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Jamie Erken
Acting Manager, Planning Services, Marrickville

PLANNING PROPOSAL –183 & 218 NEW CANTERBURY ROAD, LEWISHAM

With reference to correspondence dated 22 September 2016, we on behalf of the applicant;

Mr Patrick Sarkis, Illuminate Living Pty Ltd, 23/72-76 Parramatta Road, Camperdown NSW 2050, hereby request that the planning proposal is to be amended to delete 218 New Canterbury Road, Lewisham site from the application.

The planning proposal now only relates to 183 New Canterbury Road, Lewisham site.

Enclosed is an updated planning report and traffic report relating to this.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'Albert Becerra', with a large, stylized flourish extending to the right.

Albert Becerra
Director

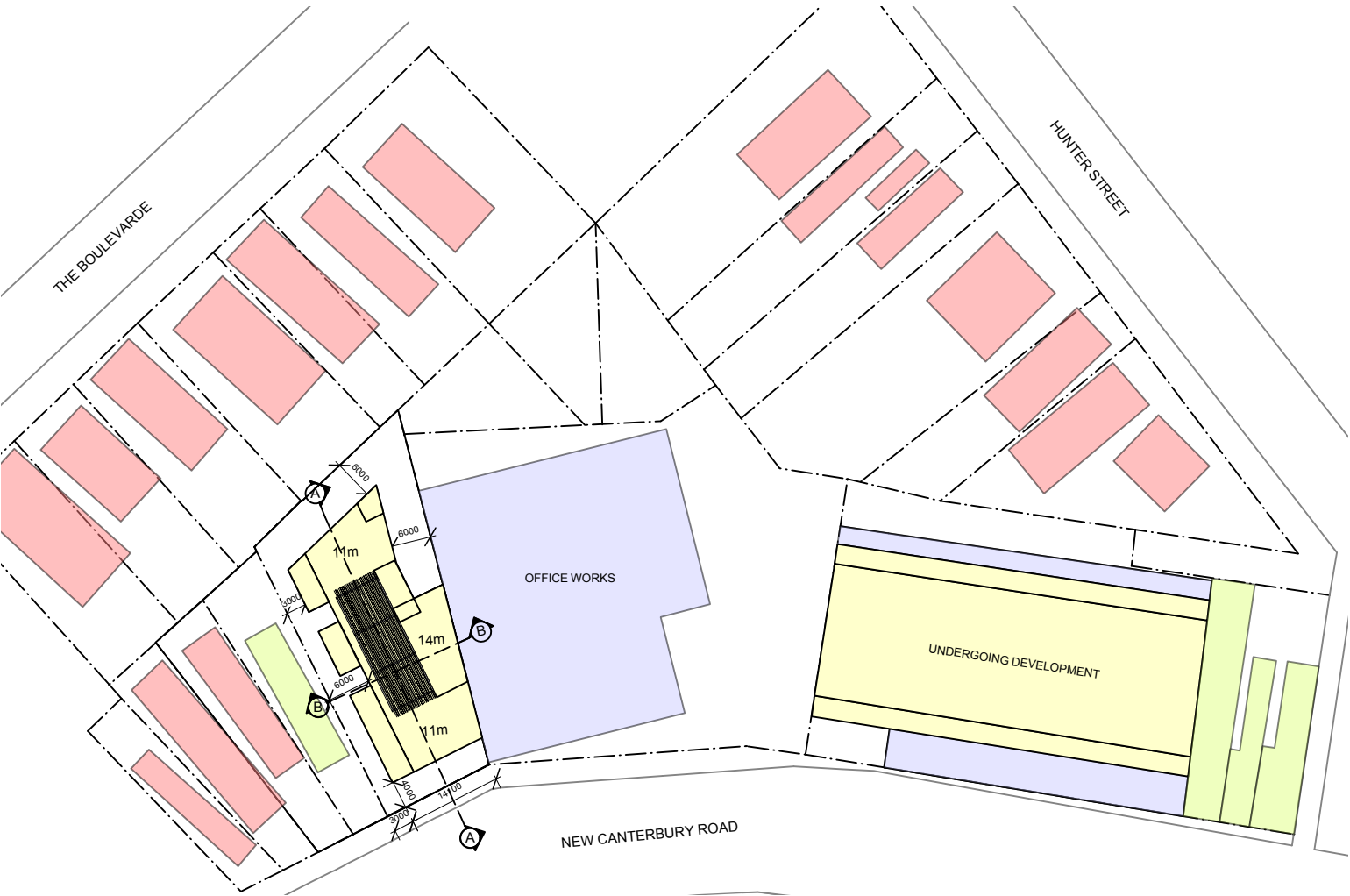
183 New Canterbury Road Planning Proposal



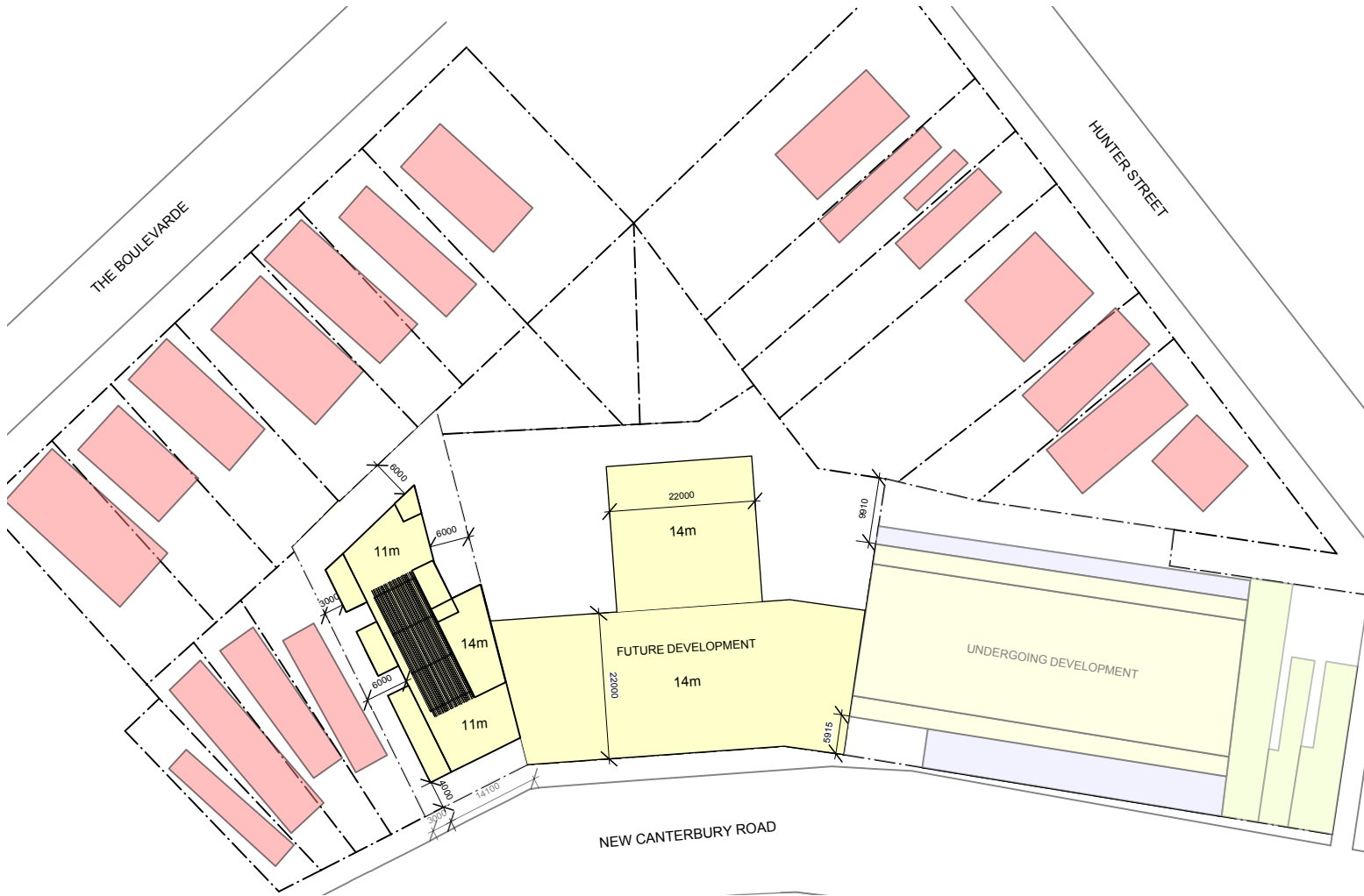
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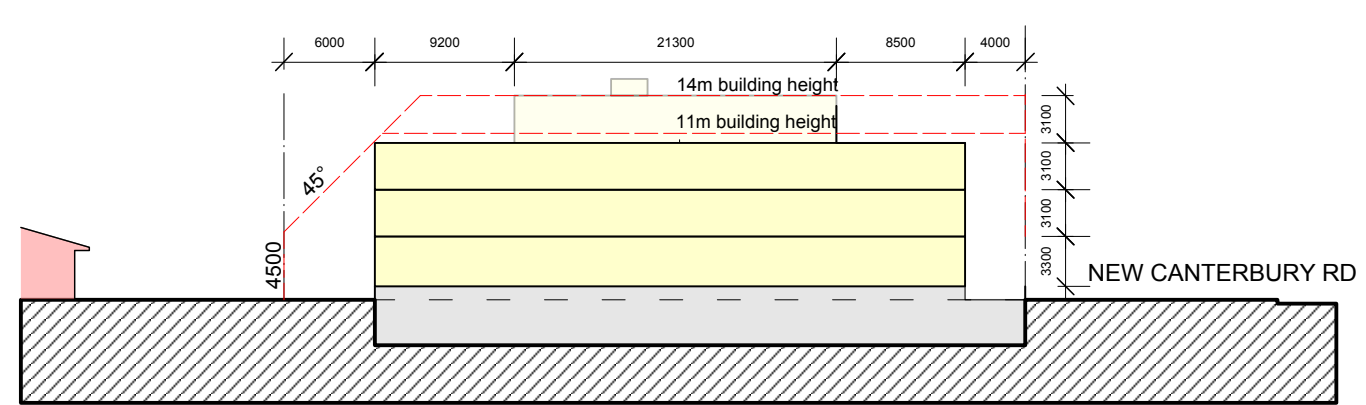
B Issued for planning approval VG 18/7/16 A Issued for review AB 03.06.115 Revision Amendment By Date				 Architects Berra G01, 1 Layton Street Camperdown NSW 2050 e architects@archb.com.au t 02 9557 2288 f 02 9557 2287 www.archb.com.au		Project Planning proposal 183 New Canterbury Rd Client ILLUMINATE LIVING PTY LTD Title Cover Page		Drawn By VG Checked By		Dwg Date: September 1 Scale 1:1000@A3		Project No. 1522 Drawing No. A100 Rev B	
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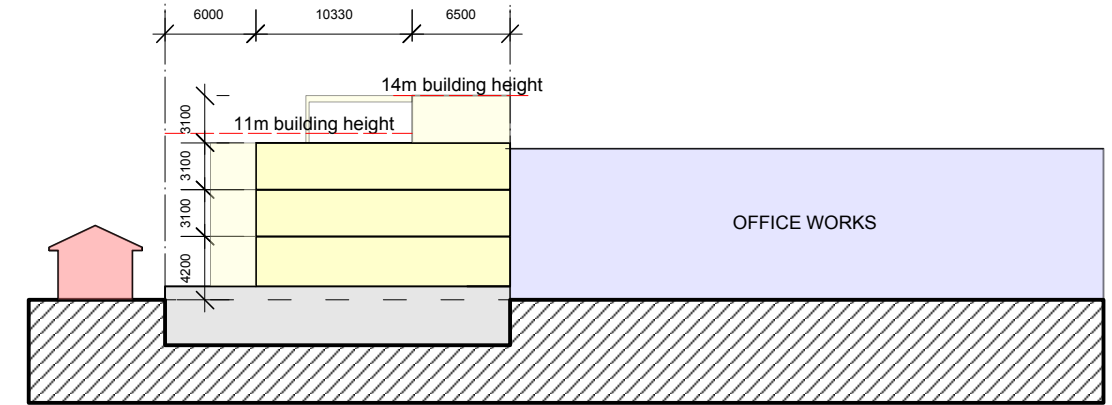
1 **PROPOSED DEVELOPMENT**
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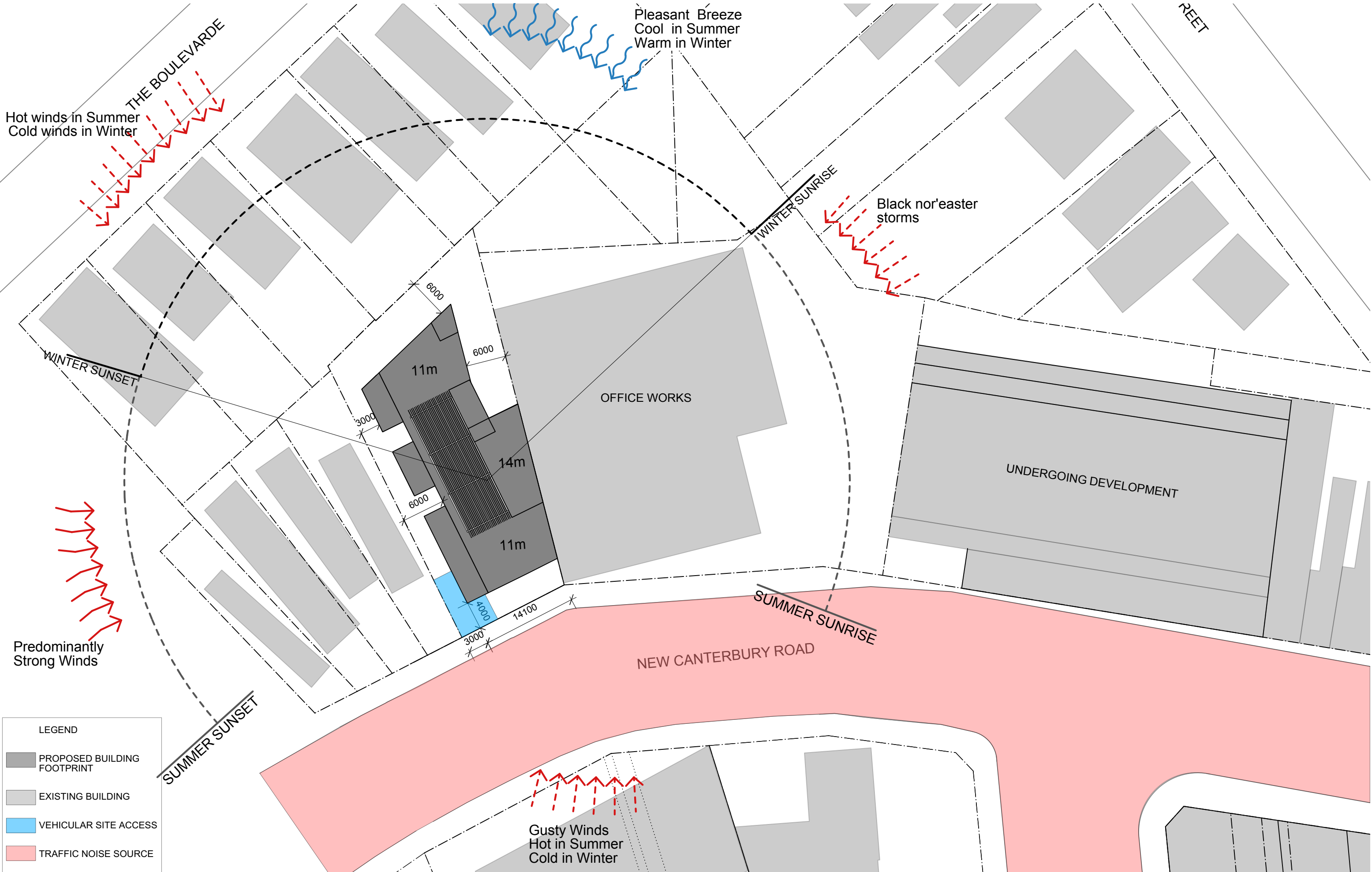
2 **FUTURE DEVELOPMENT**
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SECTION A



SECTION B



LEGEND

- PROPOSED BUILDING FOOTPRINT
- EXISTING BUILDING
- VEHICULAR SITE ACCESS
- TRAFFIC NOISE SOURCE

APARTMENT MIX

20 UNITS, INCLUDING:

- 2 x STUDIOS OR 10%
- 9 x 1 BEDROOM UNITS 45%
- 9 x 2 BEDROOM UNITS OR 45%

ADAPTABLE DWELLINGS

20% OF DWELLINGS: 4 UNITS

FLOOR SPACE RATIO

SITE AREA: 1110m²
PROPOSED GROSS FLOOR AREA: 1555m²
FSR: 1.4/1

CROSS VENTILATION

13/20 UNITS ARE CROSS VENTILATED
THEREFORE 65% ARE CROSS VENTILATED

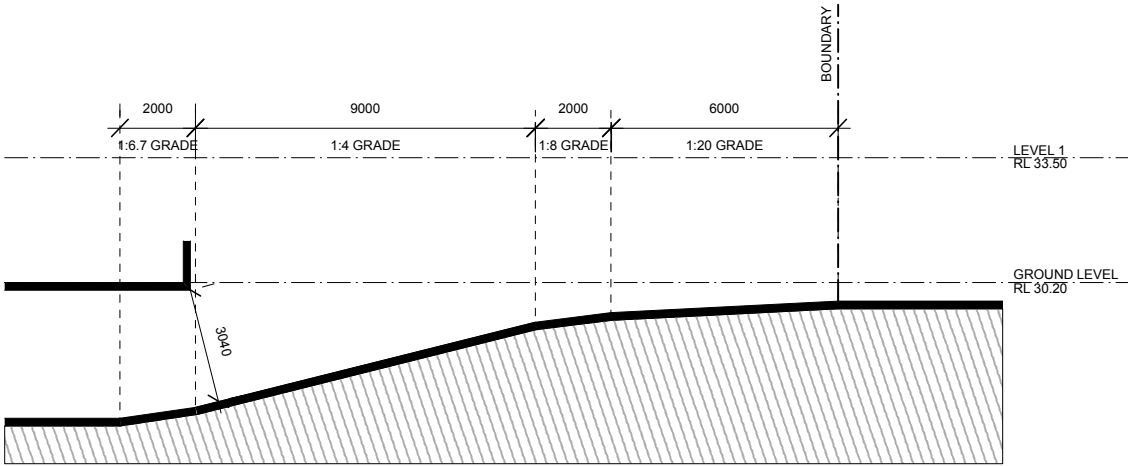
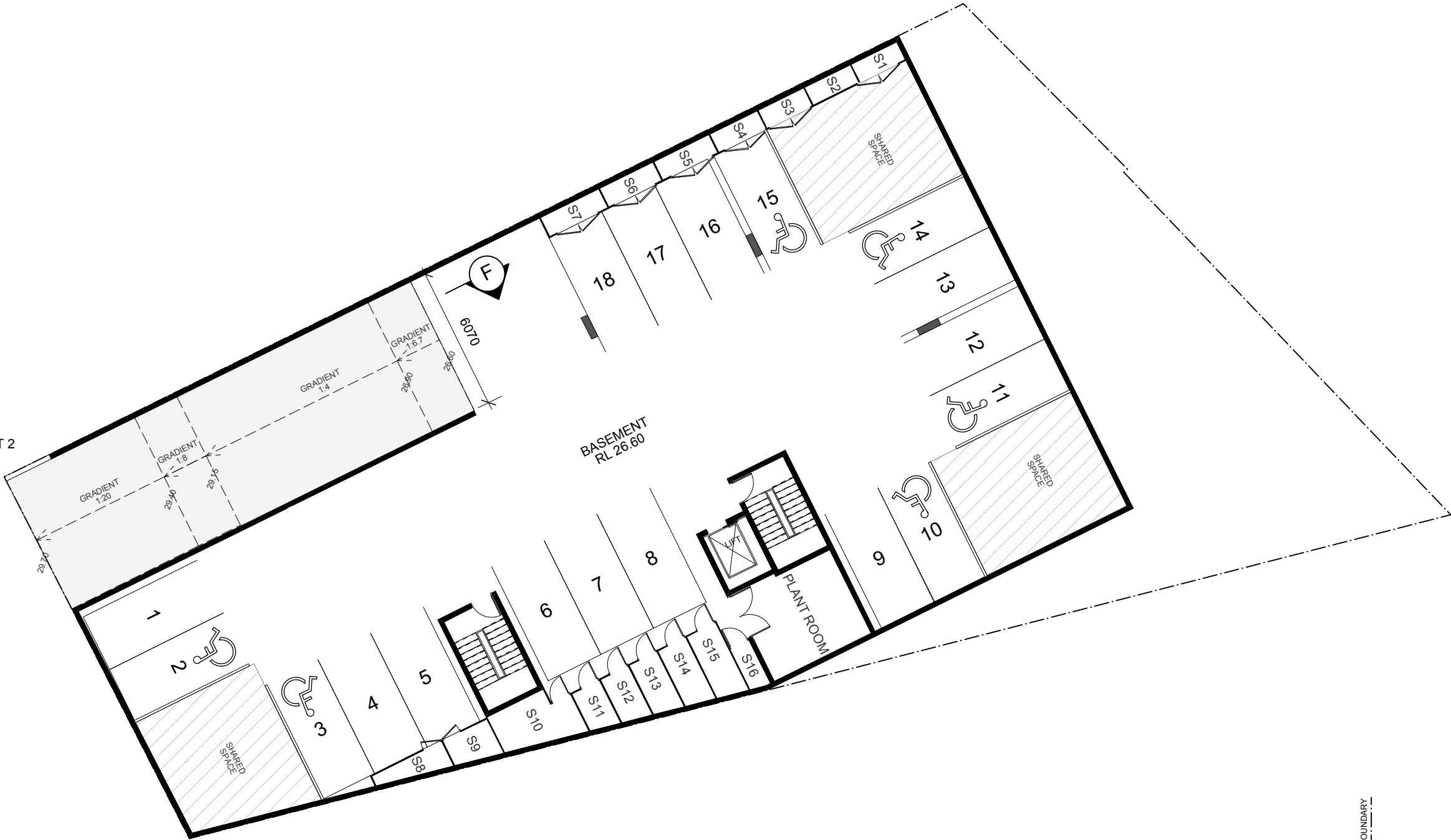
ACCESS TO SUNLIGHT

16/20 HAVE ACCESS TO SUNLIGHT FOR AT LEAST 2 HOURS DURING THE WINTER SOLSTICE, THEREFORE 80% HAVE ACCESS TO SUNLIGHT.

3 UNITS, OR 15%, DO NOT HAVE ACCESS TO SUNLIGHT.

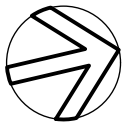
LANDSCAPING

THERE IS 359m² OF LANDSCAPING, OR 32% OF THE SITE AREA,
205m² OF THE GROUND FLOOR IS DEEP ROOT PLANTING, OR 18% OF THE SITE.



F SECTION THROUGH RAMP
1:200

B	Issued for planning approval	VG	18/7/16
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Revision	Amendment	By	Date



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Project	Planning proposal 183 New Canterbury Rd	Drawn By	VG	Dwg Date:	JAN 16	Project No.	1522
Client	ILLUMINATE LIVING PTY LTD	Checked By		Scale	1:200@A3	Drawing No.	A114
Title	183 Basement					Rev	B



1 GROUND FLOOR PLAN
1:100

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Client	ILLUMINATE LIVING PTY LTD	Checked By	Scale 1:200@A3	Drawing No. Rev A115 B
Title	183 Ground floor			



1 FIRST FLOOR PLAN
1:100

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Project Planning proposal
183 New Canterbury Rd
Client ILLUMINATE LIVING PTY LTD
Title 183 Level 1

Drawn By VG
Checked By

Dwg Date: JAN 16
Scale 1:200@A3

Project No. 1522
Drawing No. Rev A116 B



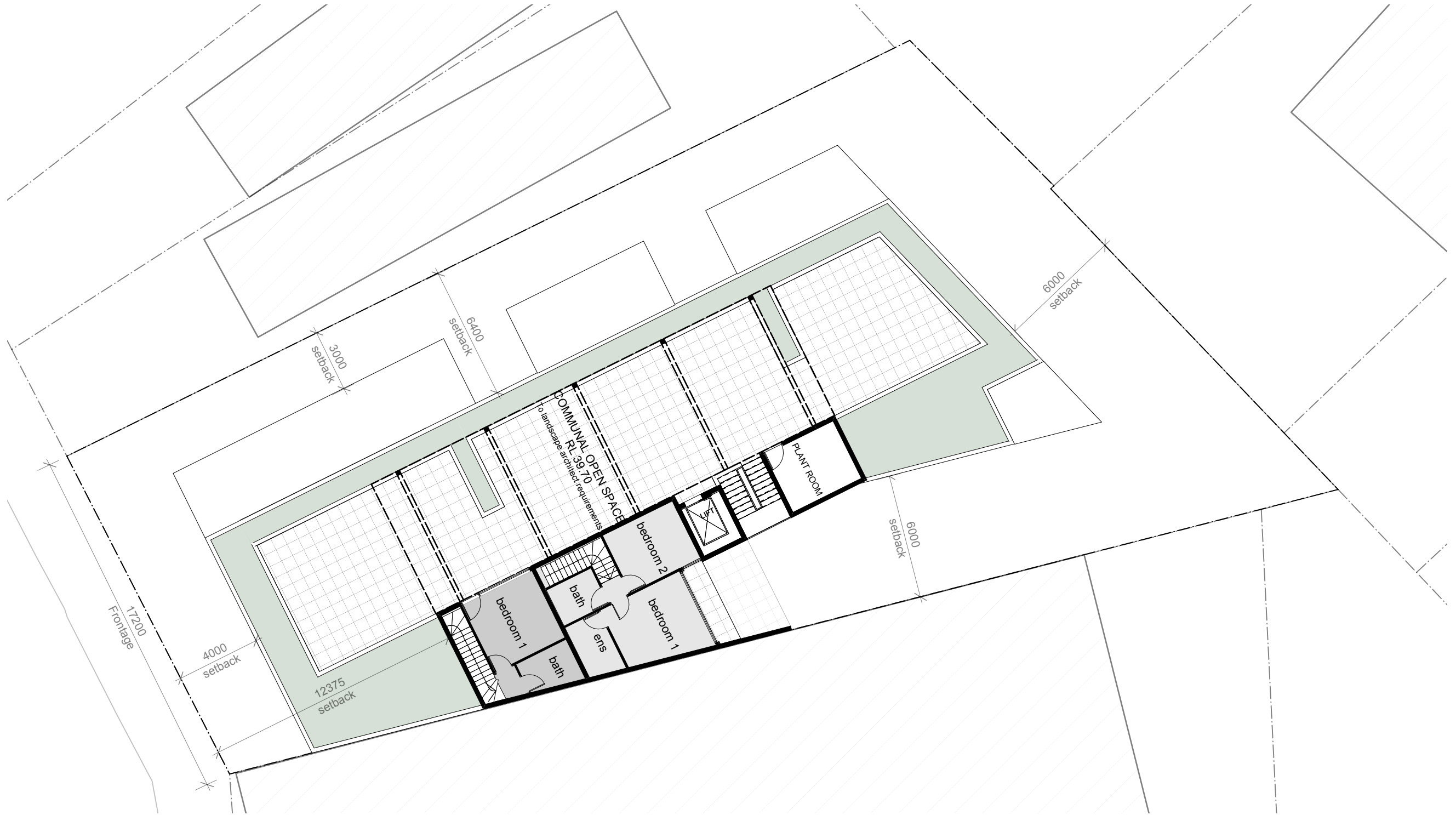
1 SECOND FLOOR PLAN
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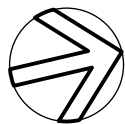
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Client	ILLUMINATE LIVING PTY LTD	Checked By		Scale	1:200@A3	Drawing No.	A117
Title	183 Level 2					Rev	B



1 ROOF PLAN
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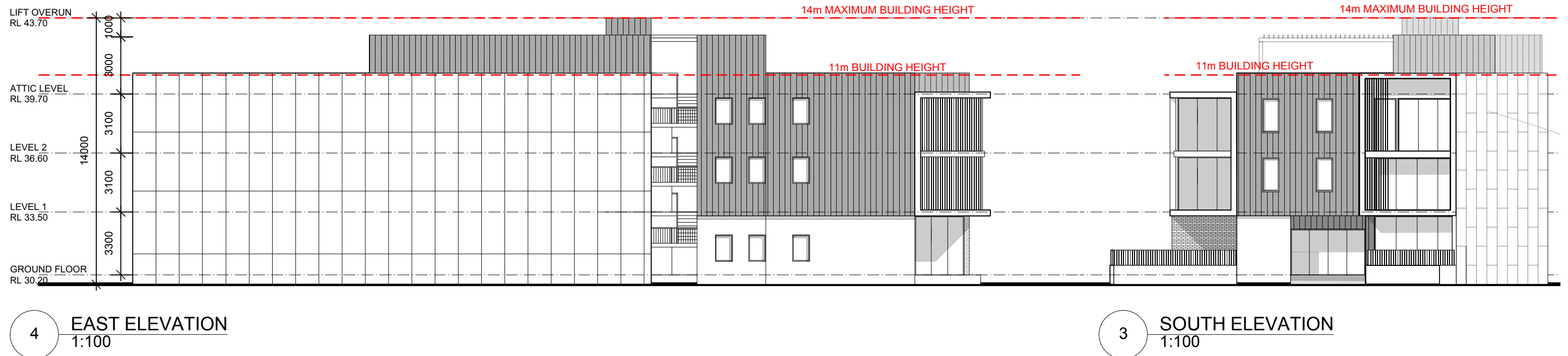
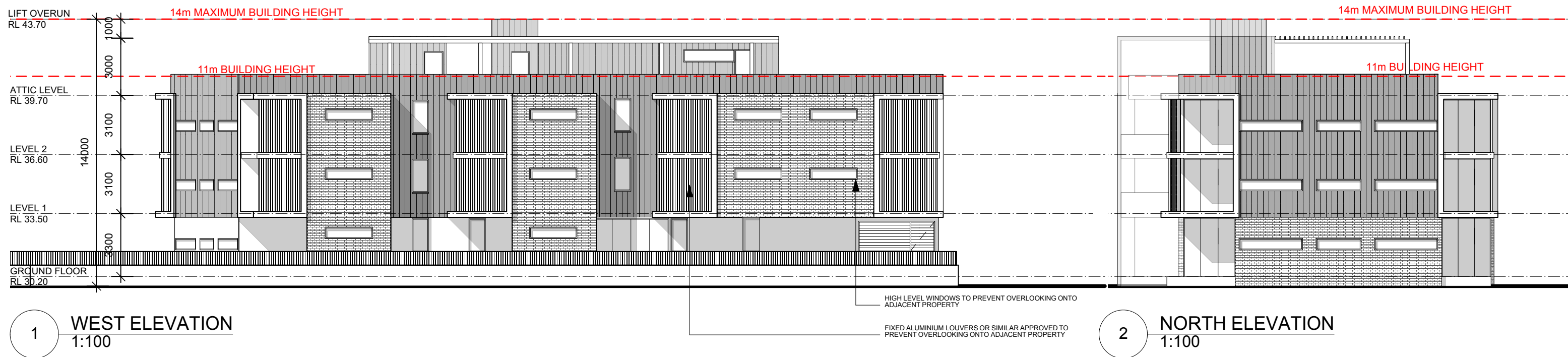
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Revision Amendment

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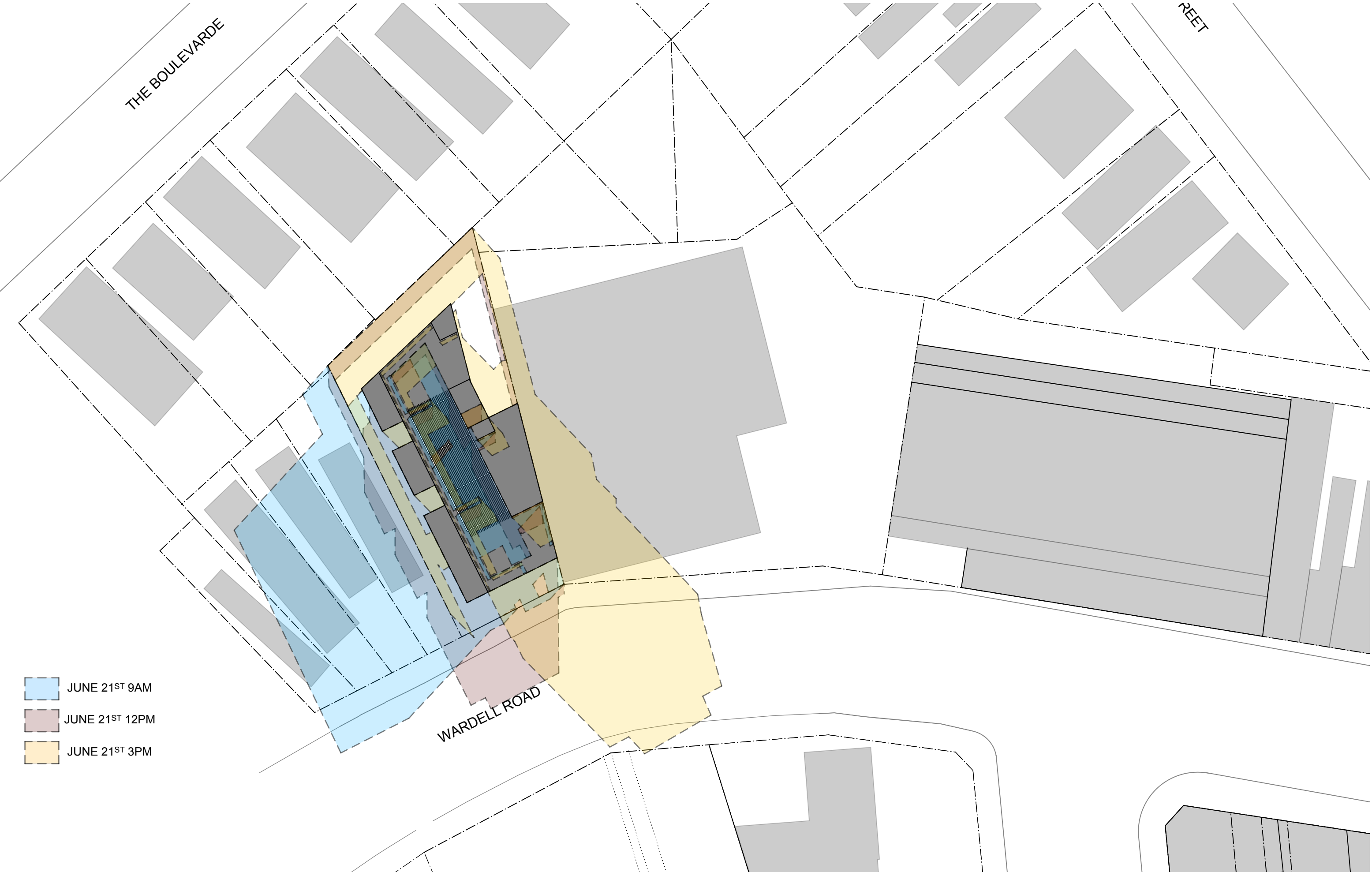


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Project	Planning proposal 183 New Canterbury Rd	Drawn By VG	Dwg Date: JAN 16	Project No. 1522
Client	ILLUMINATE LIVING PTY LTD	Checked By	Scale 1:200@A3	Drawing No. Rev A118 B
Title	183 Level 3			

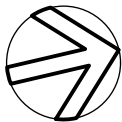


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					Client ILLUMINATE LIVING PTY LTD	Checked By	Scale 1:200@A3	Drawing No. Rev A119 B
					Title 183 Elevations			



-  JUNE 21ST 9AM
-  JUNE 21ST 12PM
-  JUNE 21ST 3PM

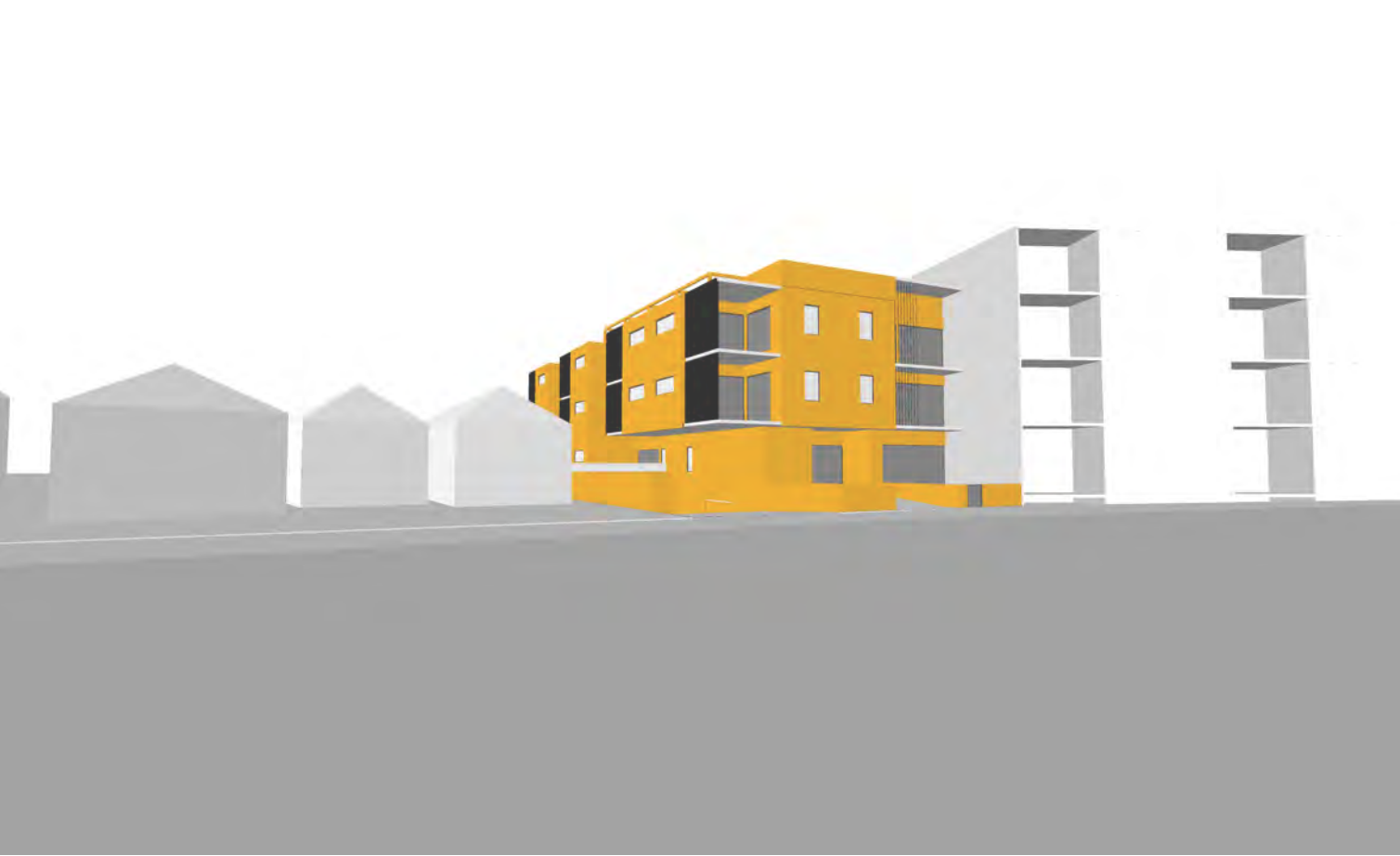
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Revision	Amendment	By	Date



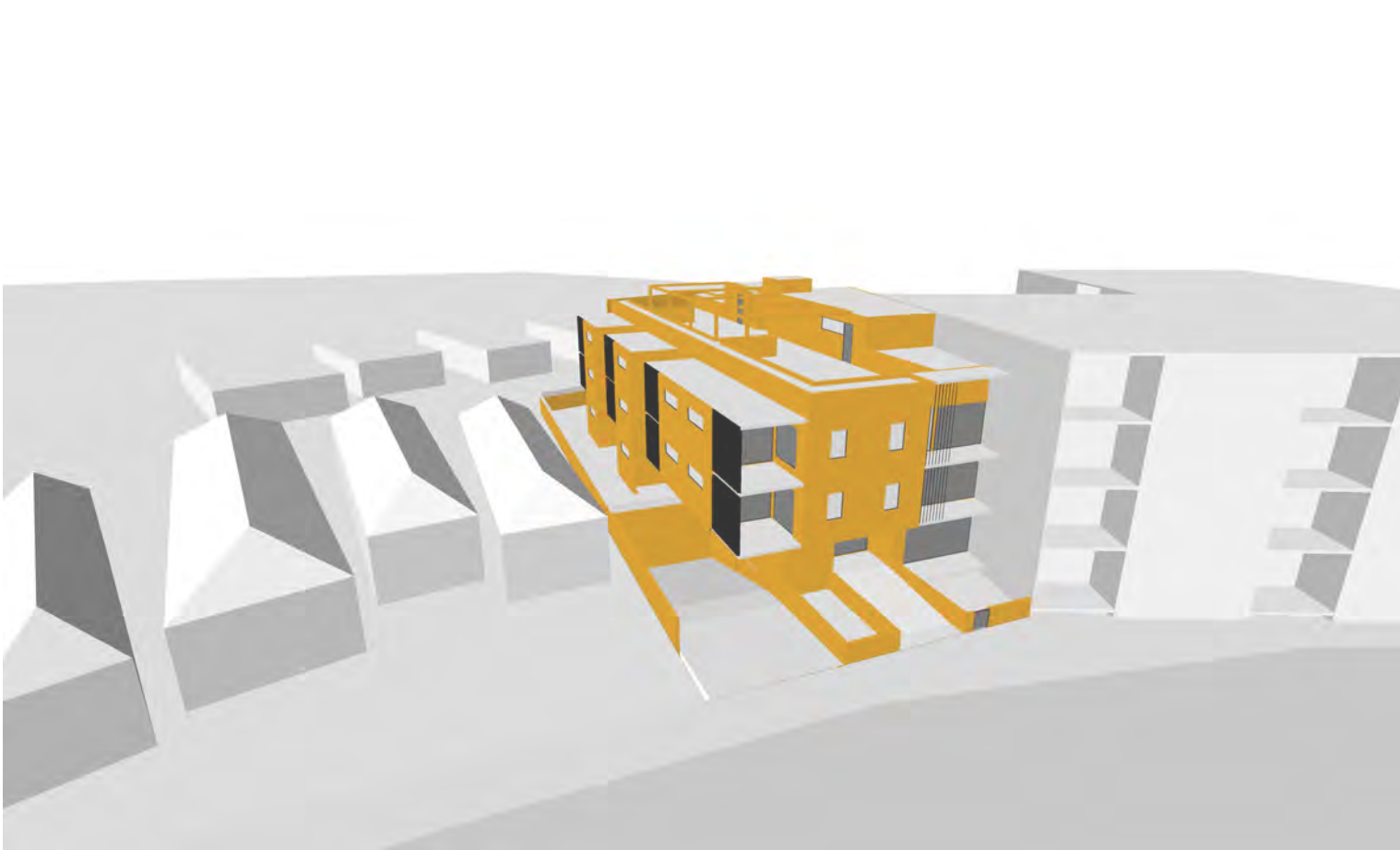
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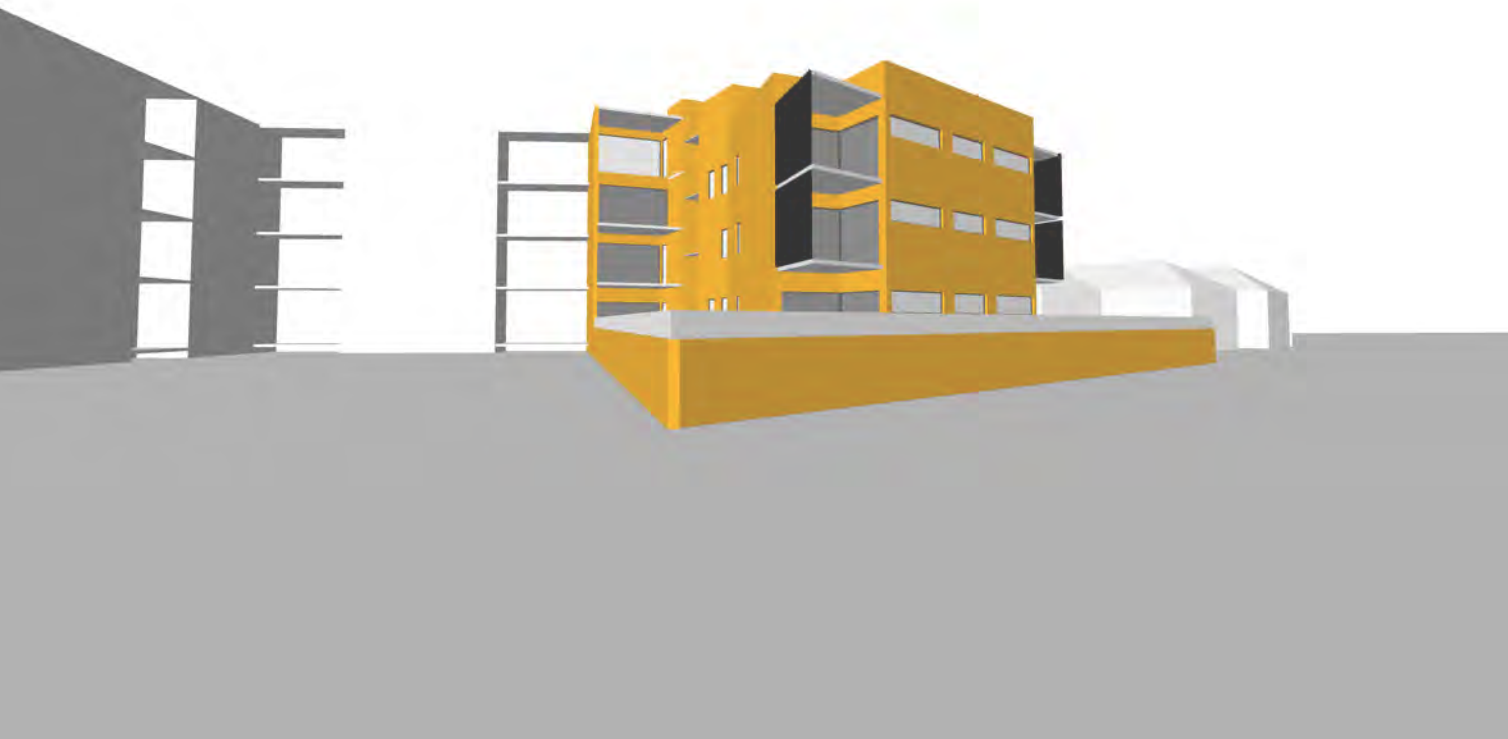
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Title	183 Shadow diagrams					Rev	B



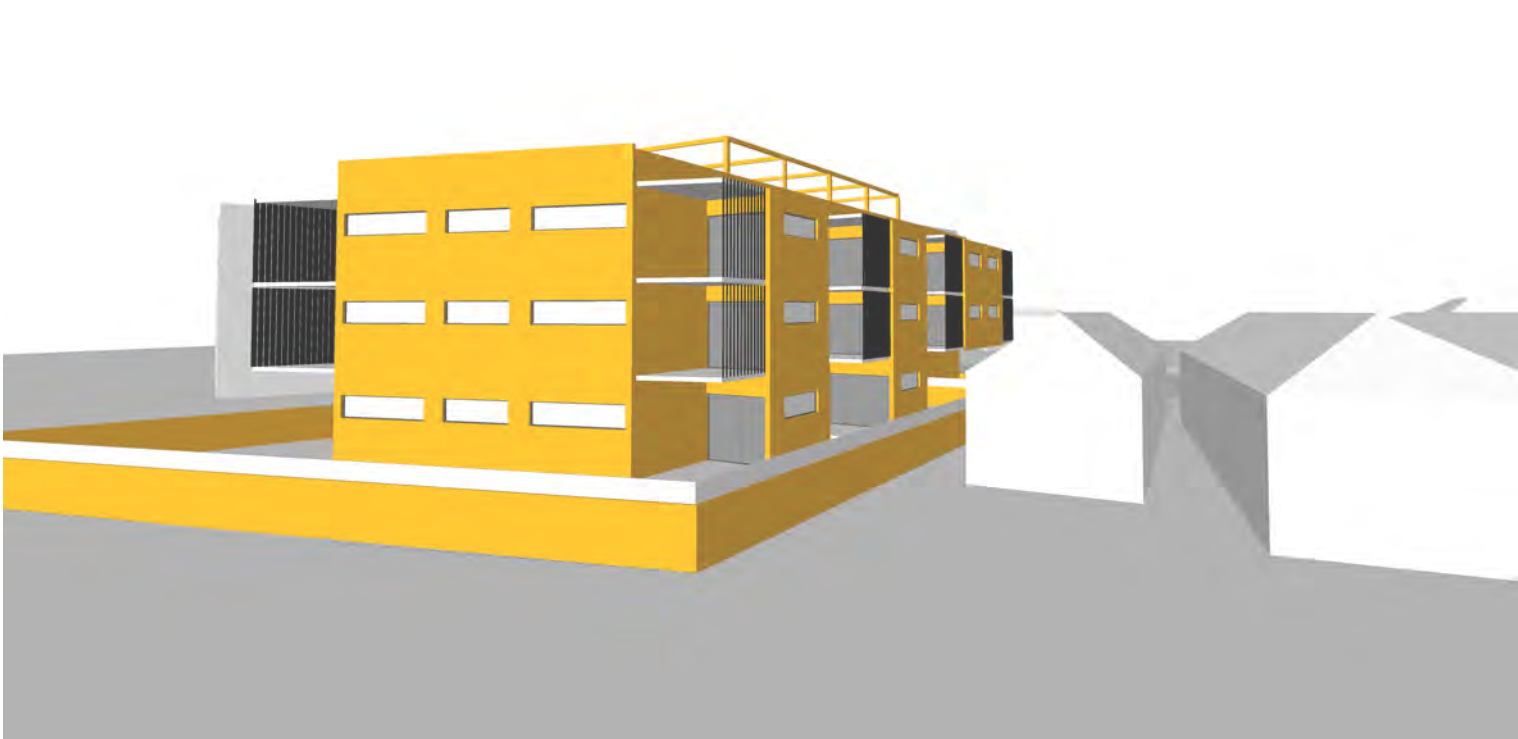
Street view



Aerial view



Rear view



Rear view 2

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B A Revision	Issued for planning approval Issued for review Amendment	VG AB By	18/7/16 03.06.115 Date			Client Title	ILLUMINATE LIVING PTY LTD 183 Massing	Checked By	Scale 1:200@A3	Drawing No. Rev A121 B



PLANNING PROPOSAL

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183 & 203 NEW CANTERBURY ROAD,
LEWISHAM

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Preface

A Planning Proposal is the first step in proposing amendments to Council's principle environmental planning instrument, known as the Marrickville Local Environmental Plan MLEP) 2011. A Planning Proposal sets out the change to the local plan; explains the intended effect of the proposed amendment and provides justification for making the change. The Planning Proposal is submitted to the NSW Department of Planning and Environment (DP&E) for its consideration, referred to as the Gateway Determination, and is also made available to the public as part of the community consultation process. This report sets out the reasoning and justification and assesses the relevant matters for consideration, namely the S117 Directions and other relevant provisions.

Part 1 Introduction

- 1.1. Andrew Martin Planning Pty Ltd has been engaged by Illuminate Living Pty Ltd, (herein referred to as the 'proponent') to prepare a Planning Proposal, for **two (2) sites** known as Lot 81 DP 748418, No. **183 New Canterbury Road** (SITE A) and Lot 9 DP 653758 **203 New Canterbury Road** Lewisham (SITE C), to be submitted to Marrickville Council (the "Council"). Site B was previously included in the original submission and has since been deleted from this planning proposal.
- 1.2. The objective of the proposal is to ensure that the future development of the subject sites reflects the most appropriate strategic land use which in this case is residential. The proposed rezoning reflects the desired future character of the area and furthers Council's strategic vision for the broader Inner West LGA. More broadly, it is the State Governments priority to increase residential densities in this region offering housing diversity around well-established centres that are close to public transport, places of employment and local services. In this regard, the location of the sites, offering a transition between the Petersham Commercial Area and existing traditional residential areas is ideal for this development typology.
- 1.3. The primary purpose of the Planning Proposal is to rezone Site A to **R4 High Density Residential** and Site C to **R2 Low Density Residential** pursuant to Marrickville LEP 2011 (MDCP 2011). The pre-planning advice provided to the proponent confirms Council's request to include No. 203 New Canterbury Road Lewisham (this site has the proposed R2 Low Density zoning). As a consequence of the zoning amendments changes are also required to the Floor Space Ratio (FSR) and Height of Buildings (HOB) development standards which are included together with foreshadowed amendments to the MDCP 2011. The high level framework amendments to the MDCP 2011 are based on the Urban Design Study (UDS) supporting the planning proposal. The final scheme was developed in consultation with an experienced urban designer having prepared the UDS. The UDS identified opportunities and constraints and forms the basis upon which the setbacks and heights have been developed for Site A (also referred to as 'the development site').
- 1.4. Architectural plans (referred to as the 'Concept Plans') have been prepared to demonstrate the development potential of Site A while there is no requirement to identify the future development of Site C due to its proposed low density zoning. The UDS includes a development concept for the adjoining light industrial sites to the east of Site A (site to east being the Office Works site). The plans demonstrate how the two land parcels can redevelop in the future having regard to the adjoining residential zones and

the proposed R4 High Density Residential. Site C will adopt the lower R2 low density residential zone and as such the existing dwelling post gazettal will be a permissible use rather than a non conforming use with existing use rights. The UDS includes Site B however the UDS will have no purpose with regard to Site B given that Site B is now deleted from the planning proposal.

- 1.5. Overall, the Concept Plans submitted as part of the planning proposal reflect Council's strategic direction for this fragmented node of industrial land together with the current residential development provisions adopted by Marrickville Council, SEPP 65 (Apartment Design Guidelines); Council's advice to the proponent regarding the potential development of the sites; and desired FSR and building heights pursuant to MLEP 2011. Council has recently supported the rezoning of the site known as the Georgiou's Chocolate factory. That site was zoned IN2 Light Industrial and is to be rezoned to B5. Unlike the subject sites the Georgiou's site has heritage constraints and was supported with a scheduled use prohibition to residential uses on the ground floor. The subject sites are located further to the west of the town centre and Councils pre-planning proposal advice confirmed that full residential was the preferred option for these sites with no requirement for retail or commercial on the ground floor.

- 1.6. For reference purposes the sites subject to the planning proposal are known as:

Site A – No. 183 New Canterbury Road: Northern side of road, next to Office Works, currently the Ceramic Tile Outlet.

Site C – No. 203 New Canterbury Road: Western side of 183 New Canterbury Road and currently occupied by a residential dwelling.

- 1.7. Council specifically requested that Site C be included with the Planning Proposal. Council advised that any proposal needed to put forward a well documented case for the proposed amendment in relation to the existing and future character of the area. To this end, any proposal needed to address the hierarchy of the Petersham Commercial Area, the approved rezoning provisions of the Georgiou's Chocolate Factory and the existing low density residential development to the north and west of the subject sites.
- 1.8. The UDS submitted as part of the planning proposal documentation includes a possible option for the redevelopment of the adjoining Officeworks site to the east of 183 New Canterbury Road. The UDS demonstrates how a built form can be achieved across the adjoining site to the east providing a coordinated development approach that will deliver the desired future character.

- 1.9. The amended Planning Proposal has been carefully reworked, taking on board the comments and recommendations offered by Council together with the broader strategic urban design outcomes. The Planning Proposal embraces the likely population growth, employment opportunities and local services and provides a suitable interface to the surrounding residential properties by transitioning heights across Site A. The proposed FSR for Site A provides a **1.5:1** FSR. Height proposed under the amending proposal ranges from **11m** predominately over 3 levels to 14m for a small area set to the eastern boundary up to the **14m** height control. The interface with residential is 11m which is compatible with the intended **9.5m** height control for 203 New Canterbury Road.
- 1.10. The Planning Proposal is supported by architectural plans prepared by Architects Becerra; Urban Design Study (UDS) report prepared by Urbanac; geotechnical report prepared by Benviron Group; Site Assessment Report by Benviron Group; and a Traffic Impact Assessment Report, prepared by Varga Traffic Planning. Collectively the plans and reports demonstrate that the land is suitable for residential use.
- 1.11. The planning proposal is considered appropriate for the following reasons:
- Achieves the objectives and outcomes of the *A Plan for Growing Sydney* by utilising existing infrastructure to provide new housing within existing urban environment to achieve new housing targets, growth and investment for Sydney.
 - Located in proximity to the Petersham town centre to the east.
 - Provides increased residential density close to transport, employment, accessibility and affordability in a more effective way than traditional suburban/detached housing delivering a public transport orientated development.
 - Reduces fragmented industrial uses that are more appropriately located within larger integrated industrial estates.
 - Provides opportunities for more housing choice in the area to service increased numbers of working couples, single occupancy households and group households.
 - The development contributes to the economic viability of the area and the additional local population will support local services and retail offerings in Petersham.
 - The ultimate development will be designed to achieve the objectives of the Apartment Design Guide and SEPP 65
 - Additional housing will provide a residential presence, increase diversity and safety and reduce journey to work times which in turn improves quality of life.
 - The proposal represents the efficient use of available land, sustainable and energy efficient development and has the effect of relieving land

-
- pressure in outer ring areas that do not have the required level of infrastructure.
- Provides affordable housing
 - The heights subject of the Planning Proposal provide for transitioning on the edges of the site. The additional height on Site A does not impact on the residential development within the adjoining R2 low density zone.
- 1.12. As such, the proposal accords with Sydney Metropolitan and Inner West Council's planning objectives. It is in the public interest and satisfies the overarching objectives of the Environmental Planning and Assessment Act, 1979.
- 1.13. The rezoning of the two sites requires the following amendments to the Marrickville LEP 2011 Map Series__001 and Marrickville DCP 2011:
- Marrickville LEP 2011 **Land Zoning** Map__01 for Sites A to **R4 High Density Residential** and Site C to **R2 Low Density Residential**, and
 - Marrickville LEP 2011 **Height of Building** Map__001 to indicate a maximum permissible height of **14m** on Site A and **9.5m** on Site C, and
 - Marrickville LEP 2011 **Floor Space Ratio** Map__001 to indicate a maximum permissible floor space ratio of **1.5:1** for Site A and **0.6:1** for Site C.
 - Marrickville DCP 2011 (Section 9.23 Petersham (Commercial Precinct 36) - include indicative building location, height, storeys, setbacks and land uses as shown in the schematic accompanying diagrams prepared by Becerra Architects and Urbanac. The design notes within the UDS will form the basis for the amendments to MDCP 2011.
- 1.14. The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (*EP&A Act*) and the relevant Department of Planning Guidelines including '*A Guide to Preparing Planning Proposals*'.
- 1.15. The Planning Proposal report comprises eleven Parts. Part 1 is the Introduction, Part 2 provides details of the subject site and surrounding development, Part 3 provides a strategic planning , including a social profile; Part 4 describes the Concept Plans for the subject sites;

Part 5 contains info on Marrickville LEP 2011 and DCP 2011, Part 5 provides a preliminary assessment of the Concept Plans under SEPP 55 (Remediation of Land) and SEPP 65 Apartment Design Guidelines; Part 7 comprises the Objectives or Intended Outcomes, Part 8 comprises the Explanation of the Provisions, Part 9 comprises the Justification, Part 10 is the Conclusion and Part 11 is a reference list of documents and websites consulted to assist in preparing the Planning Proposal.

Part 2 Planning Proposal Sites and Surrounding Development

2.1 Planning Proposal Subject Sites

This Planning Proposal relates to Nos. 183 & 203 New Canterbury Road, Lewisham, Local Government Area of Marrickville.



*Figure 1 – Location of No. 183 & 203 New Canterbury Road, Lewisham
(Source: Sixmaps NSW)*

Site A: 183 New Canterbury Road, Lewisham (Lot 81 DP 748418)
Site Area: 1,100sqm
Floor space existing (approx): 1,800sqm
Irregular shaped allotment – 17m frontage to New Canterbury Road, side boundaries of 55m & 45m and rear boundary of 30m
Access to the site is via New Canterbury Road
Existing occupancy: Ceramic Tile Outlet

Site A is currently zoned **IN2 – Light Industrial** under Marrickville LEP 2011; subject to a FSR of **0.95:1** and has no height controls.

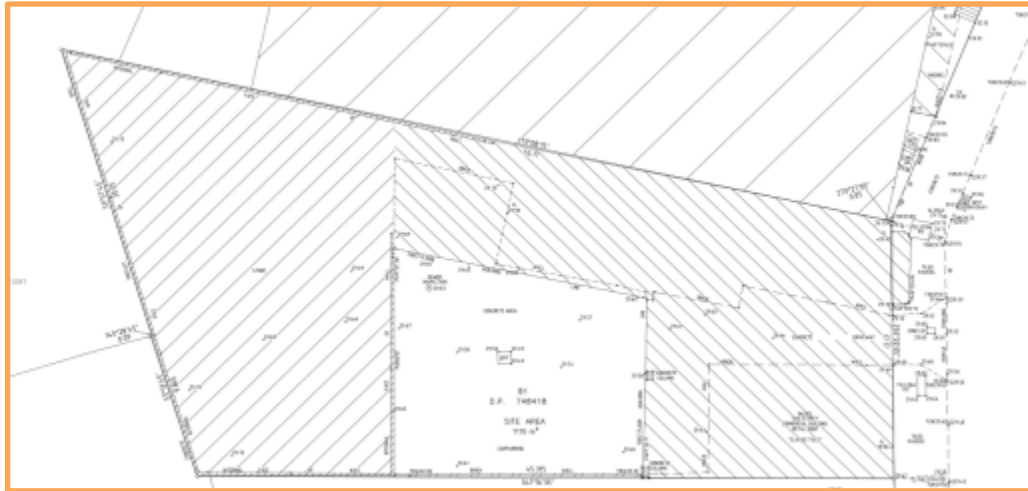


Figure 2 –Survey plan of No. 183 New Canterbury Road, Lewisham



Figure 3 –Photo of current building and occupation of No. 183 New Canterbury Road, Lewisham

Site C – 203 New Canterbury Road Lewisham

The site is known as Lot 9 DP 653758 203 New Canterbury Road Lewisham. The site has a total site area of 332.48sqm with a regular residential frontage to New Canterbury Road and driveway cross over. Erected on the site is a single storey residential cottage with parking forward of the building line. The site is currently entitled to an FSR of **0.95:1**.



Figure 4 –Photo of No. 203 New Canterbury Road, Lewisham

2.2 Adjoining and Adjacent Development

Adjoining the subject both sites to the north and west is low density residential development. Adjoining to the east is Officeworks and Georgiou's chocolate factory and Rug warehouse (No. 147 New Canterbury Road) (subject of a recent rezoning). To the south is a service station and mechanical workshop facing Wardell Street. No. 218 New Canterbury Rd, opposite the subject site is an industrial building, currently used for light industry. To the south west is low density residential. Dwellings in the area are either semi detached or detached dwellings.

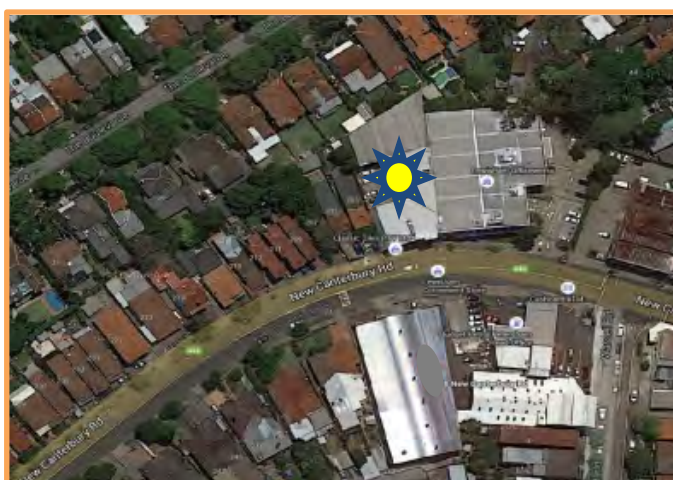


Figure 5 –Photo of subject sites showing adjoining and adjacent development



Figure 6 –Photos of adjoining and adjacent residential development



Figure 7 – Photos of industrial landuse opposite the subject sites



Figure 8 –Photo of service station and mechanical workshop at corner of Wardell Street

To the east of Site A is the Officeworks site - a large single use commercial building with basement and ground level parking. Access to the site is from New Canterbury Road. It shares a party wall with Site A (the Tile outlet). Georgiou's Chocolate factory and Rug Warehouse (147 New Canterbury

Road) adjoins the Officeworks site to the east. Georgiou's is a post war 2 storey brick building fronting New Canterbury Road and adjoins residential dwellings to the north. To its east are retail/ commercial uses leading east up to the Petersham commercial/retail local centre.



Figure 9 –Photo of Officeworks site looking west from Wardell Road intersection

The other IN2 Light Industrial land that makes up the Wardell Road intersection node is located on the south-eastern corner of the intersection. It contains a small strip of single and two storey commercial buildings containing either small service industries or shop top housing. All these buildings are old with a generally rundown street appearance.



Figure 10 –Photos of properties on south-east corner of Wardell Road intersection



Figure 11 –Photo of buildings on southern side of New Canterbury Road, east of Wardell Road intersection

2.3 Development in Lewisham and Petersham Areas

Land zoned as B2 Local Centre extends east along New Canterbury Road past the Huntsbury Hotel. There are a variety of uses in this strip, predominantly small retail/commercial shoptop housing developments. Together they form the main street commercial core of Petersham. These are predominantly used as bulky goods warehouses for household furnishings and floor coverings. A service station, smash repair garages, a St John's Ambulance building and a pub known as the Huntsbury Hotel are also located in this area.



Figure 12 –Photo of Petersham Commercial area looking towards the Sydney CBD

Public open space and parks in the area include Petersham Park (approx. 600m north) (see below), Morton Park (400m south) and Marrickville Park (approx 800m south). Civic buildings such as Marrickville Council Chambers and Petersham Town Hall are located 500m east from the site. Local health facilities and medical centres are closeby; Sydney Private Hospital is located approximately 2km west and Royal Prince Alfred Hospital is located approximately 3km east.



Figure 13 –Photos of local park in close proximity to the subject sites

A number of education facilities can be found within 1 km of the subject site. They range from primary school, high school to tertiary institutions. Education facilities located south of the site include Wilkins Public School, Newington College and Christian Brothers High School. Education facilities located north of the subject site include Petersham Public School, TAFE College (West Street Campus) and Forte Street High School. The University of Sydney is located approximately 4km from the site.

2.4 Existing Traffic Conditions

The roads surrounding the subject site are organised into a hierarchy by Roads and Maritime Services (RMS) in the following manner:

- New Canterbury/ Stanmore Road - classified State Road (60kph speed limit) with two traffic lanes in each direction providing the key road link to Hurlstone Park and Newtown.
- Parramatta Road - classified State Road with three traffic lanes in each direction providing key east-west road link between Parramatta and Sydney CBD. Opposing traffic flows are separated by a central concrete median island.
- Sydenham Road, Livingstone Road, Gordon Street and Railway Terrace - classified State Roads with two traffic lanes in each direction providing key north-south road link between Sydenham and Lewisham.
- Wardell Road, Gould Avenue and Gould Lane – local, unclassified roads (50kph speed limits). Provide vehicular and pedestrian access to site. Kerbside parking is permitted on both sides of Wardell Road and Gould Avenue.

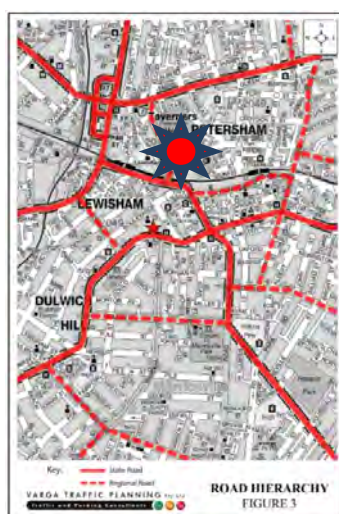


Figure 14: Road hierarchy in the vicinity of the planning proposal
(Source: Varga Traffic Planning, February 2016)

Traffic surveys conducted by traffic consultant Varga Traffic Planning Pty Ltd yielded the following results:

- two-way traffic flows in New Canterbury Road are typically in the order of 1,400-1,700 vph during peak periods;
- two-way traffic flows in Wardell Road are typically in the order of 550 vph during peak periods.

The report concludes that *“the projected additional traffic flows will not have any adverse effects on the operational performance of the nearby intersections, and no road improvements or intersection upgrades would be required as a consequence of the planning proposal”*. A full report accompanies the Planning Proposal confirming the sites are suitable for the intended residential use. Full assessment of each development application will occur as part of the future applications.



Figure 15 – Intersection of New Canterbury Road and Wardell Road, looking west towards the subject sites

2.5 Sydney Metropolitan Central Sub Region

The subject site is located approximately 8km south-west of the Sydney CBD and 4km from the University of Sydney precinct. It is well placed in terms of public transport services and local community shopping and services. Lewisham Train Station is located within 700m of the site, north at the end of Hunter Street and four different bus Services are available along New Canterbury Road. See Figures 16 & 17 below.

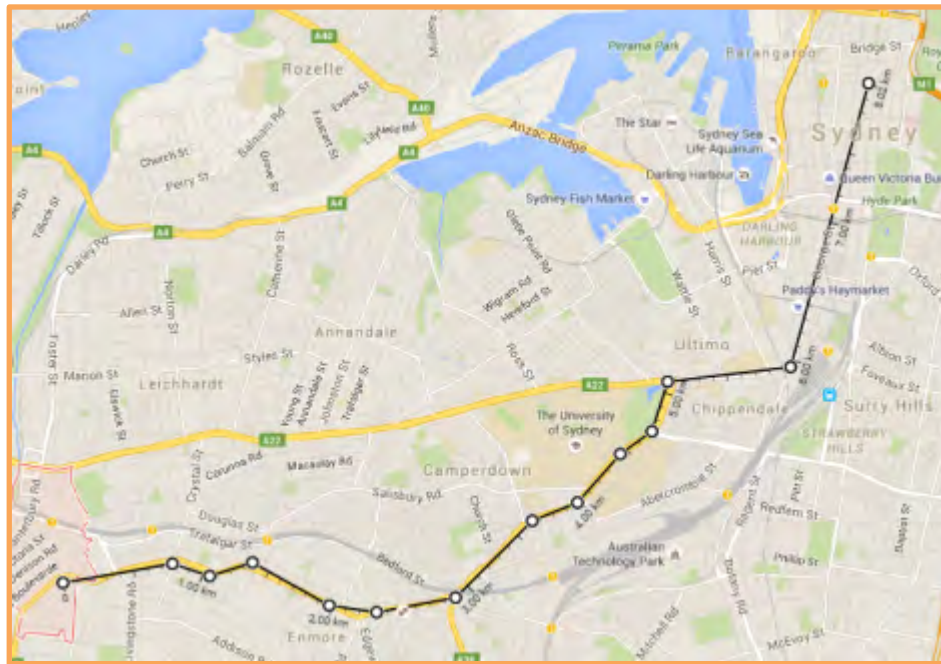


Figure 16: General location of subject site, approx 8km to Sydney CBD
(Source: googlemaps)

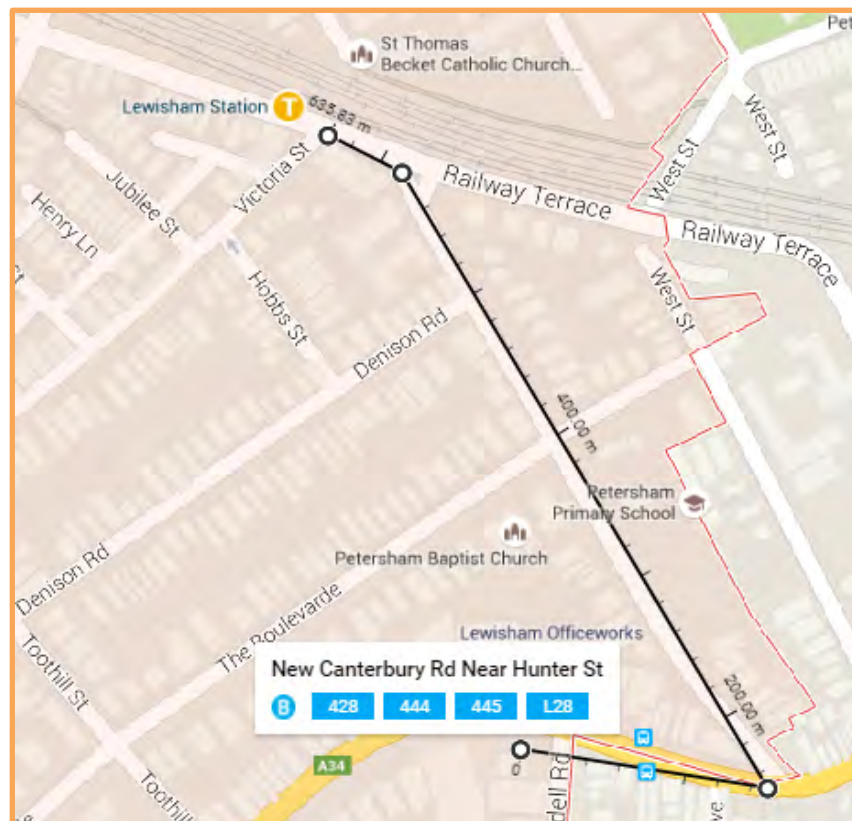


Figure 17: Location of rezoning site showing distance to Lewisham Train Station and Bus routes along New Canterbury Road. (Source: googlemaps)

Part 3 Social Parameters

3.1 Marrickville LGA – Social Profile

The following is a brief overview of the social profile of Marrickville. The statistics are based on the 2011 Census for the area known as Marrickville LGA. This area is smaller than the Marrickville LGA, as shown below:

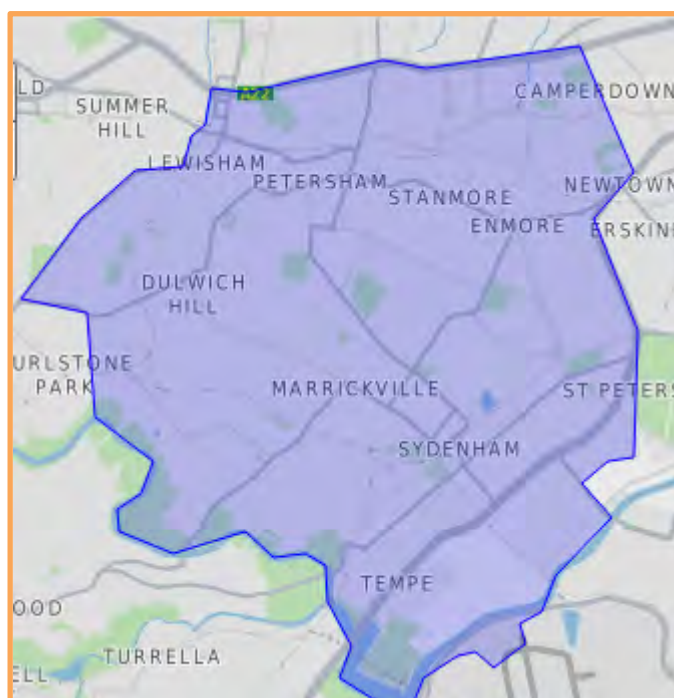


Figure 18: Marrickville LGA area (Source: ABS Quickstats)

- ✓ In the 2011 Census, there were 76,500 people in Marrickville (LGA) of these 49.58% were male and 50.5% were female.
- ✓ There were 18,621 families with an average of 1.7 children per family.
- ✓ The median age of people in Marrickville LGA was 36 years.
- ✓ Children aged 0 - 14 years made up 14.7% of the population and people aged 65 years and over made up 10.4% of the population.
- ✓ Of people in Marrickville LGA aged 15 years and over, 35.1% were married, 50.2% were never married and 8.1% were either divorced or separated. The median age of 'never married' was 31.
- ✓ In Marrickville LGA, 58.3% of people were born in Australia. The most common countries of birth were England 3.8%, Greece 3.0%, Vietnam 2.9%, New Zealand 2.5% and China (excludes SARs and Taiwan) 1.5%.
- ✓ In Marrickville LGA, 36.4% of people had both parents born in Australia and 49.2% of people had both parents born overseas.

- ✓ There were 44,202 people who reported being in the labour force in the week before Census night in Marrickville LGA. Of these 64.9% were employed full time, 24.6% were employed part-time and 5.3% were unemployed.
- ✓ Of employed people in Marrickville LGA, 7.8% worked 1 to 15 hours, 9.0% worked 16 to 24 hours and 49.7% worked 40 hours or more.
- ✓ The most common occupations in Marrickville LGA included Professionals 35.9%, Clerical and Administrative Workers 14.8%, Managers 13.8%, Technicians and Trades Workers 9.8%, and Community and Personal Service Workers 8.2%.
- ✓ In Marrickville LGA, on the day of the Census, the methods of travel to work for employed people were Car, as driver 35.8%, Train 20.5%, Bus 8.8% and Car, as passenger 3.5%. Other common responses were Walked 5.5% and Bicycle 3.3%. On the day, 35.5% of employed people travelled to work on public transport and 39.2% by car (either as driver or as passenger).
- ✓ Of the families in Marrickville LGA, 39.1% were couple families with children, 41.9% were couple families without children and 15.8% were one parent families.
- ✓ In Marrickville LGA 16.2% of single parents were male and 83.8% were female.
- ✓ In Marrickville LGA, of couple families, 30.4% had both partners employed full-time, 4.3% had both employed part-time and 20.1% had one employed full-time and the other part-time.
- ✓ In Marrickville LGA, 92.63% of private dwellings were occupied and 7.4% were unoccupied.
- ✓ Of occupied private dwellings in Marrickville LGA, 33.5% were separate houses, 27.5% were semi-detached, row or terrace houses, townhouses etc, 37.4% were flats, units or apartments and 1.3% were other dwellings.
- ✓ In Marrickville LGA, of occupied private dwellings 13.4% had 1 bedroom, 41.7% had 2 bedrooms and 2.9.5% had 3 bedrooms. The average number of bedrooms per occupied private dwelling was 2.4. The average household size was 2.3 people.
- ✓ Of occupied private dwellings in Marrickville LGA, 23.4% were owned outright, 30.8% were owned with a mortgage and 43.0% were rented.
- ✓ In Marrickville LGA, of all households, 60.4% were family households, 29.3% were single person households and 10.3% were group households.

- ✓ In Marrickville LGA 17.9% of households had a weekly household income of less than \$600 and 17.9% of households had a weekly income of more than \$3,000.
- ✓ In Marrickville LGA, 49.8% of occupied private dwellings had one registered motor vehicle garaged or parked at their address, 21.4% had two registered motor vehicles and 5.0% had three or more registered motor vehicles.

Source: http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat

In terms of the Planning Proposal it is relevant to note that approximately sixty percent (60%) of dwellings in the LGA are low density dwellings (separate houses or semi-detached dwellings) and units/apartments account for 37% of all dwellings. While family households dominate, possibly due to the historical development of the area as separate houses, forty two percent (42%) of households are couples without children. However, there is also a higher than average percentage of single households and group households in the area, possibly reflecting the higher percentage of rented accommodation.

In 2011 the majority of residents in the area worked full time, in white collar based professions, for 40 hours per week or longer. Travel to work by public transport is high in this area (35.55% and up to 5% walking or cycling) with the majority travelling to work by car (39%). This is not surprising given the accessibility of a variety of good public transport services in the area and relatively flat terrain for walking/cycling. Car ownership is relatively high, but drops down considerably in terms of the second and third car ownership. This again reflects the high level of public transport availability and use in this area. Put simply, cycling, walking and public transport exceed vehicle usage which is a highly desirable outcome.

This rezoning supports the key trends found for the Inner West area as there are more households that contain couples without children, single and group households that require or desire smaller dwelling and housing options. Their busy working lives will mean less time for home maintenance and less need for play areas and spaces for children. The future development will provide owner occupiers or tenants with a range of apartments varying in price depending upon size, aspect and floor level within the future development. Each site is large enough to offer a range and choice of housing.

The proposed accommodation will be brand new, will require less energy and lower running costs to maintain due to SEPP 65 compliance, and will be well located to negate the need for transport to local shops and services for main daily items. The proximity of the site to the Petersham Commercial

Area and other major areas like Westfields Burwood, Marrickville Metro, Marketplace Leichhardt, Strathfield Plaza, Birkenhead Point and Central Sydney Centres will make the dwellings desirable either as an owner occupier or rental.

3.2 Marrickville Urban Strategy 2007

The Planning Proposal for the subject sites (based on UDS storey and setback controls) satisfies the provisions of the Marrickville Urban Strategy 2007 (MUS 2007).

The Marrickville Urban Strategy (2007) outlines the planning context for future development within the previous Marrickville LGA and adopts the principles of the Sydney Metropolitan Strategy by focusing additional housing growth within existing centres and maintaining jobs and employment lands within the LGA.

The Urban Strategy and the Integrated Transport Strategy (see below) forms the basis for Council's approach to rezonings to focus new development in highly accessible areas. The Urban Strategy recommends that Council should plan for an additional 3,830 dwellings over the next 25 years (from 2007), with 80% of these located in or near centres and within walking distance of centres and public transport.

The Strategic Directions of the MUS are:

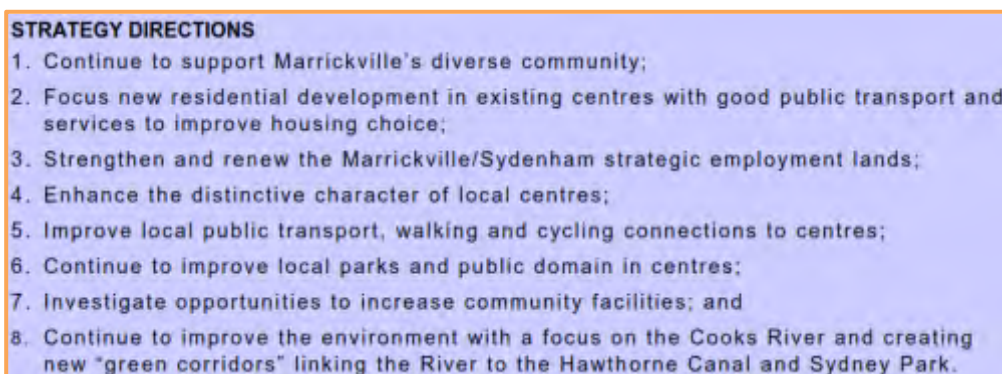
- 
- STRATEGY DIRECTIONS**
1. Continue to support Marrickville's diverse community;
 2. Focus new residential development in existing centres with good public transport and services to improve housing choice;
 3. Strengthen and renew the Marrickville/Sydenham strategic employment lands;
 4. Enhance the distinctive character of local centres;
 5. Improve local public transport, walking and cycling connections to centres;
 6. Continue to improve local parks and public domain in centres;
 7. Investigate opportunities to increase community facilities; and
 8. Continue to improve the environment with a focus on the Cooks River and creating new "green corridors" linking the River to the Hawthorne Canal and Sydney Park.

Figure 19 below shows that the subject sites are located at the western edge of the Petersham Commercial area, in close proximity to a variety of landmarks – public transport, shops, parks, major roads and employment.



Figure 19: Extract of Marrickville Urban Strategy 2007 map and strategic directions
(Source: <http://www.marrickville.nsw.gov.au/en/council/forms-and-publications/council-plans/marrickville-urban-strategy/>)

In terms of Urban Strategy Renewal approaches, the Strategy states that there is potential for some 650 dwellings in and around centres and 530 on select industrial sites. To achieve this, the strategy recommends that Council should:

"Focus new residential development around town, village and neighbourhood centres in walking distance to public transport, shops and services. Viability and design impact analysis will be required to determine the appropriate scale of redevelopment. Community consultation noted a preference for up to three storey residential development where appropriate.

Higher scale development in selected centres could support revitalisation by making redevelopment more viable. This would also remove the pressure for redevelopment in out-of-centre locations and industrial areas. eg Dulwich Hill Station, Dulwich Hill, Petersham (shops and station), Lewisham, Marrickville Road, near Enmore Park, Marrickville Station and St Peters ...

Rezone selected industrial sites to cater for residential housing demand, address local amenity and provide space for community facilities.

These selected sites would be subject to strict rezoning criteria including if they are located close to a centre and proximity to public transport. eg: Australia St, Alice St, McGill St, sites near Petersham Station, Meeks Road and Grove street....".

Section 4.7 Urban Strategy Directions states:

Focus New Residential Development in Existing Centres with Good Public Transport and Services to Improve Housing Choice

Opportunities for new residential development will be provided around Dulwich Hill Station, Dulwich Hill, Petersham (shops and station). Lewisham, Marrickville Road, near Enmore Park, Marrickville Station and St Peters.

The changing community profile and future housing demands will require a mix of dwelling types that are accessible, adaptable and affordable. There is already a diverse mix of housing types in Marrickville LGA.

The locations in and around centres provide good access to shops, services and transport. Future development will be focused on centres and provide new housing choices. This approach will also ensure that many areas will remain unaffected. The areas around Marrickville and St Peters railway stations could accommodate increased retail floor space and commercial activity along with increases in residential dwellings.

5.2.2 Objective 1: Accommodate Future Housing Demand:

Focus New Residential Development in Existing Centres with Good Public Transport and Services to Improve Housing Choice.

"The Urban Strategy needs to respond to future housing need through policy changes to the current planning framework. It is apparent that the nature of existing development and the location of Marrickville LGA place some constraints on future development.

Action 1.1: Encourage urban renewal in and around centres: The greatest opportunity for change is in the centres of Dulwich Hill Station, Dulwich Hill, Petersham, Lewisham, Marrickville Road, near Enmore Park, Marrickville Station and St Peters.... •

5.4.2 Objective 5: Integrate Land Use and Transport

Action 5.1: Focus new development in areas within walking distance of centres and public transport

The MUS supports the aim of locating additional residential development in and around existing centres with good public transport and services. The MUS advocates the retention of 'strategic' employment land located at Marrickville and Sydenham, and the rezoning of fragmented industrial areas.

The sites meet the following criteria established in the MUS as suitable for future detailed master planning:

- Is located close to a centre;
- Is redundant from historical industry perspective;
- Is well serviced by public transport;
- Is within walking distance of public open space;

- Development can occur in a way that responds to aircraft, road or rail noise;
- Is not located close to strategic assets (port, airport or freight lines); and
- Rezoning would not result in significant adverse impacts between residential uses and industrial uses that impact upon residential amenity, and hinder business competitiveness. Residential interfaces currently exist around the subject sites.

In summary, the Concept Plans for the subject site and the submitted development options for the immediate area satisfy the overarching objectives of the Marrickville Urban Strategy 2007. The future development will be subject to an assessment under S79C of the *EP&A Act 1979*.

3.3 Industrial and Employment Generating Land

The subject sites are zoned IN2 Light Industrial under MLEP 2011. It is a State Government requirement to consider the strategic importance of the retention of industrial and employment lands prior to land being rezoned for other purposes.

Marrickville Council, in considering the rezoning of the Georgiou's Chocolate Warehouse planning proposal, reported the following in relation to the rezoning of this small, fragmented light industrial node at the intersection of Wardell Road and New Canterbury Road.

BACKGROUND

At its meeting of 5 June 2012, Council considered a report on proposed amendments to the MLEP 2011. As part of this report, Council considered the following submission regarding properties located on New Canterbury Road and Wardell Road (including the subject site) within IN2 Light Industrial zoning:

Submission (1f) - 133-203 New Canterbury Road, 180-218 New Canterbury Road & 1 Wardell Road, Petersham

A group of submitters seek a rezoning of a number of adjoining properties from IN2 Light Industrial to a more flexible mixed-use zone that allows residential, retail and creative industry uses. Submitters also seek an increase in the FSR from 1:1 to 2.5:1 to allow Redevelopment to four storeys with pronounced corner elements.

Submitters argue that with the current IN2 zoning, these properties will continue to operate below their commercial potential and do not reflect the kind of uses demanded in the area.

The following officers' comments were made in response to the submission:

These arguments are supported and reflected in other land use changes that are being proposed within the LGA. It is considered that such a rezoning would help to reactivate this precinct, located at the western end of the Petersham shopping strip. The rezoning and increased FSR is supported in general terms, but should be guided by a master planning process for the precinct. It is recommended below that this be undertaken as part of the next MUS review.

Council resolved to adopt the report's recommendation as follows:

*Recommendation (1f): that the rezoning of 133-203 New Canterbury Road, 180-218 New Canterbury Road & 1 Wardell Road, Petersham from IN2 Light Industrial to **a suitable mixed-use zone, and increase in the FSR for these sites from 1:1 to 2.5:1 be considered by Council as part of the next review of the MUS, and be informed by a masterplan for these sites and the surrounding precinct.***

*To date, the Department of Planning and Environment (DP&E) have not finalised either the draft Metropolitan Strategy for Sydney to 2031 or the draft South Subregional Strategy. Accordingly, **the anticipated review of the Marrickville Urban Strategy has not proceeded due to the absence of strategic direction.***

The site and environs are fragmented from other areas of industrially zoned land. The sites are surrounded by low density residential properties and not considered to be contributing to a significant industry cluster. The current uses operating from the IN2 Light Industrial zoned sites vary from retail outlets, showrooms, warehouse, service station and car repairs. Therefore, whilst there is a small cluster of service businesses in the area, their operations are not consistent with the immediate objectives of the current IN2 Light Industrial zone.

In terms of the amount of industrial land to be lost by the proposal, the two sites equate to a total area of 1432sqm, less than one-sixth of a hectare. The previously prepared draft South Subregional Strategy identified 187.5 hectares of industrially zoned land within the Marrickville LGA (prior to amalgamation). The subject sites equate to 0.1% of the total land available for industrial uses in the LGA. On this basis alone it is not considered that the planning proposal would significantly undermine industrial land stocks within the subregion.

Further these two small sites have limited capacity in their current form and function to deliver substantial numbers to the employment target for the area, an estimated target of 500 additional jobs by 2031. Given the existing and likely future demographics of the area outlined above, the residential use of these sites is likely to generate more to the local and regional economy through high percentages of residents having full and part time employment with average to good incomes. With high levels of working couples, single and group households, it is expected that local spending on consumables would also be high – again contributing to the local economy.

Overall, it is acknowledged that jobs on the subject sites will be lost but should the businesses relocate locally then overall these jobs will remain “local” and new residents will assist Council meet or exceed employment targets through their contribution to the local economy.

3.4 A Plan for Growing Sydney

As part of *A Plan for Growing Sydney* the State Government has released the Central Subregion Plan. It includes Marrickville, Ashfield and Leichhardt areas but does not indicate any specific direction that assists this project in terms of rezoning of industrial land. However, the need to accelerate housing supply, choice and affordability in the region is highlighted. The current planning proposal accords with this direction, as follows:

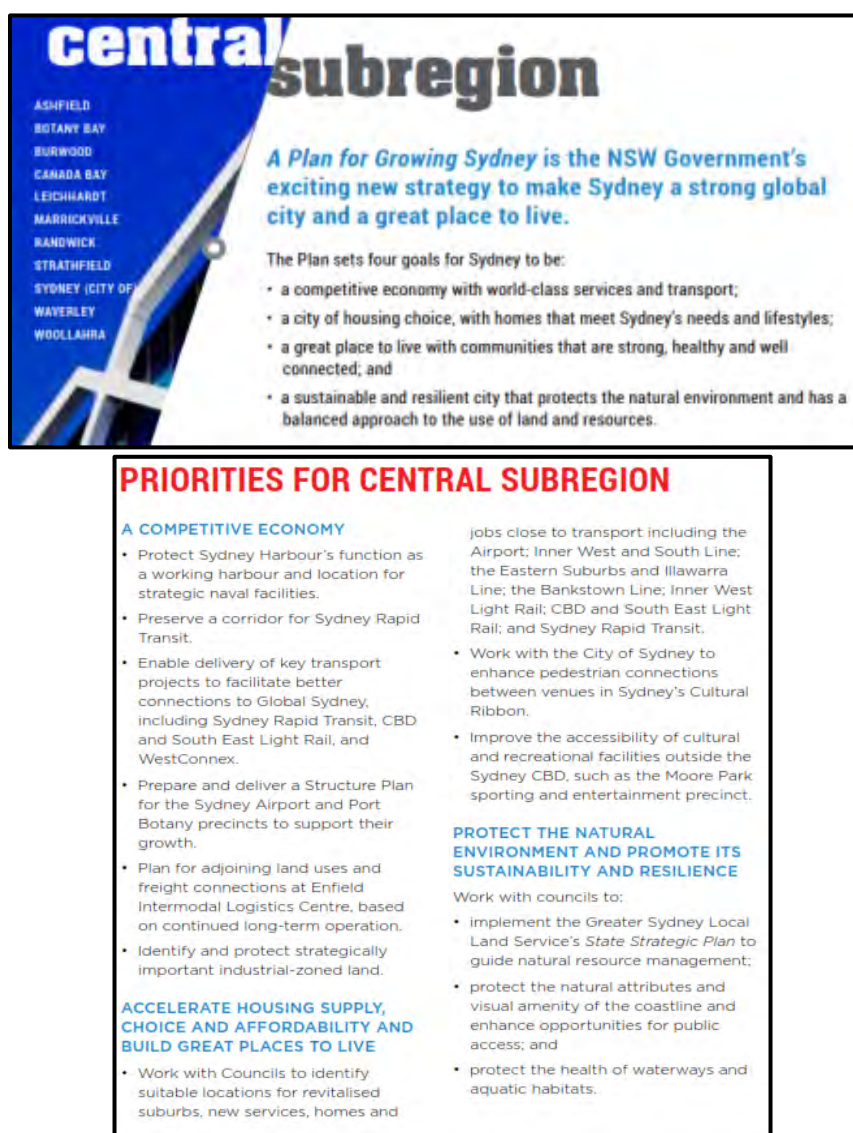


Figure 20 –Summary of future directions for the Central Subregion

Part 4 Planning Proposal – No. 183 & 203 New Canterbury Road, Lewisham

Broadly the development concept for the development site comprises the demolition of the existing building on Site A and construction of a residential flat building on No. 183 New Canterbury Road. Site C is not part of the development site and will remain a single detached dwelling on R2 land for the purposes of this Planning Proposal.

It is estimated that approximately **20 units** can be accommodated on **Site A**. These numbers will be finalised through the Development Application design process and the proponent is not limited to these specific numbers. The building on Site A is proposed to be part 3, part 4 storey building with basement parking, access from New Canterbury Road and stepped northern and western boundaries to transition to the adjoining residential development. The height is 11m on the edges stepping up to 14m.

An Urban Design Study (UDS) has been undertaken for Site A addressing the site and surrounds. This study examines the context of the site and its surrounds to identify basic characteristics and features. Based on this examination, key constraints and opportunities for the site and its potential development are identified around six urban design themes: Urban Hierarchy, Street Frontage, Built Form and Open Space, Solar Access, Access and Services. This UDS establishes a set of site specific draft urban design controls that form the basis of the MDCP 2011 amendments proposed as part of the Planning Proposal.

The preparation of the UDS and the architectural Concept Plans represents an investment that would not ordinarily be required at a Planning Proposal stage. The inclusion of Concept Plans for this Planning Proposal serves to that a residential infill development can be achieved whilst respecting the existing uses to the south and the character and residential amenity of the adjoining low density areas to the north, west and south-west.

The applicant is confident that the plans will progress as soon as the Minister gazettes the requested amendments to MLEP 2011. The submitted plans assist with the understanding of the likely built form outcomes arising from the foreshadowed amendment to MLEP 2011. The majority of Site A is 11m which offers a transition to the R2 zoned lands to the north and west of Site C. The proposal also adopts the stepped front setbacks (as identified in the UDS) to better relate to the alignments of the residential development to the west.

On this basis, the Concept Plans have been prepared for Site A. R4 High Density Residential can occur without significant environmental impacts

upon either the adjoining R2 land or the IN2 land to the east (Officeworks). The design principles, broad demographics and site specifics utilised in preparing the plans for the consolidated development sites include:

- ✓ Appreciation of the contextual location of the site in terms of its juxtaposition to the Petersham Commercial area.
- ✓ Awareness of the current social and economic population statistics and trends moving forward for the area.
- ✓ Knowledge of household trends in relation to family, work, leisure and entertainment.
- ✓ Building lifecycles and confirmation that existing buildings are at the end of the lifecycle.
- ✓ Existing low density dwellings adjoining the sites to the north and west.
- ✓ Stepped setbacks to New Canterbury Road as transition from nil setback for commercial/retail uses to low density residential development.
- ✓ Access to the site from New Canterbury Road.
- ✓ Stepping of height of the buildings across the development sites to respect and minimise potential impacts on the adjoining dwellings and the enjoyment of their properties. Stepped 3 to 4 storey form on Site A to transition to the residential zone.
- ✓ Separation of buildings to ensure adequate residential amenity for residents of the development.
- ✓ Car parking to comply with Council's on-site parking provisions.
- ✓ Provision of a mix of dwelling types and sizes to provide a diversity of choice and affordability in the units.
- ✓ Accessible and adaptable units and parking.

The proposed developments, as drafted, are proposed to comprise the following dwelling mix per site. A total of 20 units are proposed as follows.

Site A Apartment Mix:

- 20 units, including:
 - 2 x studios or 10%
 - 9 x 1 bedroom units or 45%
 - 9 x 2 bedroom units or 45%

Design solutions for each unit and parking space will ensure that each is capable of complying with Australian Standard provisions for size, location and accessibility.

The Concept Plans reflect to need to transition heights and setbacks at the upper levels to provide building separation and minimise potential amenity impacts. Plans demonstrate that impact minimisation is possible however full assessment and justification of any variation to development controls will occur at the DA stage.

Note: Assessment of the Concept Plans in relation to MLEP 2011, MDCP 2011 and SEPP 65 (ADG) is addressed in Parts 5 & 6 below and a full comprehensive review will occur at the DA stage for each site.

Part 5 Marrickville LEP 2011 and Marrickville DCP 2011

The Marrickville Local Environmental Plan 2011 (MLEP 2011) is the key statutory document guiding development for this part of the newly formed Inner West LGA. The LEP was made on 12 December 2011 as part of the implementation of the standardised LEPs across NSW. The LEP identifies land use zones and determines built form through Floor Space Ratios (FSR) and height controls.

The 2 lots proposed to be rezoned are currently zoned IN2 Light Industrial pursuant to Marrickville LEP 2011. The aims of the LEP are:

- a) *to support the efficient use of land, revitalisation of centres, integration of transport and land use and an appropriate mix of uses,*
- b) *to increase residential and employment densities in appropriate locations near public transport while protecting residential amenity,*
- c) *to protect existing industrial land and facilitate new business and employment,*
- d) *to promote sustainable transport, reduce car use and increase use of public transport. walking and cycling,*
- e) *to promote accessible and diverse housing types including the provision and retention of affordable housing,*
- f) *to ensure development applies the principles of ecologically sustainable development,*
- g) *to identify and conserve the environmental and cultural heritage of Marrickville,*
- h) *to promote a high standard of design in the private and public domain*

The Planning Proposal is consistent with the aims of MLEP 2011. As highlighted throughout this report the sites are located at the western edge of the Petersham Commercial area, providing an opportunity to create a well planned transition from the commercial/retail landuses to the east to the low density residential landuses to the north, west and south-west. Units or apartments account for approximately one-third of current housing stock in the LGA.

The predominant form of housing is low density dwellings due to the age and history of the development of Sydney over time. In this area, this trend is changing as lifestyles change with the emerging demographics and social trends. The Concept Plans demonstrate that the proposed rezoning of this land to high density residential and subsequent construction of one residential flat building on the subject site represents a logical amendment to MLEP 2011. The proposal seeks to optimise the potential of the development site while respecting the lower density character of the adjoining properties to the north, west and south-west. Residential character and amenity of the area is maintained and enhanced by good quality, well designed high density development on the subject site. The

development site is in close proximity to shops, employment, services, entertainment and public transport.

It is acknowledged that there will be a small loss of industrial and employment generating land due to the rezoning. This has been addressed and supported by Marrickville Council previously and again within this report. Based on current and likely future demographics of this area, the provision of housing choice for workers across a range of professions and trades will benefit the economic growth of the area and support local businesses. The business displaced by the rezoning will be able to find new sites for their operations within the LGA. Overall, it is considered that the benefits of the rezoning outweigh the minor loss of industrial land in this present case.

Any future Development Application (DA) that is lodged for the development of the land will be tested again against the aims of MLEP 2011 and will be assessed under S79C of the *EP&A Act 1979*. The Concept Plans do not offend any of the relevant aims, detailed below.

MLEP 2011	
Relevant Aim	Comment
(2) The particular aims of this Plan are as follows: <i>a) to support the efficient use of land, revitalisation of centres, integration of transport and land use and an appropriate mix of uses,</i>	The orderly and economic use of land is achieved by the rezoning as it allows the development site to be redeveloped and become a transition between the commercial/retail uses to the east and the low density residential development to the west. If retained as IN2 Light Industrial the sites are relatively small and fragmented and therefore unlikely to be developed. The need for additional apartments in the area is established by the area's social profile and broader strategic directions for the Inner West LGA and Sydney. The proposed Concept Plans will be tested at DA stage to ensure the aims under cl. 1.2 of MLEP are achieved.

(b) to increase residential and employment densities in appropriate locations near public transport while protecting residential amenity,	It is proposed to provide a mix of dwellings comprising Studio, 1 & 2 bedroom units, consistent with the requirements of SEPP 65 and emerging trends in the area. The concept design proposes to transition the height at the interface zones with residential R2.
(c) to protect existing industrial land and facilitate new business and employment,	It is acknowledged that the rezoning removes land that is zoned and currently used for light industrial purposes. It has been established previously that this is acceptable in the circumstances of this case based on past studies and Council support for similar sites being rezoned in the immediate area.
(d) to promote sustainable transport, reduce car use and increase use of public transport. walking and cycling,	The social profile of this area shows a propensity towards the use of public transport, walking and cycling with single car ownership levels higher than average. The development site is capable of providing sufficient onsite parking, together with adaptable dwellings and accessible spaces. The site has easy access to bus services in all directions.
(e) to promote accessible and diverse housing types including the provision and retention of affordable housing,	A range of Studio, 1br & 2br units, including adaptable dwellings complying with SEPP 65 are capable of being built on the site. This variety of dwellings will provide a choice and spread of affordability.
(f) to ensure development applies the principles of ecologically sustainable development,	The design, layout and orientation of units on each site will be responsive to the SEPP 65 design principles and provisions of the ADG for residential flat buildings. The development site is capable of complying with these requirements. Setbacks to New

	Canterbury Road create a transitional street appearance and urban form from the commercial uses to the east and the residential uses to the west.
(g) to identify and conserve the environmental and cultural heritage of Marrickville,	The subject sites adjoin a heritage conservation area. Good quality residential use of this land is considered a more appropriate use than light industry as it will respect the historical low density residential nature and amenity of the area more so than industrial enterprises.
(h) to promote a high standard of design in the private and public domain	The design, layout and appearance of development on Site A will set a new benchmark. The design, built form, street appearance, materials and finishes will be fully assessed at the DA stage. The Concept Plans submitted as part of the Planning Proposal serve to demonstrate that Site A is capable of sustaining a high quality development for the public and private domain.

5.1 Clause 1.7 - Maps

(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:

(a) approved by the Minister when the map is adopted, and

(b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.

(1AA) A reference to the Minister in subclause (1) is taken to be a reference to the Greater Sydney Commission in the case of any map that applies to a local government area in the Greater Sydney Region (within the meaning of the [Greater Sydney Commission Act 2015](#)) and that is adopted by a local environmental plan on or after 27 January 2016.

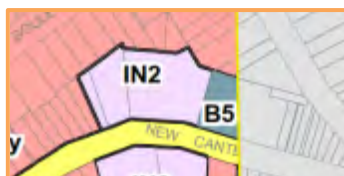
(2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.

(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.

(4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

This planning proposal results in amendments the relevant LEP Maps (001) series as follows:

- Land Zoning Map__001, currently IN2 Light Industrial.
- Height of Building Map__001, currently no controls.
- Floor Space Ratio Map__001, currently 0.95:1.



IN2 Light Industrial



M 0.95



J 9.5

5.2 Land Use Table – Existing Zone

No. 183 & 203 New Canterbury Road, Lewisham are currently zoned **IN2 Light Industrial**, as follows:

Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To provide business and office premises for the purposes of certain art, technology, production and design sectors.
- To enable a purpose-built dwelling house to be used in certain circumstances as a dwelling house.

2 Permitted without consent

Home occupations

3 Permitted with consent

Depots; Dwelling houses; Garden centres; Hardware and building supplies; Hospitals; Industrial training facilities; Intensive plant agriculture; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Places of public worship; Plant nurseries; Roads; Sewage reticulation systems; Take away food and drink premises; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Tourist and visitor accommodation; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies

The following MLEP 2011 *development standards* apply to the sites.

- Clause 4.3 Height of buildings: N/A.
- Clause 4.4 Floor space ratio: 0.95:1.

5.3 Land Use Table – Proposed Zones Sites A & C

Site A

Site A is to be zoned R4 High Density Residential, as follows:

Zone R4 High Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for office premises but only as part of the conversion of existing industrial and warehouse buildings or in existing buildings designed and constructed for commercial purposes.*
- *To provide for retail premises in existing buildings designed and constructed for commercial purposes.*
- *To provide for well connected neighbourhoods that support the use of public transport, walking and cycling.*

2 Permitted without consent

Home occupations

3 Permitted with consent

*Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Group homes; Hostels; Neighbourhood shops; Places of public worship; **Residential flat buildings**; Respite day care centres; Roads; Secondary dwellings; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4*

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Bulky goods premises; Business premises; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Garden centres; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Landscaping material supplies; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Plant nurseries; Port facilities; Pubs; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

A '**Residential Flat Building**' is a permissible with the consent of Council.

The following MLEP 2011 development standards apply to the proposed R4 High Density Residential zone:

- Clause 4.3 Height of buildings: varies across the LGA
- Clause 4.4 Floor space ratio: varies across the LGA

MLEP 2011 Clause 6.2 - Earthworks, Clause 6.4 – Terrestrial Biodiversity, Schedule 2 - Exempt development and Schedule 3 - Complying Development will also apply to any future development of the land.

5.4 MLEP 2011 – Assessment Table

The following table is a preliminary assessment of the Concept Plans against the provisions of the R4 High Density Residential Zone provisions contained in MLEP 2011, the relevant controls in MDCP 2011 and the provisions of SEPP 65 and its associated Apartment Design Guidelines. A more detailed assessment of each is provided in Parts 5 & 6 below.

MLEP 2011 Development Standard	Requirement	Site A	Site C
Site Area	No minimum	1100sqm	322sqm existing no change
FSR (proposed)	Currently 0.95:1 which is conservative GFA based on light industrial use	1.5:1	0.6:1 equal to the adjoining FSR. Existing dwelling does not exceed control.
HOB (proposed)	No maximum at present and heights in R4 achieve up to 26m in some areas or more within the LGA	14m inc lift overruns and stairs (part of site limited to 3 storeys for transition and MDCP controls to be implemented based on UDS). Future DA may have lift over the 14m and final design subject to DA.	9.5m equal to the adjoining FSR

Marrickville Development Control Plan 2011 (MDCP 2011)

The MDCP 2011 contains the following objectives for the development of land within the LGA, as follows:

1.5 Objectives of this Plan

Objectives

The objectives of this DCP are:

- O1 To provide detailed design objectives and controls which encourage innovative design that positively responds to the character and context of the locality and which encourage high quality urban design outcomes.*
- O2 To ensure future developments consider the needs of all people who live, work and visit the Marrickville LGA, including people with a disability.*
- O3 To maintain and enhance the environmental and cultural heritage of Marrickville LGA.*

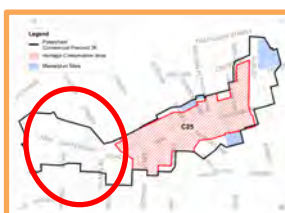
- O4 To enhance the quality of life and the wellbeing of the local community.
- O5 To support the integration of transport and land use, including increased residential and employment densities in appropriate locations near public transport, while protecting residential amenity;
- O6 To promote sustainable transport, i.e. reduced car use and increased use of public transport, walking and cycling;
- O7 To ensure development considers the principles of ecologically sustainable development, in particular energy, water and stormwater efficiency, solar access, waste reduction and local biodiversity.
- O8 To ensure development positively responds to the qualities of the subject site and is appropriate for the site and its context.
- O9 To minimise negative impacts of development on the amenity of surrounding neighbourhood.
- O10 To provide guidelines for specific development types and development sites to ensure appropriate high quality development within the Marrickville LGA.

The rezoning of the subject land for residential purposes achieves these objectives given that:

- The Concept Plans present a sustainable outcome for the subject sites. The proposal represents a logical and practical use of the land. The Concept Plans do not isolate any properties to the north or west.
- The historical MLEP anomaly for 203 New Canterbury Road is rectified.
- The Concept Plans complement the existing and future character of the Lewisham/Petersham area.
- The proposed development is appropriate for Site A, given its locational context and individual site opportunity and constraints.
- The development will increase the supply of housing in the area, in line with Council's and the State Government Growth Strategy for this subregion.
- Site A can be developed in accordance with the development standards of MLEP 2011 and MDCP 2011, as applicable to the R4 High Density Residential zone, while respecting the adjoining low density (R2) zone and existing IN2 Light Industrial zoned properties. Varied height ranging from 11m to 14m to transition to residential to the north and west.
- The R2 Low Density zoning of Site C is consistent with the aims and objectives of the MLEP and MDCP.

MDCP 2011: Part 9 - Strategic Context

9.23 Petersham (Commercial Precinct 36)



9.36.1 Existing character

This precinct is located along a ridgeline on New Canterbury Road, with the highest point being located at the Petersham water tower, which is located just outside the precinct to the east. This retail precinct represents a good example of fine grained commercial development from the late 19th and early 20th century. Commercial buildings are predominantly two storeys with projecting awnings and decorative parapets without any setback from the footpath. The precinct contains good examples of corner buildings and elements, such as the former National Australia Bank building at the eastern corner of Livingstone Road and New Canterbury Road. It also contains some landmark buildings such as the former Majestic Theatre, a listed heritage item. The precinct also contains the Petersham Commercial Precinct Heritage Conservation Area (HCA 25).

The precinct presents a pleasing visual catchment from the high points along New Canterbury Road downwards towards the central retail area, with consistent building forms stepping down the street. Although the precinct has undergone modifications, it continues to be an important retail strip for the community.

The precinct is dissected by New Canterbury Road and Livingstone Road/ Gordon Street. Residential development adjoins the precinct and light industrial activities are located at the western edge of the precinct at the intersection of New Canterbury Road with Wardell Road.

Petersham Rail Station is immediately north-east of the precinct and within walking distance.

The subdivision pattern of the commercial area is characterised by narrow shopfront lots, interspersed with some larger sites, while the light industrial area comprises a mix of one to two storey buildings ranging from 200-500m to several large sites over 1,000m².

The land use pattern of the precinct consists mainly of commercial buildings with some shop top housing. Industrial activities are varied and include smash repairs, a chocolate factory, carpet warehouse, cleaning business, floor covering business and several vacant buildings currently up for sale. Two hotels sit on prominent corners within the precinct, adding to its diversity of building form and land uses.

Areas within parts of this precinct have been identified as having high biodiversity values within the LGA. It is essential that development within those areas considers the potential impacts to biodiversity including native fauna (including Threatened Species and Endangered Populations); native vegetation (including Endangered Ecological Communities); and habitat elements (including their condition, structure, function, connectivity and disturbance).

9.36.2 Desired future character

The desired future character for this precinct is:

- 1. To protect the identified Heritage Items within the precinct.*
- 2. To retain, as a minimum, the front portion of contributory buildings where they are contributory to the heritage conservation area (HCA) and streetscapes.*
- 3. To protect the identified heritage values of the Petersham Commercial Precinct Heritage Conservation Area.*
- 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 the market demand, create the opportunity for high access housing choice and support sustainable living.*
- 5. To support excellence in contemporary design.*
- 6. To ensure that the street building frontage of infill development complements the siting (location 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.*
7. *To ensure that new development at the rear upper levels is a maximum of four storeys and is designed to be subservient to retained portions of contributory buildings or infill development to the street building front.*
 8. *Where required, to ensure active commercial fronts to new buildings facing onto streets to create a vibrant and safe streetscape.*
 9. *To support pedestrian access, activity and amenity including maintaining and enhancing the public domain quality.*
 10. *To build on the eat street and cultural character of the commercial centre.*
 11. *To ensure that the design of higher density development demonstrates good urban design and environmental sustainability and provides suitable amenity for occupants of those developments.*
 12. *To ensure that the design of higher density development protects the residential amenity of adjoining and surrounding properties.*
 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.*
 14. *To ensure that new development considers all potential impacts to biodiversity.*
 15. *To facilitate efficient parking, loading and access for vehicles that minimises impact to streetscape appearance, commercial viability and vitality and pedestrian safety and amenity.*

The subject sites are located at the western end of the precinct and therefore some flexibility is available with regards to the potential future forms. A residential built form is more desirable for the precinct entry gateway than the current industrial offerings. Building typologies will continue to respond to the zoning and permissible uses thus it is desirable to encourage residential typologies as a bookend to the precinct as opposed to the current architecturally benign industrial buildings.

9.36.3 Heritage Conservation Areas (HCAs) - Precinct-specific planning controls and 9.36.4.1 Reduced height, reduced floor space ratio and building envelope controls

Note: The subject sites are not zoned B2 and not located within the relevant heritage conservation area (C25). Therefore these precinct-specific planning controls are not applicable to this planning proposal.

MDCP 2011 - Part 2 – Generic Provisions

An assessment of the proposed development and compliance against the relevant controls in this chapter are provided in the table below.

Part 2 Generic Provisions

Provision	Comment
2.5 Equity of Access and Mobility <i>5+ dwellings = 1 adaptable dwelling (min) per 5 units provided</i> <i>1 accessible cps per adaptable dwelling + 1 accessible visitor's cps per 4 accessible parking spaces or part thereof.</i> <i>Car parking spaces to be designed in accordance with relevant Australian Standards – AS2890.</i>	Proposed = 20 units. Adaptable units = 4 or 20%. Subject to future DA and access report. All accessible units will comply with AS4299. Appropriate access for all persons through the principal entrance of the building and access to any area of the building will be provided. Subject to future DA.
2.6 Acoustic and Visual Privacy Visual privacy <i>Elevated external decks - <10sqm and depth < 1.5m</i> <i>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.</i>	Windows will be designed to address visual and acoustic privacy. The new building will have communal open space on the roof. This will provide good access to sunlight and potential roof top garden area for residents, particularly for occupants of the south facing units. Lift shafts and stairwells will be required above the height to allow for access. Detailed plans of the communal open space area to include appropriate setbacks from the building edge to address potential overlooking and dampen noise emissions from the site.
2.7 Solar Access and Overshadowing <i>Shadow diagrams are generally required for all new development or the extension to existing buildings where the proposed works will cause additional overshadowing on nearby properties.</i>	Site A has a north - south orientation. The building is to be setback along the boundary of the adjoining residences.
2.8 Social Impact Assessment <i>A SIC or SIS is required with any</i>	Site A: 20 units – no requirements.

<i>development application for the land uses listed in Table 1, section 2.8.5.</i>	
2.9 Community Safety <i>o Surveillance</i> <i>o Access control</i> <i>o Territorial reinforcement</i> <i>o Space management and maintenance</i>	A CPTED assessment would be submitted as part of a future DA. Capable of complying.
2.10 Parking - Vehicles and Bicycle spaces <i>Vehicles - Parking Area 2:</i> <i>0.4 per studio +</i> <i>0.5 per 1br unit +</i> <i>1.0 per 2br unit +</i> <i>1.2 per 3+br unit for residents +</i> <i>0.1 per unit for visitors</i> <i>Mobility spaces:</i> <i>1 mobility space per studio, 1br, 2br or</i> <i>3+br unit for residents + 0.25 visitor</i> <i>mobility spaces per unit</i>	Note: Site A is located in Area 2. The future DA will be submitted with a detailed traffic and parking report confirming compliance with the DCP controls or relevant RTA guidelines. Full details at the DA stage. Traffic report confirms site is capable of accommodating the required parking on site.
2.11 Fencing	No details. Capable of complying with Council's standard requirements for a RFB in this area.
2.16 Energy Efficiency <i>Core energy efficient design principles must be met:</i> • <i>orientation</i> • <i>overshadowing</i>	Subject to compliance with provisions of SEPP 65. Will be addressed with future DA submission. Site A has a north-south orientation. Some south facing units will occur. Communal open space is proposed within the roof top terrace to improve access to sunlight for all residents, particularly occupants of the south facing units. POS to all units generally in accordance with ADG controls. No excessive overshadowing proposed due to stepping of the heights.
2.17 Water Conservation	A BASIX certificate will be submitted

Requirements <i>C1 All residential buildings are to demonstrate compliance with State Environmental Planning Policy - Building Sustainability Index (BASIX).</i>	as part of the development applications for Site A with the future DA.
2.17.4 Stormwater Quality	A Stormwater Management Plan will be submitted with each development application. There are no known specific site constraints to be considered.
2.18 Landscaping and Open Space <i>A landscape plan and maintenance schedule must be submitted with any development application for residential, commercial and industrial development that requires landscaping.</i>	Deep soil planting is capable of being provided. Detailed landscape plans addressing the DCP requirements is to be submitted as part of any future development application. Deep soil area will comply with ADG which overrides the MDCP provisions to the extent of any inconsistency. Detailed landscaping plan is to be provided with future DA.
2.18.9 Access and mobility <i>Pathways and other public areas within a new landscaped area must be accessible for person with a disability in accordance with objectives and controls under Section 2.5 (Equity of Access and Mobility) of this DCP.</i>	Capable of complying with BCA requirements, SEPP 65 requirements and car parking. Full details subject to future DA.
2.18.10 Community safety <i>All proposed landscaping must demonstrate consistency with the provisions of Crime Prevention Through Environmental Design (CPTED).</i> <i>The landscape plan must consider community safety guidelines.</i>	Site A will be designed to comply with the principles and design criteria under the provisions of the CPTED, including: i. Good visibility and lighting at pedestrian entries and along paths and driveways; ii. Avoidance of dense landscaping near thoroughfares; and iii. Provision of suitable paving to driveways.

	A detailed assessment will occur as part of the future DA.
2.18.11.5 Residential flat buildings <i>i. The entire front setback must be of a pervious landscape with the exception of driveways and pathways.</i> <i>ii. In addition to front setback, a minimum of 45% of the total site area must be landscaped area at ground level.</i> C21 Private open space <i>Each dwelling must have a private open space in the form of a deck or balcony accessible from the principal living area of the dwelling with a minimum area of 8m² and a minimum width of 2m.</i>	The new development is to be setback from New Canterbury road to create a residential presentation to the main road. Landscaping (including private open space, communal spaces and setbacks) will be provided in a coordinated and quality manner. Detailed landscape plans will be prepared and submitted at DA stage, in accordance with Council's requirements. All units will be designed with reference to Council's DCP provisions and SEPP 65 – ADG provisions.
2.21 Site Facilities and Waste Management <i>Site facilities include:</i> <i>1. Clothes drying facilities;</i> <i>2. Public utilities;</i> <i>3. Mail boxes;</i> <i>4. Building identification and numbering;</i> <i>5. Telecommunication facilities such as TV antennas and satellite dishes; or</i> <i>6. Recycling and waste facilities including garbage storage and collection areas.</i>	The new development will include the nominated site facilities, in accordance with the provisions of the DCP and Council's requirements.
2.21.9 Demolition and/or construction waste	A Waste Management Plan will be prepared and submitted as part of any development application for the

	development site.
PART 4 Residential Development	
4.2 Multi-Dwelling Housing and Residential Flat Buildings	
4.2.1 General Objectives <i>O1 To provide more details on the residential controls contained in the MLEP 2011.</i> <i>O2 To provide increased housing accessibility, diversity and choice through refurbishment and development of new multi dwelling housing and residential flat buildings.</i> <i>O3 To promote development that responds, enhances and contributes to Marrickville LGA''s heritage, including items of environmental heritage and heritage conservation areas, established character, streetscape qualities and landscape elements.</i> <i>O4 To encourage the provision and retention of affordable housing.</i> <i>O5 To encourage the inclusion of accessible features in new development and the retention of existing accessible features in existing development.</i> <i>O6 To ensure new development is compatible with the existing zoning and desired future character of the locality.</i> <i>O7 To ensure new development allows adequate on-site provision for infiltration of stormwater, deep soil planting, landscaping, footpaths, driveways and outdoor recreation areas.</i> <i>O8 To ensure new development considers the principles of ecologically sustainable development, in particular energy, water and stormwater</i>	General objectives for residential flat buildings satisfied given that: • Transition provided between commercial uses to the east and residential development to the north, west and south-west; • Achieves the desired future character nominated for the Petersham Commercial Area. • Provides a variety of units types and sizes, thereby increasing housing choice and diversity in the area; • Capable of being accessible and providing adaptable units; • Capable of minimising environmental impacts on the natural, built and social environment of the area; • Ability to provide basement parking with accessible spaces with lift access to the communal area from the basement. • High density residential supports the Petersham Town Centre retail uses which encourages full and part time local jobs.

<i>efficiency, solar access, natural ventilation, waste reduction and local biodiversity.</i> <i>O9 To maintain a reasonable level of amenity for neighbours by ensuring development has minimal impact on neighbouring/adjoining properties in terms of building dominance (bulk and scale), overshadowing and privacy (both visual and acoustic).</i> <i>O10 To consider building location, design and car parking in order to maximise use of public transport.</i> <i>O11 To provide detailed design objectives and controls which encourage innovative design that enhances the character and context of the locality.</i> <i>O12 To encourage high quality urban design outcomes.</i> <i>O13 To enhance the quality of life and promote the wellbeing of the local community.</i> <i>O14 To encourage residential development which is sensitive to the local environment, socially responsive, promotes a safe living environment and makes better use of existing infrastructure.</i>	
4.2.3 General controls <i>C1 New developments with six or more dwellings must provide the following mix of dwelling types:</i> <i>i. Studio 5–20%</i> <i>ii. 1 bedroom 10–40%;</i> <i>iii. 2 bedroom 40–75%; and</i> <i>iv. 3 bedroom or bigger 10–45%.</i>	Concept Plans show a certain mix of units (studios 10%, 1 & 2 br 45%). The mix is considered reasonable and satisfactory reflecting demand and likely future character of the area. The mix can change with any future DA and assessment on merits at the time.
4.2.4 Built form and character 4.2.4.1 Floor space ratio and site coverage <i>Maximum site coverage:</i>	The Concept Plans reflect discussions with Council Officers regarding reasonable setbacks to adjoining land. Concept site plans for Site A reflect those discussions and take into account the opportunities and

<i>Residential flat building</i> <i>45% for one storey</i> <i>35% for two storey</i> <i>30% for three or more storeys</i>	constraints which resulted in the staggered heights. The outcomes of the UDS report provide a basis for the MDCP height and number of storeys.
4.2.4.2 Building heights <i>C9 The maximum permissible height for any development must be consistent with the height standards prescribed on the MLEP 2011 Height of Buildings Map.</i>	There is no current height limit for the IN2 zoned sites. The Concept Plans show that a 14m height on Site A will achieve 4 storeys. The edges of the proposed building are limited to 11m which is compatible with the 9.5m height control for Site C. On this basis this Planning Proposal sets a new development standard for Site A of 14m. If required Clause 4.6 variations will be used for the projections such as lift overrun and stair well.
4.2.4.3 Building setbacks <i>Residential flat buildings</i> <i>v. Minimum front setback:</i> <i>a. Must be 9m; and</i> <i>b. For high-rise buildings and buildings above three storeys, each application shall be considered on its merits with a minimum front building setback of 11m.</i> <i>b. For residential flat buildings greater than 3m or one storey, the following setbacks must apply:</i> <i>One storey – 3.5m</i> <i>Two storeys – 4m</i> <i>Three storeys – 4.5m</i> <i>Note: the DCP does allow variations to setback where:</i> <i>i. There is no adverse impact of any proposed boundary wall on</i>	The issue of setbacks and separation was discussed with Council Officers during pre-lodgement of the planning proposal. It was generally agreed that in order to provide a reasonable transition between the commercial uses to the east and the residential uses to the west Site A should provide a front setback that related to both the existing and future alignments. Site A: 4m setback; adequate western side setback (3 – 6 m) and rear setbacks for sun access and amenity of adjoining residents. Setbacks work in unison with the stepped 3 and 4 storey forms and articulated western facade. The 4th storey will for the most part be recessive and not visible from street level. The development site is therefore planned to provide adequate

<i>neighbours;</i> <i>ii. Privacy between neighbouring dwellings and their open space improves; and</i> <i>iii. The proposed setback matches an existing setback of a neighbouring building, leading to an improved streetscape and visual relationship.</i>	separation together with private open space and communal open space over various floor levels.
4.2.5 Streetscape, general appearance and materials 4.2.5.1 Facade and streetscape design <i>RFB must be:</i> • <i>sensitive to the specific characteristics of the site and its locality.</i> • <i>must not contrast with the existing character of the street.</i> • <i>establish a sense of place and street identity.</i> • <i>oriented to complement the existing pattern of development found in the street.</i> • <i>designed to address the principal street frontage and provide an attractive visible facade from the street.</i> • <i>enhance the existing built character by interpreting and translating any positive characteristics found in the street and locality into design solutions.</i>	The Concept Plans serve to demonstrate development capability and compatibility between the existing low density development and the potential residential development for Site A. At this stage the plans are not fully developed. The development site will be architecturally designed to ensure that each elevation and façade is sensitive to the natural and built environment of the area, including the conservation area to the north. The concept proposal as modelled has modulated western façade with a stepping effect reducing the perceived 3 storey scale of the building. The stepping adds relief and also assists with obtaining SEPP 65 compliance. The southern of front façade is also stepped to again provide a relationship with the residential setbacks to the west.
4.2.5.2 Bulk and scale relationship <i>New development must provide a sympathetic transition in scale between old and new buildings by dividing building mass, roof form and facade into smaller units which sympathetically relate to adjoining properties.</i>	The Concept Plans submitted with the Planning Proposal demonstrate the proposed bulk and massing for the development of Site A. The proposed development provided a transition in scale and massing between existing and future built form. The edges of the building are 3 storeys which relates well to the 2 storey limit

	(9.5m) for adjoining development to the west and north of the site.
4.2.5.3 Materials, finishes, textures and colours	A schedule of materials and finishes will be submitted with any development application for Site A.
4.2.6 Parking and access <i>Parking structures or garages must not be located in front of the building line.</i> <i>Vehicular entrance to a communal parking must be located in such a way to have least impact on the streetscape and amenity of adjoining neighbours.</i>	Site A: Parking at basement level with access from New Canterbury Road. The site is within easy walking distance to bus stops on main roads and local train stations. On-site parking to comply with MDCP or RTA guidelines/ADG.
4.2.7 Ceiling heights <i>Minimum ceiling heights = 2.7m</i>	Capable of complying. Detailed sections at the DA stage.
4.4.2 Social Impact Comment (SIC)	Site A: 20 units indicated on Concept Plans. No SIC requirement.

5.5 MDCP 2011 Amendment:

In order to facilitate development of Site A it is proposed to include the following amendment at the end of Section 9.36 (Petersham Commercial Area) of MDCP 2011:

SITE A - 183 New Canterbury Road, Lewisham

- Any redevelopment of 183 New Canterbury Road, Lewisham comprising residential uses must demonstrate consistency, where possible, with the provisions of State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide. Section 3.2 of the UDS report forms the basis of the MDCP amendment plus Fig A and B.

3.2 Proposed Controls Northern Site

1. New development should be a maximum of four storeys at the New Canterbury Road frontage and three storeys at the rear of the site in order to achieve an appropriate scale interface with existing adjacent development. Lift overruns should be permitted above this height to provide for access to communal rooftops.
2. Retail and commercial uses should not be permitted in order to contain the Petersham Commercial Centre.
3. Ground floor dwellings fronting New Canterbury Road should be raised by 1-1.5m above the footpath level order to provide for a high quality residential amenity for ground floor apartments, with a nil front setback.
4. The design of the New Canterbury Rd frontage should respond to the predominantly two-storey scale of Petersham commercial centre and the heights of the Georgious heritage façade two blocks to the east.
5. The top floor of the New Canterbury Rd frontage should be set back from the north and south in order to reduce its apparent scale and provide for good solar access to the open space to the south.
6. Setbacks along the western boundary should be varied between 3 and 6m in order to provide an appropriate scale interface with existing residential development (recognising the existing situation is a two level factory wall on the boundary). In this area windows and balconies should be arranged to avoid direct overlooking across the boundary by looking along the setback area instead.
7. Setbacks along the eastern and northern boundary should be 6m or more in order to contribute to shared open space from adjacent properties and should include significant mature tree planting in the deep soil zone.
8. Maintain vehicular access from New Canterbury Road adjacent to the western boundary.
9. Site facilities and waste storage should be thoughtfully and sensitively integrated into the New Canterbury Road frontage.
10. Ensure that the eastern boundary wall of a new building is well articulated and has an appropriately high quality of finishes, recognising that it may be prominent in the short-medium term (until the adjacent site is developed).
11. Minor variations to the envelopes shown should be permitted where they maintain or improve amenity.

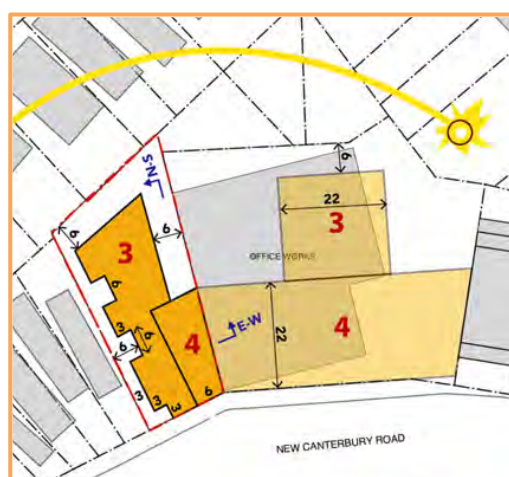


Fig A – Extract Urban Design Study – Urbanac 2016 – Storey Control

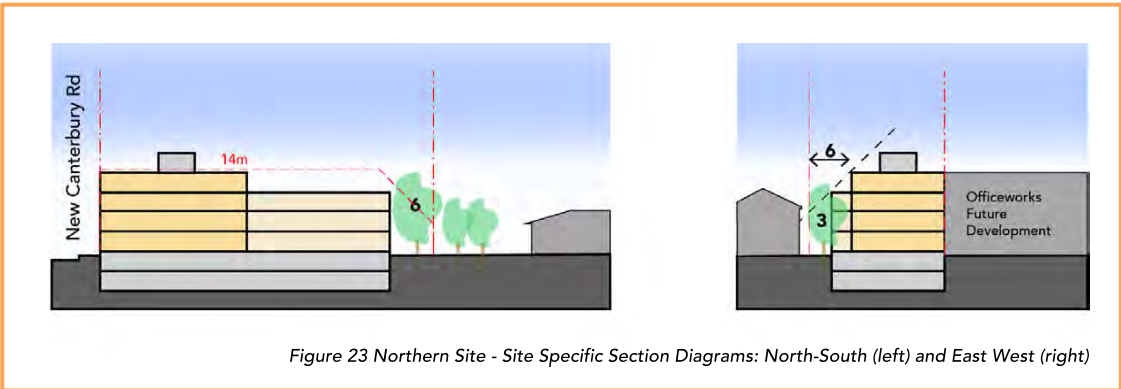


Fig B – Extract Urban Design Study – Urbanac - Sections for Site A

Site A concept scheme provides less than the suggested built form given that the 4th storey is setback 12.375m from the front façade as opposed to the full 4 storeys shown in Figure B.

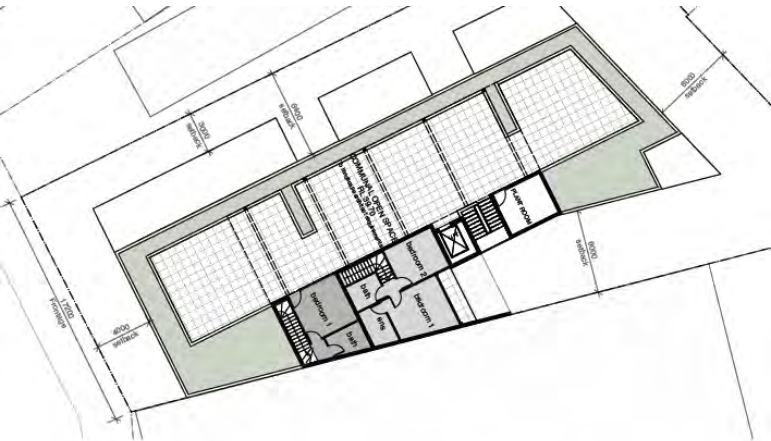


Fig B1 – Fourth level showing setback of 12.375m to the stair thus building presents as 3 storeys



Fig B2: 3D image of the 3 storey appearance of the building which reflects Councils preference for the site. We maintain that the site is well suited to accommodate 4 storeys to the street

edge.

Part 6 State Environmental Planning Policies – SEPP 55 (Remediation of Land) and SEPP 65 (ADG) : Preliminary Assessment of Concept Plans

6.1 SEPP 55 – Remediation of Land

Clause 6: Contamination and remediation to be considered in zoning or rezoning proposal

(1) In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:

- (a) the planning authority has considered whether the land is contaminated, and*
- (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
- (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.*

Note. *In order to satisfy itself as to paragraph (c), the planning authority may need to include certain provisions in the environmental planning instrument.*

(2) Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.

(3) If a person has requested the planning authority to include land of a class identified in subclause (4) in a particular zone, the planning authority may require the person to furnish the report referred to in subclause (2).

(4) The following classes of land are identified for the purposes of this clause:

- (a) land that is within an investigation area,*
- (b) land on which development for a purpose referred to in Table 1 (SEE BELOW) to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:*
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

*(5) In this clause, **planning authority** has the same meaning as it has in section 145A of the Act.*

Managing Land Contamination - Planning Guidelines SEPP 55–Remediation of Land- Table 1

Table 1. Some Activities that may Cause Contamination	
▪ acid/alkali plant and formulation ▪ agricultural/horticultural activities ▪ airports ▪ asbestos production and disposal ▪ chemicals manufacture and formulation ▪ defence works ▪ drum re-conditioning works ▪ dry cleaning establishments ▪ electrical manufacturing (transformers) ▪ electroplating and heat treatment premises ▪ engine works	▪ explosives industry ▪ gas works ▪ iron and steel works ▪ landfill sites ▪ metal treatment ▪ mining and extractive industries ▪ oil production and storage ▪ paint formulation and manufacture ▪ pesticide manufacture and formulation ▪ power stations ▪ railway yards ▪ scrap yards ▪ service stations ▪ sheep and cattle dips ▪ smelting and refining ▪ tanning and associated trades ▪ waste storage and treatment ▪ wood preservation

Assessment

A Detailed Site Investigation report (DSI) of Site A has been undertaken by Benviron Group. The report, dated March 2016, is submitted as part of the this Planning Proposal. The objective of the report was to form a preliminary view as to the suitability of Site A for residential purposes in terms of any site contamination that may have occurred or is occurring as a result of the light industrial operations onsite. Reference is made to Section 15.0 Discussion of the report which identifies a number of potential areas of environmental concern at the site. Notwithstanding these, the report concludes the site is suitable for residential use, stating the following:

“Based on the results of this investigation it is considered that the risks to human health and the environment associated with soil contamination at the site are low in the context of the proposed use of the site. The site is suitable for the proposed development, subject to the following recommendations:

- *Any soils proposed for removal from the site should initially be classified in accordance with the “Waste Classification Guidelines, Part 1: Classifying Waste” NSW DECC (2014).*

If during any potential site works, significant odours and/or evidence of gross contamination (including asbestos) not previously detected are encountered, or any other significant unexpected occurrence, site works should cease in that area, at least

temporarily, and the environmental consultant should be notified immediately to set up a response to this unexpected occurrence.”

SEPP 65 – Design Quality for Residential Flat Buildings

To assist with the assessment of the site’s capacity to be developed in accordance with the Concept Plans submitted as part of this Planning Proposal, the following table provides an indication of where the proposal complies or is capable of complying and/or achieving good quality design outcomes on the development site. Please note a full assessment of the provisions will be undertaken during the processing of any development application.

Principle	Comment
1 Context and neighbourhood character	
Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area’s existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	The locational context of the development site in relation to Petersham Commercial Area and Shopping Strip and even more broadly within the region creates a highly desirable redevelopment site in terms of access to employment, leisure, entertainment, community services and public transport. The opportunities created by rezoning the subject sites is addressed throughout this Planning Proposal.
2 Built form and scale	
Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.	The proposed zoning of the IN2 land to R4 is considered appropriate in this case. Council requested the proponent to

Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	demonstrate how the R4 development standards would transition height and FSR, and hence the bulk and scale of the new development between the R4 and R2 zones. Concept Plans demonstrate that Site A is capable of achieving an FSR of between 1.5:1 and overall height of 14m excluding lifts without adversely impacting on the adjoining detached dwellings or their curtilages.
3 Density	
Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	Site A proposes to comprise 20 residential units with an FSR up to 1.5:1. This density is considered appropriate for the area in terms of population growth and achievement of urban renewal and consolidation principles close to public transport, employment and services. The site is ideally situated in this context.
4 Sustainability	
Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling, reducing reliance on technology and operational costs. Other elements include recycling and re-use of materials	Concept Plans demonstrate units are capable of complying with solar access and cross ventilation requirements together with providing sufficient landscaping and deep soil planting to soften effects of privacy and any potential overlooking of neighbours.

and waste, use of sustainable materials and deep soil zone or groundwater recharge and vegetation.	
5 Landscape	
Good design recognises that together, landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Good landscape design enhances the developments' environmental performance by retaining positive natural features which contribute to the local context, coordinating water and soil management, solar access, microclimate, tree canopy, habitat values and preserving green networks. Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, and respect for neighbours' amenity and provides for practical establishment and long-term management.	Concept Plans demonstrate that suitable ADG compliant landscape areas within Site A are available for deep soil plantings. Detailed landscape plans, prepared by a suitably qualified landscape designer, will be submitted at the DA stage.
6 Amenity	
Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well-being. Good amenity combines appropriate room dimensions and shapes, access to	Concept Plans demonstrate that the proposed urban form results in good amenity for both residents and neighbours. Massing plans reflect the opportunities and constraints of the development site. Future development is capable of adequately addressing issues relating to setbacks, open

sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.	space, communal open space, deep soil planting, waste management, privacy and overlooking, taking into account the site constraints and opportunities presented in this case. Full assessment as part of the future DA.
7 Safety	
Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.	A CPTED report can be prepared and submitted at the DA stage.
8 Housing diversity and social interaction	
Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a board	The proposed dwelling mix is considered appropriate in relation to the social profile previously discussed for the Marrickville area.

range of people and providing opportunities for social interaction among residents.	
9 Aesthetics	
Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	The Concept Plans provide details of elevations, facades, but not proposed materials, colours and finishes. These will be submitted at the DA stage.

Part 3 Siting the Development

Objectives	Comment
3A Site analysis	
Objective 3A-1 Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	Refer to the Concept Plans prepared by Becerra Architects, submitted as part of this Planning Proposal.
3B Orientation	
Objective 3B-1 Building types and layouts respond to the streetscape and site while optimising solar access within the development.	Yes. The north-south orientation of Site A presents some constraints to solar access for some units. This is addressed through good design and optimization of unit layouts and setbacks to neighbouring properties where appropriate. A roof top terrace is proposed to provide additional recreational

	areas for residents, particularly those with south facing units.
Objective 3B-2 Overshadowing of neighbouring properties is minimised during mid-winter. Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%. A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings.	Yes. Setbacks and unit orientation are optimised on a site specific basis to achieve maximum solar access to new units and existing dwellings on neighbouring sites. Shadow diagrams will be prepared with the DA to fully address solar amenity.
3C Public Domain Interface	
Objective 3C-1 Transition between private and public domain is achieved without compromising safety and security.	Capable of complying.
Objective 3C-2 Amenity of the public domain is retained and enhanced.	Front setbacks and/or staggered front setbacks ensure amenity to the public domain along New Canterbury Road and a transition between the commercial uses to the east and the residential development to the west.
3D Communal and public open space	
Objective 3D-1 An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping. Design Criteria	Allocation of areas for communal and private open are shown the Concept Plans, including communal area as a roof top terrace. This will provide residents with a sunny area and passive space. Detailed plans of the

Communal open space has a minimum area equal to 25% of the site. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter). The communal open space should have a minimum dimension of 3m.	design, layout, furnishings, screening and landscape treatment of these areas will be submitted with the DA.
Objective 3D-2 Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.	Details of landscaping, including hard stand areas, any furniture or activity space will be provided as part of the DA. The principle communal open space areas are capable of being attractive and inviting places for residents.
Objective 3D-3 Communal open space is designed to maximise safety.	As above.
Objective 3D-4 Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood.	Not applicable to this development. Only private or communal open space is to be provided as part of the Concept. No requirement for public open space.
3E Deep soil zones	
Objective 3E-1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality. Design criteria Deep soil zones are to meet the following minimum requirements:	Areas for deep soil planting are available. Details will be provided at the DA stage. The Concept Plans adequately demonstrate that deep soil areas can be provided to any future development.

• 7% of site area • <650m² - no min dimensions • 650m²-1500m² - 3m min dimensions • >1500m² - 6m min dimensions	
3F Visual Privacy	
Objective 3F-1 Adequate building separation distances are shared equitable between neighbouring sites, to achieve reasonable levels of external and internal visual privacy. Design Criteria Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: 4 storeys: 6m for habitable rooms and balconies; 3m for non- habitable rooms.	Capable of complying. The UDS identifies the required setbacks which take into consideration the height and the length of the external wall exposed to the residential interface. In some areas 3m setback is proposed whilst other areas require 6+m setbacks. The length of external walls is limited on the western boundary to provide a modulated façade with physical breaks.
Objective 3F-2 Site and building design elements increase privacy without compromising access to light and air, and balance outlook and viewed from habitable rooms and private open space.	The plans demonstrate that the proposal is capable of complying. Details to be submitted at the DA stage.
3G Pedestrian access and entries	
Objective 3G-1 Building entries and pedestrian access connects to and addresses the public domain.	Capable of complying.
Objective 3G-2 Access, entries and pathways are accessible and easy to identify.	Capable of complying.
Objective 3G-3 Large sites provide pedestrian links for access to streets and connection to destinations.	No applicable to this proposal.

3H Vehicle access	
Objective 3H-1 Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.	Any redundant crossovers and driveways will be reinstated and one new crossover and driveway is proposed to be constructed along the southern boundary of the development site. Pavement details to be submitted at the DA stage. Details at the DA stage.
3J Bicycle and car parking	
Integrating car parking within apartment buildings has a significant impact on site planning, landscape and building design. On-site parking can be located underground, above ground within a structure or at grade.	Parking for the proposed development is located at the basement directly below the building envelope.
Objective 3J-2 Parking and facilities are provided for other modes of transport	No details provided. Capable of complying. Details to be submitted at the DA stage.
Objective 3J-3 Car park design and access is safe and secure.	The preliminary traffic report concludes that the proposal is satisfactory in terms of traffic generation, parking provision, circulation and access. Full details at the DA stage.
Objective 3J-4 Visual and environmental impacts of underground car parking are minimised.	Complies.
Objective 3J-5 Visual and environmental impacts of on-grade car parking are minimised.	Not applicable to the proposal.
Objective 3J-6 Visual and environmental impacts of above ground enclosed car parking are minimised.	Not applicable to the proposal.

In summary, the proposed Concept Plans for Site A either comply with or are capable of complying with the principle provisions of MLEP 2011, the relevant provisions of MDCP 2011 and the principles of SEPP 65. Where any variation arises as a result of the design process at the DA stage, then each variation will be justified as part of the DA documentation submitted to Council.

Part 7 Objectives/Intended Outcomes

7.1 The Planning Proposal seeks to:

Rezone No. 183 New Canterbury Road, Lewisham from **IN2 Light Industrial to R4 High Density Residential** pursuant to Marrickville Local Environmental Plan 2011 and rezone No. 203 New Canterbury Road Lewisham from **IN2 Light Industrial to R2 Low Density Residential**.

The proposed amendment requires changes to the Marrickville LEP 2011 Map _001 Series – Land Zoning Map; Floor Space Ratio Map and Height of Building Map.

7.2 There is no intended change or modification to any other planning maps, standards, provisions or controls as they relate to the existing sites or the ongoing use or development of the sites in the future, pursuant to MLEP 2011.

7.3 Amendment of MDCP 2011 is proposed to enunciate site specific development guidelines for No. 183 New Canterbury Road (Site A) only given that No. 203 New Canterbury Road (Site C) will fall under the general provisions of the MDCP 2011 in relation to residential development. The DCP amendments for Site A include at a minimum massing profiles, setbacks, number of storeys and development guidelines.

Part 8 Explanation of the Intended Zone, Height and FSR

8.1 Marrickville Local Environmental Plan 2011 is to be amended by:

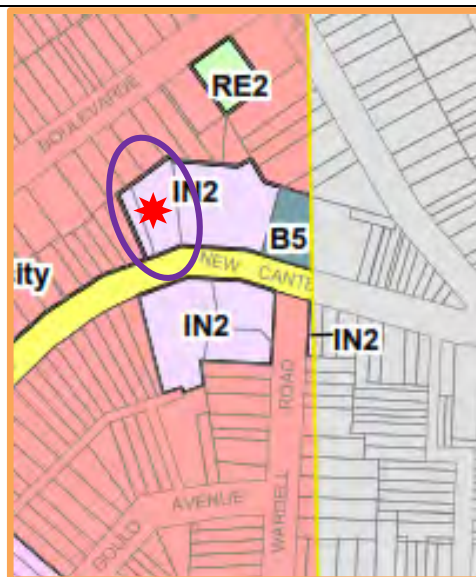
- Amending the Marrickville LEP 2011 maps as follows:

	Name of Map	Delete	Add	Colour	Suggested Lettering
1.	Land Zoning – Site A	IN2	R4 High Density Residential		R4
2	Land Zoning Site C	IN2	R2 Low Density Residential		R2
3.	Floor Space Ratio	0.95	1.5:1 Site A 0.6:1 Site C	Council to determine colour and lettering	N J
4.	Height of Building	N/A	Site A – 14m	Council to determine colour and lettering	L 14

MLEP 2011 Map Series__001:
Existing

MLEP 2011 Map Series_001: Proposed

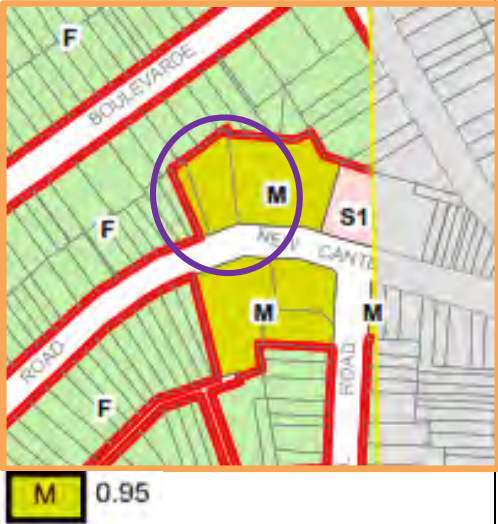
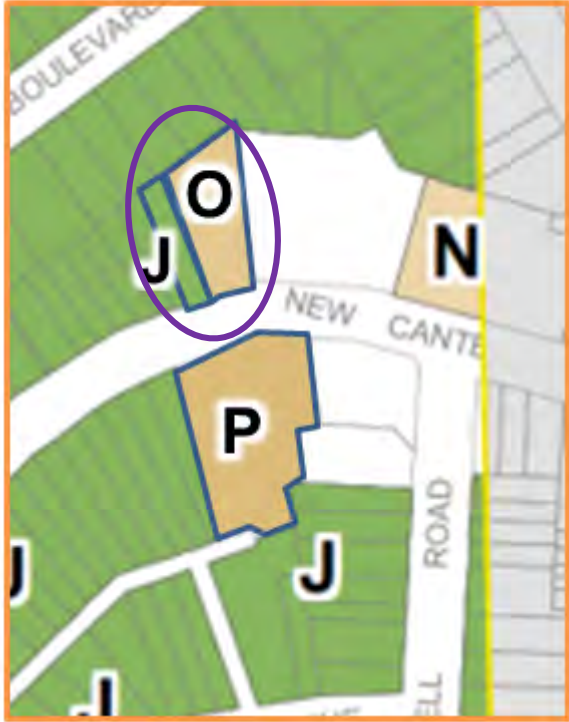
Map 1: Land Zoning



Amend current map to reflect below:

Site A - R4 High Density Residential

Site C – R2 Low Density Residential

Map 2: Floor Space Ratio	
	S1 = 1.5:1 for Site A F = 0.6:1 for Site C Site A adopts a 1.5:1 FSR maximum.
Map 3: Height of Building	
	O – 14m - O J – 9.5m - J Height to be determined by Council

Part 9 Justification

Section A - Need for the Planning Proposal

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

No. The proposal is a site specific Planning Proposal to rezone two allotments to facilitate residential development immediately adjoining existing low density development. The sites are within an inner west area of Sydney that is transitioning towards higher residential population and access to employment opportunities with local service industries concentrated in areas more appropriate for the provision of these businesses. The Planning Proposal has taken into account Council's strategic vision and direction for this area of Marrickville and more broadly the goals of the State Government's *A Plan for Growing Sydney* in relation to housing supply, urban renewal and urban infill in areas close to infrastructure and services.

The proponent has engaged a suitably qualified and experienced architectural firm, together with a Town Planning consultant, urban designer, environmental consultant and traffic engineer to develop concept plans for Site A. The development site (Site A) is currently zoned IN2 – Light Industrial. The architect has worked through a number of options for the land seeking to optimize its use for residential purposes (given its locational context) while ensuring the proposal respects the site's interface between the adjoining low density residential development adjoining and adjacent.

Notwithstanding that this is a 'site specific' rezoning, its future development relates closely to the future vision and character that Council has enunciated in Part 9.36 of MDCP 2011 – Petersham Commercial Area. Council's objectives, vision and planning principles for this area are noted.

Council's adopted Vision for this area (that applies to these sites) is:

"The desired future character for this precinct is:

- To ensure that the design of higher density development demonstrates good urban design and environmental sustainability and provides suitable amenity for occupants of those developments.*
- To ensure that the design of higher density development protects the residential amenity of adjoining and surrounding properties.*
- 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.*
- To ensure that new development considers all potential impacts to biodiversity.*
- To facilitate efficient parking, loading and access for vehicles that minimises impact to streetscape appearance, commercial viability and vitality and pedestrian safety and amenity."*

Overall, the Planning Proposal and Concept Plans complement the long term vision and function of the Petersham Commercial area. Clearly the role of the industrial zoned lands in this particular locality is exhausted.

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

Yes. Advice received from Council officers indicated that Council would be willing to consider an amendment of MLEP 2011 to facilitate a residential development on the subject land. The proposal sets a good precedent for development going forward, reflects the visual and density components of the hierarchy of development from the Petersham Commercial Area to the east of this node and makes a positive contribution to the future character of the area. Any future proposal will need to respond appropriately to the SEPP 65 Apartment Design Guideline. The future DA will include specific details of the façade treatments.

An amendment to the Marrickville LEP 2011 is the only feasible way of achieving the desired future redevelopment of the subject land. It will provide greater certainty and this Planning Proposal includes new planning controls of Council's DCP, informed by an Urban Design Study that has tested the built form outcomes for the site and the immediate area.

Is there a net community benefit?

The proposal has a community benefit in the form of housing supply directly adjacent to employment, health and education centres which provide a range of services essential to the local community. The additional housing supply will assist in curtailing the rising rental and housing prices in the area. With a very high level of occupied private dwellings in the area the issue with housing in the area is that demand outstrips supply and this causes prices to rise. Traditionally housing in this area has been a variety of forms of separate dwellings, however there is a social need for more units and apartments as the area's population demographics are changing.

The proposal will also assist in providing demand for local goods and services by virtue of the additional population which in turn provides local jobs.

There is considered to be an overall community benefit given the potential positive economic, social and environmental advantages of the new development.

Section B - Relationship to Strategic Planning Framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional and sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. The proposal is consistent with *A Plan for Growing Sydney*, December 2014. The Plan states:

"Sydney needs a plan that outlines how to:

- make it easier for Sydney's residents to move between their homes, their jobs, the centres where they shop and use local services, and their open spaces;*
- make a wider variety of housing available to suit the changing make-up of the population - more than one million people will be over the age of 65 years and almost the same number under the age of 15 years by 2031;*
- deliver new infrastructure which supports our community as it grows, and strategic infrastructure that also strengthens the economy; and*
- recognise our highly prized environment – the harbour, the coast, our mountains, parks and open spaces – and how to safeguard these places."*

Goal 2 of that Plan reads: A city of housing choice, with homes that meet our needs and lifestyles. The rezoning and development of the consolidated land parcel focuses on achieving that goal, as follows:

- It provides more housing in the Marrickville LGA which is an identified strategic outcome for the State;
- It provides housing choice in a well-serviced location;
- It will help meet changing household needs in the area and a range of lifestyle choices;
- It seeks to address population growth in the immediate area in close proximity to work, shopping, leisure pursuits and community services;
- It will include accessible and adaptable dwellings to assist residents who are aged, disabled or other incumbent by allowing access to families, friends and services;
- It is located in easy walking or short commutes to work, services and a variety of entertainment and social activities;
- It reflects the demographic needs of this local community;
- It is an example of urban renewal and infill development that is appropriate to its location and neighbourhood context.
- It replaces a land use that is fragmented and is no longer required in this particular location as the land is better suited to residential land uses.

The proposal is considered consistent with the following objectives of the strategy:

- Providing additional housing opportunities adjoining an existing local centre and employment area;
- Boosting development opportunities in the area offering a density and scale of development that optimises the development potential of the land while respecting the residential amenity of adjoining low density properties;
- Maintaining environmental quality;
- Lessening energy costs and ongoing running costs of housing through quality design;
- Reducing car dependence;
- Improving access and proximity to employment opportunities;
- Assisting with metropolitan housing targets;
- Providing diverse and affordable housing to reduce transport costs and inefficiencies;
- Improving environmental sustainability and efficiently using resources and infrastructure.

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

Yes. The proposal is consistent with Council's adopted Community Plan – the *Marrickville Community Strategic Plan*. This Plan is the long term strategy that describes the vision for the Marrickville, as part of the Inner West LGA and more broadly, the Central Subregion of the Sydney Metropolitan area.

The Plan contains a number of challenges and opportunities that are relevant to this Planning Proposal, as follows:

1. Meeting the needs of a growing population

Sydney's population is expected to grow to six million people by 2036, with an average annual rise of 56,650 people. As of 30 June 2011 the population of Marrickville was estimated to be 108,371. By 2031 that figure is forecast to reach an estimated 135,508. While these are the forecast figures, Marrickville's popularity is likely to bring even stronger growth than predicted.

2. Addressing the needs of a changing population

We are living longer with an ever increasing life expectancy. By 2036 the number of people across Sydney over the age of 65 will more than double, to just over one million people, or 17% of the overall population. In keeping with national predictions of an ageing population, figures provide clear predictions of an ageing population in Marrickville. It is estimated the number of people aged over 65 will increase, and represent 15.4% of the population by 2021. We also anticipate an influx of younger residents

moving closer to employment and education opportunities, together with our multicultural population continuing to grow.

3. Offering suitable housing options while maintaining the characteristics of our suburbs

In 2011 there were 41,755 dwellings in the City of Marrickville. The metropolitan strategy has a target for 12,000 dwellings by 2031. We are witnessing an increasing under supply of housing, with a higher demand for villas, units and rental properties. We are also moving towards smaller households, projections show that from 2007 to 2027 there will be a 43.8% increase in lone person households, making this the dominant housing type within six years.

4. Creating a strong economy and employment closer to home

There are over 33,000 businesses operating in the City of Marrickville. Our growing City is predicted to create over 21,000 new jobs, amounting to around 80,000 people working in our city by 2031. With increasing opportunities across our booming City we anticipate this predicted number to rise even further. Of the 69,480 people who currently work in the City of Marrickville, 13,643 or 19.6% also live in the area. By 2031 and beyond this is expected to rise significantly as people seek opportunities closer to home."

The Planning Proposal addresses these community based challenges and achieves Council's local strategy for sustainable growth and economic vitality within the Marrickville LGA.

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

There are no State Environmental Planning Policies which would contravene the Planning Proposal. As addressed previously in this Planning Proposal the final development proposal, when submitted as a Development Application will need to address the relevant provisions of any SEPP that applies to the design and construction of a residential development on that land. That includes SEPP 55 and SEPP 65. The Concept Plans submitted as part of this Planning Proposal demonstrate that the land and subsequent development for high density residential development is capable of complying with these provisions.

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

Yes. Consistency with the list of Directions (under section 117(2) of the Environmental Planning and Assessment Act 1979 issued by the Minister for Planning) is assessed below.

Direction	Issue Date / Date Effective	Relevance to Planning Proposal
1. Employment and Resources	1 July 2009	
1.1 Business and Industrial Zones		Relevant. Addressed above.
1.2 Rural Zones		Not relevant
1.3 Mining, Petroleum Production and Extractive Industries		Not relevant
1.4 Oyster Aquaculture		Not relevant
1.5 Rural Lands		Not relevant
2. Environment and Heritage	1 July 2009	
2.1 Environment Protection Zones		Not relevant
2.2 Coastal Protection		Not relevant
2.3 Heritage Conservation		Not relevant
2.4 Recreation Vehicle Areas		Not relevant
3. Housing, Infrastructure	1 July 2009 (Except for new Direction 3.6 - effective 16 February 2011)	Relevant Site A is to be zoned high density residential development. The Concept Plans submitted in support of the Planning Proposal demonstrate that the development site is capable of complying with the relevant development standards and controls while maintaining a satisfactory level of residential amenity to the existing low density development adjoining

		and adjacent the development site.
3.1 Residential Zones		Relevant No change to the existing LEP provisions, zoning or development standards that currently apply across the LGA.
3.2 Caravan Parks and Manufactured Home Estates		Not relevant
3.3 Home Occupations		Not relevant
3.4 Integrating Land Use and Transport		Relevant. Refer to discussion below.
3.5 Development Near Licensed Aerodromes		Relevant. Refer to discussion below.
3.6 Shooting Ranges		Not relevant
4. Hazard and Risk	1 July 2009	
4.1 Acid Sulfate Soils		Not relevant
4.2 Mine Subsidence and Unstable Land		Not relevant
4.3 Flood Prone Land		Not relevant
4.4 Planning for Bushfire Protection		Not relevant
5. Regional Planning	1 July 2009 (Except for new Direction 5.4 effective 29 Nov 2009 & Direction 5.2 effective 3 Mar 2011 & Direction 5.9 effective 30 Sep 2014)	
5.1 Implementation of Regional Strategies		Not relevant
5.2 Sydney Drinking Water Catchments		Not relevant
5.3 Farmland of State and Regional Significance on the NSW Far North Coast		Not relevant
5.4 Commercial and Retail Development along the Pacific Highway, North Coast		Not relevant

5.5 (Revoked 18 June 2010)		Not relevant
5.6 (Revoked 10 July 42008)		Not relevant
5.7 (Revoked 10 July 2008)		Not relevant
5.8 Second Sydney Airport: Badgerys Creek		Not relevant
5.9 North west Rail Link Corridor Strategy		Not relevant
6. Local Plan Making	1 July 2009	
6.1 Approval and Referral Requirements		Relevant. This planning proposal is consistent with these provisions. Council will undertake the relevant referrals as part of the Planning Proposal notification.
6.2 Reserving Land for Public Purposes		Not relevant
6.3 Site Specific Provisions		Relevant This Planning Proposal seeks to rezone the subject sites to a zone within the current LEP. The amendment proposes development standards for FSR and height which is the current practice in the MLEP. Currently no height controls apply as the sites are zoned industrial.
7. Metropolitan Planning	14 January 2015 (Except for Direction 7.2 effective 22 September 2015)	
7.1 Implementation of the Metropolitan Plan for Sydney 2036		Relevant Generally consistent with <i>A Plan for Growing</i>

		Sydney, Dec 2014. Refer to comments in Part 9, Section B (3) above.
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1.1 Business and Industrial Zones

Objectives

(1) *The objectives of this 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.*

Where this direction applies

(2) *This direction applies to all relevant planning authorities.*

When this direction applies

(3) *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).*

What a relevant planning authority must do if this direction applies

(4) *A planning proposal must:*

- (a) *give effect to the objectives of this direction,*
- (b) *retain the areas and locations of existing business and industrial zones,*
- (c) *not reduce the total potential floor space area for employment uses and related public services in business zones,*
- (d) *not reduce the total potential floor space area for industrial uses in industrial zones, and*
- (e) *ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

Consistency

(5) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*

- (a) *justified by a strategy which:*
 - (i) *gives consideration to the objective of this direction, and*
 - (ii) *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - (iii) *is approved by the Director-General of the Department of Planning, or*
- (b) *justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or*
- (c) *in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
- (d) *of minor significance.*

Assessment

This direction is relevant to this planning proposal as it proposes the rezoning of land located within an existing industrial zone. The planning proposal aims to rezone land from IN2 Light Industrial to R2 and R4 under the MLEP 2011.

It is considered that the planning proposal is consistent with the objectives of the direction given that the additional housing will provide increased demand for local services which in turn increases jobs and growth of the local area. This growth will counteract any perceived loss of jobs associated with the

closure of the current businesses. The jobs growth will outstrip the loss in our opinion. Previous studies have confirmed there is no specific requirement to maintain this particular industrial zoned land which represents 0.1% of the total IN zoned land in Marrickville. The inconsistency in relation to the retention of the land under this Direction is minor and must be waived in order to achieve more strategic housing goals for the region which will lead to job growth in local retail sectors in Petersham.

The proposal departs somewhat from the outdated Draft South Subregional Strategy (DSSS). The DSSS designated the subject site and surrounding IN2 Light Industrial zoned sites as land to be retained for industrial purposes to provide for local services. However, this document was released as a draft in 2005 and has not been updated or finalised since this time and is out of date. Council has considered a preliminary concept for this site and has not raised any concerns with this subject acting as a transitional land parcel between the Petersham Commercial area to the east and the low density residential development to the west. Ongoing use of the site for industrial purposes in this location is not considered the highest and best use at this location. Council and the Department considered the same draft strategy and supported the recent rezoning of the Georgiou's Chocolate Factory site thus this proposal is consistent with the current trends and strategic thinking both at Council and the Department of Planning.

On balance, it is considered that any inconsistencies with Direction 1.1 are of minor significance.

3.1 Residential Zones

Objectives

(1) The objectives of this direction are:

- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) to minimise the impact of residential development on the environment and resource lands.*

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:

- (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),*
- (b) any other zone in which significant residential development is permitted or proposed to be permitted.*

What a relevant planning authority must do if this direction applies

(4) A planning proposal must include provisions that encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and*
- (b) make more efficient use of existing infrastructure and services, and*
- (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and*
- (d) be of good design.*

(5) A planning proposal must, in relation to land to which this direction applies:

(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and

(b) not contain provisions which will reduce the permissible residential density of land.

Consistency

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

(i) gives consideration to the objective of this direction, and

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

(iii) is approved by the Director-General of the Department of Planning, or

(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or

(d) of minor significance.

Assessment

This direction is considered relevant to this planning proposal as it relates to land in any other zone in which residential development is proposed to be permitted. This planning proposal seeks to rezone land from IN2 Light Industrial to R2 and R4 thereby permitting the construction of a residential flat building on Site A. Rezoning of Site C simply confirms the existing residential use and no change is proposed to the current building typology on the site. Therefore, the proposed zones permit residential development.

The planning proposal is consistent with this direction as the subject site is located in close proximity to an existing commercial centre with well-established infrastructure. Therefore, it will reduce the consumption of land for housing as it is located within an existing developed area.

The planning proposal will set development controls for the subject site as deemed suitable within its context. The future development as depicted in the Concept Plans will provide housing choice and diversity and is of good design. Full assessment will occur as part of the future DA applications.

It is considered that the planning proposal is consistent with objectives of this direction.

3.4 Integrating Land Use and Transport

Objective

(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

(a) improving access to housing, jobs and services by walking, cycling and public transport, and

(b) increasing the choice of available transport and reducing dependence on cars, and

(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and

- (d) supporting the efficient and viable operation of public transport services, and*
- (e) providing for the efficient movement of freight.*

Where this direction applies

- (2) This direction applies to all relevant planning authorities.*

When this direction applies

- (3) 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.*

What a relevant planning authority must do if this direction applies

- (4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with 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).*

Consistency

- (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
 - (a) justified by a strategy which:*
 - (i) gives consideration to the objective of this direction, and*
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - (iii) is approved by the Director-General of the Department of Planning, or*
 - (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
 - (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
 - (d) of minor significance.*

Assessment

This planning proposal seeks to rezone the subject site to permit residential use of the subject sites. It is considered that this planning proposal is consistent with the objectives of this Direction to improve access to housing, jobs and services by walking, cycling and public transport; increasing the choice of available transport and reducing dependence on cars; reducing travel demand; and supporting viable public transport services. The subject site is located within close proximity of an existing commercial centre. It is well located to services and public transport options, for example Petersham and Lewisham Railway Stations, Lewisham West light rail stop and several bus routes (see UDS report for locational characteristics)

It is considered that this planning proposal is consistent with the aims and objectives of this direction.

3.5 Development Near Licensed Aerodromes

Objectives

(1) *The objectives of this direction are:*

- (a) *to ensure the effective and safe operation of aerodromes, and*
- (b) *to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and*
- (c) *to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.*

Where this direction applies

(2) *This direction applies to all relevant planning authorities.*

When this direction applies

(3) *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.*

What a relevant planning authority must do if this direction applies

(4) *In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:*

- (a) *consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,*
 - (b) *take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,*
 - (c) *for land affected by the OLS:*
 - (i) *prepare appropriate development standards, such as height, and*
 - (ii) *allow as permissible with consent development types that are compatible with the operation of an aerodrome*
 - (d) *obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.*
- (5) *A planning proposal must not rezone land:*
- (a) *for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or*
 - (b) *for schools, hospitals, churches and theatres where the ANEF exceeds 20, or*
 - (c) *for hotels, motels, offices or public buildings where the ANEF exceeds 30.*
- (6) *A planning proposal that rezones land:*
- (a) *for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or*
 - (b) *for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or*
 - (c) *for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.*

Consistency

(7) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*

- (a) *justified by a strategy which:*
 - (i) *gives consideration to the objectives of this direction, and*
 - (ii) *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
 - (iii) *is approved by the Director-General of the Department of Planning, or*
- (b) *justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
- (c) *in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
- (d) *of minor significance.*

Assessment

This direction states that planning proposal must not rezone land:

(d) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25.

This planning proposal is consistent with this part of the direction. The subject site is affected by ANEF 20-25.

The direction also states that a planning proposal that rezones land for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25 must include a provision to ensure that development meets AS2021 regarding interior noise levels.

This part of the direction applies to the subject site as it lies within ANEF 20-25. MLEP 2011 contains Clause 6.5 (Development in areas subject to aircraft noise) which addresses noise attenuation criteria for certain properties in AS 2021 and will apply to any future development proposals submitted to Council. A detailed acoustic report will accompany the future DA prepared by a suitably qualified acoustic engineer.

It is considered that this planning proposal is consistent with this direction.

6.1 Approval and Referral Requirements

Objective

(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal.

What a relevant planning authority must do if this direction applies

(4) A planning proposal must:

- (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and*
- (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:*
 - (i) the appropriate Minister or public authority, and*
 - (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and*
- (c) not identify development as designated development unless the relevant planning authority:*
 - (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and*
 - (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.*

Consistency

(5) A planning proposal must be substantially consistent with the terms of this direction.

Assessment

This Direction aims to minimise approval and referral requirements within planning proposals. This planning proposal does not propose any additional referral or concurrence requirements. Therefore, the planning proposal is consistent with this direction.

6.3 Site Specific Provisions

Objective

(1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.

What a relevant planning authority must do if this direction applies

(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:

- (a) allow that land use to be carried out in the zone the land is situated on, or*
 - (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or*
 - (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.*
- (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.*

Consistency

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

Assessment

This direction applies to this planning proposal as it aims to allow a site specific development to be carried out on the subject site. The planning proposal seeks to rezone the subject site to another zone – residential.

The proposal is considered to be consistent with this direction of the proposed amendments to MLEP 2011 include development standards and provisions of the MLEP already applicable to R4 High Density Residential developments albeit with site specific heights and FSR based on UDS and site opportunities and constraints.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Objective

(1) The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.

Where this direction applies

*(2) This direction applies to land comprising of the following local government areas:
..... Marrickville*

When this direction applies

(3) This direction applies when a Relevant Planning Authority prepares a planning proposal.

What a Relevant Planning Authority must do if this direction applies

(4) Planning proposals shall be consistent with:

- *the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan").*

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the Metropolitan Plan:

(a) is of minor significance, and

(b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.

Assessment

This planning proposal assists in the creation of additional residential development well located in close proximity to an existing local centre. This is consistent with the overall objective of the Metropolitan Plan for Sydney 2036 for the majority of new residential development to be located within existing centres. The planning proposal is consistent with this Direction.

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 known critical habitat or threatened species, populations or ecological communities, or their habitats affected by 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 are no other likely environmental effects as a result of the Planning Proposal, such as flooding, landslip, bushfire hazard and the like. The documentation submitted with the Planning Proposal includes an Urban Design Study, Concept Plans, Traffic and Parking assessment, Geotechnical assessment, Detailed Site Investigation (preliminary contamination investigation) and Town Planning Assessment.

The combination of these professional reports and architecturally prepared plans demonstrate that Site A is capable and suitable for this level and type of development. Environmental effects during construction and ongoing occupation of the development site has been reviewed and is capable of being adequately managed in this case. This includes physical and social matters relating to items such as groundwater, stormwater, access, parking, safety, privacy, passive recreational space, private open space.

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

The Planning Proposal acknowledges that there will be a temporary loss of light industrial employment due to the displacement of the existing employment generating use on the rezoning site. This business will need to be relocated to new premises as a result of the rezoning and this is likely to occur within the LGA given that 187 hectares of industrial GFA exist in the LGA. Conversely this Planning Proposal has also outlined there is a net community benefit of providing new permanent residential units in this location. The reasons why this is appropriate and desirable from a social impact and community benefit perspective are outlined and included throughout this report. Overall, the Concept provides for a logical and pragmatic use of the land and the design, siting and layout represents good quality urban infill development. The site is widely accessible to work, leisure, entertainment and community services. It is anticipated that the existing light industrial premises will be able to continue servicing the region as it does currently, but in a new location within the LGA.

Section D - State and Commonwealth Interests

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

The Planning Proposal is not expected to generate demand for additional state government infrastructure or services. Local services and infrastructure, including water, sewer, energy, road and traffic is provided and can be upgraded as part of the Concept for the development site.

11. What are the views of State and Commonwealth authorities consulted in accordance with the gateway determination?

Council may choose to consult with the Department of Roads and Maritime Services as part of its assessment of this Planning Proposal as the subject site fronts onto New Canterbury Road, a classified *State Road (also refer to traffic and parking report findings)*.

The Gateway Determination will confirm and specify any consultation required with State and Commonwealth authorities on the Planning Proposal.

Section E – Mapping

The proposed amendment of the Marrickville LEP 2011 will require amendment of the MLEP Map_001 series as set out in Section 8 - Explanation of Provisions above. This section contains the list and copy of the relevant maps to be amended together with a table listing the necessary changes. The required changes to the mapping are considered minor and can be easily accommodated.

Section F - Community Consultation

Community consultation will be undertaken by Council as part of its assessment of the planning proposal.

The Gateway Determination will confirm and specify the community consultation that must be undertaken on the Planning Proposal.

Part 10 Conclusion

This Planning proposal report demonstrates that sound reasoning exists to rezone Site A to R4 High Density Residential and Site C to R2 Low Density Residential. The Planning Proposal includes amending relevant development standards in MLEP 2011 and MDCP 2011 to reflect the Concept Plans and building envelope for Site A, as prepared as part of the Planning Proposal. The standards have been developed in consultation with the UDS.

The proponent engaged suitably qualified Architects, Consultant Town Planner, Urban Designer, Environmental Consultant and Traffic Engineer to design and/or assess the Concept Plans for the development site. Architectural Plans and Professional Reports form part of the Planning Proposal and demonstrate that Site A is suitable for the intended use.

The Concept Proposal is for the demolition of the existing industrial building onsite and construction of residential flat building developments comprising a total of 20 residential units (this number is flexible as the plans are concept). The units are to be constructed over basement parking with setbacks to New Canterbury Road, side and rear boundaries, as appropriate to each site. Access is via New Canterbury Road to Site A. The building is to contain private and communal open space areas that contain facilities for residents use and detailed planting schemes to ensure high residential amenity is achieved.

The new building is to step down from the east to west and appropriately to the rear of the site. The façade will be modulated and the materials and finishes will be detailed at the DA stage. The new building will present as a transition from the commercial uses to the east to the low density residential to the north and west.

The preliminary assessment of the Concept Plans, submitted as part of the Planning Proposal, serves to demonstrate that the development complies or is capable of complying with the primary development standards and controls for a R4 High Density Residential development under the current provisions of MLEP and MDCP. Further that the relevant provisions of MDCP 2011 relating to traffic generation, parking, circulation and access can be complied with and the design principles of SEPP 65 (Apartment Design Guidelines) for residential flat buildings can be satisfied.

Of particular importance to Council and the State Government's review of this Planning Proposal has been the need to demonstrate that the residential amenity of the adjoining properties will not be adversely affected

by any residential flat building development on the land, especially a development that is able to achieve the FSR and Height of Building standards that apply to the R4 zone.

The Council has advised the proponent that it is willing to consider the Planning Proposal to rezone the land subject to any submission to Council demonstrating how the proposal would address the existing and future character of the area, together with potential development of the adjoining light industrial land to the south and east. The Concept Plans show that not only can the proposal comply with Council's desired vision for the area,, but that the height, bulk and scale of the development when viewed in juxtaposition with the newly zoned land opposite (Georgiou's Chocolate factory), the proposed height, bulk and scale creates a clear transition from the Petersham local centre area to the east and the existing low density residential areas to the north, west and south-west.

Based on the details contained in this Planning Proposal, as supported by the Architectural Plans and Traffic Report, the proponent requests that Site A be rezoned from IN2 to R4 High Density Residential and that Site C be rezoned to R2 Low Density Residential pursuant to the provisions of MLEP 2011. The only mechanism available for this to occur is to prepare a Planning Proposal and application to Council to amend the relevant MLEP 2011 and Map Series_001 as relevant to subject sites for zone, FSR and Height. The Concept Plans demonstrate that the development site (Site A) is capable of redevelopment in compliance with these provisions while taking into account and respecting the existing residential amenity enjoyed by residents of the neighbouring low density development and the existing light industrial uses at the corner of Wardell Road.

This Planning Proposal has been prepared pursuant to Section 55 of the *Environmental Planning and Assessment Act 1979*, and the relevant Department of Planning Guidelines including '*A Guide to Preparing Planning Proposals*'.

The proposal is submitted to the Inner West Council for consideration and approval pursuant to the Gateway Determination and Section 56 of the *Environmental Planning and Assessment Act 1979*. The amendment need only apply to the subject sites (being No.s 183 & 203 New Canterbury Road, Lewisham).

A handwritten signature in black ink, appearing to read 'A Martin'.

Andrew Martin MPiA
Principal

Part 11 Links to Supporting Material

- Architectural Plans, including shadow diagrams
Prepared by Becerra Architects
- *Traffic and Parking Assessment Report*
Prepared by Varga Traffic Planning
- *Geotechnical Investigation Report*
Prepared by Benviron Group
- *Detailed Site Investigation (DSI)*
Prepared by Benviron Group
- *Marrickville LEP 2011*
<http://www.legislation.nsw.gov.au/#/view/EPI/2011/645>
- *Marrickville DCP 2011*
<http://www.marrickville.nsw.gov.au/en/development/planning-controls/marrickville-dcp-2011/>
- *Marrickville Social Profile (Quick Stats)*
<http://www.abs.gov.au/websitedbs/censushome.nsf/home/quickstats>
- *Marrickville 2023 Community Strategic Plan*
<http://www.marrickville.nsw.gov.au/en/council/forms-and-publications/main-plans/>
- *A Plan for Growing Sydney, December 2014, NSW Government*
<http://www.planning.nsw.gov.au/Plans-for-Your-Area/Sydney/A-Plan-for-Growing-Sydney>
- *Priorities for the Central Subregion*
<http://www.planning.nsw.gov.au/Plans-for-Your-Area/Sydney/Sydney-Districts>