

Item No: IP0416 Item 2
Subject: DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011
(AMENDMENT NO. 4)
File Ref: 15/4738/21326.16

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SUMMARY

A report recommending that Council prepare a draft planning proposal to make a number of amendments to Marrickville Local Environmental Plan 2011 was deferred by Council at the December 2015 Infrastructure and Planning Services Committee meeting for a Councillor Conference.

The Councillor Conference was held on Tuesday 23 February 2016.

The report also addresses some issues that have become evident after the preparation of the original report, including issues following the gazettal of MLEP 2011 (Amendment No. 2) and MLEP 2011 (Amendment No. 5), and some additional matters including a submission which addresses the issues raised by RMS in the relation to the rezoning of land on the eastern side of Bridge Road, Stanmore and a request to rezone land referred to as 85 Margaret Street, Petersham. The Council resolution on 1 March 2016 to list 34 Belmore Street, Enmore, as a local heritage item in Schedule 5 of MLEP 2011 has also been incorporated into the draft planning proposal.

This report recommends that Council resolve to prepare a draft planning proposal to make a number of amendments to Marrickville Local Environmental Plan 2011, including some revised recommendations to those originally proposed, and the additional recommendations included in the report relating to new matters.

RECOMMENDATION

THAT:

1. the report be received and noted;
2. Council resolves to prepare a planning proposal to amend MLEP 2011 incorporating the recommendations contained in ATTACHMENT 5 to this report;
3. Council submits the draft planning proposal to the Department of Planning and Environment for Gateway determination; and
4. Council resolves to publicly exhibit the draft planning proposal following the Gateway determination.

Our Place, Our Vision – Marrickville Community Strategic Plan 2023	
3.9	Marrickville's built environment demonstrates good urban design and the conservation of heritage, as well as social and environmental sustainability
4.6	Council consults, engages and communicates with the community effectively

85 Margaret Street, Petersham

A request to prepare a planning proposal to rezone the land referred to as 85 Margaret Street, Petersham was submitted to Council on 29 February 2016.

The land forms part of the site (Lot 1 DP749931) known as 25 Crystal Street, Petersham owned by the Minister for Education containing Petersham TAFE. The land referred to as 85 Margaret Street, Petersham contains a single storey dwelling house. The dwelling house is not used in association with the TAFE. Determination No. 201400132 dated 6 June 2014 approved an application to carry out internal renovations and external repairs and use the building known as 85 Margaret Street as a dwelling.

A photograph of the premises referred to as 85 Margaret Street, Petersham is provided below:



Image 1: The Site referred to as 85 Margaret Street, Petersham

The request seeks an amendment to MLEP 2011 to rezone the land from SP2 Educational Establishments to R2 Low Density Residential. The reason given for the requested amendment was to "allow the TAFE College to sell, exchange or otherwise dispose of or deal with 85 Margaret Street as a standalone entity."

It is proposed to subdivide the TAFE college land into 2 lots to excise the land referred to as 85 Margaret Street from the remainder of the TAFE college land. A development application is to be submitted for the proposed subdivision. The rezoning request includes a subdivision plan. The proposed lot for the land referred to as 85 Margaret Street has an area of approximately 298sqm and a width of approximately 7.5 metres. The proposed lot is in keeping with the subdivision pattern of other residential properties along this section of Margaret Street.

An extract from the rezoning request identifying the site referred to as 85 Margaret Street, Petersham with a thick red line and showing the zoning of land under MLEP 2011 in the locality, is reproduced below:

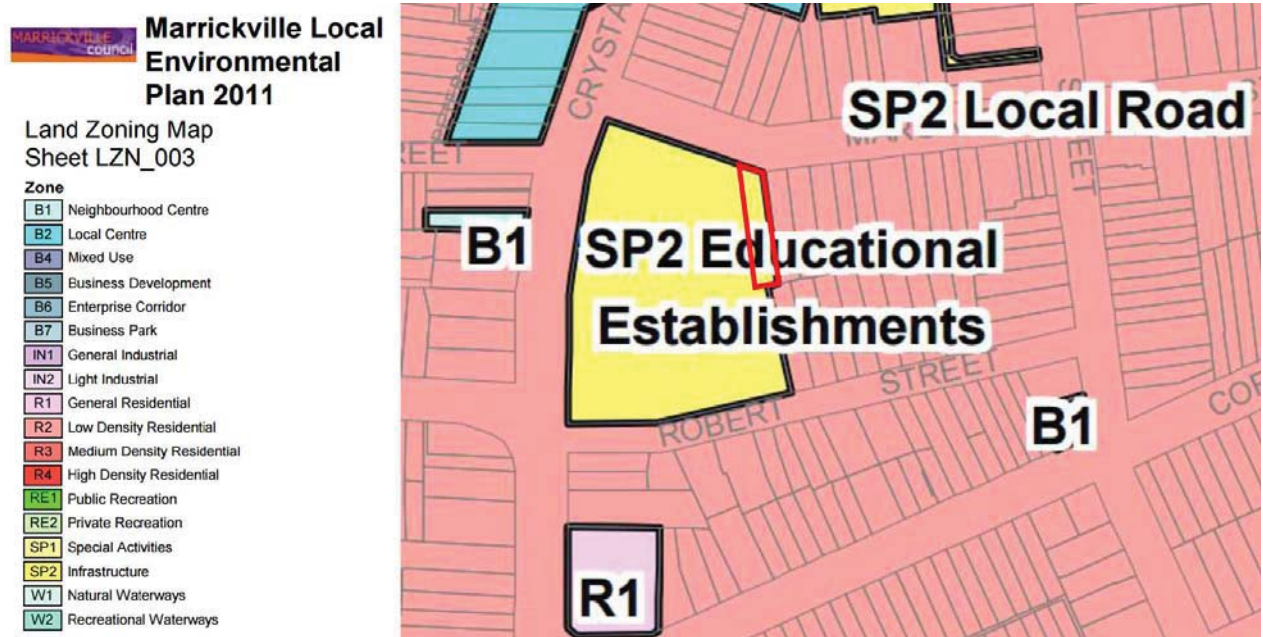


Image 2: Extract from rezoning request showing the Site and zoning of land in the locality under MLEP 2011

No FSR or HOB controls apply to the subject land under MLEP 2011. The request also seeks amendments to MLEP 2011 to introduce a maximum building height of 9.5 metres and a maximum floor space ratio of 0.6:1 for the subject land.

All the residentially zoned properties in the immediate area are zoned R2 Low Density Residential under MLEP 2011. Those properties have a floor space ratio control of 0.6:1 with land identified with a thick red line and labelled "F" on Floor Space Ratio Map and a maximum 9.5 metre ("J (9.5m)") height control applies to the land under MLEP 2011. The requested FSR and HOB controls for the property 85 Margaret Street, Petersham are considered appropriate.

The planning proposal is consistent with applicable State Environmental Planning Policies and Section 117 Directions.

It is recommended that the rezoning request be incorporated into the planning proposal submitted to the Department for gateway determination.

[REDACTED]

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