



INNER WEST COUNCIL

PART 1: OBJECTIVES OR INTENDED OUTCOMES

To amend Marrickville Local Environmental Plan 2011 to support the establishment of the 'Sydenham Station Creative Hub' to operate as an entertainment and employment precinct, where live music venues, small bars, restaurants and cafes thrive alongside traditional and creative industries.

PART 2: EXPLANATION OF PROVISIONS

To permit select additional permitted uses to the subject land (see Attachment 1) within the MLEP 2011 to support the development of a creative economy supporting live music and entertainment uses. The current IN1 General Industrial zone is to be retained within an inclusion of the area on the MLEP 2011 Key Sites Map and a Schedule 1 amendment to permit 'creative industries', 'small bars' and 'cafes and restaurants' within the subject land to read as follows:

Use of certain land at Marrickville

- (1) This clause applies to certain land in Marrickville as shown coloured blue on the Key Sites Map.*
- (2) Development for the following purposes is permitted with consent:*
 - (a) on land identified as "K" on the Key Sites Map – restaurants or cafes, small bars and business premises and office premises, but only where the consent authority is satisfied that the business premises and/or office premises will be used for a creative purpose such as media, advertising, fine arts and craft, design, film and television, music, publishing, performing arts, cultural heritage institutions or other related purposes.*

PART 3: JUSTIFICATION

Section A – Need for the planning proposal

1. Is the planning proposal the result of any strategic study or report?

The former Marrickville Council (now Inner West Council) has made a commitment to identifying ways it can encourage and support entertainment and live music operations throughout the local government area. This work was initiated by City of Sydney in 2013 when a taskforce of 11 experts was assembled to investigate reasons for the decline in live music and performance in Sydney. The resultant report ('*The Live Music Matters*') included recommendations aimed at fostering and sustaining live music and performance across Sydney. Areas within the former Marrickville local government area are seen as a desirable location for live music and performance venues which will benefit the wider Sydney area. A Reference Group, initiated by former Leichardt



INNER WEST COUNCIL

Council, was convened and included representatives from former Marrickville Council, the City of Sydney and the Live Music Taskforce. The Reference Group identified the industrial lands surrounding Sydenham station as a potential entertainment and live music precinct. This area was identified as a suitable location as it contains several existing live music and entertainment venues, is well located, well serviced by public transport, and is not in a residential location.

In 2014 the former Marrickville Council became involved in the Future Cities Program administered by the Future Cities Collaborative at the United States Study Centre within the University of Sydney. Council's involvement in the Future Cities Program 2014 led to the concept of a Creative Industry Hub in the Sydenham industrial lands to create a destination for Sydney that delivers entertainment live music opportunities collaboratively with traditional and creative industries.

Council completed a review of its 2008 *Marrickville Employment Lands Study* in 2014 to provide an updated strategic context for assessing proposals to rezone industrial lands in the Marrickville Local Government Area. The resultant report illustrates the changing nature of traditional industries (such as manufacturing) in the local government area and notes potential impacts on the future of Marrickville's employment lands.

The 2014 review includes *Action 3.2 Continue to plan for a Sydenham music/entertainment precinct* which notes that Sydenham already contains a number of live music venues. The study states that any increase in residential population should be resisted and that any relaxation of development controls needs to be done in a measured way so as not to compromise existing operations.

The Marrickville Community Strategic Plan seeks to support 'creative industries' throughout the Marrickville area. The MLEP 2011 contains a definition for creative industries within Part 6 (6.5 Creative Industries). Clause 6.12 of MLEP 2011 (Business and office premises in certain zones) permits business and office premises within the IN2 Light Industrial and B7 Business Park zone provided they are to be used for creative purposes only. This planning proposal seeks to enable this clause to also apply to the subject area to support creative industries.

It is considered that the development of an industry and arts hub presents an opportunity to also support and encourage creative industries. This is consistent with the Marrickville Community Strategic Plan 2023 Key Result Area 2.1 '*Marrickville is a creative community participating in arts and cultural activities at all stages of life*'.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal seeks to amend current planning controls to support the development of a creative hub including entertainment facilities, traditional and



INNER WEST COUNCIL

creative industries. The planning proposal seeks to ensure existing traditional industries can continue to operate by retaining the existing IN1 General Industrial zone, whilst expanding the range and type of industries able to operate within the precinct. The planning proposal also seeks to permit business premises and office premises in the subject area provided they are used for creative purposes. Several additional complementary land uses are also proposed to be made permissible with consent within the precinct being small bars, cafes and restaurants.

The area benefits from its proximity to Sydenham Station which operates as one of the major interchange train stations within the Sydney rail network. The area is also serviced by various bus routes and is within walking distance of the main Marrickville Road commercial area. Industrial land within inner Sydney (which includes the subject area) is in a process of evolving from traditional industrial activities, such as textiles and manufacturing, to modern industrial operations such as logistics, small scale food production and creative industries. To remain viable and attractive, older industrial areas need to transform and modernise.

Amenity impacts, including the cost of noise reduction mitigation, have been identified as one of the major impediments facing the live music and entertainment industry. These issues can be particularly acute where live music and entertainment venues are located in close proximity to residential dwellings. One of the major benefits of the proposed location is the limited existing residential land uses. Residential accommodation is not a permissible land use within the IN1 General Industrial zones. The planning proposal is not introducing any residential accommodation into the subject area.

'Entertainment facilities' are permissible with development consent within the IN1 General Industrial zone. As noted previously, several music and entertainment venues operate within or near to the subject area. To support and encourage these types of activities within the subject area, it is considered necessary to permit select additional land uses within the precinct.

The MLEP 2011 contains the following clause:

6.12 Business and office premises in certain zones

- (1) The objective of this clause is to promote certain types of business and office premises in Zone IN2 Light Industrial and Zone B7 Business Park.*
- (2) This clause applies to land in the following zones:*
 - (a) Zone IN2 Light Industrial,*
 - (b) Zone B7 Business Park.*
- (3) Development consent must not be granted to development for the purpose of business premises or office premises on land to which this clause applies unless the consent authority is satisfied that the*



INNER WEST COUNCIL

development will be used for a creative purpose such as media, advertising, fine arts and craft, design, film and television, music, publishing, performing arts, cultural heritage institutions or other related purposes.

The clause will be applied to the subject site via the MLEP 2011 Key Site Map and Schedule 1 of MLEP 2011 to achieve the aim of retaining an industrial function for the area, whilst supporting the development of an entertainment and creative economy. The complementary additional permitted uses of 'small bars' and 'restaurants and cafes' aim to support the evolution of the precinct as a creative hub.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited plans or strategies)?

The Marrickville local government area is contained within the Central subregion within 'A Plan for Growing Sydney'. Council is currently awaiting release of the applicable District Plan to guide future development and planning proposals within its area. 'A Plan for Growing Sydney' identifies certain industries as priority industries, including creative industries. It also identifies one of the priorities of the central subregion to 'identify and protect strategically important industrial-zoned land.'

It is considered that this Planning Proposal demonstrates strategic merit, however Council lacks clarity as to which industrial/employment lands within the Marrickville LGA are considered to be of strategic importance. The 2014 Marrickville Employment Lands Review supported the progression of the project on the proviso that the proposal did not include any residential development and that any change in development controls does not compromise existing businesses within the precinct. It is considered that the proposal is consistent with the 2014 Marrickville Employment Lands Review as it does not include residential accommodation and retains the current industrial zoning for the land.

4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Marrickville Council's LEP was gazetted by the State Government in 2011, and follows the directions contained within the Sydney Metropolitan Strategy and within the draft South Subregional Strategy. The LEP identifies industrial land for retention and protection, and accords them a General Industrial zoning to limit the range of land uses permissible in these areas.

Notwithstanding the above, industrial land within inner Sydney (which includes the subject area) is in a process of evolving from traditional industrial activities, such as textiles and manufacturing, to modern industrial operations such as

logistics, small scale food production and creative industries. To remain viable and attractive, older industrial sites need to transform and modernise.

The planning proposal aims to retain the existing industrial zoning for the subject area to accommodate existing businesses, whilst allowing for the area to modernise and serve the changing needs of the local community.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

SEPP (State and Regional Development) 2011

This SEPP aims to identify development that is State significant development, to identify development that is State significant infrastructure and critical State significant infrastructure and to confer functions on joint regional planning panels to determine development applications.

This Planning Policy does not relate to development of State significance or critical infrastructure and therefore is consistent with this SEPP.

SEPP (Urban Renewal) 2010

This SEPP establishes a process for assessing and identifying sites as urban renewal precincts, to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precinct, and to facilitate delivery of the objectives of any applicable government, State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

This Planning Proposal does not relate to an identified urban renewal precinct. This Planning Policy is considered consistent with this SEPP.

SEPP (Affordable Rental Housing) 2009

This SEPP establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people.

This Planning Proposal does not relate to the provision of residential accommodation. Therefore, the Planning Proposal is considered to be consistent with this SEPP.

SEPP (Exempt and Complying Development Codes) 2008

This SEPP simplifies assessment processes for development that complies with specified development standards. It identifies types of minor development that



may be carried out without development consent, or carried out in accordance with a complying development certificate.

None of the matters in this Planning Proposal raise issues in relation to this SEPP, and Council has concluded that the Planning Proposal is consistent with this SEPP.

SEPP (Infrastructure) 2007

SEPP (Infrastructure) 2007 provides a consistent planning regime for infrastructure and the provision of services across NSW. It is intended to provide greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

This Planning Policy does not relate to the provision of infrastructure or infrastructure related facilities. This Planning Proposal is considered consistent with this SEPP.

SEPP (Major Development) 2005

This SEPP defines certain developments as 'major projects' to be assessed under Part 3A of the EP&A Act and determined by the Minister for Planning. It also provides planning provisions for State significant sites.

This Planning Proposal does not relate to sites that have been, or are likely to be, subject to developments defined as major development. Council has concluded that the Planning Proposal is consistent with this SEPP.

SEPP (Building Sustainability Index: BASIX) 2004

This SEPP operates in conjunction with EP&A Amendment (Building Sustainability Index: BASIX) Regulation 2004 to implement consistent building sustainability provisions across NSW.

This Planning Proposal does not directly or indirectly affect BASIX or any provision that relates to building sustainability. Council has concluded that the Planning Proposal is consistent with this SEPP.

SEPP (Housing for Seniors or People with a Disability) 2004

This SEPP encourages the development of quality accommodation for the ageing population and for people who have disabilities, in keeping with the local neighbourhood.

This Planning Proposal does not affect housing for seniors or for people with disability, nor does it affect any provision within this SEPP. Council has concluded that the Planning Proposal is consistent with this SEPP.

SEPP No. 65 - Design Quality of Residential Flat Development 2002



This SEPP aims to improve the quality of design of residential flat development across the NSW through the application of design principles. It provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development and involvement of a qualified designer throughout the design, approval and construction stages.

This Planning Proposal does not relate to residential flat building design provisions, nor does it affect any provision within this SEPP. Council has concluded that the Planning Proposal is consistent with this SEPP.

SEPP No. 55 - Remediation of Land 1998

This SEPP introduces planning controls for the remediation of contaminated land across NSW. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must be undertaken before the land is developed.

As this Planning Proposal relates to industrially zoned land it is considered that this SEPP is relevant. However, this Planning Proposal retains the current IN1 General Industrial zoning of the area and does not introduce more sensitive land uses. The proposed additional Schedule 1 uses are not considered likely to increase the risk to health or the environment from contamination as the uses remain of a commercial nature. For this reason, this Planning Proposal is considered to be consistent with this SEPP.

SEPP 33 – Hazardous and Offensive Development

This SEPP provides definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The definitions apply to all planning instruments, existing and future. The new definitions enable decisions to approve or refuse a development to be based on the merit of the proposal.

This Planning proposal does not relate to allowing 'hazardous industry', 'hazardous storage establishment', 'offensive industry' or 'offensive storage establishment' as a permissible use within the IN1 General Industrial zone. This Planning Proposal is considered consistent with this SEPP.

SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land) 1991

This SEPP aims to ensure the NSW Government's urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy.

This Planning Policy does not relate to redevelopment of urban land as is considered consistent with this SEPP.

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

Below the Planning Proposal has been assessed against all relevant and applicable Ministerial Directions (s.117 Directions).

1. Employment and Resources

1.1 Business and Industrial Zones

This Direction applies when a relevant planning authority prepares a Planning Proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). This Direction is relevant to this Planning Proposal.

The objectives of this Ministerial Direction are to:

- (a) *encourage employment growth in suitable locations,*
- (b) *protect employment land in business and industrial zones, and*
- (c) *support the viability of identified strategic centres.*

This Direction dictates that the Planning Proposal must:

- 4.(b) retain the areas and locations of existing business and industrial zones;*
- (d) not reduce the total potential floor space area for industrial uses in industrial zones.*

This Planning Proposal is retaining an IN1 General Industrial zoning for the subject area. Therefore, the quantum of land available for industrial purposes is not being reduced.

Consequently, the planning proposal is considered to be consistent with this direction.

2. Environment and Heritage

2.1 Environment Protection Zones

The objective of this direction is to protect and conserve environmentally sensitive areas. This direction applies when a relevant planning authority prepares a planning proposal.

A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to

a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "*Rural Lands*".

This planning proposal does not relate to environmentally sensitive areas. This planning proposal is considered to be consistent with this direction.

2.3 Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This direction applies when a relevant planning authority prepares a planning proposal.

Where this direction applies a planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the *National Parks and Wildlife Act 1974*, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

This planning proposal does not alter the existing provisions within the MLEP 2011 which facilitate to conservation of heritage within the Marrickville LGA. Therefore, this planning proposal is considered consistent with this direction.

3. Housing, Infrastructure and Urban Development

3.4 Integrating Land Use & Transport

This Direction applies when a relevant planning authority prepares a Planning Proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. It is relevant as this Planning Proposal relates to rezoning land from IN1 General Industrial to IN2 Light Industrial within the MLEP 2011.

During the development of the MLEP 2011, the aims, objectives and principles of:

- (a) *Improving Transport choice – Guidelines for planning and development (DUAP 2001) and*
- (b) *The Right Place for Business and Services – Planning Policy (DUAP 2001)*

were taken into consideration. This Planning Policy does not propose the addition or reduction in amount of industrially zoned land.

It is considered that this Planning Proposal is consistent with the objectives of this Direction.

3.5 Development Near Licensed Aerodromes

This Direction applies when a relevant planning authority prepares a Planning Proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome. The aim of this Direction is to ensure the effective and safe operation of aerodromes; to ensure that their operation is not compromised by development and sure that development for residential purposes and human occupation incorporates appropriate mitigation measures where appropriate. It is relevant to this Planning Proposal as it applies to land zoned IN1 General Industrial and located close to Sydney Airport.

Whilst this Planning Proposal affects land in the vicinity of Sydney Airport, it is retaining an industrial zoning for this land and is not proposing any residential accommodation. It is considered that the proposed additional uses are consistent with the effective and safe operations of Sydney Airport.

This Planning Proposal affects land affected by the ANEF greater than 30. Clause 6.5 *Development in areas subject to aircraft noise* within the MLEP 2011 contains controls relating to noise attenuation and the requirements of AS 2021.

It is considered that this Planning Proposal is consistent with this Direction.

4. Hazard and Risk

4.1 Acid Sulfate Soils

This Direction applies when a relevant planning authority prepares a Planning Proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps. It is relevant to this Planning Proposal as it relates to land affected by acid sulfate soils.

This Planning Proposal applies to land affected by acid sulfate soil, but does not propose an intensification of land uses on land containing acid sulfate soils. The MLEP 2011 contains controls relating to development on land affected by acid sulfate soils within Clause 6.1 *Acid sulfate soils*.

It is considered that this Planning Proposal is consistent with this Direction.

4.3 Flood Prone Land

This Direction applies when a relevant planning authority prepares a Planning Proposal that creates, removes or alters a zone or a provision that affects flood prone land. This is relevant to this Planning Proposal as it relates to land which is identified as flood affected. It is not considered that the proposed rezoning of the

subject land this will result in a significant intensification of development on affected land.

Development upon industrially zoned land is controlled through the MLEP 2011. Clause 6.3 *Flood Planning* of MLEP 2011 contains controls relating to development on flood affected land. The MLEP 2011 was prepared in accordance with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*. The MLEP 2011 was gazetted by the State Government in 2011.

This Planning Proposal is considered to be consistent with the provisions of this Direction.

6. Local Plan Making

6.1 Approval and Referral Requirements

This Direction applies when a relevant planning authority prepares a Planning Proposal. It is not considered that this Planning Proposal will create instances requiring concurrence, consultation or referral of development applications to a Minister or public authority. This Planning Proposal does not identify development as designated development.

It is considered that this Planning Proposal is consistent with this Direction.

6.2 Reserving Land for Public Purposes

This Direction applies when a relevant planning authority prepares a Planning Proposal. This Planning Proposal does not create, alter or reduce existing zonings or reservations of land for public purposes. This Planning Proposal does not relate to land zoned for public purposes.

It is considered that this Planning Proposal is consistent with this Direction.

7 Metropolitan Planning

7.1 Implementation of A Plan for Growing Sydney

This Direction applies when a relevant planning authority prepares a Planning Proposal. To be consistent with this Direction, a Planning Proposal must be consistent with the NSW Government's *A Plan for Growing Sydney*.

As previously discussed, this Planning Proposal is not considered to be consistent with *A Plan for Growing Sydney*. However, Council currently lacks the information required to make an assessment of the proposal's consistency regarding the protection of strategically important industrial land. Investigation of the proposal is supported within the 2014 Marrickville Employment Lands Review subject to certain parameters.

Section C – Environmental, social and economic impact

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

No. There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No, there is no likelihood for any other significant environmental effects from this Planning Proposal.

9. Has the planning proposal adequately addressed any social and economic effects?

Social Impacts

A social impact assessment for the proposal was commissioned by Marrickville Council and completed in May 2016 (see Attachment 2 documents). The report specifically looked at the areas of:

1. Risks of alcohol-related harm
2. Risks to pedestrians
3. Employment risk

Recommended mitigation measures are provided to respond to the issues identified. The proposed strategy and related DCP for the precinct will be required to identify and respond to each of the issues identified.

Risks of alcohol related harm

The report examines the current legislative framework relating to liquor licences including the Liquor Act 2007, Liquor Amendment (Small Bars) Act 2013 and the roles of the Office of Liquor, Gaming and Racing, the Independent Liquor Authority and local Councils.

The report notes that there is a relationship between later trading and alcohol related harm; as well as between the density of licences premises and alcohol related harm. Despite this, opportunities for council to limit trading hours or the density of licenced premises are limited. Consequently, the report states *'Marrickville Council should exercise caution in seeking to introduce live music venues to the Sydenham Creative and Traditional Industries Precinct so that in the context of poor density controls, it does not lose control of the density of such venues'*. (p. 22)

The report also identifies other social impacts related to alcohol consumption including noise and amenity issues such as public urination and public safety.

The report recommends the following actions:

1. Treat live music as one of the creative industries so as to avoid expectations and pressures associated with designating an entertainment precinct. This would also encourage day time creative activities and protect existing night time industries (e.g. bakeries) from incompatible nearby uses.
2. Prepare a creative and traditional industries precinct policy/strategy which takes account of the epidemiology of alcohol-related harm, diversity of current industries, diversity of industries in the precinct in future, the current built form and its limits and opportunities. Carry the strategy findings into both the LEP and the DCP.
3. Set clear and specific standards in the DCP to apply to development applications, including specific limits on the size and density of licensed premises, presence of packaged liquor outlets, and trading hours in the precinct and on its borders.
4. Establish a precinct-wide limit to service of alcohol of (say) 2.00 am (consistent with the proposal's emphasis on small bars) so as to ensure that the precinct's primary raison d'être is creative and traditional industries rather than an entertainment precinct.
5. Use the project to require improvements in acoustics when buildings are upgraded (to protect occupants from aircraft noise).

Risks to pedestrians

The report states that the creation of the precinct particularly if there is an increased in licenced premises, will result in an increased risk for pedestrians. Risks currently exist due to the relatively high level of traffic traversing the precinct, including trucks and other large vehicles. Currently, there are limited pedestrian crossings in the precinct.

Potential mitigation measures are identified as follows:

1. Create a quieter precinct on weekends (perhaps via posted speed limit restrictions, traffic calming devices or possibly by re-routing of traffic from Buckley Street to Sydney Street on weekends), whilst ensuring trucks are able to access roads and lanes to deliver goods to factories.
2. Improve pedestrian routes between the precinct and major public transport routes aimed at separating pedestrians from major traffic concentrations. (For example, provide an access trail from Sydenham

Station to Barclay Street along the (unnamed) lane connecting Railway Parade with Barclay Street).

3. Improve existing pedestrian crossings and increase pedestrian crossings on Sydenham Road. In the longer term, investigate the feasibility of a pedestrian tunnel running from Sydenham station to Railway Parade.
4. Improve street lighting and apply crime prevention through urban design principles to street improvements and upgrades.

Employment risks

The report notes that importance of not displacing existing industries and employment within the precinct. The report states that this can be assisted by existing use rights and maintaining the current subdivision patterns. Further, that if the change is gradual the negative social impacts will be minimised.

Mitigation measures identified to support creative and traditional industries are:

1. In order to reduce risks to existing industries use the proposed consultation strategy to anticipate impacts of any built form changes on business operation or viability (impact of street works on truck access).
2. Introduce a weekend street market (perhaps in Barclay Street) based on creative and traditional industries already in the area. Encourage traditional businesses to participate as a way of increasing their turnover.

A number of risks and benefits in establishing a creative and traditional industries and entertainment precinct are identified in the report. The report concludes that, due to the issues identified, the promotion of live music requires a well thought out, robust and consistent policy framework. Further, that a good policy should anticipate perverse consequences and proceed with caution (the precautionary principle) where adverse consequences are likely and difficult to prevent.

The report recommends that Council prepare a creative and traditional industries precinct policy/strategy which takes account of the epidemiology of alcohol-related harm, diversity of current industries, diversity of industries in the precinct and future, the current built form and its limits and opportunities, and that these findings be utilised in a DCP for the precinct.

Economic Impacts

The former Marrickville Council considered a report on the proposal in August 2015 (Attachment 3) which identified the need for an economic study to assess potential outcomes of the project. Specifically, the report stated that 'the vision's introduction of the range of new land uses may alter demand and the value of land within the precinct.'



Council's Economic Development Officer has raised some concerns with the proposal as follows:

- *This is not an industrial area in decline but one that is highly successful and the prime contributor to the fact that manufacturing is still the biggest employer in Marrickville and the biggest contributor to Gross Domestic Product.*
- *The existing industries are extremely valuable to the local economy, utilising many other local services and products and providing a range of employment from unskilled to highly skilled, technical and creative.*
- *Staff employed in the existing local businesses support the local economy as contributors to lunchtime trade and shopping.*
- *The proposed live music and late night economy businesses have a much narrower range of employment opportunities but will augment the growing number of food and entertainment venues currently locating in the Marrickville CBD and periphery.*
- *Competition for space for any new business in this precinct is extreme as it is a highly desirable and sought after area for relocation for like businesses moving from areas such as Alexandria.*
- *Local commercial real estate agencies advise that landlords are now able to pick and choose who they want as tenants at substantially higher rents. The current vacancy rate (August 2015) is under 2%.*
- *Council should be cautious in applying anecdotal evidence and/or macro-economic findings to any project being considered for this precinct to ensure its value to the local economy is enhanced, not diminished.*

Following consideration of the report, the then Council resolved to commission an economic study to assess potential impacts of the proposal. However, the funding allocated at the time was inadequate to progress the study and has not progressed further at this stage.

Additional community consultation was undertaken in August-September 2016 to respond to some concerns raised by local business owners and operators regarding their ability to operate in the longer term under the original proposal to rezone the land to IN2 Light Industrial. The resultant planning proposal responds to these concerns by retaining the existing IN1 General Industrial zone whilst permitting select additional permitted uses.

Council considered a further report in October 2016 (Attachment 2) on the revised proposed and adopted, amongst others, the following recommendation:

4. *Prepare and places on public exhibition with the planning proposal an economic study and strategy for a Development Control Plan (DCP) for*

the precinct should the planning proposal receive Gateway approval. The DCP to include (amongst other things) a creative industries policy, licensed premises controls and plans for public domain improvements.

As per the recommendation, it is considered appropriate that this study be undertaken following consideration of the proposal by the Department of Planning & Environment (DP&E). This will provide an opportunity for the DP&E to input to the study brief and identify other matters for consideration in the assessment. The subsequent strategy and DCP will address matters identified within both the social and economic impact assessments.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

It is considered there is adequate public infrastructure to accommodate this Planning Proposal. The vacancy rate for the subject area is currently very low. This Planning Proposal relates to pre-existing industrial land which is serviced by adequate public infrastructure. Localised infrastructure issues can be assessed as part of any development application applying to a particular site.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

In accordance with the gateway determination process, State and Commonwealth public authorities have not been formally consulted and it is proposed this will occur at the community consultation stage.

PART 4: MAPPING

Attachment 1 shows the subject area and its current land use zoning. The zoning is not proposed to change from the current IN1 General Industrial zone.

PART 5: COMMUNITY CONSULTATION

Council undertook an initial consultation process in April 2016 via the following means:

- Dedicated webpage on 'Your Say Marrickville' requesting feedback on matters including the proposed vision; location; and rezoning of land;
- Direct notification to 430 landowners/occupants via letters;
- Leaflet letter drop to approximately 8000 properties adjoining the subject area.

Following representation from concerned land and business owners, Council undertook a further period of direct consultation in August/September 2016. This involved face to face meetings with land and business owners who wished to discuss the proposal. People who attended meetings were told to also put their concerns in writing. The results of both consultant processes are included within Attachment 2 documentation.

PART 6: PROJECT TIMELINE

Following are estimated dates (month/year) for completion of key tasks in the planning proposal process:

- anticipated commencement date (date of Gateway determination) – February 2017;
- anticipated timeframe for the completion of required technical information – May 2017;
- timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) – to be determined after Gateway determination;
- commencement and completion dates for public exhibition period – July 2017
- dates for public hearing (if required) – N/A at this stage;
- timeframe for consideration of submissions – September-October 2017;
- timeframe for the consideration of a proposal post exhibition – December 2017;
- date of submission to the Department to finalise the LEP – February 2018;
- anticipated date RPA will make the plan (if delegated) – April 2018;
- anticipated date RPA will forward to the Department for notification – May 2018.

FOR ACTION**Meeting:** COUNCIL**Meeting Date:** 18/08/2015**TO:** Manager, Planning Services (Marcus Rowan)

Subject: Update and Project Plan - Sydenham Station Creative Hub**Target Date:** 18/08/2015**Notes:**

Public speaker: Cosmo Popodopolous**Motion:** (Haylen/Brooks)**THAT:**

1. the report be received and noted; and
2. Council endorses the project plan and allocates \$20,000 to do the necessary preliminary work for a Planning Proposal for the precinct and \$10,000 to do the necessary stakeholder engagements as soon as possible.

Motion Carried**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Haylen, Iskandar, Leary and Woods**Against Motion:** Councillor Macri

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