney Airport and the new Westconnex motorway (130 boarding rooms and up to 244 occupants);
- commercial space facing the railway station access which would activate the urban plaza and provide services to commuters;
- increased viability of the Town Centre due to the increase in residential accommodation;
- increased viability of existing public transport networks and reduction in reliance upon private car travel;
- a height and density consistent with the strategic planning framework of the Revised Draft Sydenham to Bankstown Urban Renewal Corridor Strategy (which recommended 12 storeys) and the Inner West Architectural Excellence Panel (which recommended 12 storeys for the site);
- a development density consistent with Council's own dwelling targets for the site (https://forecast.id.com.au/inner-west/residential-development?WebID=250); and
- a landmark building of high architectural quality in a prominent location.

1.3 Summary of Compliance

Performance against the applicable general numerical planning controls is summarised as follows:

General Development Data				
Site Area:		**Zone**	**Heritage**	
695m²		B2 Local Centre	Located in the vicinity of heritage items: • NSW Heritage Act 1977: Marrickville Railway Station group, including interiors • MLEP 2011: Item No. I89	
Summary Numerical Compliance Table				
Planning Document	**Standard**	**Control**	**Proposed**	**Comp**
MLEP 2011	Zone	B2 Local Centre	Boarding house	Y
			Commercial premises	Y
MLEP 2011	Height of buildings	26.0m	34.7m	N
MLEP 2011	FSR	3:1 (2,085m²)	4.99:1 (3,467.6m²)	N
MLEP 2011	Exceptions to development standards	Written request required to contravene development standard.	The proposed height of building and floor space ratio exceeds that nominated in the MLEP 2011. A written justification accompanies this application.	Y
MLEP 2011	Aircraft noise	The site is located within the 20 to 25 ANEF zone.	Residential uses are conditionally acceptable in the 20-25 ANEF zone. Refer to accompanying Acoustic Report.	Y
SEPP(ARH)	Solar Access	communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,	receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter	Y
SEPP(ARH)	Private Open Space	(i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,	122m² min. 4m wide on the rooftop	Y
SEPP(ARH)		boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres	10.2m² adjacent the manager's room on Level 1.	Y
SEPP(ARH)	Accommodation Size	(i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or (ii) 16 square metres in any other case.	All rooms comply.	Y
SEPP(ARH)		if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,	2 communal living rooms are provided on Level 1.	Y
SEPP(ARH)		no boarding room exceeds 25 square metres,	No boarding room would exceed 25m².	Y

SEPP(ARH)	Cycle Parking	no more than 2 adult lodgers,	Max. 2 lodgers per room	Y
SEPP(ARH)		at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms. • 26 bicycles spaces; • 26 motorcycles spaces.	• 28 bicycle spaces • 26 motor cycle spaces	Y
MDCP 2011	Front setback	Consistent with streetscape. 0m	0m	Y
MDCP 2011	Accessibility	one accessible boarding room per 5 boarding rooms or part thereof : • 26	9 Refer to Access Report for discussion.	-
MDCP 2011	Accessibility	One accessible parking space per 10 guests' rooms/10 boarding rooms: • 13 spaces	3 Traffic Impact Assessment and Access Report for discussion.	-
MDCP 2011	Car parking (residential)	Parking Area 1: 1 per resident employee + 0.5 per boarding room: • Manager: 1x1: 1 space • Residents: 130x0.5: 65 spaces Total: 66 spaces	Total parking spaces: 46 spaces (incl. 3 disabled spaces & 2 car share spaces) This is considered to be acceptable given the proximity of the site to major public transport nodes and local retail and commercial facilities and the provision of car share facilities. Refer to the accompanying Traffic Impact Assessment for further analysis.	A
MDCP 2011	Car parking (commercial)	Parking Area 1: 1 per 100m2 GFA for customers & staff: • 266m^2: 3 spaces	3 spaces (incl. 1 disabled)	Y
MDCP 2011	Recycling and waste management	Recycling: 1 x 240L per 6 residential occupant rooms or part thereof: • 22 (5,200 litres)	11 x 240 litre (2,640 litres) waste bins twice weekly (5,280 litres/week)	Y
		General Waste: 1 x 240L per 6 residential occupant rooms or part thereof: • 22 (5,200 litres)	8 x 660 litre (5,280 litres) waste bins once a week	Y
		Green Waste: 1 x 240L per 6 residential occupant rooms or part thereof: • 22 (5,200 litres)	Not considered necessary for a multi-storey urban context. Refer to Operational Waste Management Plan for details.	A
		Commercial Waste:	1 x 240 litre waste; 1 x 240 litre recycling Refer to Operational Waste Management Plan for details.	-
Legend: Y=Complies, N = Does not Comply, C = Condition of consent, N/A = Not applicable, A = Does not strictly comply but acceptable				

As can be seen above, the proposal would generally comply with the principal planning controls relevant to the development with the exception, primarily, of:

- MLEP 2011, cl. 4.3: Height: The proposed height would exceed the maximum under the LEP by 8.7m. Although part of this consists of lift overrun and rooftop structures, approximately 5m is due to a

perceptible increase in height of an additional one to two storeys (depending upon what point on this sloping site the measurement is taken). This results in an effective height of 10 storeys whereas the development standard would ordinarily result in 8. This height has been formulated in response to extensive specialist urban design advice as well as the position of Council's own expert Design Excellence Panel which considered that the site should 'have the highest heights in the immediate area' and that a height of 12 storey was appropriate (paragraphs 5 & 6, Appendix C). A request to contravene the development standard under clause 4.6 accompanies the application.

- MLEP 2011, cl. 4.4: Floor Space Ratio: The proposed FSR of 4.99:1 would exceed the maximum under the LEP by 1.99:1 and is a function of achieving the additional height discussed above and is appropriate given the location of the site adjacent a major public transport node and the town centre. This is also consistent with Council's own population forecasts for the site (https://forecast.id.com.au/inner-west/residential-development?WebID=250) which nominate 56 dwellings and would effectively require an FSR of approximately 5.5:1. A request to contravene the development standard under clause 4.6 accompanies the application.
- Car parking: A reduction of 20 car spaces is sought based upon the location of the site and the provision of car share spaces. Refer to the accompanying Traffic Impact Assessment for more details.
- Accessible Boarding Rooms/Car Spaces: The number provided, although less than nominated in the DCP, has been based upon expert advice from an access consultant and is considered adequate for anticipated requirements. Refer to Access Report and Traffic Impact Assessment for further details.
- Manager Rooms: MDCP 2011, 4.3.3.4(C3), requires 3 manager's rooms for the premises. Based on the extensive experience of the operator in this market, no more than one manager's room is considered necessary or desirable. This is further detailed in the accompanying Plan of Management.

1.4 Material Relied Upon

This Statement of Environmental Effects is based upon the following material:

- Architectural Plans (Tier Architects);
- Survey (ATS Land & Engineering Surveyors Pty. Ltd.);
- Hydraulic Design (John Romanous & Associates);
- Landscape Plans (Paul Scrivener);
- Plan of Management (EMAG);
- Social Impact Statement (Brellatrac);
- State 1 Environmental Site Assessment (Environmental Investigations);
- Access Report (Vista Access Architects);
- Economic Impact Assessment (Brellatrac);
- Assessment of Current Site Conditions – Geotechnical (EI Australia);
- Traffic Impact Assessment (PDC Consultants);
- Operational Waste Management Plan (Elephant's Foot);
- Relevant planning studies and investigations including:
    - Inner West Council Architectural Excellence Panel Report, 9 August 2016;
    - Revised Draft Marrickville Station Precinct, Sydenham to Bankstown Urban Renewal Corridor Strategy, NSW Planning & Environment, 2017;
    - Peer Review of Planning Proposal, 2-18 Station Street and 1 Leofrene Avenue, Marrickville, Architectus, 30 December 2013; and
- Relevant planning legislation.

2.0 THE SITE

2.1 Site Location

The site is located at 2-18 Station Street, Marrickville NSW in the Inner West Local Government Area approximately the following distances from:

- Marrickville Railway Station: 10m;
- McNeilly Park: 290m;
- Woolworths Marrickville: 400m;
- Sydenham Railway Station: 1.7km;
- Sydney Airport: 2.0km;
- Westconnex St Peters Interchange: 2.0km;
- Central Railway Station: 6.8km;
- Sydney CBD: 8km.

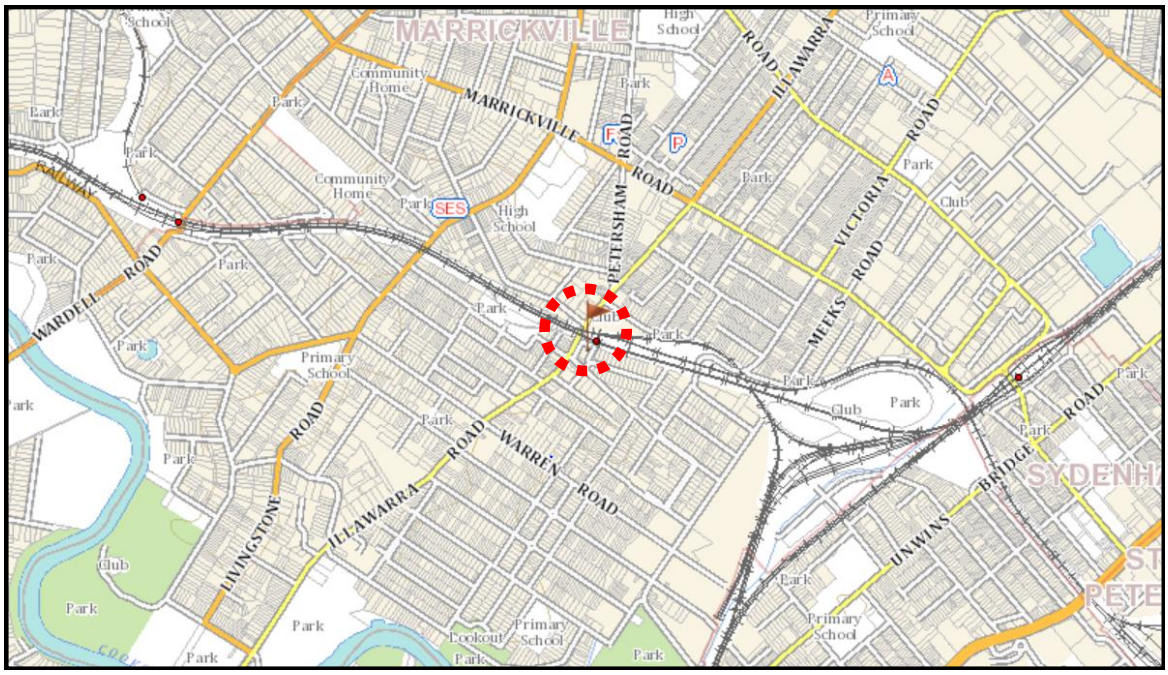

Figure 1: Site Location (SIX Maps).

2.2 Site Surrounds

The site is located in the Marrickville Town Centre, to the south of Marrickville Railway Station and zoned B2 Local Centre. It is surrounded by a one-storey detached dwelling house at 1 Leofrene Avenue and commercial premises of up to three storeys at 20-22 Station Street. Illawarra Road is located to the west of the site. The site results from the amalgamation of several lots being 2, 4, 6, 8, 10, 12, 14, 16 and 18 Station Street.

The broader area consists of detached residential dwellings in the R2 Low Density Residential zoned land and commercial premises in the B2 Local Centre zoned land.

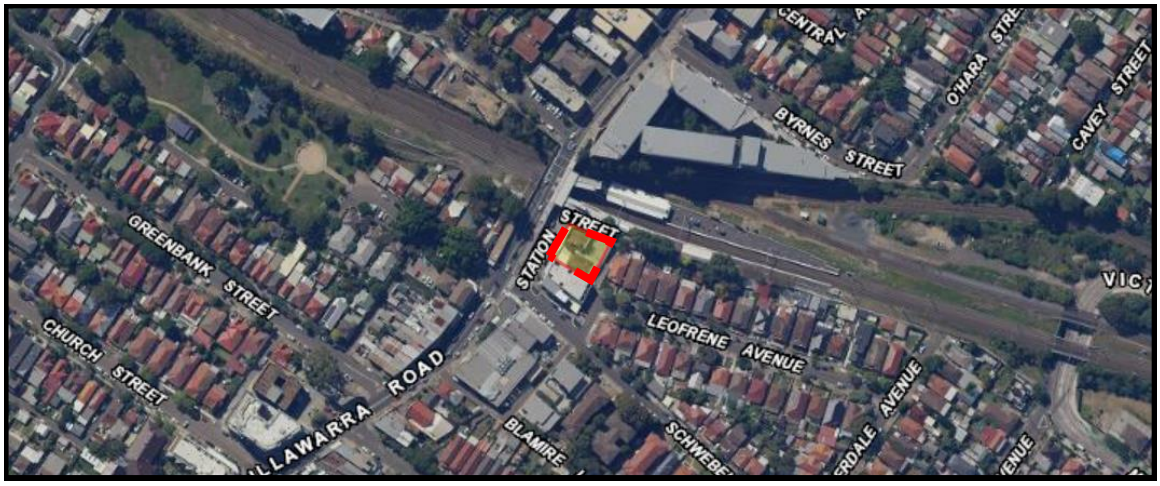

Figure 2: Site Surrounds (SIX Maps).


Figure 3: The site (to the right) opposite the Marrickville Railway Station.

Figure 4: The site (to the right) with the Marrickville Railway Station to the left.

Figure 5: Three storey building at Nos. 20-22 Station Street adjacent the site to the south.

Figure 6: Station Street viewed from the south showing the Illawarra Road bridging over the railway line to the left, Marrickville Railway Station to the centre and the site in front of it.


Figure 7: The site viewed from the south showing the adjacent buildings in the foreground and Marrickville Railway Station behind.


Figure 8: The rear of the site viewed from the eastern part of Station Street.

Figure 9: The eastern section of Station Street looking towards Marrickville Railway Station with the site on the left and 1 Leofrene Avenue to the right.

Figure 10: The north-eastern corner of the site viewed from Marrickville Railway Station.

Figure 11: The northern part of the site viewed from Marrickville Railway Station..

Figure 12: Recent contemporary development adjacent Marrickville Railway Station to the north at 359 Illawarra Road.

Figure 13: Recent contemporary development adjacent Marrickville Railway Station to the north at 359 Illawarra Road.

2.3 The Site

The site is located on the southern side of Marrickville Railway Station and is bounded by Station Street to its east, west and north.

Numerical Site Data					
Street Address	**Lot No.**	**Section**	**Deposited Plan**	**Dimensions**	**Total Site Area (by survey)**
2-18 Station Street, Marrickville	100	-	1229420	Various	695m^2
TOTAL					**695m^2**

Figure 14: Aerial photo of the site (SIX Maps).

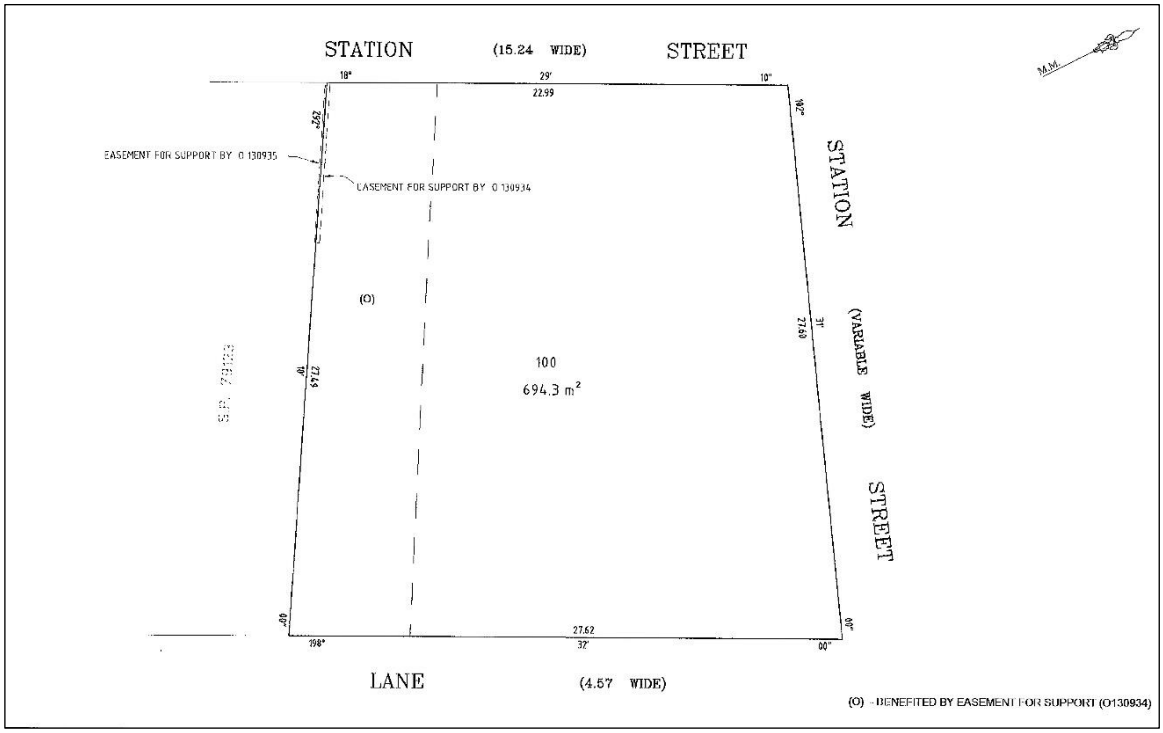

Figure 15: Part site survey.

2.4 Existing Site Features

The site is occupied by the following structures, many of which are currently derelict:

- 2 Station Street: Single-storey building
- 4 Station Street: Single-storey building
- 6 Station Street: Single-storey building
- 8 Station Street: Two-storey building
- 10 Station Street: Two-storey building
- 12 Station Street: Two-storey building
- 14 Station Street: Two-storey building
- 16 Station Street: Single-storey building
- 18 Station Street: Single-storey building

3.0 BACKGROUND

Since the site was acquired in 2012, it has been the subject of a planning proposal and several development applications seeking an increase in the maximum height and density permitted under the Marrickville LEP. These have also been informed by detailed expert advice including urban design studies to determine an appropriate height, density and built form for the site. The sequence of these is summarised below:

- 2012: A planning proposal was lodged with Marrickville Council for both the site and 1 Leofrene Avenue seeking an increase in the height controls to 16 storeys, an increase in the density controls to 5:1 and a public plaza over Station Street. Several documents were submitted to Council supporting the planning proposal including a Statement of Heritage Impact prepared by Cracknell Lonergan Heritage Architects, which concluded that the proposed mixed used development comprising of commercial/ retail spaces at street level and 15 storeys of residential development would not have any adverse impacts on the adjoining heritage item, the Marrickville Railway Station Group.
- 2013-2014: The planning proposal was supported by Marrickville Council and a Gateway Determination was received from the Department of Planning in December 2013. Two independent peer reviews of the planning proposal were subsequently commissioned by Council, one of which was prepared by Simpson and Wilson Architecture and Urban Design, and the other by Architectus. The review prepared by Architectus supported a 10-12-storey built form which would also act as an urban place marker for the railway station in the broader urban context. Nevertheless, in early 2014, Council withdrew its support and the proposal was not progressed.

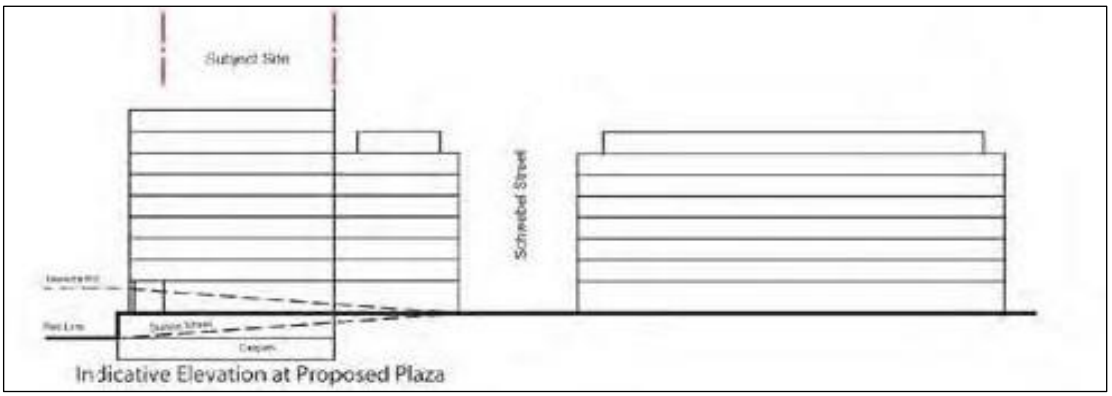

Figure 16: Proposed height limits adjacent Marrickville Railway Station (Peer Review of Planning Proposal, 2-18 Station Street and 1 Leofrene Avenue, Marrickville, Architectus, 30 December 2013).

- 2015: A Pre-DA application was submitted for a 10-storey mixed-use development which was reduced to eight storeys during DA assessment following correspondence from Council. The amended proposal generally complied with the applicable maximum height standard. As it did not comply with the LEP FSR standard, however, Council requested a further reduction of the FSR and the applicant withdrew the application.
- 2015-2016: The Sydenham to Bankstown Draft Urban Renewal Corridor Strategy (Draft Strategy) was exhibited between 14 October 2015 and 7 February 2016. Under the Draft Strategy, the site at 2 Station Street was located within the Marrickville Station Precinct and identified for medium-high rise housing.
- 2016: A report was prepared by the Inner West Council Architectural Excellence Panel on 9 August 2016 regarding a pre-planning proposal for a site adjoining the subject site at 369-383 Illawarra Road which sought to amend the MLEP 2011 FSR standard from 2.5:1 to 5:1 and the maximum height standard from 20m (6 storeys) to a height limit allowing 14 storeys.

  The Panel acknowledged that due to the close proximity of 369-383 Illawarra Road to Marrickville Train Station, its frontage to Illawarra Road retail strip and its large amalgamated configuration, it was capable of achieving a higher density than had been anticipated in the MLEP 2011. More importantly, the Panel also noted that 369-383 Illawarra Road and the site immediately to the north at 2-24 Station Street should have the greatest heights in the immediate area with a height of 9-12 storeys for Nos. 369-383 and 12 storeys for 2-24 Station Street. (refer to paragraph 6 of the attached report in Appendix A).

- 2017: Exhibition of the Revised Draft Sydenham to Bankstown Urban Renewal Corridor Strategy (RDSBURS) closed in September 2017. Relevantly, this identified the following strategies:
    - Concentration of density around Marrickville Station;
    - Provision of high density housing for the area around the site and along Leofrene Avenue (currently zoned R2); and
    - Provision of 14 storeys in height for the landmark site fronting Marrickville Station from the south (RDSBURS, p. 17)(Fig. 17).

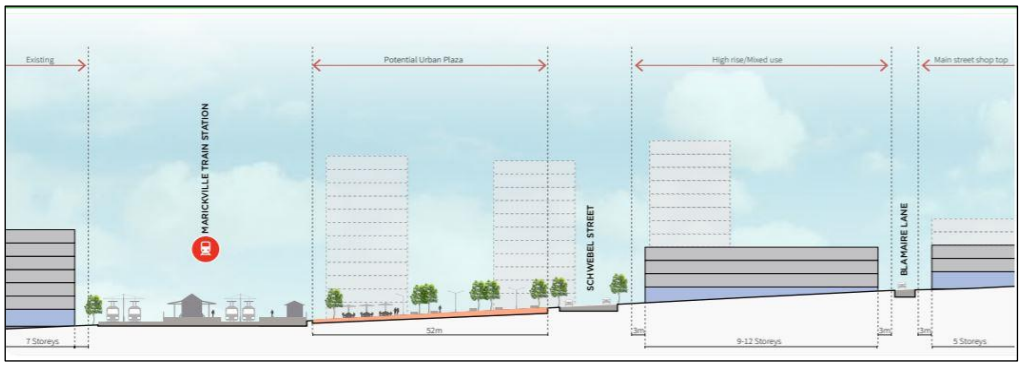

Figure 17: Proposed heights for the precinct (Revised Draft Sydenham to Bankstown Urban Renewal Corridor Strategy, 2017).

- 2018: A Pre-Development Application (PDA) was lodged with Inner West Council to demolish existing structures and construct a part 11 and part-12 storey mixed-use development containing a commercial tenancy on the ground floor with residential apartments above including a landscaped roof top, and three level basement car park. Meetings were held between Council and the applicant on 7 September 2018 and 4 October 2018. The advice noted that the proposal should be reviewed and further analysis undertaken to address non compliances with the development standards either by significantly reducing the proposal to comply and lodging a further PDA or through modification of the development standards by way of a planning proposal.
- 2019: On 23 September, a submission was made on behalf of the landowners of 2-18 Station Street and 1 & 2 Leofrene Avenue in relation to the Our Inner West Draft Housing Strategy. The submission highlighted the important role of 2-18 Station Street and 1 & 2 Leofrene Avenue in the revitalisation vision for the town centre given its location opposite the soon to be new metro train station and hence, its ability to accommodate increased density.

Given this background, it is clear that there is broad expert support, including from Council's own experts, for a building of up to 14 storeys in height, along with a compatible FSR, to adequately utilise this pivotal and important site with its unrivalled proximity to a major public transport node, the future metro train station and the community and commercial infrastructure located in the surrounding town centre as well as easy access to the airport and the Westconnex Motorway.

4.0 THE PROPOSAL

4.1 Proposal Summary

Development Summary		
Item	**Details**	
Existing Use	Various commercial premises	
Proposed Use	Mixed use development comprising boarding house and commercial premises	
Demolition	All existing structures on the site	
Tree Removal	None	
Storeys	10 storeys	
GFA	3,467.6m^2	
Boarding Rooms	Total	130 (incl. 9 accessible)
	Single	16
	Double	114
Manager's Room	1 (double)	
Residents	Maximum 244 boarders plus 2 manager	
Parking	Residents	46 (incl. 3 disabled)
	Manager	1
	Motorcycle	26
	Bicycle	28
	Commercial	3 (incl. 1 disabled)
Subdivision	Not proposed.	

4.2 Room Schedule

Key numerical data regarding each individual room is provided in the table below:

Room Schedule								
Level	**Room No.**	**Room Size**				**Area (m^2)**	**Open Space (m^2)**	**Balcony**
		Adaptable	**Single**	**Double**	**Manager**			
Ground	-	Commercial premises				266		
Level 1	-	Communal open space				73		
	101	Communal living room				42		X
	101	Communal living room				39		X
	102	X		X		21		X
	103				X	19	10	X
	104			X		16		X
	105			X		16		X
	106			X		16		X
	107			X		16		X
	108			X		16		X
	109			X		16		X
	110			X		16		X
	111			X		23		X
	112			X		16		X
Levels 2 - 9	-	Small Social Space					17	

	_01		X			16		X
	_02		X			16		X
	_03	X		X		22		X
	_04			X		18		X
	_05			X		16		X
	_06			X		16		X
	_07			X		16		X
	_08			X		16		X
	_09			X		16		X
	_10			X		16		X
	_11			X		16		X
	_12			X		23		X
	_13			X		16		X
	_14			X		16		X
	_15			X		16		X
Level 10	-	Communal Roof Terrace						
Total		**18**	**16**	**130**	**1**			

5.0 ENVIRONMENTAL PLANNING ASSESSMENT

This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under Section 4.15(1) of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

Under Section 4.15(1), the consent authority must take into consideration the provisions of:

1) Section 4.15(1)(a)(i) Environmental Planning Instruments;
2) Section 4.15(1)(a)(ii) Draft Environmental Planning Instruments;
3) Section 4.15(1)(a)(iii) Development Control Plans;
4) Section 4.15(1)(a)(iiia) Planning Agreements;
5) Section 4.15(1)(a)(iv) The Regulations;
6) Section 4.15(1)(b) Likely impacts of the development on natural and built environments;
7) Section 4.15(1)(c) Suitability of site for the development;
8) Section 4.15(1)(d) Submissions; and
9) Section 4.15(1)(e) The public interest.

5.1 Consent Authority

The proposal has a capital investment value (CIV) in excess of $30 million and, as such, the consent authority is the Sydney Eastern City Planning Panel.

5.2 Section 4.15(1)(a)(i): Environmental Planning Instruments

The relevant environmental planning instruments applicable to this proposal include:

- State Environmental Planning Policy No. 55 (SEPP No. 55) - Remediation of Land
- State Environmental Planning Policy (Building Sustainability Index: BASIX): 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- Marrickville Local Environmental Plan 2011

5.2.1 SEPP No. 55: Remediation of Land

Under clause 7 of State Environmental Planning Policy No. 55 (SEPP No. 55): Remediation of Land, Council cannot consent to the carrying out any development on land unless it has considered whether the land is contaminated, and if so, it is satisfied that the land is suitable (or will be suitable after remediation) for the purpose for which the proposed development is to be carried out.

A contamination investigation report accompanies the application.

5.2.1 State Environmental Planning Policy (Infrastructure) 2007

The proposal is subject to the provisions of clause 86 - *Excavation in, above, below or adjacent to rail corridors* due to the excavation of the basement within 25m of the rail corridor and would require the concurrence of the rail authority. A geotechnical report accompanies the application providing relevant details of the impacts of excavation.

The proposal is also subject to the provisions of clause 87 - *Impact of rail noise or vibration on non-rail development* due to its location adjacent a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration. As a consequence, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this clause and published in the Gazette. Refer to the accompanying acoustic report for an analysis of rail noise upon the proposal.

5.2.2 State Environmental Planning Policy (Affordable Rental Housing) 2009

The proposal is subject to the provisions of State Environmental Planning Policy (Affordable rental housing) 2009. The following table summarises the compliance of the application with the policy.

State Environmental Planning Policy (Affordable rental housing) 2009 Division 3: Boarding Houses Summary Compliance Table				
Clause No.	**Clause**	**Standard**	**Proposed**	**Complies**
26	Land to which policy applies	This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones: (a) Zone R1 General Residential, (b) Zone R2 Low Density Residential, (c) Zone R3 Medium Density Residential, (d) Zone R4 High Density Residential, (e) Zone B1 Neighbourhood Centre, (f) Zone B2 Local Centre, (g) Zone B4 Mixed Use.	Zone B2 Local Centre	Y
27	Development to which Division applies	(1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses. (2) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area. (3) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone that is not in the Sydney region unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use or within a land use zone that is equivalent to any of those zones.	Zone B2 Local Centre	N/A

28	Development may be carried out with consent	Development to which this Division applies may be carried out with consent.	Development consent is sought.	Y
29	**Standards that cannot be used to refuse consent**			
29(1)		A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:		
29(1)(a)		the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or Max. FSR: 3:1 (2,085m^2)	4.03:1 (3,467.6m^2) A cl. 4.6 request to vary the development standard accompanies the application.	N
29(1)(b)		if the development is on land within a zone in which no residential accommodation is permitted—the existing maximum floor space ratio for any form of development permitted on the land, or	N/A	N/A
29(1)(c)		if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:	B2 Local Centre zone - residential flat buildings are not permitted.	N/A
29(1)(c)(i)		• 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less,	N/A	N/A
29(1)(c)(ii)		• 20% of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1	N/A	N/A
29(2)		A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:		
29(2)(a)	Building Height	if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land, 26m Maximum height	34.7m A cl. 4.6 request to vary the development standard accompanies the application.	N
29(2)(b)	Landscaped Area	if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,	The development would be built to the boundary on all sides.	N/A
29(2)(c)	Solar Access	where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3	The communal living room would receive a minimum of 3 hours direct sunlight between	Y

		hours direct sunlight between 9am and 3pm in mid-winter,	9am and 3pm in mid-winter from the western direction.	
29(2)(d)	Private Open Space	if at least the following private open space areas are provided (other than the front setback area): (i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,	122m^2 min. 4m wide on the rooftop	Y
		(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,	10.2m2 adjacent the manager's room on Level 1.	Y
29(2)(e)	Parking	if: (i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and (ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and (iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and (iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site, Required such that consent cannot be withheld on parking grounds: 0.5*130 boarding rooms = 65 spaces	42 (incl. 3 disabled & 2 car share) This is considered to be acceptable given the proximity of the site to major public transport nodes and local retail and commercial facilities and the provision of car share facilities. Refer to the accompanying Traffic Impact Assessment for further analysis.	A
29(2)(f)	Accommodation Size	if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least: (i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or (ii) 16 square metres in any other case.	All rooms comply.	Y
29(3)		A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.	Each boarding room would have private kitchen and bathroom facilities.	Y
30	**Standards for Boarding Houses**			

30(1)		A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:	See below.	-
30(1)(a)		if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,	2 communal living rooms are provided on Level 1.	Y
30(1)(b)		no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,	No boarding room would exceed 25m^2.	Y
30(1)(c)		no boarding room will be occupied by more than 2 adult lodgers,	No boarding room is proposed to be occupied by more than two lodgers.	Y
30(1)(d)		adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,	Each boarding room would have private kitchen and bathroom facilities.	Y
30(1)(e)		if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,	Room 103 has been provided for a manager.	Y
30(1)(f)		(Repealed)	N/A	N/A
30(1)(g)		if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,	Site is zoned B2 Local Centre, and the ground floor would be used primarily for commercial purposes.	Y
30(1)(h)		at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms. • 26 bicycles spaces; • 26 motorcycles spaces.	• 28 bicycle spaces • 26 motor cycle spaces	Y
30(2)		Subclause (1) does not apply to development for the purposes of minor alterations or additions to an existing boarding house.	The site is not occupied by an existing boarding house.	N/A
30A	Character of Local Area	A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.	The proposal would be consistent with the evolving character of the local area and in particular that of adjacent and nearby development to which it: • extracts colours and tones present in Marrickville and incorporates it into the façade design; • presents a sophisticated contemporary aesthetic to harmonise with the surrounding recent	Y

			development in the locality; • has a zero front setback as the adjoining three-storey building at 20-22 Station Street; • has a flat roof, which is the norm for adjoining commercial premises; • has a scale which is considered appropriate for adjacent a transit node and is consistent with the advice of the Architectural Excellence Panel; • creates a place marker for the railway station in the broader urban context of the town centre. See accompanying street elevations and renderings.	
52	No Subdivision of Boarding Houses	A consent authority must not grant consent to the strata subdivision or community title subdivision of a boarding house.	No subdivision is proposed.	Y
Legend: Y=Complies, N = Does not Comply, C = Condition of consent, N/A = Not applicable, A = Does not strictly comply but acceptable				

5.2.3 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposal is development which is subject to this policy.

Accordingly, the application is accompanied by a BASIX certificate.

5.2.4 Marrickville Local Environmental Plan 2011

The proposed development is subject to the provisions of Marrickville Local Environmental Plan 2011 (MLEP 2011).

5.2.4.1 Zoning:

Clause 2.2: Zoning of land to which this clause applies: The site is zoned B2 Local Centre under MLEP 2011.

5.2.4.2 Zone Objectives and land use table:

Clause 2.3: Zone objectives and land use table specifies the following objectives for the zone:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To provide housing attached to permissible non-residential uses which is of a type and scale commensurate with the accessibility and function of the centre or area.*
- *To provide for spaces, at street level, which are of a size and configuration suitable for land uses which generate active street-fronts.*
- *To constrain parking and reduce car use.*

5.2.4.3 Land use table:

Clause 2.3: Zone objectives and land use table specifies the following land uses permitted in the zone:

***Boarding houses**; Centre-based child care facilities; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing;*

Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

The proposal is defined as a boarding house and commercial premises, which are both permissible in the zone.

5.2.4.4 Heritage

The site is not a heritage item nor located in a heritage conservation area. It is located, however, next to a site listed as a heritage item under:

- *NSW Heritage Act 1977: Marrickville Railway Station group, including interiors*
- *MLEP 2011: Item No. I89*

5.2.4.5 Compliance Table:

The following table summarises the relevant clauses of MLEP 2011 and the performance of the proposal against them.

Marrickville Local Environmental Plan 2011 Compliance Table				
Clause	**Clause**	**Standard**	**Proposed**	**Compliance**
Part 2	**Permitted or Prohibited Development**			
2.2	Zoning of the land to which Plan applies	Zone R1 General Residential	Boarding House Commercial Premises	Y
2.6	Subdivision—consent requirements	Land to which this Plan applies may be subdivided, but only with development consent.	No subdivision is proposed as part of this development application.	N/A
2.7	Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	This application seeks approval for demolition of the existing structures on the site.	Y
Part 3	**Exempt and complying development**			
Not applicable				
Part 4	**Principal Development Standards**			
4.3	Height of buildings	26m	34.7m A cl. 4.6 request to vary the development standard accompanies the application.	N
4.4	Floor space ratio	3:1 (2085m^2)	4.03:1 (3,467.6m^2) A cl. 4.6 request to vary the development standard accompanies the application.	N
4.6	Exceptions to development standards	Written request required to contravene development standard.	The proposed height of building and floor space ratio exceed that allowed in the MLEP 2011. A written justification accompanies this application.	Y
Part 5	**Additional local provisions**			
5.10 (1)	Heritage conservation	Objectives The objectives of this clause are as follows: (a) to conserve the environmental heritage of Marrickville,	The site is not listed as a heritage item nor located in a heritage conservation area. However, it is located adjacent to a heritage item. Refer to accompanying Heritage Impact Statement.	Y

		(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.		
5.10(5)	Heritage assessment	The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	A Heritage Impact Statement accompanies the application.	Y
Part 6	**Additional local provisions**			
6.1	Acid sulfate soils	(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	The site is located in a Class 5 acid sulfate soils zone. An acid sulfate soils management plan accompanies the application.	Y
6.5(2)	Development in areas subject to aircraft noise	This clause applies to development: **(a) that is on land that is near the Kingsford Smith Airport and in an ANEF contour of 20 or greater, and** **(b) that the consent authority considers is likely to be adversely affected by aircraft noise, and** (c) that involves any one or more of the following: **(i) the erection of a new building,** (ii) a substantial alteration or addition to an existing building, (iii) an alteration or addition to a building that is required by a development consent to be compliant with AS 2021:2015, (iv) the change of use of any part of a building to a centre-based child care facility, educational establishment, entertainment facility, health services facility, place of public worship, public administration building or residential accommodation, (v) the change of use of any part of a building on land that is in an ANEF contour of 25 or greater to business premises, a hostel, office premises, retail premises or tourist and visitor accommodation, (vi) the change of use of any part of a building on land that is in an ANEF	The site is located within the 20 to 25 ANEF zone.	Noted

		contour of 30 or greater to light industry.		
6.5(3)		Before determining a development application for development to which this clause applies, the consent authority: (a) must consider whether the development will result in the creation of a new dwelling, or an increase in the number of dwellings or people affected by aircraft noise, and (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015, and (c) must be satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015.	Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015 notes that residential uses are conditionally acceptable in the 20-25 ANEF zone. See accompanying acoustic report.	-
Legend: Y=Complies, N = Does not Comply, C = Condition of consent, N/A = Not applicable, A = Does not strictly comply but acceptable				

As demonstrated in the above table, the proposed development complies with the provisions of MLEP 2011 except for the height of building and floor space ratio, for which a variation is sought under clause 4.6.

5.2.4.6 Summary:

Given the above, the proposed modification is considered to be consistent with the objectives and specific provisions of the applicable environmental planning instruments.

5.3 Section 4.15(1)(a)(ii) – Draft Environmental Planning Instruments

Draft Inner West Local Environmental Plan 2020 was exhibited in April 2020 but has not been adopted. It would not materially alter the provisions applicable to the development under MLEP 2011.

5.4 Section 4.15(1)(a)(iii) – Development Control Plans

Development control plans applicable to this proposal include:

- Marrickville Development Control Plan (MDCP 2011)

5.4.1 Marrickville Development Control Plan 2011

The proposed development is subject to the provisions of the *Marrickville Development Control Plan 2011 (MDCP 2011).* The following table provides a summary of compliance:

Marrickville Development Control Plan 2011 Compliance Table				
Clause No.	**Subject**	**Standard**	**Proposed**	**Compliance**
Part 2	**Generic Provisions**			
2.1	**Urban Design**			
2.1.1.1	Principle 1: Structure and connections	Organise places that are consistent with, or improve, the urban structure and are well connected.	The proposal is consistent with the surrounding urban form and provides an appropriate connection to the street and Marrickville Railway Station.	Y
2.1.1.2	Principle 2: Accessibility	Provide ease, safety and choice of access for all people	Both pedestrian and vehicular access is provided from Station Street and includes disabled	Y

			access via suitable gradients and lift access from the basement through to all levels.	
2.1.1.3	Principle 3: Complementary mix of uses and types	Maintain and create a complementary mix of uses and types of buildings and spaces	The building use for the purposes of a boarding house and commercial space is well suited to its location adjacent Marrickville Railway Station and complementary to the surrounding types of buildings and spaces.	Y
2.1.1.4	Principle 4: Appropriate density	Provide appropriate density, with the highest density focused on commercial centres and public transport nodes where accessibility is the greatest	The site is located next to Marrickville Railway Station and although the proposed height and density is greater than nominated under the applicable controls, it is consistent with the advice of Council's Architectural Excellence Panel and the Revised Draft Marrickville Station Precinct, Sydenham to Bankstown Urban Renewal Corridor Strategy.	Y
2.1.1.5	Principle 5: Urban form	Manipulate urban form to clearly define public and private space and create spaces that are appropriate to the hierarchy, function and character of places	The division between public and private space is clearly defined by the building design and form.	Y
2.1.1.6	Principle 6: Legibility	Help people to understand how places work and to find their way around	Access to the commercial tenancies would be provided directly from Station Street whereas access to the boarding house wold be via the street frontage in a conventional and readily legible manner.	Y
2.1.1.7	Principle 7: Activation	Stimulate activity and a sense of vitality in public places	The provision of commercial uses on the ground floor and increased population in the boarding house would increase pedestrian traffic on the surrounding street networks and support the vitality of the commercial centre.	Y
2.1.1.8	Principle 8: Fit and adaptable public space	Support the intended use of spaces while also allowing for adaptability	The proposal would support and increase the vitality of nearby public spaces due to the increase in population on site.	Y
2.1.1.9	Principle 9: Sense of place and character in streetscapes and townscapes	Recognise, preserve and enhance the characteristics that give places a valued identity and create high quality and distinctive streetscapes and townscapes	The proposal is consistent with the evolving built form of the precinct.	Y
2.1.1.10	Principle 10: Consistency and diversity	Balance design consistency and diversity to create order and interest	The design is consistent with the surrounding context in its adoption of contemporary materials and detail to create diversity and interest.	Y

2.1.1.11	Principle 11: Continuity and change	Enhance the sense of place and time by embracing change yet respecting heritage values	The design is consistent with the character of the surrounding streetscape while adopting contemporary materials and detail to create diversity and interest.	Y
2.1.1.12	Principle 12: Sensory pleasure	Create places that engage the senses and delight the mind	The proposal would make a bold and contemporary contribution to the streetscape and create a pleasant and engaging living environment for residents with a variety of pleasant landscaped communal outdoor areas.	Y
2.1.2	**Streetscape and townscape**			
2.1.3.1	Character	Contemporary designs can respect the existing character by complementing and not detracting from the existing buildings that establish that character.	The immediate streetscape along Station Street consists of a three-storey building with commercial premises on the ground floor and a one-storey detached dwelling whereas the adjoining areas consist of taller recently constructed contemporary mixed use buildings The proposal would be sympathetic to evolving architectural character..	Y
2.1.3.2	Scale	Infill buildings should generally respond to the predominant scale of their setting. Understanding of the inter relationships of building heights, widths and bulk will maintain the grain of the locality.	The proposal is an infill building and whilst it does not adopt a similar scale to the adjacent development, this is due to the prime location of the site next to Marrickville Railway Station and the evolving character and strategic planning intent for the locality.	Y
2.1.3.3	Massing and form	Good design considers the form of buildings that contribute to the site context and incorporates these, in a contemporary way, into the design without copying them.	The proposal extracts the colour and tones present in Marrickville and weaves this into the building form and design.	Y
2.1.3.4	Siting	Buildings are almost universally orientated parallel to allotment boundaries, with a distinguishable setback pattern.	The proposal would be orientated parallel to the allotment boundary with no setback, which is identical to the adjacent properties.	Y
		In the streets with a more suburban character, buildings on wider and deeper Inter-War period allotments can be set 900mm off one boundary and have a driveway on the other with a deep front yard establishing a consistent rhythm set by the gaps between the houses. Infill buildings that eliminate the wide side setback disrupt this rhythm and detract from the streetscape.	The site is not set within a suburban character.	N/A

2.1.3.6	Detailing	Contemporary materials can be joined together in ways that create articulation of form and texture of surfaces to provide visual interest. At the public/private interface details of fences, gates, garden walls and selection and treatment of planting can help new development complement the local character.	The building form and design would utilise contemporary materials and colours to produce a well detailed and interesting contribution to the streetscape. At the public/private interface, awnings over the shops would help the new development complement the local character.	Y
2.3	**Site and Context Analysis**			
2.3	Site and Context Analysis	It is important to identify any existing consistent streetscape features prevailing in the street, and to use those to guide future development. Some of those streetscape features include: • Front setbacks and front projections; • Side setbacks; • Roof shapes, forms and pitches; • Eaves height; • Verandahs and their placement; • Window and door openings; and • Original roof and wall materials	The site analysis has identified these elements.	Y
2.3.3(C1)	Controls for site and context analysis	A site and context analysis must be submitted for all new development excluding internal alterations and minor external alterations and additions.	A site analysis accompanies the application.	Y
2.5	**Equity of Access and Mobility**			
2.5.10(c11)	Minimum access requirements table	one accessible boarding room per 5 boarding rooms or part thereof : • 26	9 Refer to Access Report for discussion.	-
		One accessible parking space per 10 guests' rooms/10 boarding rooms: • 13 spaces	3 Refer to Traffic Impact Assessment and Access Report for discussion.	-
2.6	**Acoustic and Visual Privacy**			
2.6.3(C1 (i)	Aircraft Noise	New development on land within an ANEF affected area must be designed and constructed in accordance with the relevant Australian Standard and other guidelines issued by relevant agencies and authorities; and	See acoustic report.	-
2.6.3(C1) (ii)		The introduction of acoustic measures to reduce aircraft noise must not unacceptably detract from the streetscape value of individual buildings.	The acoustic measures would be discrete and not alter the appearance of the building.	Y
2.6.3(C3) (i)		Private open spaces of new residential development must be located and designed to offer a reasonable level of privacy for their users;	Each boarding room would consist of one balcony, which would offer a reasonable level of privacy for the users.	Y

2.6.3(C3) (ii)		Elevated external decks for dwelling houses must generally be less than 10m² in area and have a depth not greater than 1.5 metres so as to minimise privacy and noise impacts to surrounding dwellings;	The proposal is not for a dwelling house.	N/A
2.6.3(C3) (iii)		First floor windows and balconies of a building that adjoins a residential property must be located so as to face the front or rear of the building;	The majority of windows and balconies would be oriented to the north towards Marrickville Railway Station or the public space to the east and Illawarra Road.	Y
2.6.3(C3) (iv)		Where it is impractical to locate windows other than facing an adjoining residential building, the windows must be offset to avoid a direct view of windows in adjacent buildings;	The scale of development would result in the need to locate some windows facing adjoining residential dwellings. This is considered to be acceptable as the residential component of the development would be located above the ground floor (commercial) level.	A
2.7	**Solar Access and Overshadowing**			
2.7.3 (C2)	Solar access for surrounding buildings	Direct solar access to windows of principal living areas and principal areas of open space of nearby residential accommodation must not be reduced to less than two hours between 9.00am and 3.00pm on 21 June; or	The proposal would have minimal impact on solar access to windows of nearby residential accommodation. Any overshadowing of the proposal on the residential dwelling at 1 Leofrene Street would not reduce solar access to its windows of principal living areas and principal areas of open space to less than two hours between 9.00am and 3.00pm on 21 June. See accompanying shadow diagrams.	Y
2.7.5.2 (C11)	Other forms of residential accommodation	At least 65% of habitable rooms within a boarding house, a hostel or a residential care facility must provide a window positioned within 30 degrees east and 20 degrees west of true north and allow for direct sunlight over minimum 50% of the glazed surface for at least two hours between 9.00am and 3.00pm on 21 June.	82 out of 100 (82%) of habitable rooms within the proposed boarding house would be oriented to the east or north, and would therefore receive direct sunlight over a minimum 50% of the glazed surface for at least two hours between 9.00am and 3.00pm on 21 June.	Y
2.8	**Social Impact Assessment**			
2.8.5(C6)		A SIC or SIS is required with any development application if, in the opinion of Council, a proposed development is likely to have a significant impact on the community. Boarding house with capacity for up to 19 residents	246 residents (incl. managers). See accompanying Social Impact Statement.	-
2.8.4.1(C1) (i)	Social impact comment (SIC)	A SIC must demonstrate:	Positive Impacts:	Y

		Sufficient relevant information to identify the social impacts of the proposed development including: a. a description of both positive and negative impacts of development on the local community; and b. the significance and extent of the impacts;	• Provision of affordable housing for both singles and couples; • Provision of affordable housing in proximity to transport nodes, local facilities, the CBD and major educational institutions. • Improved viability of surrounding businesses; • Increased passive surveillance; • A more vibrant town centre. Negative Impacts: • Possible greater noise generation; • Possible behavioural issues of tenants.	
2.8.4.1(C1) (ii)		Mitigation measures or strategies to address potential social impacts; and	Mitigation measures include: • A Plan of Management which manages noise and anti-social behaviour; • An on-site manager to implement the POM.	Y
2.8.4.1(C1) (iii)		How persons directly affected, such as neighbours and key stakeholders, have been consulted.	The proposal would be publicly notified as part of the development application process.	Y
2.9	**Community Safety**			
2.9.5(C1)	Controls to achieve community safety through design	All applications must, at a minimum, demonstrate that consideration has been made of the four CPTED principles contained in Section 2.9.3. The way in which the proposal addresses those four principles must be discussed in the Statement of Environmental Effects (SEE) and noted on plans to be submitted with the development application.	See below.	-
2.9.5(C2)		The building entrance or entrances must be visible from the street.	The front door would be accessed directly from and clearly visible from the street.	Y
2.9.5(C3)		Pathways must be straight and blind corners avoided (including on stairs, in corridors or in other situations where movement can be predicted). If blind corners cannot be avoided in the development then they must be treated to Council's satisfaction.	Access to the front door would be direct with no blind corners.	Y
2.9.5(C4)		The main pedestrian entrance to premises (including uses situated above commercial/retail development) must be in prominent positions (such as, at the front of the building facing the street) and must be easily recognisable through design features and/or directional signage.	The main entry would be located prominently at the front of the building.	Y

2.9.5(C5)		The building must be designed to overlook the street and internal communal areas (where applicable) by the placement of windows, balconies and other features within the building facade or facades (if located on a corner). Such openings must not impact the privacy of adjoining neighbours and must be designed in accordance with the privacy controls of this DCP.	All boarding rooms would overlook the street.	Y
2.9.5(C6)		Where a communal car park is part of the development: i. Suitable security arrangement must be in place to ensure all vehicles in the parking area and all entrances and exits to and from the communal parking area are secure and only authorised users have access; and ii. Signage must be installed at the entrances and throughout the car park to provide both pedestrians and drivers with a clear understanding of the direction to stairs, lifts and exits.	It is intended to provide a security gate and access control to the basement car park to limit access to residents. This could be conditioned in any development consent.	C
2.9.5(C10)		The street number must be conspicuously displayed at the front of a development or the front fence of such development.	It is intended to locate the street number prominently at the front of the building. This could be conditioned in any development consent.	C
2.9.5(C11)		In buildings which contain multiple occupancies, each individual occupancy, dwelling unit or shop must be clearly numbered.	It is intended to provide each room with a prominently displayed individual room number on its door. This coould be conditioned in any development consent.	C
2.9.5(C17)		A POM detailing security arrangements must be submitted.	A POM accompanies the application.	Y
2.10	**Parking**			
2.10.5(C1)	Car parking (residential)	Parking Area 1: 1 per resident employee + 0.5 per boarding room: • Manager: 1x1: 1 space • Residents: 130x0.5: 65 spaces Total: 66 spaces	Total parking spaces: 46 spaces (incl. 3 disabled spaces) This is considered to be acceptable given the proximity of the site to major public transport nodes and local retail and commercial facilities and the provision of car share facilities. Refer to the accompanying Traffic Impact Assessment for further analysis.	A
	Car parking (commercial)	Parking Area 1: 1 per 100m2 GFA for customers & staff: 266m^2: 3 spaces	3 spaces (incl. 1 disabled)	Y
2.16	**Energy Efficiency**			
2.16.2(C1)	Energy efficiency requirements	• New or replacement hot water systems that are rated for	These provisions are proposed as part of the proposal. Refer to	Y

		energy efficiency under the MEPS (minimum energy performance standards) scheme must have a minimum energy rating of 3.5 stars. • MEPS rated electrical appliances must be supplied. • Insulation of additional or replacement ceiling or roof must be R3 rating. • Where natural ventilation is not possible and new or replacement air-conditioners (of domestic/ residential scale) are to be installed; they must be MEPS rated. Minimum 4 star rating for cooling only, and minimum 4 star on one cycle and 3 star on the other cycle for reverse-cycle models.	accompanying BASIX certificate.	
2.16.4(C3)	Energy efficiency performance report	The development application must be accompanied by a report by an accredited energy consultant that discusses how a proposal incorporates the design principles in Sections 2.16.5 to 2.16.6 and relates these to the energy rating assessment findings.	See accompanying energy report.	-
2.18	**Landscaping and Open Spaces**			
2.18.11.4 (C17)(i)	Boarding Houses	The entire front setback must be of a pervious landscape with the exception of driveways and pathways.	No front, side or rear setbacks would be provided.	N/A
2.18.11.4 (C17)(ii)		The greater of 4 metres or a prevailing rear setback must be kept as pervious landscaped area.	No front, side or rear setbacks would be provided.	Y
2.18.11.4 (C17)(iii)		In addition to the front setback, a minimum of 45% of the site area is to be landscaped area at ground level.	A front setback would not be appropriate to the urban context.	N/A
2.18.11.4 (C17)(iv)		A minimum of 50% open space must be pervious landscape.	The provisions of SEPPARH override the DCP.	N/A
2.21	**Site Facilities and Waste Management**			
2.21.2.5(C4)	Recycling and waste management/facilities for residential development	Recycling: 1 x 240L per 6 residential occupant rooms or part thereof: • 22 (5,200 litres)	11 x 240 litre (2,640 litres) waste bins	Y
		General Waste: 1 x 240L per 6 residential occupant rooms or part thereof: • 22 (5,200 litres)	8 x 660 litre (5,280 litres) waste bins	Y
		Green Waste: 1 x 240L per 6 residential occupant rooms or part thereof: • 22 (5,200 litres)	Not considered suitable for a multi-storey urban context. Refer to Operational Waste Management Plan for details.	A
		Commercial Waste:	1 x 240 litre waste; 1 x 240 litre recycling	-

			Refer to Operational Waste Management Plan for details.	
Part 4	**Residential Development**			
4.3	**Boarding Houses**			
4.3.3.1(C1)	Character and amenity of the local area	The design of a boarding house is to be compatible with the character of the local area, and ensure there are no negative impacts on the amenity of the local area. The Planning Context identifies what matters will be considered in the assessment of a boarding house, in addition to the following, to achieve compatibility with the character of the local area and minimise negative impact on amenity.	The proposal adopts a form compatible with the character of the local area: • Colours and tones present in Marrickville would be extracted and incorporated into the façade design; • Consistent front setback to the adjoining three-storey building at 20-22 Station Street; and • Use of a flat roof, which is the norm for adjoining buildings.	Y
4.3.3.2(C2)	Boarding house capacity	Resident numbers will be determined based on the gross floor area of the boarding room (excluding any area used for the purposes of private kitchen or bathroom facilities).	The calculations are consistent with this method.	Noted
4.3.3.3	Location	See MLEP	-	-
4.3.3.4(C3)	Management	If the boarding house has capacity to accommodate: more than 80 lodgers, at least three boarding rooms or on site dwellings is required to be provided for 3 boarding house managers.	One manager's room would be provided. This is considered adequate based upon previous experience and the management regime outlined in the accompanying Plan of Management.	A
4.3.3.4(C4)		An on site dwelling, or a boarding room with a minimum area of 16m^2 is required to be provided for each required on-site manager.	A manager's room of 19m^2 would be provided.	Y
4.3.3.4(C7)		1 off street car parking space is required to be provided for each boarding house manager.	1 car space would be provided in the basement for the manager.	Y
4.3.3.5(C8)	Boarding rooms	Adequate bathroom and kitchen facilities are to be provided for the all lodgers.	Each room would be provided with an ensuite bathroom and kitchenette.	Y
4.3.3.5(C9)	Minimum area 1 person room	12m^2 Gross Floor Area*	All single rooms would be a minimum of 12m^2.	Y
4.3.3.5(C10)	Minimum area 2 person room	16m^2 Gross Floor Area*	All double rooms would be a minimum of 16m^2.	Y
4.3.3.5(C11)	Maximum room size	25m^2 Gross Floor Area	No rooms would be greater than 25m^2 in area.	Y
4.3.3.5(C12)	Calculation of room size	*The areas referred to in Controls C9 –C11 inclusive exclude kitchenettes, bathrooms and corridors The area of the	Noted.	-

		kitchenette includes a 1 metre strip adjacent to, and for the length of, the kitchen bench in the calculation NB corridors are not useable space and are not included in the room size calculation		
4.3.3.5(C13)	Minimum room ceiling height	2700mm	2.7m	Y
4.3.3.5(C14)	Occupation of share rooms – per room	Maximum of two adults	No rooms would exceed an occupancy of 2.	Y
4.3.3.5(C15)	Fit out room only	Rooms must be able to accommodate: Bed/s for the potential number of occupants, Enclosed and open storage for clothes, linen and personal items, At least one easy chair and a desk with chair, Plus safe and convenient circulation space. Tailor the amount of storage and the number of chairs to suit the potential number of occupants	All rooms would provide these facilities.	Y
4.3.3.5(C16)	Area of self contained facilities	Maximum of 5m^2 for a kitchenette A kitchenette is not to be located along the wall of a corridor Minimum 3m^2 and maximum 4m^2 for en-suite bathroom NB Kitchenette contains a sink, area for cooking, such as a hotplate or microwave, and preparation space. NB Maximum areas may be relaxed in accessible rooms to allow for required circulation space.	Kitchens and bathrooms would not exceed these areas.	Y
4.3.3.5(C17)	Energy efficiency & internal climate	All habitable rooms are to have access to natural ventilation through an external window Natural light is to be available from an external window or from a light well – not from a skylight Light and air from an internal courtyard is acceptable if the courtyard is an adequate size Refer to Section 2.16 for energy requirements	All rooms would have access to a window in an external wall.	Y
4.3.3.6(C19)	Communal rooms and facilities	A boarding house with five or more boarding rooms is to have at least one communal living room with a minimum area of 12m^2.	2 communal rooms: 81m^2	Y
4.3.3.6(C20)		The communal living room is to be available to residents 24 hours a day every day.	It is proposed for the communal room to be accessible 24 hours a day.	Y
4.3.3.6(C21)		The communal living room(s) is to accommodate at least 50% of residents at capacity (as a guide 2m^2 per resident). Required: 244 residents x 2m^2 x 50%: 244m^2	• Level 1: communal living rooms: 81m^2 • Level 1: communal gathering space: 73m^2 • Levels 2-9: 8 x 17m^2 communal gathering spaces: 136m^2	Y

			Total: 290m²	
4.3.3.6(C22)		At least one communal living room in the boarding house is required to receive at least 3 hours of sunlight between the hours of 9.00am and 3.00pm in mid-winter.	The communal living room would be oriented to the west. The balconies in the communal living room would receive solar access in excess of the minimum requirement.	Y
4.3.3.6(C23)		Provide a smaller, more intimate communal living room on each floor in a multi-storey boarding house that has a capacity of more than 5 residents and multiple floors.	A communal area of 17m2 is provided on each floor above level 1.	Y
4.3.3.6(C24)		Communal facilities, such as laundry, kitchen and bathroom may be provided in a boarding house.	Noted.	-
4.3.3.6(C25)		Communal rooms are purpose designed and not just left over space or in corridors.	The communal rooms and spaces are purpose designed, appropriate in proportion and do not consist of residual circulation space.	Y
4.3.3.7 (C26)	Communal Laundry	If a communal laundry is provided it must be located adjacent to, and have direct access to, a drying area.	Each room would have individual washing facilities.	N/A
4.3.3.8 (C27)	Landscaped area and common open space	At least one area of communal open space is to receive a minimum 3 hours direct sunlight between the hours of 9.00am and 3.00pm midwinter.	The communal open space would receive in excess of the minimum 3 hours direct sunlight between the hours of 9.00am and 3.00pm midwinter from the southern direction.	Y
Part 5	**Commercial and Mixed Use Development**			
5.1	**General Commercial and Mixed Use Development Controls**			
5.1.3.4	Infill development	Infill development within an existing urban context should be unambiguously identifiable as new development. This usually means the development can be clearly recognisable as contemporary in design to the time it is built and not a replication of buildings of earlier periods and styles. It should, however, complement the surrounding buildings and the predominant character of the particular commercial centre context such that it integrates with and makes a positive contribution to the broader commercial centre streetscape.	The proposal is clearly contemporary as evidenced by detail and material and is appropriate as a defining element for this landmark site.	Y
5.1.4	**Building Form**			
5.1.4.3 (C8)		The street front portion of the building mass generally must be built to the predominant front building line, which will usually require alignment with the street front boundary (zero front setback) to reinforce a continuous street fronting building edge to the streetscape.	A zero front setback is proposed to all street boundaries.	Y

5.1.4.3 (C9)		Side setbacks are generally not permitted in the front portion of the building where zero side setbacks are the typical pattern of the streetscape.	Zero side setbacks are proposed.	Y
5.1.4.4 (C16)	Depth	For building levels on the first floor and above that are designed for residential premises: i. The building envelope depth must be: a. A maximum depth of 22 metres; and b. Generally a minimum depth of 10 metres. ii. The internal plan depth must be: a. A maximum depth of 18 metres; and b. Generally a minimum depth 10 metres.	Max. depth (to courtyard):21m Min. depth (to courtyard): 10m	Y
5.1.4.5 (C19)	Building Separation	Zero building separation is permitted and appropriate: **i. When blank walls abut or would allow for future abutment while achieving compliance with other DCP controls;** **ii. When it is appropriate in the streetscape context; and** iii. When it allows for acceptable occupant amenity for all affected properties.	Zero separation is proposed on the side boundaries to be consistent with the streetscape pattern.	Y
5.1.4.6 (C24)	Corners, landmarks and gateways	Infill development on street corner sites must be built to both the street front boundaries and address both street frontages	The proposal would be built to all street boundaries and address all three frontages.	Y
5.1.4.6 (C25)		Infill development on street corner sites, sites suitable for landmark buildings or sites suitable for gateway buildings must incorporate design features that emphasise those important locations in the streetscape. Where circumstances make this appropriate in the streetscape, this may include higher massing built to the street front of the building.	The proposal incorporates a distinctive architectural design and empathic massing to the boundary to accentuate its landmark corner location adjacent the railway station.	Y
5.1.4.6 (C26)		Infill development on street corner sites must not incorporate large chamfers or cutaway corners, unless it is appropriate to relate to an important public space.	No chamfers are proposed.	Y
5.1.4.6 (C27)		Infill development on street corner sites must dedicate splay corners, as public land, for road widening purposes and to improve sight lines at intersections for vehicles, pedestrians and cyclists and increase the footpath area for pedestrian access at corners, especially in centres.	The site frontages are largely pedestrianised and no allowance for road widening would be necessary.	N/A
5.1.5	**Building Detail**			

5.1.5.1 (C28)	Building frontages	The street front portion of the building mass must be designed to maintain or emphasise the street front portion of the building mass as the continuous dominant element in the streetscape.	The three street frontages have been designed as dominant elements.	Y
5.1.5.1 (C29)		Building levels above the street front portion of the building mass that are visible in the streetscape must be visually subservient as a complementary backdrop to the street front portion of the streetscape.	Given the corner location of the site in a pivotal landmark position, it is more appropriate for the building to be architecturally prominent in its own right.	N/A
5.1.5.1 (C30)		Where development will result in the long term exposure of a side boundary wall from surrounding streets, such a wall is be appropriately designed/finished as an integrated part of the building frontage composition.	The exposed side wall on the boundary with the adjacent property would be finished as a publicly presentable façade.	Y
5.1.5.1 (C31)		Air-conditioning facilities must not be visible from the shopping street and any other major side street.	Air conditioning facilities would not be publicly visible.	Y
5.1.5.2 (C40)	Active street frontage	The shopfront design of infill development must be consistent with the contemporary infill development design as a whole, giving consideration to the streetscape context.	The shopfront would simple and consistent with that of adjacent developments.	Y
5.1.5.2 (C41)		New commercial occupancies are generally to be a maximum width of 12 metres, measured at the street front boundary.	22.62m (north front) 12m (sides) This, however, is an empty generic commercial space which would be subject to further DA for first use and potentially further subdivision dependent upon future tenants. Given that the site has no direct relationship to the traditional historical streetscape rhythm, however, the width of the occupancy would not be problematic.	A
5.1.5.2 (C42)		New shopfronts must be consistent with the width and height proportions of the existing shopfronts evident within the streetscape.	Where adjacent other existing shopfronts, the proposal would be consistent with them.	Y
5.1.5.2 (C43)		Shops must have floor levels that relate to the footpath level and, when adjacent to sloping footpaths, incorporate changes to the retail floor level, as a minimum, every 12 metres.	The shop floor level would generally match that of the footpath level.	Y
5.1.5.2 (C44)		Shopfronts must provide visual transparency and direct access between the footpath and the shop.	The shopfront would be entirely transparent.	Y
5.1.5.2 (C46)		The active use components of a building must provide a viable area to accommodate a variety of	The ground floor commercial space would provide: • direct public access;	Y

		commercial premise uses that allows for: i. Public accessibility; ii. A space for back-of-house activities (such as kitchens and goods storage); iii. Loading facilities and off-street vehicle and bicycle parking; iv. Waste and recycling storage facilities; v. Sanitary facilities with disabled access; and vi. Space for employee amenities.	• waste and recycling in a dedicated commercial waste space. Layout of sanitary facilities would be subject to future DA dependent upon the requirements of future tenancies;	
5.1.5.2 (C47)		The active frontage component of a building must: i. Be built to the front and any secondary frontage boundaries except for recessed entries (where appropriate) or where the building type or situation makes a setback appropriate; ii. Include a frontage to the street that contains more than 80% of clear glazing with sill heights that are a maximum of 700mm above the finished footpath level; iii. Include a clearly identifiable pedestrian entry from the street; and iv. Include a pedestrian awning.	The active frontage would: • Be built directly on the street frontage; • consist entirely of full height glazed surface (except for framing); and be associated with a pedestrian awning.	Y
5.1.5.2 (C48)		Buildings requiring active frontages (including those specifically identified in a masterplan site within the relevant planning precinct statement) must only include non -residential uses at street level, with the exception of access areas to the residential uses at upper floor levels.	No residential uses (except for the lobby) would be located at street level.	Y
5.1.5.2 (C49)		Entries to residential uses at upper floor levels must be: i. Separate to commercial entries and clearly identifiable as the residential entry; ii. Sheltered, well lit and highly visible spaces to enter the building, meet and collect mail; iii. Of adequate size for the movement of residential goods; iv. Provided from the rear lane where the street frontage of site is less than 12 metres; v. Provided directly from the street frontage where the street frontage of the site is 12 metres or greater; and vi. Where access is required directly from the street frontage, no greater than 3 metres wide, with the total width of entries occupying no greater than 20% of the principal street frontage of the	The residential entry would be: • directly accessed from the street frontage; • completely separated from the commercial entry; • Sheltered by the street awning and well lit due to its location at the shop front; • Over 2m in width; • less than 3m wide and occupying less than 20% of the frontage.	Y

		development, whichever is the lesser.		
5.1.6	**Building Use**			
5.1.6.1 (C51)	Mixed use development	The ground floor level of the site area that relates to the active street frontage must be predominantly used for commercial floor area or other street activating uses permitted in the zone under MLEP 2011, with the area dedicated for any other uses being kept as an ancillary component.	The ground floor would be used entirely for commercial purposes (with the exception only of the residential entry).	Y
5.1.6.3 (C55)	Ceiling heights	Developments must have minimum ceiling heights, measured from finished floor level to finished ceiling level, of: i. 3.3 metre minimum for ground floor and any other retail or commercial floors; ii. for residential floors: a. in general, 2.7 metre minimum for all habitable rooms on all floors, 2.4 metres is the preferred minimum for all non-habitable rooms, however 2.25 metres is permitted; b. for two storey units, 2.4 metre minimum for second storey if 50 percent or more of the apartment has 2.7 metre minimum ceiling heights; c. for two-storey units with a two storey void space, 2.4 metre minimum ceiling heights d. attic spaces, 1.5 metre minimum wall height at edge of room with a 30 degree minimum ceiling slope.	Commercial: 3.8m Residential: 2.7m	Y
5.1.7	**Vehicle access, parking, loading and services**			
5.1.7 (C56)		Where rear lane access is available the vehicle access to a development must be located off the rear lane.	Vehicle access would be located off the rear lane.	Y
5.1.7 (C61)		Below ground (basement) car parking is generally required for developments with large street frontage widths.	Basement car parking is proposed.	Y
5.3	**Commercial/Light Industrial/Residential Interface**			
5.3.1.1 (C70)	Plan of Management (POM)	A POM will be required when a commercial or light industrial use is proposed in proximity of a residential land use and Council considers it may unreasonably impact on the amenity of surrounding residences.	A specific use for the commercial tenancy would be the subject of future development application.	N/A
5.3.1.2 (C75)	Noise and vibration generation	All development must comply with the relevant noise control guidelines.	A specific use for the commercial tenancy would be the subject of future development application.	N/A
5.3.1.2 (C76)		Where sites adjoin a residential area or are located within a mixed	A specific use for the commercial tenancy would be	N/A

		use building, Council will consider the potential noise generation of any proposed activities including the use of equipment or machinery, the use of amplified music/noise on the site and proposed hours of operation.	the subject of future development application.	
5.3.1.2 (C77)		Other sources of noise such as garbage collection, deliveries, ventilation systems, parking areas and air-conditioning plants are to be sited away from adjoining properties, where practicable, and be screened by walls or other acoustic treatment if necessary.	Refer to the accompanying acoustic report. Notwithstanding location of facilities, suitable construction method is capable of addressing noise issues.	Y
5.3.1.2 (C78)		All applications for noise generating uses adjacent to or located in a building containing a residential use must be accompanied by documentation from a qualified acoustic engineer certifying that the acoustic standards can be met.	A specific use for the commercial tenancy would be the subject of future development application.	N/A
5.4	**Design Guidelines**			
		No design guidelines for this category of site.	N/A	N/A
Part 9	**Strategic Context**			
9.40	**Marrickville Town Centre (Commercial)**			
9.40.2(1)	Desired future character	To retain, as a minimum, the front portion of contributory buildings where they are contributory to the heritage conservation area (HCA) and/or streetscapes.	The site is not located in a heritage conservation area and/or streetscape.	N/A
9.40.2(2)		To protect the identified heritage values of the Civic Precinct Heritage Conservation Area.	The site is not located in the Civic Precinct Heritage Conservation Area.	N/A
9.40.2(3)		To protect and preserve contributory and period buildings within the precinct and require their sympathetic alteration or restoration.	The site does not consist of any contributory or period buildings.	N/A
9.40.2(4)		To allow and encourage a greater scale of development within the commercial centre, including the provision of new dwellings near local shops, services and public transport to meet market demand, create the opportunity for high access housing choice and support sustainable living.	The proposal would provide a greater scale of development within the commercial centre through the provision of a boarding house with local shops on the ground floor.	Y
9.40.2(5)		To support excellence in contemporary design.	The proposal draws from the local character of Marrickville and incorporates various elements into the building façade and design.	Y
9.40.2(6)		To ensure the street building frontage of infill development complements the siting (location	The site is not located in an area consisting predominantly	N/A

		and orientation), scale, form (height, massing and setback), proportion (height to width and solid to void), rhythm, pattern, detail, material, colour, texture, style and general character in the design of the existing predominantly traditional two storey commercial streetscape, without being imitative.	of a traditional two storey commercial streetscape.	
9.40.2(7)		To ensure new development at rear upper levels is a maximum of five storeys and is designed to be subservient to retained portions of contributory buildings or infill development to the street building front.	The site is not located in an area consisting predominantly of a traditional two storey commercial streetscape.	N/A
9.40.2(8)		Where required, to ensure there are active commercial fronts to new buildings facing onto streets to create a vibrant and safe streetscape.	The proposed development would consist of active commercial fronts on the ground floor.	Y
9.40.2(9)		To support pedestrian access, activity and amenity including maintaining and enhancing the public domain quality.	Commercial uses on the ground floor with awnings would support pedestrian access, activity and amenity.	Y
9.40.2(10)		To build on the eat street and cultural character of the commercial centre.	Commercial uses are provided on the ground floor of the proposal to contribute to the commercial character of the area.	Y
9.40.2(11)		To ensure that higher density demonstrates good urban design and environmental sustainability and provides suitable amenity for occupants of those developments.	The orientation and design of the proposed development would ensure suitable amenity for its occupants.	Y
9.40.2(12)		To ensure that the design of higher density development protects the residential amenity of adjoining and surrounding properties.	The proposal is designed to reduce impact on the amenity of adjoining and surrounding properties.	Y
9.40.2(13)		To ensure orderly development on masterplan sites in accordance with the principles of the masterplan vision, including allotment amalgamations, where required, that are not detrimental to achieving the overall masterplan structure and achieve an efficient and high quality built outcome.	See below.	-
9.40.2(14)		To facilitate efficient parking, loading and access for vehicles that minimises impact to streetscape appearance, commercial viability and vitality and pedestrian safety and amenity.	Parking would be such that it is efficient and minimises impact to the streetscape appearance, commercial viability and vitality, and pedestrian safety and amenity.	Y
9.40.2(15)		To renew the former Marrickville Hospital site to accommodate a range of civic and commercial land uses and a public square that fronts Marrickville Road and Livingstone	The site is not the former Marrickville Hospital site.	N/A

		Road, with mixed use and residential uses to the north that transition to the adjoining lower density residential areas.		
9.40.5.7	**Masterplan Area (MA 40.7)**			
C72	Building height	The height of proposed buildings on the land shaded in Figure (40.7a) must conform to the control diagram(s) in Figures (40.7b) and (40.7c). The height is expressed in number of storeys.	The height of the proposed development is ten storeys. This is consistent with the outcome of numerous urban design studies and the advice of Council's own Architectural Excellence Panel which determined that 12 storeys would be appropriate for the site.	A
C73	Boundary setbacks	The boundary setbacks of proposed buildings on the land shaded in Figure (40.7a) must conform to the control diagram(s) in Figures (40. 7b) and (40.7c). The setbacks are expressed in metres. • 3m to the rear lane	The proposal seeks to vary the rear lane setback from 3m to 0m. This would increase the area of active frontage and provide a more viable development without compromising functionality or external circulation.	A
C74	Sustainable envelopes and occupant amenity	The siting, orientation, depth and separation of proposed buildings on the land shaded in Figure (40.7a) must conform to the control diagram(s) in Figures (40.7b) and (40.7c). The dimensions are expressed in metres.	The proposal seeks to vary the envelope controls suggested in this diagram. It is noted that these are broad brush controls which should be interpreted flexibly. Detailed design investigation has produce the proposal which would provide a built form which would be more appropriate for the evolving character of the locality and the strategic planning vision for the area surrounding the railway station.	A
C75	Upper floor and roof setbacks	The upper dwelling floor level(s) and roof (including any open pergolas) of proposed buildings on the land shaded in Figure (40.7a) must be set back from the external wall of the floor level below in accordance with the control diagram(s) in Figures (40.7b) and (40.7c). The setbacks are expressed in metres.	The structures on the upper most floor (lift shaft, stair and pergolas) would be set back from the edges of the structure below in excess of the nominated dimensions.	Y
C76	Articulation Zones	The envelope of buildings on the land shaded in Figure (40.7a), where indicated as a street/shallow articulation zone within the control diagram(s) in Figures (40.7b) and (40.7c), must be predominantly expressed as a building edge, with shallow articulations to the building edge adding visual richness.	The envelope of the proposal would be strongly articulated with deep balconies and a varied façade treatment.	Y

C77		The envelope of buildings on the land shaded in Figure (40.7a), where indicated as courtyard/deep articulation zone within the control diagram(s) in Figures (40.7b) and (40.7c), may include deep articulations to the building form to break up the massing.	The proposal involves the relocation of the deep articulation zone to the centre of the south side of the site where it would provide more functionality and improved amenity.	A
C78	Domain interface and structure	The redevelopment of the land shaded in Figure (40.7a) must conform to the control diagram in Figure (40.7b) in regards to: i. The location of active land uses and frontages at ground level; ii. The location of vehicular entries; iii. The location of publicly accessible and dedicated pedestrian links; iv. The location and extent of public domain infrastructure; and v. The location and extent of road widening dedication.	Active land uses are proposed where nominated.	Y
Legend: Y=Complies, N = Does not Comply, C = Condition of consent, N/A = Not applicable, A = Does not strictly comply but acceptable				

As can be seen above, the proposal generally complies with the development controls applying to the site. Although it proposes some variation to the controls, these would result in a higher quality scheme, more appropriate to its context, management methods and the strategic planning vision for the locality.

5.5 Section 4.15(1)(a)(iiia) Planning Agreements

The site is not subject to any existing voluntary planning agreements.

5.6 Section 4.15(1)(a)(iv) Matters Prescribed by the Regulations

The proposal would not impact upon the applicable BCA provisions.

5.7 Section 4.15(1)(b) Likely Impacts of the Proposed Development

5.7.1 Overshadowing

The proposal would have minimal impact on solar access to windows of nearby residential accommodation as any overshadowing on the residential dwelling at 1 Station Street would not reduce solar access to its windows of principal living areas and principal areas of open space to less than two hours between 9.00am and 3.00pm on 21 June. The properties to the south would experience overshadowing but as they are commercial premises, this is considered to be acceptable.

See accompanying shadow diagrams.

5.7.2 Privacy

Privacy impacts upon adjacent properties have been minimised by:

- Orientating the majority of windows and balconies towards public streets or over and above the rooftops of any nearby dwellings;
- Locating communal open space areas at the rear of the building towards the south or well set back from the edge of the rooftop.

5.7.3 Streetscape

The proposal is consistent with the streetscape character of adjacent development in respect of:

- Roof form: The flat roof is consistent with the general pattern of roofs on Station street;
- Front setback: The front setback is consistent with that of the commercial zone and adjacent properties;
- Materials: The colour and tones in Marrickville would be extracted and incorporated into the colour and materials of the building facades.

5.8 Section 4.15(1)(c) – Suitability of the Site for Development

The site is suitable for the proposed development:

- It is suitably zoned for the proposal.
- It would not result in unacceptable amenity impacts upon adjacent properties.
- It is consistent with the existing and desired future character of the locality.

5.9 Section 4.15(1)(d) – Submissions

Not applicable prior to public notification of application.

5.10 Section 4.15(1)(e) – Public Interest

The proposed development is consistent with the objectives of the Environmental Planning and Assessment Act in so far as it promotes the co-ordinated and orderly, and economic use and development of the land. Given this, the development is consistent with the public interest.

6.0 CONCLUSION

The proposal involves the construction of a new boarding house with ground floor commercial uses which has been formulated with extensive expert urban design input. The proposed variation to height would provide a more appropriate response to this key site in close proximity to a major railway station and the amenities of the town centre which is consistent with both the advice of Council's Architectural Excellence Panel and the Revised Draft Marrickville Station Precinct, Sydenham to Bankstown Urban Renewal Corridor Strategy and would create an effective place marker for the railway station in the broader urban context. The associated variation to the FSR would not only allow the site to achieve this appropriate urban design scale, but would also be consistent with Council's strategic planning objectives including dwelling targets and support of transit orientated development.

The architectural resolution has been carefully considered to respond to the unique and diverse urban design characteristics of the site and the locality to create an exciting landmark building.

Finally, the accommodation has been configured to provide affordable rental accommodation with high levels of internal amenity in close proximity to transport and services while the ground level commercial space would activate the presently derelict street frontage providing commercial uses in this key area of high pedestrian traffic.

Given this, the proposal is consistent with the applicable statutory planning instruments and matters for consideration under section 4.15 of the *Environmental Planning & Assessment Act 1979*.

7.0 APPENDIX A

Inner West Council Architectural Excellence Panel Report dated 9 August 2016 regarding Pre-Planning Proposal for a 14 storey mixed use development at 369-383 Illawarra Road, Marrickville (PDA201600055).

INNER WEST COUNCIL
ARCHITECTURAL EXCELLENCE PANEL (FORMER MARRICKVILLE LGA) - REPORT

Site Address:	369-383 Illawarra Road, Marrickville
Proposal:	Pre Planning Proposal for a 14 storey mixed-use development
File Reference:	PDA201600055
DA Officer:	Maxine Bayley
AEP Members in attendance:	Jocelyn Jackson (Practice Director – TKD Architects) Michael Harrison (Director, Architectus) Renata Ferreira (Urban Design and Heritage Advisor, Inner West Council – Chair);
Site Inspection Date:	26 July 2016
Report Date:	9 August 2016
TRIM:	90669.16

SITE CONTEXT

'The subject site has the following key attributes:

- *A large amalgamated site of 2,315 square metres in area;*
- *Less than 100 metres from Marrickville Train Station (*Marrickville Station is a heritage item and a focal point for pedestrian activity*);*
- *Four street interfaces including Illawarra Road, Schwebel Street, Blamaire Lane and Station Street;*
- *Visually prominent when viewed down Illawarra Road from the north and south; and*
- *Located close to existing established retail and service outlets.'* (Source: Urbis)

The site falls within the MDCP 2011 Part 9 Marrickville Town Centre (Precinct 40). MLEP 2011 FSR and height controls for the site are 2.5:1 and 20m, respectively.

The subject site currently sits outside the proposed Areas of Change for the NSW Sydenham to Bankstown Draft Renewal Corridor Strategy. The draft Strategy envisages buildings of up to 8-storeys surrounding the subject site to the north, east, and southeast (medium rise housing 5 to 7 storeys and medium high rise housing up to 8 storeys). To the northeast, the draft Strategy envisages 2 buildings of up to 12 storeys (high rise mixed use housing 9 to 12 storeys).

PROPOSAL DESCRIPTION

The Pre Planning Proposal seeks to amend MLEP 2011 for FSR and height to facilitate the development of a 14 storey mixed use development with a Floor Space Ratio of 5:1.

DISCUSSION AND RECOMMENDATIONS

The Panel discussed the proposal with FJMT, Urbis and the developer after their presentation and provides the following comments:

1. The proposed public plaza fronting onto Illawarra Road is well-considered, creating a continuous pedestrian and visual connection to the rail station and providing opportunities for passive recreation. The plaza is strongly supported because it is well located to strengthen the public domain and has good sun access. It is noted the plaza is partly raised and split into two levels with connecting steps. Details of its levels need further investigation as it may not be appropriate to have too many steps within the plaza.
2. A 3 to 4-storey podium with a 6m setback to the upper levels is a sensible approach to the context of the site and makes reference to the height of the traditional Illawarra Road Shop Top Housing to the West and South (which some are classified as period buildings).
3. Whilst the Design Report states that *'residential solar access is preserved within accepted limits as a result of the proposed height'*, this will need to be demonstrated in further detail at Planning Proposal stage, particularly in regard to the residential flat buildings and sites to the east that are less likely to be redeveloped in the future.
4. The Panel acknowledges that, due to its close proximity to the Marrickville Train Station, its frontage to Illawarra Road retail strip and its large amalgamated configuration, the subject site is capable of achieving a higher density mixed use development than what has been anticipated in the MLEP 2011. However, the Panel is not convinced that the proposed height (14 storeys) and FSR (5:1) have been well-justified or are acceptable for the site and its context.
5. The subject site and the site on Station Street to the north of the subject site should have the highest heights in the immediate area. It is noted that the draft Sydenham to Bankstown Areas of Change nominates 9+ storeys for two sites to the northeast of the subject site. The relevant category in the Strategy refers to 9-12 storeys. It is unclear why the subject site is not included in the Areas of Change of the draft Strategy when it is so close to the rail station.
6. Given that the Corridor Strategy nominates 9+ storeys nearby and the benefit of the proposed plaza, it is considered that a building height between 9 to 12 storeys could be appropriate in recognition of the provision of the plaza. Having said that, it is noted that resolution of the street block to the north of the subject site (currently indicated as an 8-storey building on the draft Strategy) is important as it should be accompanied by public domain improvements between that site and Illawarra Rd and between that site and the rail station. Given the draft Strategy, it could be appropriate that the street block to the north of the subject site, on Station Street, has a height of 12 storeys.
7. Both of the above sites/street blocks (Station Street and the subject site) need to exhibit design excellence and should be designed by AIA award winning architects or be subject to a competitive design process. Note that City of Sydney Council requires a competitive design process for buildings above 25m high. Similarly, Parramatta Council would require a competitive design process in similar circumstances. It is imperative that developments on these sites are well designed given the significance of the location and the contribution they need to make to the public domain.
8. The design of the subject site needs to be sensitively designed to mediate with the existing 2-3 storey scale, the future 5 storey scale of Illawarra Rd to the west and south as development climbs the hill south of the rail station, and the potential 9 to 12-storey scale of two sites near the subject site under the draft Strategy.
9. The method used to calculate the proposed 5:1 FSR, adopting a 12-storey building baseline and applying setback controls in accordance with the Apartment Design Guideline, is questionable.

2

This method does not take into consideration requirements for built form transition between the subject site and the surrounding lots to the South and East of the site, which are not within the boundaries of the Sydenham to Bankstown Areas of Change. The maximum building height for these lots is anticipated to be a maximum of 6 storeys. Additionally, this method anticipates a taller building on the subject site (14 storeys) than the site on Station Street to the north of the subject site, directly opposite to the rail station (8 storeys). The justification for a taller building on the subject site, therefore, is questionable from an urban design perspective, unless the height of the building on Station Street is reconsidered as part of the final Strategy. Lastly, this method assumes that the proposed building heights in the draft Strategy would be adopted, whilst in fact, there are several uncertainties about what will be adopted in the final Strategy. Therefore, being outside the boundary of the Areas of Change, but having the ability to accommodate higher density than what has been anticipated in the MDCP 2011, the subject site should be regarded as a 'transition lot', having FSR and building height lower than 5:1 and 14 storeys, respectively.

10. With regard to the built form, there are differences of opinion about the appropriateness of a 3-storey podium with an 11-storey residential tower that is setback from the main street. Some Panellists consider that the concept design for the subject site as currently proposed does mediate the different scales quite well with a 6m setback above the podium. Others are of the opinion that the podium with a residential tower above appears to be a city centre/major centre built form solution, which perhaps is not the most appropriate solution for the subject site and its present and future context along Illawarra Road. The architect could explore alternative built form solutions that consider different building heights and typologies across the site to provide better transition between the subject site and [1] the potential higher-density development on Station Street; [2] future 5 to 6-storey developments along Illawarra Road to the south and west of the subject site; and [3] future 5 to 7-storey developments to the east and southeast of the site that fall within the boundary for the Sydenham to Bankstown Areas of Change.

SUMMARY

The Panel is not convinced that the proposed 14-storey building height and 5:1 FSR have been well-justified or are acceptable for the site and its context. The proposed public plaza and the 3-storey street wall height are supportable. A few recommendations have been provided above.

8.0 APPENDIX B

Peer Review for Inner West Council of Planning Proposal, 2-18 Station Street and 1 Leofrene Avenue, Marrickville, Architectus, 30 December 2013

architectus

30 December 2013

Marcus Rowan,
Manager Planning Services
Marrickville Council
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Architecture
Urban Design
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Interior Architecture

RE: Peer Review of Planning Proposal
2 – 18 Station Street and 1 Leofrene Avenue, Marrickville

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Dear Mr Rowan,

Architectus was commissioned by Marrickville Council to undertake an architectural and urban design peer review of the Planning proposal of 2-18 Station Street & 1 Leofrene Avenue.

The planning proposal request seeks to amend Marrickville Local Environmental Plan 2011 (MLEP 2011) to increase Height of Building and Floor Space Ratio controls for the subject site and alter the Zoning of 1 Leofrene Avenue, Marrickville. The proposal includes:

- A 16-storey mixed-use development with 120 residential units and approximately 510 square metres of retail floor space.
- 3 levels of basement parking for the public and for residents, visitors and retail uses, as well as bicycle and motorcycle parking. The proposed basement car park extends across and under Station Street reserve.
- Relocation of part of Station Street (laneway) to the east to facilitate land amalgamation and a larger site footprint.
- Raising part of Station Street to the level of Illawarra Rd and conversion of the street reserve into a public space.

This peer review report is structured to address the built form and proposed open space and its relationship to the character of Marrickville as requested by Council, in particular:

1. Appropriateness of the proposed built form within the planning context of MLEP 2011 and Marrickville Development Control Plan (MDCP) 2011 controls and the surrounding streetscape
2. Tower configuration/bulk and impacts within the public domain
3. Impact on function and quality of public domain from a tower arising directly from the public domain in comparison to a more traditional podium/tower configuration
4. Appropriateness and need for a landmark in this location
5. Potential alternative building envelopes

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Managing Director Sydney
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1.0 APPROPRIATENESS WITHIN PLANNING CONTEXT

Current Context

The subject site is located to the south of Marrickville Rail Station – separated from the station by the east-west leg of Station St. The lots immediately adjacent to the south on Station Street are 2-3 storey retail/commercial buildings. The lots to the east on Leofrene Avenue are detached dwellings. There are 2 to 4 storey residential flat buildings along Schwebel Street south-east of the site.

The current zoning of 2-18 Station Street is B2 Local Centre. The property at 1 Leofrene Avenue is zoned R2 Low Density Residential as part of the low scale residential neighbourhood to the east. The maximum building height of 2-18 Station Street under current MLEP is 26m (8 st) and the maximum building height of 1 Leofrene Avenue is 8.5 (2 st). The site specific DCP envelopes show 7 storeys facing Station Street and 5 storeys facing the Rail and through site link.

The maximum FSR of 2-18 Station Street is 3:1 and 0.6:1 for 1 Leofrene Avenue.

Discussion

It is proposed to change the land use of 1 Leofrene Avenue from R2 Low Density Residential to B2 Local Centre and amalgamate the site with 2-18 Station Street. The existing site is limited in size (approximately 26 x 23m) and results in an inefficient building footprint and has very limited capacity for car parking. Due to their limited size, the existing Station Street sites are unlikely to accommodate Council's car parking requirements generated by the building envelope shown in the DCP. The proposed amalgamation increases the site size improving its capacity to support a viable development and car park footprint. The relocation of the laneway to the east potentially assists in managing the transition between tall heights in the town centre and adjacent residential areas.

The objectives for the B2 Local Centre support street activation and non-residential uses to reinforce the centre and provide employment opportunities. The proposed development includes 5% retail at ground level with 95% residential uses. A greater percentage of retail and/or commercial uses in proximity to infrastructure and services should be achievable. An opportunity for additional uses could be considered at mezzanine level or along the relocated Station Street frontages. Laneway activation would also improve the one storey blank wall resulting from the change in level and poor carpark interface.

The proposed height of 59m (18 storeys) is 30m above the DCP envelopes and Council's vision for the site. The site opposite the rail corridor is currently under construction and is 8 storeys with a 7 storey street wall and the top storey set back.

The proposed FSR is noted as 5.0:1 in Council's report. From our calculations the 5.0:1 is based on the proposed site amalgamation and includes the laneway reserve and the Station Street road reserve extending from Schwebel Street through to the rail corridor and along the edge of the rail corridor to the laneway. If the FSR calculation was based solely on the proponent's sites excluding the laneway, the resulting FSR is 9.98:1.

The proposal includes 3 levels of basement car park. This is an excessive amount of excavation and car parking adjacent the rail station and is an outcome of the quantity of residential proposed in the scheme and application of the full car parking rate. A reduced building height and FSR would subsequently reduce the car parking amounts.

The proponent requests uplift in FSR and height to assist the viability for providing public benefits – the new Station Street plaza, rail edge space and 7 public car spaces. If uplift in FSR and height is desired to deliver public domain improvements, greater consideration of the balance of benefits and an appropriate development capacity is needed. A built form approach would assist in guiding an appropriate FSR and height for the site and its relationship to Illawarra Road and the surrounding residential context. Feasibility analysis of the FSR bonus for public domain improvements should consider the contribution of Council's Station Street reserve for underground parking, a benefit to the development, with the cost of embellishing the public space.

Additional land is proposed to be dedicated at the corner of Leofrene Avenue and Schwebel Street for a local park. The land area is approximately 240 sqm. The proposed open space should be

justified within the context of Council's open space requirements and the usefulness of such a limited area.

Refer to Section 5.0 Appropriate Building Form for more detail discussion about built form.

Recommendations

- Support site amalgamation through change in land use zoning and land use swap at 1 Leofrene Avenue because a better development and public domain can occur.
- Increase the percentage of retail/commercial use in keeping with B2 zoning objectives at least by incorporating a mezzanine retail space opposite the new plaza.
- Prepare a feasibility assessment that values the proponent's benefit of underground parking space and the public benefit of public space embellishments.
- Review the built form of sites adjacent the subject site to define a cohesive vision for the site and its immediate context and assist in transitioning between the narrow town centre lots and the adjacent residential properties. It is important that a significant change to the current planning controls for the subject site is part of a sub-precinct change in the planning controls so that interface and transitional built form issues are addressed appropriately.
- Assess local open space needs for the proposed pocket park and if required determine the appropriate size for the desired use. It is considered that the pocket park has not been justified and raises more issues than it solves – e.g. useability and safety.

2.0 IMPACTS OF TOWER

Current Context

The Marrickville Town Centre is a linear town centre along Marrickville Road and Illawarra Road. The existing buildings are predominantly 2-3 storeys shop top buildings within the centre. Along Illawarra Road near the site, there is a greater mix of building types and height including some houses and 3-4 storey residential flats. Council's DCP supports a future scale of 3 storey street edge with a setback to a maximum of 5 storeys. Key sites, such as the subject site, are envisaged to have 6 storey street wall with a set back seventh storey. The site to the north across the rail line is also a key site and is currently under construction with an 8 storey residential mixed use building facing Illawarra Road and a 5 storey buildings on Byrnes Street.

Discussion

The proposal exceeds the planning controls and proposes a 17 storey tower (56m), including 15 storeys of residential apartments above a 2 storey podium. The slope of the site down to the east, results in an additional storey along the laneway. The tower is a rectangular shape in plan with the short end facing Illawarra Road. The length of the tower in the east west direction is approximately 48m. In the perspective views looking to the north along Illawarra Road and looking west toward the site from Schwebel Street, the building dominates the views both in its height and in its width. The proportion of the building is less like a tower and more like a slab building as its length is similar to its height.

The proposal includes shadow diagrams for June 21, mid-winter. No shadows are shown during equinox and no comparison with the permissible building form is included for comparison. The tower overhangs and overwhelms the public space and overshadows the southern half of the square in the morning. The majority of this impact would be eliminated if the building was pushed back to the existing property boundary.

The shadow diagrams show significant overshadowing of residential properties to the south and east. The proposal is effectively 18 storeys in height with the elevated ground floor at Station Street, a 61% increase in both building height and shadow length. The additional length of the proposed tower, due to the overhanging of Station Street and the site amalgamation, combined with the additional height, results in excessive overshadowing of residential properties and their principal private open spaces.

The building also overshadows the proposed park to its south-east from 11 am to 3pm and further constrains its use.

The proposal includes a 3m setback to the eastern property boundary at ground level along the exposed car park. While the first floor is inset to allow stair access from Leofrene Street, the tower extends over to the 3m setback. Balconies and living room windows face the eastern boundary. A 3m setback is inadequate between an 18 storey building and a house. While the house is currently zoned low density residential, the future of the site to support greater housing capacity in proximity to the rail station should be maintained. Adequate separation, as per SEPP 65 RFDC, should be addressed.

Similar to the interface with residential properties, the separation of the southern tower façade to the adjacent mixed use buildings is also 3m. The adjacent building is 3 storeys and 2 storeys to the laneway with commercial at ground level and residential above. A party wall faces the site. While the site is not likely to change in the short term, revisions to strata laws and Council's permissible heights could encourage its change in the future. Adequate separation with the boundary should be provided or a party wall configuration adopted to support redevelopment of the site in the future. Common practice is to apply half of the building separation on each site ensuring an equal distribution of the burden. 3m is insufficient for separation between balconies and any future party wall. South facing units would have poor amenity with limited outlook and no direct sunlight. The onus is on the proponent to demonstrate how redevelopment of the remainder of the street block could most appropriately occur including the proposal. It is considered that the proposal compromises the redevelopment potential of the remainder of the street block.

Recommendations

- Reduce the height of the proposal to a more modest landmark height and scale within the future Marrickville Town Centre context. See built form discussion below.
- Ensure building alignment is at the existing site boundary at Station Street facing Illawarra Road to maximise the depth of the plaza open to sky and the useability of the plaza.
- Reduce overshadowing of surrounding residential properties to their principal living and private open spaces.
- Increase building separation at eastern laneway to a minimum of 6m.
- Increase building separation with adjacent property to south or create party wall.
- Demonstrate appropriate redevelopment potential of the remainder of the street block.

3.0 IMPACTS ON FUNCTION AND QUALITY OF PUBLIC DOMAIN

Current Context

Station Street and Illawarra Road are parallel and adjacent each other. They are about the same level at the intersection of Schwebel Street. Illawarra Road rises up and over the railway to the north, whilst Station Street is falls downhill to the north to the platform of the railway station. There is a direct entrance/exit on Station Street to the southern platform. At the north end of Station Street, there is a 4-5m level difference between Illawarra Road and Station Street.

The new square as shown in the DCP is shown as 11m deep and includes an upper and lower square with the step aligning with the southern boundary of the site. The footpath along Illawarra Road is also widened to improve circulation between the lower and upper portion and around the bus stop.

The City Rail proposed upgrade to Marrickville Station will change the role of Station Street and access to the station. The existing level access to Platform 2 from Station Street will be relocated to Illawarra Road to the main concourse in the proposed upgrade to Marrickville Station. Station Street is currently planned to be converted to a shareway with taxi ranks, kiss and ride parking and accessible parking. Bike parking is also accessed from Station Street. Level pedestrian access from Station Street is also shown although it is considered that this may not ultimately continue due to the

greater efficiency and security of having all rail patrons access the rail platforms from the single new concourse at Illawarra Rd. The design of hate rail station is not finalised. The draft station design creates a 2 storey edge to the north end of Station Street with blank walls facing the street. It is not clear how the Station Upgrade and the proposal are reconciled.

Discussion

The proposal seeks to raise Station Street to the same level as Illawarra Road and to convert the road reserve into a public square. It is also proposed to have active frontage along the north and west edges of the building adjacent the new plaza. The residential tower above the podium overhangs the square (Station Street reserve) by approximately 7m and large columns interrupt the square. The public space is over-shadowed and has limited use. The proposal widens the space to the north along the rail and addresses the space with café uses and the residential lobby. The space along the rail is privileged over the space facing Illawarra Road, presumably to take advantage of northern orientation. While sunlight is desirable in public space, the usefulness and integration of the new public spaces within the public domain of the town centre is equally important. Architectus considers that the plaza between Illawarra Rd and the site is much more important than the plaza between the rail station and the site. The plaza at Station Street adjacent Illawarra Road coincides with pedestrian desire lines and is where people will want to be. The area between the site and the station, which is elevated above the rail line, could easily become a "no-mans" land with little or no use as a through route for pedestrians. The lack of safety, resulting from poor sightlines to the east and the stair access to the laneway is also a concern.

The proposal creates a sloping plaza space to maximise the gradient alignment with Illawarra Road and provides direct access to Illawarra Road at the northern and southern ends of the plaza. Ramp and stair access is also provided to the southern side of the rail concourse. While the approach to provide direct access to Illawarra Road by matching the slope is positive, the configuration and use of the square is compromised.

The southern half of the square adjacent the stairs is graded at 1:20 to meet the upper gradient of the plaza. The car park extends under the upper plaza to Illawarra Road. Its extent and footprint is an outcome of the number of the proposed car parking spaces and the desire for direct access from Leofrene Street with minimal ramping. The extent of car parking precludes deep soil planting for trees and desirable shade within the plaza. The use of the plaza as public space is effectively sterilised by access management and the extent of the underground car park.

To achieve a level interface with the existing adjacent shops, stairs are proposed in the south-west corner of the plaza. The stairs create a very narrow landing in front of the adjacent shop fronts and limits their access and visibility from Illawarra Road. The retail viability of the adjacent properties is also compromised. Architectus considers that it is more important to have a level flat plaza to promote its use for lingering and gathering, not just as a movement corridor. The plaza should be designed to work first as a public space with underground parking designed as secondary.

The relocated laneway is proposed as a pedestrian and cycle link connecting to the existing pathway along the rail line. The 3m width is insufficient for both pedestrian and cycle use. New additions to the existing network should be 6m at a minimum width to allow for space for cycles, pedestrians and some planting. Tree planting may require additional space. The proposal includes a 1 storey blank car park wall along the laneway. The narrow space contained by both the carpark wall and adjacent fence has no surveillance and is unsafe for the users and the adjacent house.

The significant increase in development area results in a similar increase in parking area. To accommodate the parking, the full area of the amalgamated site is used resulting in public domain compromises. The need to maximise the extent of the underground car park footprint and to minimise excavation, determines the levels of the northern square. It also limits opportunities for tree planting in the square. The design of the square, including appropriate levels, should be designed from the perspective of creating a good public space first and then principles established to guide the building form and its interface with the public domain.

Vehicle access is proposed at the alignment of the original Station Street laneway. Greater design resolution of the street alignment and driveway design for vehicle movements in and out of the car park is needed. Considerations should address pedestrian and cycle safety entering and existing the

relocated laneway, existing and future access to adjacent properties, and laneway activation. Existing perpendicular car parking at the rear of adjacent properties and the kerb extension should also be reviewed and resolved in the proposal.

The proposed square lacks tree planting, particularly for managing western sun and contributing to the Illawarra Road streetscape, and other public domain elements that would promote its use as a public space.

The dimensions and usefulness of the proposed park is questioned above in Section 1.0.

The proposal shows improvements to Schwebel Street with central median tree planting and conversion of the northern parking space into kiss and ride space for the rail station. Parking along this street needs to be coordinated with the proposed rail station changes, which include space for kiss and ride, taxis, cycle parking and accessible parking spaces. Proposed changes to streets for vehicle circulation appear to facilitate kiss and ride and taxi drop off and to provide direct vehicle access to the site. Traffic impacts and pedestrian /cycle safety assessment are outside this review.

Greater consideration of the public domain as a whole and the interface between the adjacent neighbourhood and the town centre is needed.

Recommendations

- Prepare conceptual designs for the square to assess preferred location of square and as a guideline for the proposed development. Options should include a stepped square as shown in the DCP and a flat square aligned with the Schwebel Street or the boundary with the adjoining property to the south. Options are to maximise the area of plaza that is level (flat) and useful. Options should address access from Illawarra Road, access to the Station, connectivity with the existing pedestrian and cycle link, large tree planting opportunities, extent of the underground car park, and user amenity.
- Reinforce the square at Station Street adjacent Illawarra Road rather than the northern space for outdoor dining. Provide the primary retail frontage with an awning.
- Review the dimensions and use of the northern space along the rail line and its connections to the Station, the relocated laneway to the east and the existing pedestrian /cycle link along the rail line. It may be better to have a much narrower public access across the north (between the cycle path and the station) and allow the building envelope to extend northwards rather than westwards as is proposed.
- Provide active uses along the laneway to enhance the use and safety of the pedestrian and cycle link. A minimum of 6m width should be provided as a share pedestrian and cycle link. Additional setback (min 3m) is required if uses along the link are residential.
- Review and detail proposed street alignment and driveway design for vehicle movements in and out of the car park giving greater consideration to pedestrian and cycle safety entering and existing the relocated laneway, existing and future access to adjacent properties, and laneway activation.

4.0 APPROPRIATENESS OF LANDMARK

Current Context

The Marrickville Town Centre is a linear town centre along both Marrickville Road and Illawarra Road. Taller buildings mark the 'gateway' into the town centre at Marrickville Road and Victoria Road in the east. Future heights at the Marrickville Hospital mark the western gateway at Marrickville Road.

Discussion

Council's Planning Report acknowledges that *"it is appropriate in this unique Station Street precinct to create a contrasting space and building scale and form to stimulate interest and highlight the*

difference from the consistent Illawarra Road streetscape." The site specific DCP controls also reinforce the site as a landmark and propose 7 storeys along the street.

The site's location adjacent the rail station provides an opportunity to mark the station within the broader town centre context with a taller building form. The planned height for the centre is generally 5 storeys with a 3 storey street wall. The adjacent site across the rail line is 8 storeys with a 7 storey street wall. For the subject site to be legible as a landmark, addition height to the permissible 7 storeys is needed.

Recommendations

- Prepare view analysis to test alternative building forms and their landmark attributes from viewpoints along Illawarra Road.

5.0 APPROPRIATE ENVELOPE

Current Context

The DCP includes site specific building envelopes for the urban block bounded by Station Street and Schwebel Street. The envelopes include a 7 storey building facing Station Street to mark the railway station and 5 storeys along the rail line. No upper level setback is included. A six metre setback is required along the rail line to continue the pedestrian and cycle link and facilitate access to the station.

Discussion

Two building envelope options were prepared by Architectus as part of this Review and evaluated to assess the potential for increasing the development capacity of the site above the permissible controls. The options are preliminary and further resolution with the future rail station and the preferred square design is needed to fully assess the built form potential. The options include indicative envelopes for adjacent site to demonstrate how medium density housing could potentially transition in the future between the town centre and adjacent low scale residential neighbourhoods. Both options align with the existing western boundary at Station Street to maximise the width of the new square. This is reinforced by suggested revisions to the building envelopes in the block to the south along Illawarra Road, which illustrates how the alignment of the buildings could be configured to extend the public space and reinforce the new Station Street Plaza along Illawarra Road.

Option 1: Twelve Storey Tower

Option 1 includes the following:

- a twelve storey tower that aligns with the street edge and the northern pedestrian link.
- seven storey street wall transitions to the adjacent site
- 7 storey with setback to 8 storey on adjacent sites
- split level plaza with an upper and lower plaza and with a retail opportunity in the step between the upper and lower plaza
- 6m pedestrian link and laneway with active frontage

Pros

- Marks site as landmark within the town centre and along the rail line
- Lower tower than proposal with a more slender profile to reduce visual impact and overshadowing
- Small but viable tower footprint
- Maintains future redevelopment potential of adjacent sites to the south along Station Street with party wall and adequate separation of upper levels

- Potentially more feasible than 9 or 10 storeys as buildings over 8 storeys need sprinkler systems for fire, which adds cost

Cons

- Twelve storeys at Station Street without a street wall transition may be perceived as too tall by the community. Note that the tower floorplate could become unviable if reduced by upper level setbacks. If several properties in the vicinity were to develop to 7-8 storeys, then the subject site would not be seen in isolation and 12 storeys could be justified. Higher than 12 storeys is considered to be too great a transition is scale.
- Increased overshadowing of residential to the south – although this could be moderated by enabling greater development potential to nearby properties.
- Stepped plaza potentially reduces useful area of open space by incorporating stairs
- Level change at eastern edge of site adjacent the laneway is more pronounced and needs careful design. Pedestrian link only along northern edge. Cycles diverted to new laneway.

Option 2: 9 Storeys with Street Wall Form

Option 2 includes the following:

- 9 storey building along Station Street with party wall to adjacent site. Extends to north over pedestrian link to improve building length and viability of building footprint
- 6 storeys to rear facing rail corridor
- 7 storey with setback to 8 storey on adjacent sites
- flat plaza level with intersection of Schwebel Street and Station Street. An alternative could be a flat plaza level with adjoining property boundary to the south.
- 6m pedestrian link and laneway with active frontage

Pros

- Slender profile of building accentuated when viewed along Illawarra Road
- Party wall form maintains future redevelopment potential of adjacent sites to the south along Station Street
- 9 storeys on the subject site would be perceived as similar to the height of the 8 storeys building under construction across the rail line. This is because of the lower level of the plaza at Station Street.
- Level plaza may be more useful in area than a stepped plaza.
- The height can be readily supported in the current context of building heights and height controls.

Cons

- 9 storey less likely to mark site as landmark, especially if square remains at Station Street level. The effective height of a 9 storey building in relation to Illawarra Road is 8 storeys.
- 9 storeys may not be as viable as 8 or 12 due to cost of fire sprinkler systems over 8 storeys
- Lacks lower street wall. Note that the key site diagram for this site does not include a lower street wall.
- Building proportion is bulkier and squatter than tower option.
- Some level change at eastern edge of site requiring stairs. Pedestrian link only along northern edge. Cycles diverted to new laneway.

In both options the interface with the proposed rail station upgrade needs resolution.

A third option for the plaza was considered. This option would be to maintain the existing gradient of Station Street and convert it to a plaza. The existing downward slope of the street toward the station facilitates existing access to the southern station platform. A sloping plaza further segregates the plaza from the town centre public domain and may not be desirable or well utilised unless the access to the station was retained in the station upgrade. This would create a destination at the end of the plaza and assist in promoting its use. The usefulness of a sloping plaza would also need further design consideration.

Recommendations

- Consider a maximum 12 storey tower aligned with the existing Station Street boundary to mark the station within the broader town centre and context.
- Consider changes to building heights in the vicinity to enable appropriate built form transition and some greater development potential near the rail station.
- Consider changes to future building street alignments in the block to the south of Schwebel Street to reinforce the new plaza alignment and open views from the south along Illawarra Road.
- Provide a party wall transition with the adjacent to facilitate future redevelopment of these sites.
- Consider a flat square continuing the level at the intersection of Schwebel Street and Station Street as it may provide more useful open space (subject to access and details of the proposed station upgrade).

6.0 CONCLUSION

The proposed design is an overdevelopment of the site and results in significant visual and overshadowing impacts. Insufficient building separation reduces the amenity and future redevelopment potential of adjacent sites. The public space, while designed to respond to the slope of Illawarra Road, is compromised by sloped areas, stairs and building structure. The relocated laneway is too narrow and is not safe for pedestrian and cycle use.

While the site could support a landmark building within the Marrickville Town Centre and assist in providing public benefits, a more modest proposal that fits both the site and its adjacent context is needed.

The follow is a summary of the recommendation in this report:

- Support site amalgamation through change in land use zoning and land use swap at 1 Leofrene Avenue because a better development and public domain can occur.
- Increase the percentage of retail/commercial use in keeping with B2 zoning objectives at least by incorporating a mezzanine retail space opposite the new plaza.
- Prepare a feasibility assessment that values the proponent's benefit of underground parking space and the public benefit of public space embellishments.
- Review the built form of sites adjacent the subject site to define a cohesive vision for the site and its immediate context and assist in transitioning between the narrow town centre lots and the adjacent residential properties.
- Assess local open space needs for the proposed pocket park and if required determine the appropriate size for the desired use.
- Reduce the height of the proposal to a more modest landmark height and scale within the future Marrickville Town Centre context. See built form discussion below.
- Ensure building alignment is at the existing site boundary at Station Street facing Illawarra Road to maximise the depth of the plaza open to sky and the useability of the plaza.

- Reduce overshadowing of surrounding residential properties to their principal living and private open spaces.
- Increase building separation at eastern laneway to a minimum of 6m.
- Increase building separation with adjacent property to south or create party wall.
- Demonstrate appropriate redevelopment potential of the remainder of the street block.
- Prepare conceptual designs for the square to assess preferred level of square and as a guideline for the proposed development.
- Reinforce the square at Station Street adjacent Illawarra Road as the primary space for outdoor dining and retail frontage with an awning.
- Review the dimensions and use of the northern space along the rail line and its connections to the Station, the relocated laneway to the east and the existing pedestrian /cycle link along the rail line.
- Provide active uses along the laneway to enhance the use and safety of the pedestrian and cycle link.
- Review and detail proposed street alignment and driveway design for vehicle movements in and out of the car park giving greater consideration to pedestrian and cycle safety entering and existing the relocated laneway, existing and future access to adjacent properties, and laneway activation.
- Consider a maximum 12 storey tower aligned with the existing Station Street boundary to mark the station within the broader town centre and context.
- Consider changes to building heights in the vicinity to enable appropriate built form transition and some greater development potential near the rail station.
- Consider changes to future building street alignments in the block to the south of Schwebel Street to reinforce the new plaza alignment and open views from the south along Illawarra Road.
- Provide a party wall transition with the adjacent to facilitate future redevelopment of these sites.
- Consider a flat square continuing the level at the intersection of Schwebel Street and Station Street as it may provide more useful open space (subject to access and details of the proposed station upgrade).

Please contact the undersigned or Deena Ridenour, Associate, if you wish to discuss this review.

Yours sincerely,

Michael Harrison
Director, Urban Design and Planning