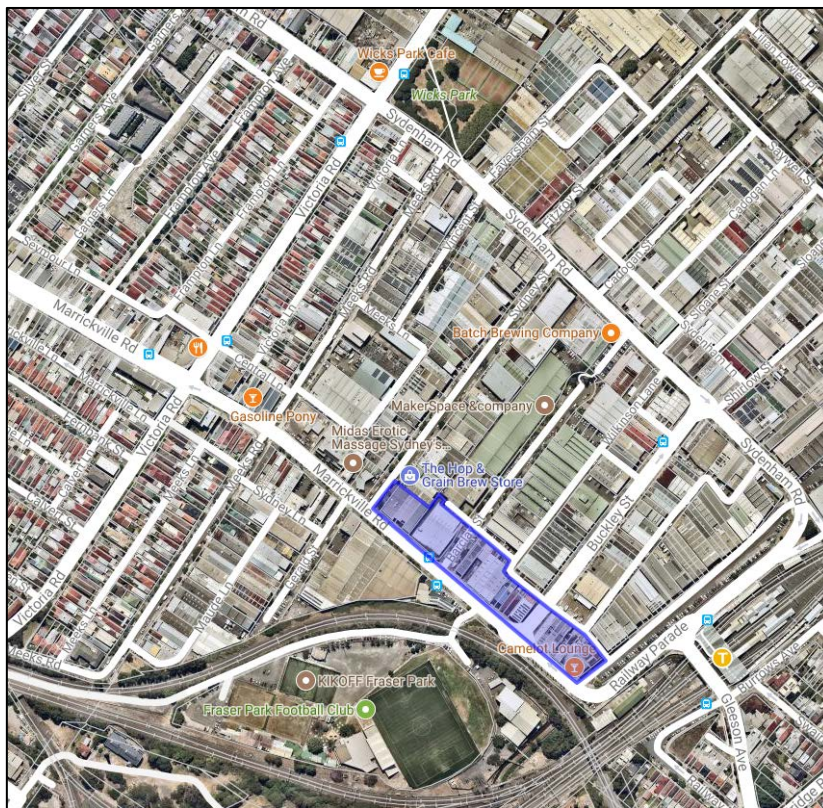


Revised planning proposal to amend Marrickville Local Environmental Plan 2011 **Sydenham Station Creative Hub**



Revised March 2018

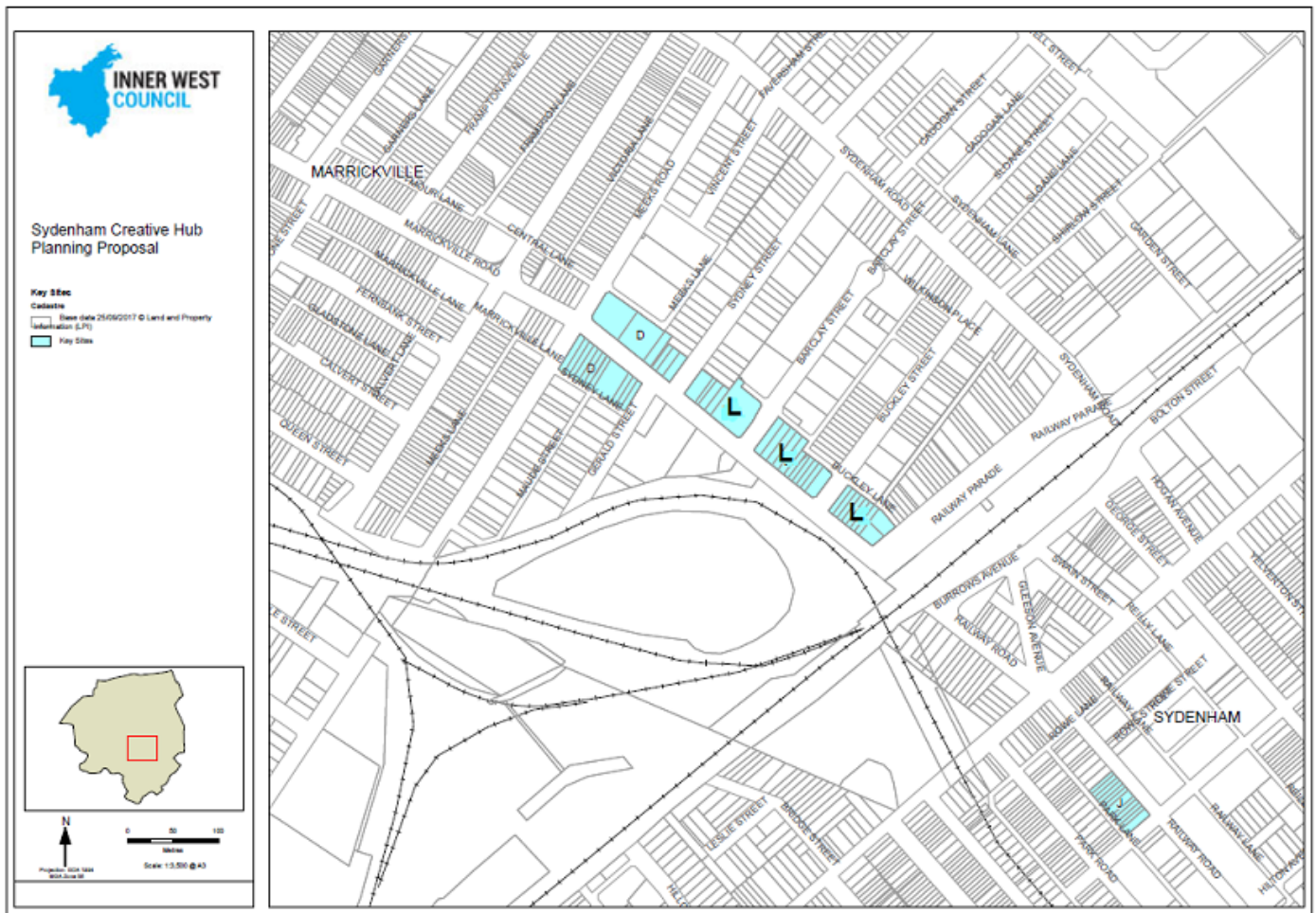
Part 1: Objectives or intended outcomes

The planning proposal seeks to amend Marrickville Local Environmental Plan 2011 to support the establishment of the “Sydenham Station Creative Hub” to operate as an entertainment and employment industrial precinct, where traditional and creative industries and live music thrive alongside the additional permitted uses of small bars, restaurants and cafes.

Part 2: Explanation of provisions

To permit select additional permitted uses on certain land within the Sydenham/Marrickville Industrial Precinct under the MLEP 2011 to support the development of a creative night time economy that supports live music and entertainment uses. The proposed amendment seeks to broaden the range of permissible uses on certain land at Marrickville, zoned IN1 General Industrial, to permit restaurants or cafes and small bars with consent. The subject land, relates to the properties 21-71 Marrickville Road and 101-103 Railway Parade, Marrickville, and is to be identified as “L” on Key Sites Map KYS_004.

Figure 1: Sydenham Station Creative Hub (Area identified “L”)



An amendment to Schedule 1 of Marrickville Local Environmental Plan 2011 is also proposed to include the following listing:

Use of certain land at Marrickville

- (1) *This clause applies to land shown coloured blue and identified as “L” on the Key Sites Map.*
- (2) *Development for the purposes of restaurants or cafes and small bars is permitted with consent.*

Part 3: Justification

Section A – Need for the planning proposal

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

The former Marrickville Council (now part of the Inner West Council) made a commitment to identifying ways it could encourage and support entertainment and live music operations throughout the Marrickville local government area. That work was initiated by the City of Sydney in 2013 when a taskforce of 11 experts was assembled to investigate reasons for the decline in live music and performances in Sydney. The resultant report ('The Live Music Matters') included recommendations aimed at fostering and sustaining live music and performance across Sydney. Areas within the former Marrickville local government area were seen as a desirable location for live music and performance venues which would benefit the wider Sydney area. A Reference Group, initiated by the former Leichhardt Council, was convened and included representatives from the former Marrickville Council, the City of Sydney and the Live Music Taskforce. The Reference Group identified industrial lands surrounding Sydenham station as a potential entertainment and live music precinct. That area was identified as a suitable location as it contains several existing live music and entertainment venues, is well located, well serviced by public transport, and is not in a residential neighbourhood.

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

The former Marrickville Council completed a review of its 2008 Marrickville Employment Lands Study in 2014 to provide an updated strategic context for assessing proposals to rezone industrial lands in the Marrickville LGA. The resultant report identified the changing nature of traditional industries (such as manufacturing) in the Marrickville LGA and noted potential impacts on the future of Marrickville's employment lands.

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

The Marrickville Community Strategic Plan sought to support 'creative industries' in the Marrickville LGA. Marrickville Development Control Plan 2011 (MDCP 2011) contains a definition of creative industries within Part 6 (6.5 Creative Industries). Clause 6.12 of MLEP 2011 (Business and office premises in certain zones) permits *business premises* and *office premises* with consent in the IN2 Light Industrial and B7 Business Park zones provided that the development will be used for a creative purpose.

The economic impact assessment of the planning proposal identified that business and office premises across the former Marrickville area can be adequately accommodated in those parts of the LGA, and an increase in office space in the precinct would lead to a loss of local GDP generated by existing traditional and creative industries. The revised planning proposal seeks to support those creative industries through selected additional permitted uses in the industrial precinct to support a night time entertainment hub in the precinct.

It is considered that the revised planning proposal would deliver an opportunity to provide a night time hub that supports the traditional and creative industries in the Sydenham/Marrickville industrial precinct. This is consistent with the Marrickville Community Strategic Plan 2023 Key Result Area 2.1 "*Marrickville is a creative community participating in arts and cultural activities at all stages of life*".

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

The revised planning proposal seeks to amend the current planning controls applying to the subject land to facilitate the development of a creative hub that supports entertainment facilities, traditional and creative industries. By retaining the existing IN1 General Industrial zone applying to the land, the revised planning proposal ensures that existing traditional and creative industries can continue to operate in the area. The revised planning proposal seeks to expand the range and types of businesses permitted with consent within a small section of the precinct along Marrickville Road and Railway Parade. The revised planning proposal seeks to permit cafes and restaurant and small bars, with consent, within that part of the industrial precinct to support existing uses that continue to thrive in the Sydenham/Marrickville industrial area.

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

Amenity impacts, including the cost of noise reduction mitigation, have been identified as one of the major impediments facing the live music and entertainment industry. Those issues can be particularly acute where live music and entertainment venues are located in close proximity to residential development. Apart from the locational benefits previously identified, the area chosen for the proposed “creative hub” is not located in a residential neighbourhood. It is also noted that residential accommodation is a prohibited form of development within the IN1 General Industrial zone applying to the land under MLEP 2011.

‘*Entertainment facilities*’ are permissible with development consent within the IN1 General Industrial zone. As noted previously, several music and entertainment venues currently operate within or near to the subject area. To support and encourage those types of activities within the subject area, the revised planning proposal seeks to permit select additional land uses within a limited section of the precinct.

MLEP 2011 contains the following clause:

“6.12 Business and office premises in certain zones

- (1) *The objective of this clause is to promote certain types of business and office premises in Zone IN2 Light Industrial and Zone B7 Business Park.*
- (2) *This clause applies to land in the following zones:*
 - (a) *Zone IN2 Light Industrial,*
 - (b) *Zone B7 Business Park.*
- (3) *Development consent must not be granted to development for the purpose of business premises or office premises on land to which this clause applies unless the consent authority is satisfied that the development will be used for a creative purpose such as media, advertising, fine arts and craft, design, film and television, music, publishing, performing arts, cultural heritage institutions or other related purposes.”*

The above clause supports the provision of certain *business premises* and *office premises* in the IN2 Light Industrial and B7 Business Park zones throughout the former Marrickville LGA. Following the recommendations of the Gateway Determination issued to Council on 12 January 2017 and conditional Economic Impact Assessment, it was found that *business premises* and/or *office premises* for a creative purpose would be best accommodated in existing commercial zones and the zones identified in Clause 6.12 of MLEP 2011. The removal, of the previously proposed, *business premises* and *office premises* from the Sydenham Station Creative Hub planning proposal will allow existing creative and industrial uses in the area to thrive alongside supporting entertainment and night time uses such as cafes and restaurants, and

small bars. Those uses will support the evolution of the precinct as a creative hub that provides opportunities for traditional industrial, creative industries and the wider community.

Section B – Relationship to strategic planning framework

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

Greater Sydney Region Plan – A metropolis of three cities – connecting people

The Greater Sydney Region Plan – A metropolis of three cities – connecting people sets out planning directions, metrics and objectives for the development of the Greater Sydney Region.

The Greater Sydney Region Plan sets out the following Directions for delivering the Plan:

- *A city supported by infrastructure – Infrastructure supporting new developments;*
- *A collaborative city – Working together to grow a Greater Sydney;*
- *A city for people – Celebrating diversity and putting people at the heart of planning;*
- *Housing the city – Giving people housing choices;*
- *A city of great places – Designing places for people;*
- *A well connected city – Developing a more accessible and walkable city;*
- *Jobs and skills for the city – Creating the conditions for a stronger economy;*
- *A city in its landscape – Valuing green spaces and landscape;*
- *An efficient city – Using resources widely; and*
- *A resilient city – Adapting to a changing world.*

An assessment of the revised planning proposal's consistency with the objectives of those Directions of relevance to the proposal are discussed below:

Direction	Consistency	Comment
<i>A city for people: Celebrating diversity and putting people at the heart of planning</i>		
<i>Objective 9: - Greater Sydney celebrates the arts and supports creative industries and innovation</i>	Yes	The revised planning proposal will help to facilitate opportunities for creative and artistic expression and participation and develop the night time economy in the area in accordance with Strategy 9.1 of the Plan.
<i>A city of great places: Designing places for people</i>		
<i>Objective 12: Great places that bring people together</i>	Yes	<p>The revised planning proposal provides the opportunity for small bars, cafes and restaurants to exist alongside live music, entertainment and traditional and creative industries existing in the precinct. It is considered that the proposal is consistent with the <i>great place</i> objective as the proposal aims to build “<i>on local strengths and shared community values to create local identity that fosters enterprise, investment and innovation</i>”.</p> <p>The proposal will also assist in the</p>

		revitalization of the streetscape and public domain upgrades along Marrickville Road East which will contribute to the creation of a great place to attract workers, visitors, enterprise and investment to the area.
Jobs and skills for the city: Creating the conditions for a stronger community		
<i>Objective 23: – Industrial and urban services land is planned, retained and managed</i>	Yes	<p>The strategic importance of this industrial precinct was demonstrated in the 2014 Marrickville Employment Lands Review which supported the progression of the project on the proviso that the proposal did not include any residential development and that any change in development controls did not compromise existing businesses within the precinct. The Economic Impact Analysis of the original planning proposal found the existing amendment would lead to a loss of GDP and higher inefficiencies in CBD-background activities, and that widespread additional uses across the precinct would further detract from the economic viability of the existing town centres.</p> <p>The originally proposed “Sydenham Station Creative Hub” has been reduced in area, by approximately 90%, to an area of 1.9ha along Marrickville Road and Railway Parade, Marrickville. The additional use of business and office premises for creative purpose has also been deleted from the proposal.</p> <p>In retaining the existing IN1 General Industrial zoning of the area, confining the area of the Sydenham Station Creative Hub to a smaller section of the precinct along Marrickville Road and Railway Road to the east of the Marrickville Town Centre and west of Sydenham railway station, and limiting the additional permitted uses in the subject area to cafés, restaurants and small bars is considered a balance approach to enhance the night time economy and entertainment amenity of the existing precinct without unduly impacting on economic viability of the existing industrial zoned land and existing business zoned in the immediate area.</p>
<i>Objective 24 – Economic sectors are targeted for success</i>	Yes	This objective relates to managing competing opportunities and protecting land values for industries that are

		<p>fundamental to the overall economy. The objective identifies the importance of knowledge hubs and creative industries alongside inner city traditional and creative industrial uses. The objective makes reference to the Jobs for the Future report by jobs NSW that specifies targeted industries for additional, resilient jobs needed in NSW by 2036. Many of these industries include start-ups and digital innovation, creative industries and advanced manufacturing (see page 138).</p> <p>Confining the area of the Sydenham Station Creative Hub to a smaller section of the precinct and limiting the additional permitted uses in the subject area to cafés, restaurants and small bars we maintain sufficient capacity for traditional industrial uses under the existing zoning provisions and Objective 23, but also provide an attractive employment and urban services precinct for targeted employment sectors such as start-ups, digital innovation, creative industries and advanced manufacturing under Objective 24.</p> <p>This is considered a balanced approach to enhance the night time economy and entertainment amenity of the existing precinct without unduly impacting on economic viability of the existing industrial zoned land, existing business zoned in the immediate area and capacity for emerging economic sectors.</p>
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Eastern City District Plan

The Eastern City District Plan sets out planning priorities and actions for the development of the Eastern City District.

The Eastern City District covers the Bayside, Burwood, City of Sydney, Canada Bay, Inner West, Randwick, Waverley and Woollahra LGAs. The plan aims to manage growth over the next 20 years in the context of economic, social and environmental matters to help achieve the 40-year vision for Greater Sydney. It guides the implementation of the Greater Sydney Regional Plan at a district level and bridges regional and local plan making.

The Plan establishes priorities and associated actions under productivity, liveability and sustainability themes to deliver this vision. The consistency with the revised planning proposal and this plan are assessed below:

Eastern City District Plan Planning Priority	Response
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<p>E3 – Providing services and social infrastructure to meet people's changing needs</p>	<p>This Planning Priority supports creating opportunities for more flexible uses, particularly creative spaces. The revised planning proposal negates significant competition between creative and industrial spaces and encroaching retail and hospitality uses.</p> <p>The proposal balances those competing needs by limiting the area where small bars, cafes or restaurants would be permitted with consent to an area of 1.9ha of industrial land along Marrickville Road and Railway Parade between Sydenham Station and the Marrickville Town Centre.</p>
<p>E4 – Fostering healthy, creative, culturally rich and socially connected communities</p>	<p>This Planning Priority focuses on health and active lifestyles and diverse neighbourhoods that support creative enterprise, cultural expression and social connection. The revised planning proposal would permit small bars, cafes and restaurants as additional permissible uses within a limited area within the retained industrial area.</p> <p>Those proposed uses would help facilitate an active streetscape and way-finding link between the existing Sydenham Station and Marrickville Town Centre and provide additional spaces for the culturally rich community of Marrickville to connect.</p>
<p>E6 – Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>This Planning Priority notes the importance of fine grain urban form that support human scale development that promotes walkability with a mix of land uses. The Sydenham Marrickville precinct is characterized by the ongoing industrial activity within the precinct and diverse local community that supports this economic base. The Inner West has seen increasing pressures for night time entertainment uses, particularly following the 2014 lock-out laws.</p> <p>The revised planning proposal respects the current and historical use of the area and supports live music, entertainment and industrial uses through small bars, cafes and restaurants.</p>
<p>E9 – Growing international trade gateways</p>	<p>This Planning Priority manages the interface of industrial areas, trade gateways and intermodal facilities.</p> <p>The revised planning proposal retains the existing IN1 General Industrial zoning and reduces the area where the additional uses would be permitted with consent in the Sydenham/Marrickville precinct from the previously proposed 20ha to 1.9ha.</p> <p>The reduced size of the proposal will further protect the industrial trade and freight facilities in close proximity to Sydney Airport and Port Botany.</p>
<p>E12 – Retaining and managing industrial and urban services land</p>	<p>This Planning Priority focuses on industrial and urban services land and that its management is planned and protected. It focuses on protecting all industrial zoned land from conversion to residential development, including conversion to mixed use zone and the facilitation of adaptable use of this building stock.</p>

	<p>The revised planning proposal does not include residential development and encourages adaptable use of existing warehouse building stock through entertainment and night time uses such as small bars, cafes and restaurants.</p>
E13 – Supporting growth of targeted industry sectors	<p>This Planning Priority focuses on providing a regulatory environment which enables economic opportunities created by changing technologies and opportunities for place based initiatives.</p> <p>The revised proposal aims to protect local economic output by providing a balanced opportunity to a range of traditional and creative industrial workers as well as those working in entertainment and hospitality uses.</p> <p>It is considered that the revised planning proposal would help to enhance the vibrancy of the area and would support the development of places for artistic and cultural activities.</p>

Towards our Greater Sydney 2056

It is considered that the planning controls proposed in the revised planning proposal would help to strengthen the strategic merit of the creative and industrial precinct within the Sydenham/Marrickville area. The 2014 Marrickville Employment Lands Review supported the progression of the project on the proviso that the proposal did not include any residential development and that any change in development controls did not compromise existing businesses within the precinct. Following the Gateway Determination (PP_2016_IWEST_001_00) and completion of an Economic Impact Assessment for the previous creative hub proposal, it was found that the introduction of business and/or office premises within the proposed 20ha area would compromise the existing businesses in the precinct. The original planning proposal has been revised to remove business and/or office premises from the Schedule 1 uses proposed and the “creative hub” area has been reduced in size from 20 hectares to 1.9 hectares to ensure existing industrial and creative uses are not compromised by the additional permitted uses.

1. Is the planning proposal consistent with a Council’s local strategy or other local strategic plan?

Marrickville Local Environmental Plan 2011 was gazetted in December 2011, and follows the directions contained within the Sydney Metropolitan Strategy and within the draft South Subregional Strategy. The LEP identifies industrial land for retention and protection, and accords them an IN1 General Industrial zoning to limit the range of land use permissible in these areas.

Notwithstanding the above, industrial land within the inner Sydney (which includes the subject area) is in a process of evolving from traditional industrial activities, such as textiles and manufacturing, to modern industrial operations such as logistics, small scale food production and creative industries. The site provides a viable and attractive location for existing industrial and creative uses, where night time and entertainment uses such as small bars, cafes and restaurants may complement the existing industrial and creative uses in the area. Those additional uses will also support the proposed changes to the public domain in the Streetscape Master Plan for Marrickville Road East and assist in providing an active pedestrian link between Sydenham Station and the Marrickville Town Centre.

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

SEPP	Consistency	Comment
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SEPP No 1 - Development Standards	N/A	Not applicable
SEPP 14 - Coastal Wetlands	N/A	Not applicable
SEPP 19 - Caravan Parks	N/A	Not applicable
SEPP 26 - Littoral Rainforests	N/A	Not applicable
SEPP 29 - Western Sydney Recreation Area	N/A	Not applicable
SEPP 30 - Intensive Agriculture	N/A	Not applicable
SEPP 33 - Hazardous and Offensive Development	N/A	Not applicable
SEPP 36 - Manufactured Home Estates	N/A	Not applicable
SEPP 44 - Koala Habitat Protection	N/A	Not applicable
SEPP 47 - Moore Park Showground	N/A	Not applicable
SEPP 50 - Canal Estate Development	N/A	Not applicable
SEPP 52 - Farm Dams and other works in Land and Water Management Plan Areas	N/A	Not applicable
SEPP 55 - Remediation of Land	Yes	As the revised planning proposal relates to industrially zoned land this SEPP is relevant. However, the revised planning proposal retains the current IN1 General industrial zoning of the subject land and does not introduce more sensitive land uses. The proposed additional Schedule 1 uses are not considered likely to increase the risk to health or the environment from contamination as the uses remain of a commercial nature.
SEPP 62 - Sustainable Aquaculture	N/A	Not applicable
SEPP 64 - Advertising and Signage	Yes	The revised planning proposal does not contain provisions that contradict or hinder the application of this SEPP. Any signage in associated with proposed uses would be assessed at development application stage.
SEPP 65 - Design Quality of Residential Apartment Development	N/A	Not applicable

SEPP 70 - Affordable Housing (Revised Schemes)	N/A	Not applicable
SEPP 71 - Coastal Protection	N/A	Not applicable
SEPP (Affordable Rental Housing) 2009	N/A	Not applicable
SEPP (Building Sustainability Index - BASIX) 2004	Yes	The revised planning proposal does not contain provisions that will contradict or hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Yes	Whilst the revised planning proposal would permit additional uses the proposal is not inconsistent with the provisions of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	Not applicable
SEPP (Infrastructure) 2007	Yes	The revised planning proposal does not contain provisions that contradict or hinder the application of infrastructure related facilities.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	N/A	Not applicable
SEPP (Kurnell Peninsula) 1989	N/A	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not applicable
SEPP (Miscellaneous Consent Provisions) 2007	Yes	The revised planning proposal does not contain provisions that contradict or hinder the application of erecting of temporary structures in association with the additional permitted uses of small bars, cafes or restaurants.
SEPP (Penrith Lakes Scheme) 1989	N/A	Not applicable
SEPP (State and Regional Development) 2011	Yes	The revised planning proposal does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (State Significant Precincts) 2005	Yes	The revised planning proposal does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Sydney Drinking Water Catchment) 2011	Yes	The revised planning proposal does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable
SEPP (Three Ports) 2013	N/A	Not applicable
SEPP (Urban Renewal) 2010	Yes	The revised planning proposal does not contain provisions that contradict or hinder

		the orderly and economic development and redevelopment of sites in and around urban renewal precinct, and to facilitate delivery of the objectives of any applicable government. The application is considered consistent with this SEPP.
SEPP (Western Sydney Employment Area) 2010	N/A	Not applicable
Sydney (Western Sydney Parklands) 2009	N/A	Not applicable
Sydney REP No 26 - City West	N/A	Not applicable
SEPP (Educational Establishments and Child Care Facilities) 2017	N/A	Not applicable
SEPP (Vegetation in Non-Rural Areas)	N/A	Not applicable

3. Is the planning proposal consistent with applicable Ministerial Directions under Section 9.1 (previously Section 117) of the Act?

An assessment of the planning proposal against all relevant Ministerial Directions (previously section 117 Directions) is provided below. From that assessment, Council has concluded that overall, the revised planning proposal is consistent with all applicable Ministerial Directions.

1. Employment and Resources

Direction 1.1 Business and Industrial Zones

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

The objectives of this Direction are to:

- Encourage employment growth in suitable locations,
- Protect employment land in business and industrial zones, and
- Support the viability of identified strategic centres

This Direction dictates that a planning proposal must:

- “4. (b) retain the areas and locations of existing business and industrial zones,....
 (d) not reduce the total potential floor space 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 Secretary of the Department of Planning and Environment.”

The revised planning proposal retains the existing IN1 General Industrial zoning for the area. The quantum of land available for industrial purposes is not being reduced but the amount of land

affected by the proposed Schedule 1 uses has been significantly reduced from the previously proposed 20ha to 1.9ha. The existing Sydenham/Marrickville industrial lands precinct, including the site identified for the “revised creative hub” is close to established retail/commercial centres such as the Marrickville Town Centre and Marrickville Metro (which is currently undergoing expansion).

The revised planning proposal has significantly reduced the area from the original proposal to encourage industrial activity with diverse employment and designed to accommodate the existing manufacturing-creative industries and urban services uses. Following due consideration of an Economic Impact Study, required as part of the Gateway Determination for the original planning proposal, a smaller area for the creative hub was considered more appropriate.

The EIS did not support the wider introduction of additional permitted uses across the industrial precinct, where retail simulation testing indicated “3,750sqm of additional hospitality floor space could be accommodated by 2021 without impact the turnover of businesses in the nearby precincts by greater than 10 per cent” (SGS, 2017, pp.33). The provision of business and or office premises for a creative purpose and introduction of small bars, restaurants or cafes across the previously identified 20ha area would negatively affect the viability of the existing centres by redirecting customers/patrons and business operators to the proposed precinct.

The revised planning proposal significantly reduces the area proposed in the original planning proposal to a combined area of 1.9ha along Railway Parade and Marrickville Road, Marrickville to ensure the viability of existing and proposed uses in the precinct and surrounding area to provide “an entertainment and employment precinct, where live music venues, small bars, restaurants and cafes thrive alongside traditional and creative industries”. It is considered that the revised planning proposal is not inconsistent with the subject Ministerial Direction.

2. Environment and Heritage

Direction 2.3 Heritage Conservation

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

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

The revised planning proposal does not alter the existing provisions within the MLEP 2011 which facilitate to conservation of heritage within the Marrickville LGA. The planning proposal is considered consistent with this Direction.

3. Housing, Infrastructure and Urban Development

Direction 3.4 Integrating Land Use and Transport

This Direction applies when a relevant planning authority prepares a Planning Proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for

residential, business, industrial, village or tourist purposes. The Direction is relevant to the revised planning proposal which seeks to broaden the range of uses permitted on certain land (the area identified as the “Sydenham Station Creative Hub”) at Marrickville, zoned IN1 General Industrial, to permit restaurants or cafes and small bars with consent

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

- Improving Transport choice –Guidelines for planning and development (DUAP 2001); and
- The Right Place for Business and Services – Planning Policy (DUAP 2011)

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

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

Direction 3.5 Development Near Licensed Aerodromes

The objectives of this Direction are: (a) to ensure the effective and safe operation of aerodromes; (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. This direction applies to a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.

The amendments contained within the planning proposal relate to the properties 21-71 Marrickville Road and 101-103 Railway Parade, Marrickville (the area proposed to be identified as “L” on Key Sites Map KYS_004). That land is located within the 25-30 Australian Noise Exposure Forecast (2033) Contours. Under Part 6 of the Direction a planning proposal that rezones land for commercial or industrial purposes where the ANEF is above 30 must include a provision that the development meets AS2021 regarding interior noise levels.

In light of the above it is considered that the revised planning proposal is consistent with the aims and objectives of this Direction.

4. Hazard and Risk

Direction 4.1 Acid Sulfate Soils

This Direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.

Part (6) of the Direction states that:

- “(6) *A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils.*”

The land to which the revised planning proposal applies is identified on the Acid Sulfate Soils Map under MLEP 2011 as being affected by acid sulfate soils. Under the existing IN1 General Industrial zoning controls applying to the land certain *retail premises* are permitted with consent. The revised

planning proposal seeks to expand those retail premises permitted on the land to include restaurants and cafes and small bars. Take away food and drink premises are currently permitted with consent under the zoning provisions applying to the land. The additional uses proposed to be permitted are a type of *food and drink premises*. In light of the above it is contended that the revised planning proposal is essentially not proposing “an intensification of land uses” on the land.

The provisions of Clause 6.1 Acid sulfate soils under MLEP 2011 would apply to the carrying out of development on the land. In light of the above it is considered that the revised planning proposal is consistent with this Direction.

Direction 4.3 Flood Prone Land

This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. This is relevant to the planning proposal as it relates to land which is identified as flood affected.

Part (6) of the Direction states that:

- “(6) *A planning proposal must not contain provisions that apply to the flood planning areas which:*
- (a) permit development in floodway areas,*
 - (b) permit development that will result in significant flood impacts to other properties,*
 - (c) permit a significant increase in the development of that land,*
 - (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or*
 - (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.”*

It is not considered that the proposed rezoning of the subject land this will result in a significant intensification of development on affected land. As previously stated, the land within this precinct is fully development for industrial purposes. The planning proposal may result in an increase in users accessing the precinct, but this will not necessarily translate into increased development within the precinct. No changes are proposed to development standards within the precinct. The changes seek to permit a wider range of uses within the precinct, rather than an increase in, or intensification of, development within the area. Consequently, it is not considered that the planning proposal will result in a ‘significant’ increase in the ‘development’ of land within the precinct.

Development upon industrially zoned land is controlled through the MLEP 2011. Clause 6.3 Flood Planning of MLEP 2011 contains controls relating to development on flood affected land. The MLEP 2011 was prepared in accordance with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005. The MLEP 2011 was gazetted by the State Government in 2011. The revised planning proposal is considered to be consistent with the provisions of this Direction.

5. Regional Planning

Direction 5.10 Implementation of Regional Plans

This Direction applies when a planning proposal authority prepares a planning proposal and states, inter alia, that the planning proposal must be consistent with the regional plan released by the GSC. The Direction advises that a planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy that the extent of the inconsistency is of minor

significances, it achieves the overall intent of the regional plan and does not undermine the achievement of its vision, land use strategy, goals, directions or actions.

This direction has been included as part of the revised planning proposal following the March 2018 release of the Greater Sydney Regional Plan *A Metropolis of Three Cities (2018)*. This regional plan has yet to be given a ministerial direction under Part 7, Section 9.1 of the EP&A Act and is significant consideration for this planning proposal. The revised proposal has been assessed in accordance with the Part 3, Section B, Question 3 justification of this report. It is justified that the limiting of additional permissible uses to small bars, cafes and restaurants and revised site area from 20ha to 1.9ha for the Sydenham Station Creative hub remains consistent with regional planning under the new metropolitan strategy. The revised proposal maintains consistency with the overall vision for great places that bring people together (Objective 12), industrial and urban services land is planned, retained and managed (objective 23) and economic sectors are targeted for success (Objective 24) under this Ministerial Direction and Greater Sydney planning under *A Metropolis of Three Cities (2018)*.

6. Local Plan Making

Direction 6.1 Approval and Referral Requirements

This Direction applies when a relevant planning authority prepares a planning proposal and states, inter alia, that the planning proposal must minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of the appropriate Minister or public authority, and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).

The revised planning proposal does not include amendments to the existing public authority concurrence/ consultation provisions contained in MLEP 2011. As such the revised planning proposal is consistent with this Direction.

Direction 6.2 Reserving Land for Public Purposes

This Direction applies when a relevant planning authority prepares a planning proposal. A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).

The revised planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes. The revised planning proposal does not relate to land zoned for public purposes. As such the revised planning proposal is consistent with this Direction.

7. Metropolitan Planning

Direction 7.1 Implementation of A Plan for Growing Sydney

This Direction applies when a relevant planning authority prepares a planning proposal. To be consistent with this Direction, a planning proposal must be consistent with the NSW Government's A Plan for Growing Sydney (2014).

The former Marrickville LGA is contained within the Central subregion within "A Plan for Growing Sydney" (2014). The metropolitan plan focuses on developing a competitive economy with world-class services and transport that meet our changing needs and lifestyles to create communities that have strong sense of wellbeing, and to safeguard our natural environment. The metropolitan plan

identifies certain industries as priority industries, including creative industries. The revised Sydenham Creative Hub planning proposal provides a balanced economic approach towards the protection of traditional and creative industries and the changing needs and lifestyles of the local community.

Direction	Consistency	Comment
GOAL 1: A competitive economy with world-class services and transport		
<i>Direction 1.5 - Enhance capacity at Sydney's gateways and freight networks</i>	Yes	The revised planning proposal reduces the area identified in the original proposal from 20 hectares to 1.9 hectares. The reduced area for the proposal further protects industrial lands in close proximity to Sydney Airport and Port Botany.
<i>Direction 1.6 - Expand the Global Economic Corridor</i>	Yes	The subject land is located on the southern edge of the "Global Economic Corridor". The proposal would allow for some additional uses in the existing industrial area of Sydenham/Marrickville.
<i>Direction 1.7 - Grow strategic centres – providing more jobs closer to home</i>	Yes	The revised planning proposal supports the local industrial activity within the precinct and provides additional opportunity for commercial and hospitality uses in the precinct to support the existing night time entertainment uses in the precinct.
<i>Direction 1.9 Support priority economic sectors</i>	Yes	The revised planning proposal provides opportunity for small bars, cafes and restaurants to exist alongside live music, entertainment and traditional and creative intensive industries existing in the precinct.
GOAL 3: A great place to live with communities that are strong, health and well connected		
<i>Direction 3.1 – Revitalize existing suburbs</i>	Yes	The revised planning proposal will assist Council in the revitalization of the streetscape and public domain upgrades along Marrickville Road East. The additional opportunity for small bars, cafes and restaurants within the 1.9ha area will provide increased surveillance and visual connections with the public domain.
<i>Direction 3.3 – Create healthy built environments</i>	Yes	The revised planning proposal limits the additional provision for small bars, cafes or restaurants in the Sydenham/Marrickville industrial precinct to properties along Marrickville Road (21-71 Marrickville Road) and two properties on Railway Parade (101-103 Railway Parade) between the Marrickville Town Centre and Sydenham Station. Those uses will help support an active pedestrian link between these two locations through the industrial precinct.
<i>Direction 3.4 – Promote Sydney's heritage, arts and culture</i>	Yes	Creative industries and culture are essential to the inner west's community and identity and inform the ongoing value of this industrial precinct. The historical and ongoing industrial activity within the precinct should be conserved during the activation of additional night time and entertainment uses for the area.

The Metropolitan Plan also identifies one of the priorities of the central subregion to “*identify and protect strategically important industrial zoned land*”. The strategic importance of this industrial precinct was demonstrated in the 2014 Marrickville Employment Lands Review which supported the progression of the project on the proviso that the proposal did not include any residential development and that any change in development controls did not compromise existing businesses within the precinct. The Economic Impact Analysis of the original planning proposal found that the proposed amendment to the planning controls for the area could lead to a loss of GDP and higher inefficiencies in CBD-background activities, and that widespread additional uses across the precinct would further detract from the economic viability of the existing town centres.

In response to the concerns raised in the Economic Impact Analysis the original planning proposal has been revised. The original planning proposal related to an area of approximately 20ha. The revised planning proposal relates to an area less than 10% of the area proposed in the original planning proposal. The “Sydenham Station Creative Hub” now proposed only relates to the properties 21-71 Marrickville Road and 101-103 Railway Parade, Marrickville. Those properties have a combined area of approximately 1.9ha.

Part of the original planning proposal sought to expand the range of uses permitted with consent within the Sydenham Station Creative Hub to include business premises, office premises, restaurants and cafes and small bars. Apart from reducing the area originally proposed for the Sydenham Station Creative Hub, the revised planning proposal seeks to only expand the range and types of businesses to permit cafes and restaurant and small bars, with consent.

In retaining the existing IN1 General Industrial zoning of the area, confining the area of the Sydenham Station Creative Hub to a small section of the precinct along Marrickville Road and Railway Road to the east of the Marrickville Town Centre, and limiting the additional permitted uses in the subject area to cafés, restaurants and bars is considered a balance approach to enhance the night time economy and entertainment amenity of the existing precinct without unduly impacting on economic viability of the existing industrial zoned land and existing business zoned in the immediate area.

It is also noted that the subject land formed part of an area identified as “*Sydenham enterprise area*” on the Land Use Plan – Sydenham in the Department of Planning and Environment’s *Sydenham to Bankstown Urban Renewal Corridor Strategy*.

Section C – Environmental, social and economic impact

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

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

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

No, there is no likelihood for any other significant environmental effects from the revised planning proposal

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

Social Impacts

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

- i. Risks of alcohol-related harm;
- ii. Risks to pedestrians; and
- iii. Employment risk.

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

- i. Risk of alcohol related harm

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

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

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

The report recommends the following actions:

1. Treat live music as one of the creative industries so as to avoid expectations and pressures associated with designating an entertainment precinct. This would also encourage day time creative activities and protect existing night time industries (e.g. bakeries) from incompatible nearby uses.
2. Prepare a creative and traditional industries precinct policy/strategy which takes account of the epidemiology of alcohol-related harm, diversity of current industries, diversity of industries in the precinct in future, the current built form and its limits and opportunities. Carry the strategy findings into both the LEP and the DCP.
3. Set clear and specific standards in the DCP to apply to development applications, including specific limits on the size and density of licensed premises, presence of packaged liquor outlets, and trading hours in the precinct and on its borders.
4. Establish a precinct-wide limit to service of alcohol of (say) 2:00am (consistent with the proposal's emphasis on small bars) so as to ensure that the precinct's primary raison d'être is creative and traditional industries rather than an entertainment precinct.
5. Use the project to require improvements in acoustics when buildings are upgraded (to protect occupants from aircraft noise).

- ii. Risks to pedestrians

The report states that the creation of the precinct particularly if there is an increased in licenced premises, will result in an increased risk for pedestrians. Risks currently exist due to the relatively high level of traffic traversing the precinct, including trucks and other large vehicles. Currently, there are limited pedestrian crossings in the precinct. To mitigate these measures, the revised Planning Proposal concentrates the additional permitted uses along Railway Parade and Marrickville Road.

Potential mitigation measures are identified as follows:

1. Create a quieter precinct on weekends (perhaps via posted speed limit restrictions, traffic calming devices or possibly by re-routing of traffic from Buckley Street to Sydney Street on weekends), whilst ensuring trucks are able to access roads and lanes to deliver goods to factories.
2. Improve pedestrian routes between the precinct and major public transport routes aimed at separating pedestrians from major traffic concentrations. (For example, provide an access trail from Sydenham Station to Barclay Street along the (unnamed) lane connecting Railway Parade with Barclay Street).
3. Improve existing pedestrian crossings and increase pedestrian crossings on Sydenham Road. In the longer term, investigate the feasibility of a pedestrian tunnel running from Sydenham station to Railway Parade.
4. Improve street lighting and apply crime prevention through urban design principles to street improvements and upgrades.

iii. Employment risks

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

Mitigation measures identified to support creative and traditional industries are:

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

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

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

Economic Impacts

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

Council’s Economic Development Officer raised initial concerns with the proposal as follows:

- This is not an industrial area in decline, but one that is highly successful and the prime contributor to the fact that manufacturing is still the biggest employer in Marrickville and the biggest contributor to GDP.
- The existing industries are extremely valuable to the local economy, utilising many other

local services and products and providing a range of employment from unskilled to highly skilled, technical and creative.

- Staff employed in the existing local business support the local economy as contributes to lunchtime trade and shopping.
- The proposed live music and late night economy businesses have a much narrower range of employment opportunities but will augment the growing number of food and entertainment venues currently locating in the Marrickville CBD and periphery.
- Competition for space for any new business in this precinct is extreme as it is a highly desirable and sought after area for relocation for like businesses moving from areas such as Alexandria.
- Local commercial real estate agencies advise that landlords are now able to pick and choose who they want as tenants at substantially higher rents. The current vacancy rate (August 2015) is under 2%.
- Council should be cautious in applying anecdotal evidence and/or macro-economic findings to any project being considered for this precinct to ensure its value to the local economy is enhanced, not diminished.

Following consideration of the report, the then Council resolved to commission an economic study to assess the potential impacts of the proposal. However, the funding allocated at the time was inadequate to progress the study at the time. Following submission of the initial planning proposal, the DPE required Council to complete an Economic Impact Assessment for the Sydenham/Marrickville industrial precinct in accordance with Condition 1(f) of the determination. The outcomes of this Economic Impact Assessment and response from Inner West Council are discussed as follows.

Economic Impact Assessment

In June 2017, SGS Economics and Planning were engaged by Council to prepare an economic impact assessment report for the Sydenham Creative Hub. The report concluded that.

“Based on the research undertaken as part of this study and the analysis and impacts detailed within this report, three recommendations have been formed.

Council should not introduce additional permitted uses in the SCH

This is due to a number of reasons:

- *The precinct is functioning well, being in high demand and having a low vacancy rate. Industrial lands are still valuable and are required to support the local population and local businesses. There is a shortage of industrial land in inner Sydney and the SCH is a highly active industrial area. Manufacturing is not in decline, but rather employment in manufacturing is expected to increase over the long term in SCH and the broader Sydenham-Marrickville industrial area.*
- *There does not appear to be a strong reason to introduce hospitality or commercial uses within the SCH and there are risks associated with doing so. There is a risk that introducing the targeted industries would have an adverse impact on the precinct’s role and function and impacting particularly on the urban manufacturers (creative industrial uses) which Council is seeking to promote. Including additional permissible uses is not considered to be an appropriate land use response to support an evolving industrial precinct.*
- *Business premises and/or office premises which will be used for a creative purpose are already permissible in IN2 Light Industrial and B7 Business Park zones in the Marrickville LEP and therefore these businesses could be accommodated in other industrial precincts as well as more broadly all commercial areas where business and office premises are permissible.*

If the target industries are introduced in the SCH as additional permitted uses, these uses should be concentrated in a specific area of the SCH. This would assist in reducing the impact of these uses and protecting the remainder of the precinct. Containment in a specific area will also help to mitigate any uncertainty over the continuing function of the rest of the precinct. If hospitality uses are introduced, it is considered that Marrickville Road (particularly the western end) is the most appropriate location for these businesses.

Council should solidify its vision for the SCH and provide clarification around the zoning and the types of land uses it would like to promote in the SCH

It is recommended that the vision clearly states that the IN1 General Industrial zone will be retained and identifies the uses which are permissible and Council would like to encourage.

Council should review the controls and allowable uses for Marrickville and Illawarra Roads and look for opportunities to encourage creative commercial uses in this centre

The existing Marrickville Road and Illawarra Road local centre is considered to be an appropriate location for retail and commercial uses. While these uses are currently permissible, it would be beneficial to review the existing controls and identify how business or office premises which are used for a creative purpose could be better facilitated. Any new residential developments could incorporate first floor commercial above ground floor retail. This would also assist in supporting the existing retail uses and support the growth of this centre. Parking and access will be an issue and solutions to address this should also be considered as part of a review of the controls.” (pages 42-43)”

The initial planning proposal and economic impact assessment was publicly exhibited in accordance with the requirements of the Gateway Determination from 16 June 2017 to 14 July 2017 where a total of 109 submissions were received. Over 75% of submissions received supported the proposal without amended, although approximately half of these were pro-forma responses. 17.5% of responses were supportive of the proposal in principle, but would like to see further changes and 7.5% unsupportive. Feedback that challenged the current form of the Sydenham Creative Hub proposal requesting further changes or were not supportive of the proposal generally provided substantive reasoning for their stance, with a significant number of those submitters being based within the precinct, or in close proximity of the precinct. Those who were not supportive justified their resistant stance based on the evidence found in the Social Impact and Economic Impact Assessments.

A revised planning proposal was prepared for Council as part of the post-exhibition report in late 2017. Issues raised in this report focus on the loss creative and traditional industrial uses and replacement of creative servicing uses. The report found that potential for losses to manufacturing jobs in the existing precinct was a significant concern raised as part of the planning proposal. The EIA included discussion relating to the creative precinct with employment estimates comparing 2016 figures with a base case, scenario 1 and scenario 2 for the site (see page 25-28, EIA).

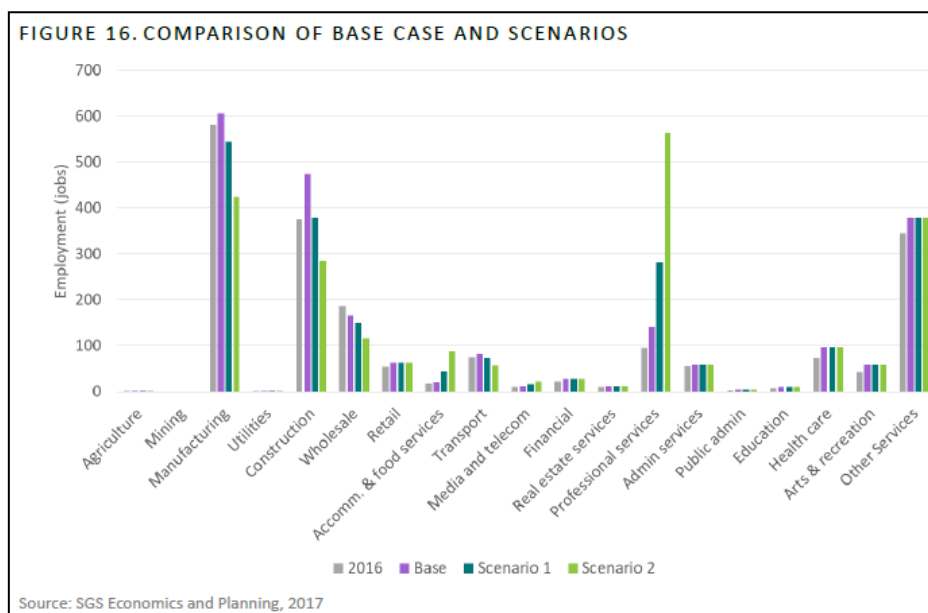


Figure 1: Forecast changes in employment under planning proposal scenarios (see page 39, EIA)

Figure 1 reveals a significant increase in professional services (albeit approved for ‘creative purposes’) in the precinct with expected losses in manufacturing and construction jobs. This potential increase in ‘creative servicing’ uses facilitated by business and/or office premises is likely to see significant displacement of manufacturing and construction jobs. This may lead to:

- A loss in local GDP output (see page 39, EIA),
- Dislodgement of lower-middle income workers in the local area,
- Entrench supply chain inefficiencies between existing industrial uses utilized for ‘CBD backroom’ operations (see page 41, EIA).

The 2014 Marrickville Employment Lands Review advocated under *Action 1.3: prevent the spread of retailing and services into the Marrickville-Sydenham precinct*. The importance of protecting those creative production uses is highlighted in the Australian Research Council's August 2017 report *Made in Marrickville*. Trends show that international best practice in urban planning and policy making that focuses on deepening relationships between creative industries and urban manufacturing are connected to future urban growth, investment, city marketing and employment generation (see page 6, *Made in Marrickville*). Those existing traditional industrial and creative production uses invigorate the Inner West's successful place branding and need to be protected to ensure the social and economic vitality of the area. *Made in Marrickville* highlights the risks of displacing those uses through conversion of spaces to commercial, shop front and retail purposes, with accompanying escalating rents (see page 62).

The Economic Impact Assessment informed these proposed two changes to the original planning proposal. The recommended changes to the planning proposal aim to balance community and stakeholder positions that protect traditional manufacturing, support creative production and entertainment uses in a collaborative entertainment and already highly functioning employment precinct. The revised planning proposal incorporates the following changes:

- A reduction in size of the “Sydenham Station Creative Hub” from 20 hectares to 1.9 hectares; and
- The deletion of the previously proposed additional permissible use of *business premises* and *office premises* for the area.

Those changes were made to negate potential negative impacts to local jobs and local economy, safety of pedestrians and land value speculation. The reasons for those changes are detailed in the November 2017 Council Report (refer to Attachment 1). This revised planning proposal balances the cautionary advice of SGS Economics and Planning with public perceptions by concentrating the proposed additional permissible uses across the existing IN1 General Industrial zoned land adjacent to Marrickville Road and Railway Parade between Marrickville Town Centre and Sydenham Station.

Section D – State and Commonwealth Interests

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

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

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

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

Part 4: Mapping

The area identified as the “*Sydenham Station Creative Hub*” is currently zoned IN1 General Industrial under Marrickville Local Environmental Plan 2011. The zoning of the subject land is not proposed to change from the current IN1 General Industrial zone. No changes are proposed to the Floor Space Ratio Map or the Height of Building Map that apply to the land.

The only proposed change to the maps adopted by Marrickville Local Environmental Plan 2011 is a change to the Key Sites Map (KYS_004) to identify the area referred to as the Sydenham Station Creative Hub as “L” on that map (refer to Figure 1).

Part 5: Community consultation

Council undertook both an initial consultation process in April 2016 and post-gateway determination consultation in July 2017.

In 2016, initial consultation was carried out via the following means:

- Dedicated webpage on “Your Say Marrickville” requesting feedback on matters including the proposed vision, location and rezoning of land,
- Direct notification to landowner/occupants via letters, and
- Leaflet letter drop to approximately 8,000 properties adjoining the subject area.

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

In 2017, the planning proposal was re-exhibited as part of the initial Gateway Determination. The planning

proposal and associated documentation were placed on public exhibition from 16 June 2017 to 14 July 2017. The exhibition included:

- An updated planning proposal for Sydenham Creative Hub,
- A copy of the Gateway Determination,
- Maps of the precinct including existing and proposed key sites maps and proposed land zoning map,
- Social Impact Assessment,
- Economic Impact Assessment,
- Proposed Marrickville Development Control Plan 2011 amendments to Part 6.5 Creative Industries and Part 9.43 Sydney Steel Precinct,
- Council reports on the project from August 2015 and October 2016,
- Draft Creative Industries Policy for the precinct, and
- Draft Opportunities and Constraints of public domain improvements.

Direct consultation was also completed with a number of stakeholders including:

- Submitters to preliminary engagement on the project,
- Business operators and landowners within the precinct and peripheral area,
- Non-landowner residents within the precinct and peripheral area,
- Patrons of venues, artists and performers, commuters and customers of businesses in the precinct, and
- Government agencies listed in the gateway determination.

A post-exhibition report on the original planning proposal was prepared for Council's consideration. A copy of that report is **ATTACHED**. Council resolved (in part) to amend the planning proposal to:

- Confine the land to which the planning proposal relates to the properties fronting Marrickville Road, Marrickville between Railway Parade and Sydney Street and the 2 properties fronting Railway Parade between Marrickville Road and Buckley Lane (being the properties 21-71 Marrickville Road and 101-103 Railway Parade, Marrickville respectively); and*
- Limit the additional permitted uses on such land to "cafes, restaurants and small bars".*

In accordance with advice from officers from the Department, Council now seeks an amended Gateway Determination for the revised planning proposal for the Sydenham Station Creative Hub.

Part 6: Project timeline

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

- Commencement date (date of Gateway determination) – February 2017
- Timeframe for the completion of required technical information – June 2017
- Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) – to be determined after Gateway determination
- Commencement and completion dates for public exhibition period – July 2017
- Timeframe for consideration of submissions – September-October 2017
- Timeframe for the consideration of a proposal post exhibition – December 2017
- Request for Gateway Determination Extension – January 2018
- Revised Planning Proposal adopted by Council – February 2018
- Revised Planning Proposal submitted for revised Gateway Determination – April 2018
- Revised Gateway Determination issued by DPE – May 2018
- Anticipated date of consultation of revised planning proposal - May/June 2018
- Time frame for Council's consideration of the post exhibition report on the revised planning proposal – July 2018
- Date of submission to the Department to finalise the LEP – August 2018
- Anticipated date RPA will make the plan (if delegated) – September 2018
- Anticipated date RPA will forward to the Department for notification – October 2018