

# Preliminary Planning Proposal Planning Report

## Victoria Road Precinct (Precinct 47)

Planning proposal for land uses and development standards

Submitted to Marrickville Council  
On Behalf of Danias Holdings Pty Ltd



May 2014 ■ 13530

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## Under Separate Cover

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|                                                         |
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| Master Plan Design Report<br><i>Turner + Associates</i> |
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# Executive Summary

This Preliminary Planning Proposal is submitted to Marrickville Council to seek amendments to the Marrickville Local Environmental Plan 2011 in relation to land known as Precinct 47 which is centred around Victoria Road, Marrickville.

## Background

On 1 May 2012, Council resolved to advise Danias Holdings Pty Ltd, the proponent, that Council would consider revised planning controls for the precinct and invited the proponent to submit a Planning Proposal.

JBA forms part of the expert consultant team who have been engaged by Danias Holdings Pty Ltd, who are a major landholder within the Precinct 47, to prepare the technical studies in support of this Planning Proposal. Danias Holdings also represent a number of major land holders within Precinct 47.

This submission represents an initial submission to Council for the purpose of referral of the Planning Proposal for a Gateway Determination.

## Need for Planning Proposal

The need to revise planning controls for Precinct 47 arises from fundamental changes to the nature of employment within traditional inner-ring employment lands. Traditional industrial uses such as manufacturing are in decline, leading to a decline in employment in these industries and a lack of investment in properties within the precinct. To ensure that Precinct 47 continues to contribute towards local employment in the future, a more diversified and modern mix of businesses is required. The location of the precinct on a strategic bus corridor, adjoining existing residential areas and with good access to services also makes the location ideal for residential development in appropriate areas.

## Objectives and Summary of Provisions

The core objectives of this Planning Proposal are summarised as follows:

- provide a 15 to 20 year strategic plan for Precinct 47;
- maintain or grow employment within the precinct;
- provide a broader mix of businesses whilst ensuring that new development does not directly compete with existing retail centres;
- incorporate medium to high-density residential development along the Victoria Road strategic bus corridor where appropriate;
- create a vibrant hub for Marrickville's burgeoning creative industries that complements the existing arts and cultural premises in the precinct.
- facilitate improvements to permeability, streetscapes and amenity within the precinct;
- retain approximately half of the precinct for viable industrial and warehousing businesses in suitably located and serviced areas and ensure that existing businesses within the precinct may continue to operate unimpeded;
- ensure appropriate interfaces between the precinct, surrounding residential and industrial areas;
- create unique retail experiences that do not compete with established retail along Marrickville Road and at Marrickville Metro by providing an opportunity to build on the precinct's existing home renovation showrooms and cafes.



In brief, the Preliminary Planning Proposal envisages that the Marrickville Local Environmental Plan 2011 would be amended to include the following planning provisions for the precinct:

- new land use zone(s) for approximately half of the precinct to permit business, light industrial, live/work and residential uses;
- provision for creative industries;
- maximum building heights up to 14 storeys;
- maximum floor space ratios up to 3.5:1;

It is envisaged that a Draft Development Control Plan amendment to Marrickville Development Control Plan 2011 for Precinct 47 would also be prepared by the proponent in collaboration with Marrickville Council, and publicly exhibited along with the Final Planning Proposal.

## Key Planning Issues

### Employment and Economic Impact

Employment in the manufacturing industry within the Marrickville LGA fell by more than 50% between 1996 and 2011, resulting in a loss of more than 3,500 jobs in the LGA. The decline in manufacturing and other traditional industrial uses has resulted in Precinct 47 suffering from high vacancy rates and long-term underinvestment in buildings and properties. This reflects a fundamental and irreversible change in the economics of inner-ring employment lands, where constrained local infrastructure, changing labour market dynamics and international economic forces are all contributing to decline. To ensure that Precinct 47 can continue to provide local employment, planning controls must permit a more diverse mix of businesses. These findings are supported by a detailed land use study which has been undertaken to inform the Preliminary Planning Proposal.

Not only are the industrial uses declining, the changing demographics of the Marrickville LGA has also meant that the local population is no longer employed in manufacturing and traditional industries. There is a need to support the growth of creative industries and modern business services within the LGA to support ongoing local employment.

The provisions of this Preliminary Planning Proposal seek to ensure that there will be no net loss in employment within the precinct. Land use zoning and development controls are also incorporated in the proposal to ensure that new development does not detract from the viability of existing strip retail and centres within the local area.

### Transport and Traffic

Existing roads within Precinct 47 are constrained by physical limitations on large vehicle movements, safety issues surrounding conflicts between industrial/business traffic and local residential traffic, insufficient parking and poor permeability. A strategic bus corridor runs along Victoria Road through the centre of the precinct, providing direct linkages to the Sydney CBD, Bondi Junction, Mosman, Burwood and nearby rail stations.

Preliminary analysis of the local road network indicates that there is capacity to accommodate growth in employment and residential development within the precinct. Detailed analysis of local intersection performance and capacity would accompany the detailed Planning Proposal for assessment and public exhibition.

### Airport Operations

The maximum building heights included in the Preliminary Planning Proposal have been developed with regard to the PANS-OPS and OLS surfaces. It is anticipated

that Sydney Airport Corporation and the Commonwealth Department of Infrastructure & Regional Development will be consulted during the assessment of the detailed Planning Proposal.

The Planning Proposal seeks to permit residential development in certain circumstances in areas above the ANEF25 noise contour. The Final Planning Proposal and Development Control Plan would include a number of development controls to ensure that residential development occurs in a manner that provides appropriate levels of acoustic amenity to future residents.

#### **Stormwater and Flooding**

The area is subject to flooding constraints, with a number of open drainage channels running through the precinct. Preliminary analysis indicates that development potential within the south-eastern edge of the precinct in the vicinity of Fitzroy Street and Chapel Street is most constrained, to the extent that this land should be retained for industrial or business uses. In other areas within the precinct there is greater flexibility to address potential flood impacts through design measures, local infrastructure upgrades and improved access arrangements. A detailed flooding and stormwater strategy will be prepared to inform the Final Planning Proposal.

#### **Further Studies and Justification**

It is anticipated that, subject to this Preliminary Planning Proposal being endorsed by the LEP Gateway Review Panel, the detailed Planning Proposal which is prepared for assessment and public exhibition will include the following further studies:

- environmentally sustainable development strategy;
- acoustic report with specific consideration of aircraft and traffic noise;
- transport and traffic assessment;
- employment strategy and economic impact assessment;
- flooding and stormwater assessment;

#### **Conclusion**

Preliminary investigations support the proposed changes to existing planning controls. It is recommended that a gateway determination is issued to allow detailed environmental, social and economic investigations to commence.

## 1.0 Introduction

This draft Planning Proposal is submitted to Marrickville Council to request that land within Precinct 47 be rezoned to permit development for mixed business, creative industries and residential purposes under the Marrickville Local Environmental Plan (LEP) 2012.

JBA has prepared this report on behalf of Danias Holdings Pty Ltd (Danias), who are a major landholder within Precinct 47.

This Preliminary Planning Proposal has been prepared for the purpose of section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the guideline prepared by the Department of Planning dated July 2009 entitled "A guide to preparing Planning Proposals". In particular, this Planning Proposal addresses the following specific matters in the guideline:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification;
- Need for the Planning Proposal;
- Relationship to strategic planning framework;
- Environmental, social and economic impact;
- State and Commonwealth interests; and
- Community consultation.

We request that Council forward the Preliminary Planning Proposal to the Minister for Planning for a 'gateway determination' in accordance with section 56 of the EP&A Act.

### 1.1 Background

Marrickville Council undertook a review of planning controls contained within the Marrickville Local Environmental Plan 2011 in early-2012. During community consultation conducted as part of this review, Danias and a number of other land owners within Precinct 47 made representations to Council seeking the rezoning of the existing industrial area from the current IN1 General Industrial zoning to a zoning more suitable to the site's future redevelopment for a mix of uses, including medium/high density residential, retail, commercial, industrial uses and creative industries.

Following meetings with the proponent and the (then) NSW Department of Planning and Infrastructure [now Department of Planning and Environment (DP&E)], DP&E wrote to Council stating in part that:

*Whilst I acknowledge that council has met the nominated employment and residential targets within the Marrickville Local Environmental Plan 2011, I strongly encourage Council to embrace the opportunity to facilitate urban renewal in well located areas with good access to transport and community services.*

*The Department will welcome the submission of a Planning Proposal for the Sydenham precinct to enable more thorough merit assessment of the proposals to proceed.*

DP&E identified the following issues as key matters in the consideration of a Planning Proposal for Precinct 47:

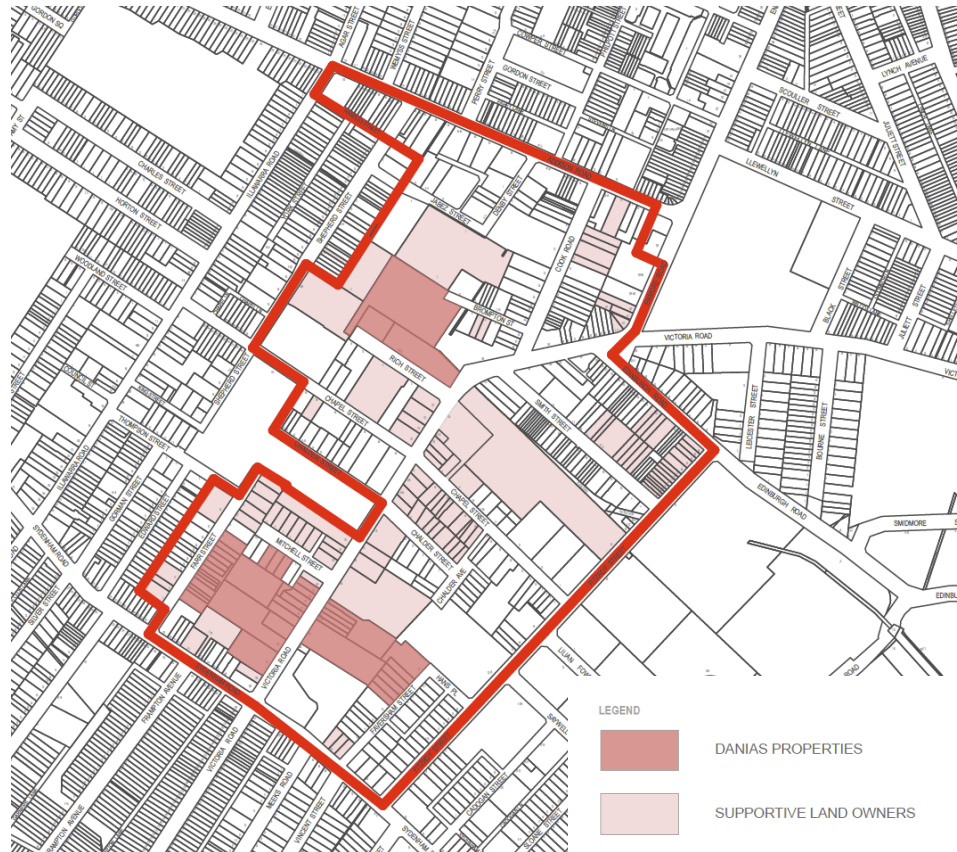
- strategic context of the site in relation to Port Botany and Sydney Airport and the future direction of these areas;
- consistency with s117B Directions, particularly with regard to business and industrial zones;
- implications of aircraft noise and ANEF contours for the provision of housing within the precinct; and
- opportunities and constraints in relation to housing.

Following further consideration of the above, Marrickville Council resolved at its meeting on 1 May 2012 to:

- *advise the proponent of the Victoria Road corridor development proposal that it will consider revised planning controls for the precinct. That Council request the proponent to submit a Planning Proposal for the Precinct. Such a proposal must include an Urban Design Study for the Precinct; an initial staging plan; a response to the policy issues raised in the Department of Planning's letter of 27 /04/12; include an analysis of all possible uses for the Precinct including industrial, creative industries, showrooms, commercial, live/work, and residential uses; an environmental sustainable development strategy; an employment strategy and proposed planning controls; and*
- *supports pursuing Precinct 47 proposal jointly and cooperatively with the Department of Planning through the Gateway process.*

A copy of Council's resolution is included at **Appendix A**. Since this time, Danias has been actively engaging with other landowners within the Precinct and has engaged a professional consultant team to prepare strategic assessment reports regarding key urban planning, design, economic and environmental issues impacting on the potential urban renewal of Precinct 47.

**Figure 1** below identifies land owned by Danias Holdings Pty Ltd and land owners who have indicated support of the current planning proposal process.



**Figure 1** – Danias Holdings properties and supportive land owners

## 1.2 The Planning Process

This Preliminary Planning Report forms part of a Planning Proposal submitted to Marrickville Council. The intent of this submission is to provide Council, as the Relevant Planning Authority (RPA) with sufficient information to form a view regarding the strategic merit of the Preliminary Planning Proposal and to refer the matter to the NSW Department of Planning and Environment's LEP Gateway Review Panel.

It is important to note that at this stage, both Council and the LEP Gateway Review Panel are only required to determine whether the Preliminary Planning Proposal has strategic merit and is worthy of further detailed assessment. An LEP Gateway determination will allow for detailed site investigation, additional technical studies and further concept planning for Precinct 47 to occur.

The detailed site investigations will inform the finalisation of the Planning Proposal to allow it to be placed on public exhibition for community consultation, following which it will be fully assessed by Marrickville Council with further input from DP&E and other government agencies including the NSW Roads and Maritime Service and the Department of Infrastructure and Regional Development (Cth).

The steps involved in the LEP Rezoning Process are illustrated in



## Proponent Instigated LEP Rezoning Process (Guide)

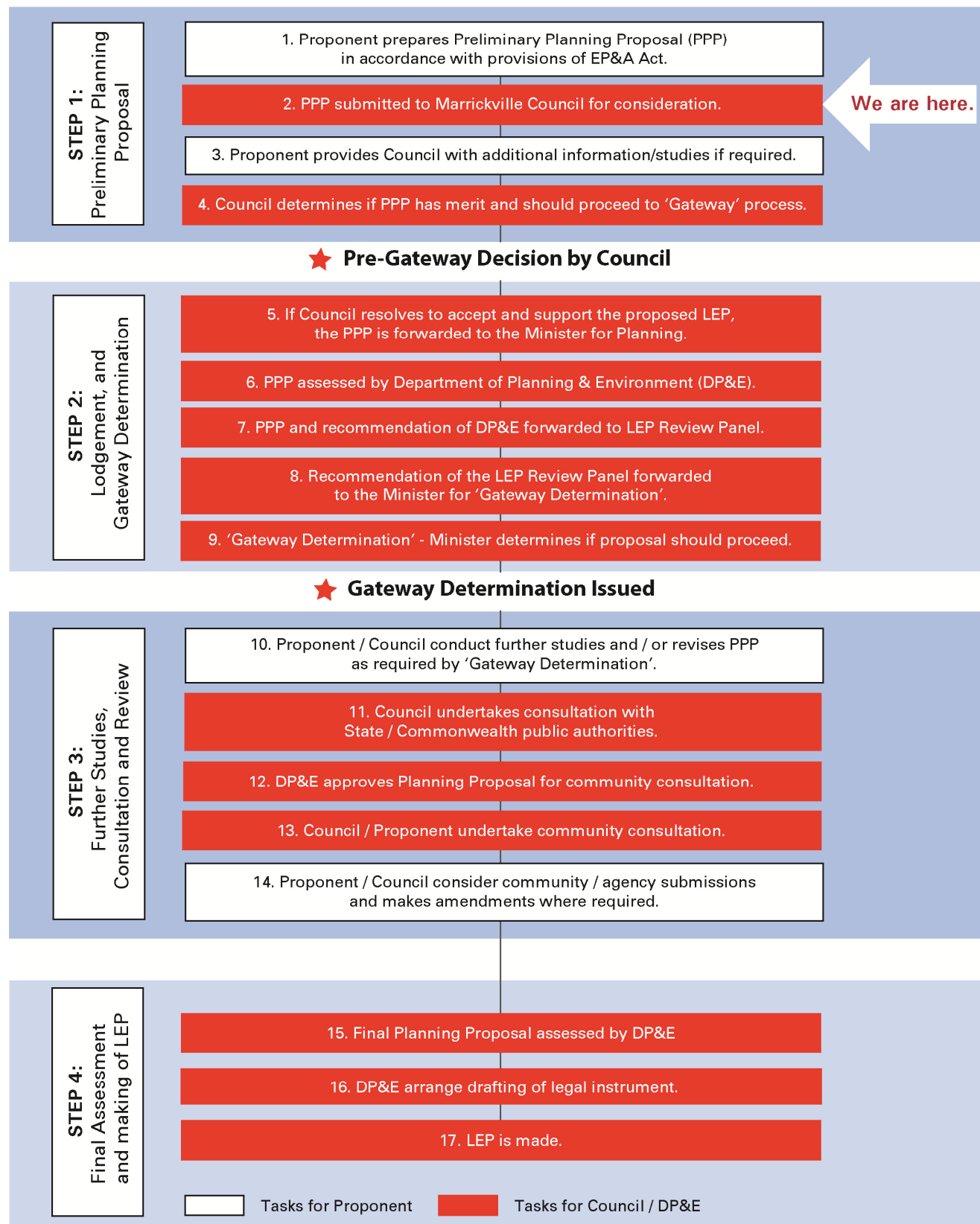


Figure 2 – Proponent instigated LEP Rezoning Process

## 2.0 Site Description

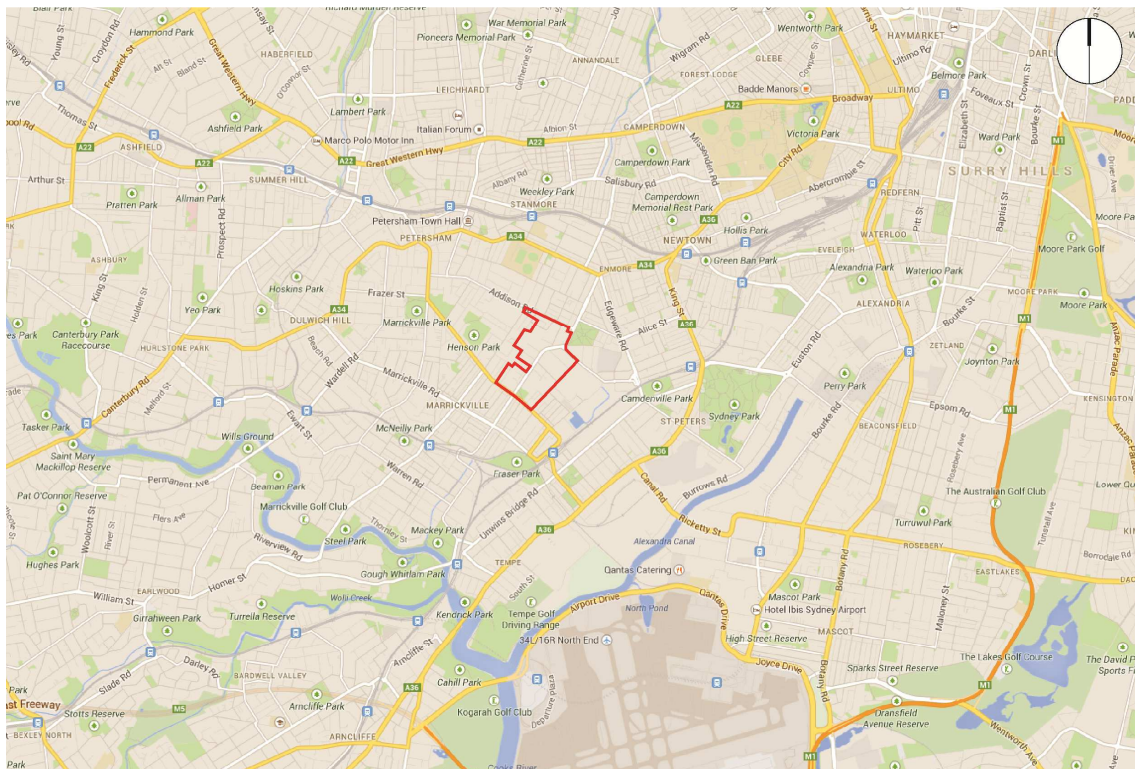
This chapter briefly describes the site. Further detail is provided in the sections describing the different elements of the existing environment.

### 2.1 Location and Context

Precinct 47 is approximately 36 hectares in area and is located within the Marrickville LGA. The precinct is located approximately 6km south-west of the Sydney CBD, 3km north of Sydney Kingsford-Smith Airport and 8km north-west of the Port Botany Container Freight Terminal.

The urban and subregional context of Precinct 47 is illustrated in **Figure 3** and **3** and is characterised by the following:

- strong linear road connections in the form of Victoria Road and Sydenham Road;
- high level of public transport accessibility being located on a strategic bus corridor with regular services running along Victoria Road and elsewhere within the precinct and good connections to suburban rail services at Newtown, Marrickville and Sydenham Stations;
- proximity to subregional centre-based (Marrickville Metro) and main street (King Street, Enmore Road, Marrickville Road) retail and services;
- adjacent to low and medium-density residential development to the north and west;
- adjacent to industrial-zoned land to the south and east; and
- proximity to local (Enmore Park, Wicks Park and Henson Park) and regional (Sydney Park) open space.



**Figure 3 – Site Location**



## 2.2 Site Description

The boundaries of Precinct 47 are those contained within Part 9 of Marrickville Development Control Plan 2011 and are illustrated in **Figure 4**.



**Figure 4** – Precinct 47 Boundary

### 2.2.1 Land Use

Precinct 47 is comprised of predominately industrial and business land uses, with low-density residential, education, creative industries, entertainment and recreational uses also present. A number of sites and buildings within the precinct are vacant or under-occupied.

Larger businesses within the precinct include Danias Timer, Confetta, Johnson's Transport (now relocated to Smithfield), Millers Storage and the Factory Theatre. There is a clustering of smash repairers and auto-related businesses located within the central and northern portions of the precinct. Victoria Road is characterised by a mix of home renovation showrooms, cafes and light industrial uses.

Heavier industrial and manufacturing uses appear to be focused towards the Fitzroy Street boundary. There are a number of specialised food manufacturers and suppliers throughout the precinct operating on a range of scales. There is also a range of boutique coffee shops and bakeries in the vicinity of Addison Road, Mitchell Street and Wicks Park. The Henson Park Hotel is located near the western boundary on Illawarra Road.

Low-density residential dwellings within the precinct are generally located in the vicinities of Illawarra Road and Thomson Street as well as Edinburgh Road, however, there is also a number of isolated residential dwellings located throughout the main industrial precinct.

At the south-east corner of the precinct, the Marrickville Bowling and Recreation Club is located nearby to Wicks Park. A number of creative enterprises have spontaneously established themselves within the precinct, including the Factory Theatre on Victoria Road near Rich Street, which is a well-known live entertainment venue in the area, and the Red Rattler on Faversham Street. There are also a number of galleries and art studios located in this part of the precinct.

### 2.2.2 Built Form

The scale and style of buildings within the precinct is diverse and uncoordinated, ranging from single-storey residential cottages on 200m<sup>2</sup> lots through to large industrial sheds with building footprints in excess of 4,000m<sup>2</sup>. The oldest building within the precinct is located within the Marrickville Public School site (1899) and a number of residential dwellings appear to date from the inter-war period, however, most development within the precinct dates from the second half of the 20<sup>th</sup> century.

The majority of architecture within the precinct is utilitarian, and the majority of industrial and commercial building stock is in poor condition and often unmaintained. Buildings are predominately inward focused, with little (if any) active interface with the street with the exception of loading docks and the small number of retail premises within the precinct.

There is prolific use of footpaths within the precinct by local businesses for vehicle loading, parking and goods storage throughout the day and formal on-street parking is similarly utilised. There is also a conflict of uses between the transport and parking needs of businesses and the pedestrian needs of the school.

The northern and western edges of the precinct are generally characterised by lower scale development including dwelling houses and smaller retail and business premises.

Photographs of typical development within the precinct are included at **Figure 4**.





Figure 5 – Photographs of the precinct

## 2.3 Land Ownership

There are a number of substantial consolidated land holdings within the precinct, which are identified in Table 1 below. In addition to those shown below, there are a number of smaller individual land holdings.

The majority of land owners have been consulted on the project (refer to **Section 3.0**) and are supportive of the Planning Proposal.

Table 1 – Major property ownership

| Land Owner             | Property Description                            | Approximate Area      |
|------------------------|-------------------------------------------------|-----------------------|
| Danas Holdings Pty Ltd | ▪ 183 Victoria Road (27 lots)                   | 16,500 m <sup>2</sup> |
|                        | ▪ 1 Rich Street and 10 Brompton Street (3 lots) | 12,600 m <sup>2</sup> |
|                        | ▪ 190 Victoria Road (12 lots)                   | 10,700 m <sup>2</sup> |



| Land Owner                    | Property Description     | Approximate Area              |
|-------------------------------|--------------------------|-------------------------------|
| Frank W Johnston Pty Ltd      | ▪ 56 Fitzroy Street      | Approx. 15,500 m <sup>2</sup> |
| Beradee Pty Ltd               | ▪ 2 Jabez Street         | Approx. 9,100 m <sup>2</sup>  |
| D. Morelli & D. Rowney        | ▪ 14 Rich Street         | Approx. 7,500 m <sup>2</sup>  |
| Confetta Pty Ltd              | ▪ - 61 Shepherd Street   | 5,000 m <sup>2</sup>          |
| Croydon Industries Pty Ltd    | ▪ 12 Cooks Road          | 4,620 m <sup>2</sup>          |
| Jonathon Khan                 | ▪ 6 Rich Street          | 3,654 m <sup>2</sup>          |
| Enmore Theatre                | ▪ 105 Victoria Road      | 3,500 m <sup>2</sup>          |
| Euro Marble Australia Pty Ltd | ▪ 11 Rich Street         | 2,717 m <sup>2</sup>          |
| Shiny NSW Pty Ltd             | ▪ 122-130 Edinburgh Road | 2,681 m <sup>2</sup>          |
| PJ Ward Smash Repairs         | ▪ 31-45 Smith Street     | 2,600 m <sup>2</sup>          |

## 2.4 Site Context

The site is located at a transitional point between an established low-density neighbourhood with infill medium-density housing to the north and west, and a nominally industrial area to the south and east with a mix of business premises, as illustrated in **Figure 5**. High-density residential and mixed use development has emerged on Marrickville Road in recent years and in the vicinity of Marrickville Station.

### Retail and Services

The Marrickville Metro Shopping Centre, which is classified as a 'stand-alone shopping centre' under the Draft South Subregional Strategy, is located within walking distance of the northern and eastern precinct edges. An expansion of the shopping centre to increase the gross floor area from approximately 23,000 m<sup>2</sup> to approximately 29,000m<sup>2</sup> was approved by the NSW Planning Assessment Commission in March 2012.

A main-street style commercial precinct is located on Marrickville Road and Illawarra Road approximately within walking distance of the southern precinct edge. This precinct has between 100-150 businesses comprised of a range of specialty retail premises.

### Recreation

Enmore Park is located immediately to the north-east of the precinct at the intersection of Victoria Road and Addison Road. Included in the park is the Annette Kellerman Aquatic Centre which includes a 50m pool, learn-to-swim pool, fitness and gym facilities.

The Henson Park rugby league oval is located approximately 200m to the west of the precinct edge.

Wicks Park is located within Precinct 47 on the corner of Victoria Road and Sydenham Road. The park is comprised of a large turfed area with established landscaping and a small tennis centre.

### Transport and Access

Victoria Road and Addison Road, both Regional Roads, directly connect Precinct 47 into a series of State Roads which generally bound the precinct, being Stanmore Road to the north, King Street and the Princes Highway to the east and Sydenham Road to the south.

Walking distances to local train stations from the nearest precinct boundaries are detailed below:

- Sydenham Station – 500m

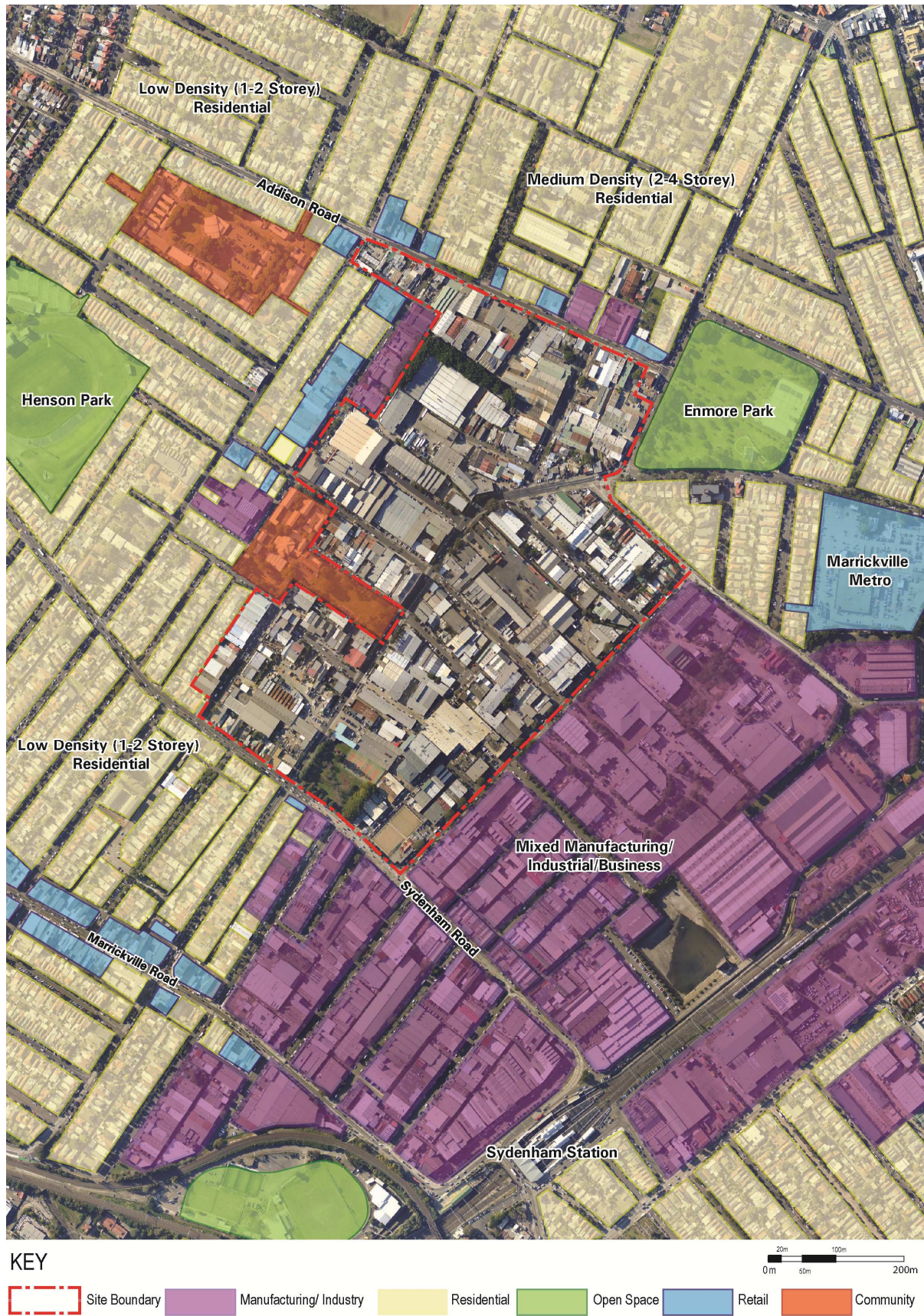
- Marrickville Station – 1.1 km
- Stanmore Station – 1.2 km
- Newtown Station – 1.5 km

With the exception of Sydenham Station, these are considered to be a long walk from the precinct for widespread usage. However, a significant number of bus services also run regularly through the precinct along Victoria Road or along Addison Road and Sydenham Road with stops at these train stations, including:

- M30 Metrobus (Sydenham – Mosman)
- 423 (Kingsgrove – Sydney CBD)
- 426 (Dulwich Hill – Sydney CBD)
- L23 (Kingsgrove – Sydney CBD express)
- 418 (Burwood – Bondi Junction)
- 426 (Dulwich-Sydney CBD)
- 428 (Canterbury – Sydney CBD)
- 308 (Marrickville Metro – Sydney CBD)
- 352 (Marrickville – Bondi Junction)
- 353 (Eastgardens – Bondi Junction)

The combination of regular bus and train services within and in the vicinity of the precinct ensures that the area is well connected to local and regional destinations by public transport.





**Figure 6 – Site context and indicative surrounding land uses**



## 2.5 Planning Controls under Marrickville Local Environmental Plan 2011

Precinct 47 is currently subject to the local planning controls outlined in the Marrickville Local Environmental Plan 2011.

### Zoning

The precinct is predominately zoned IN1 General Industrial. Small parcels of land on the northern and western precinct edges have been zoned IN2 Light Industrial, B4 Mixed Use and B7 Business Park in an attempt to provide a buffer to adjoining residential zones. **Figure 7** contains an extract from the land use zoning map.

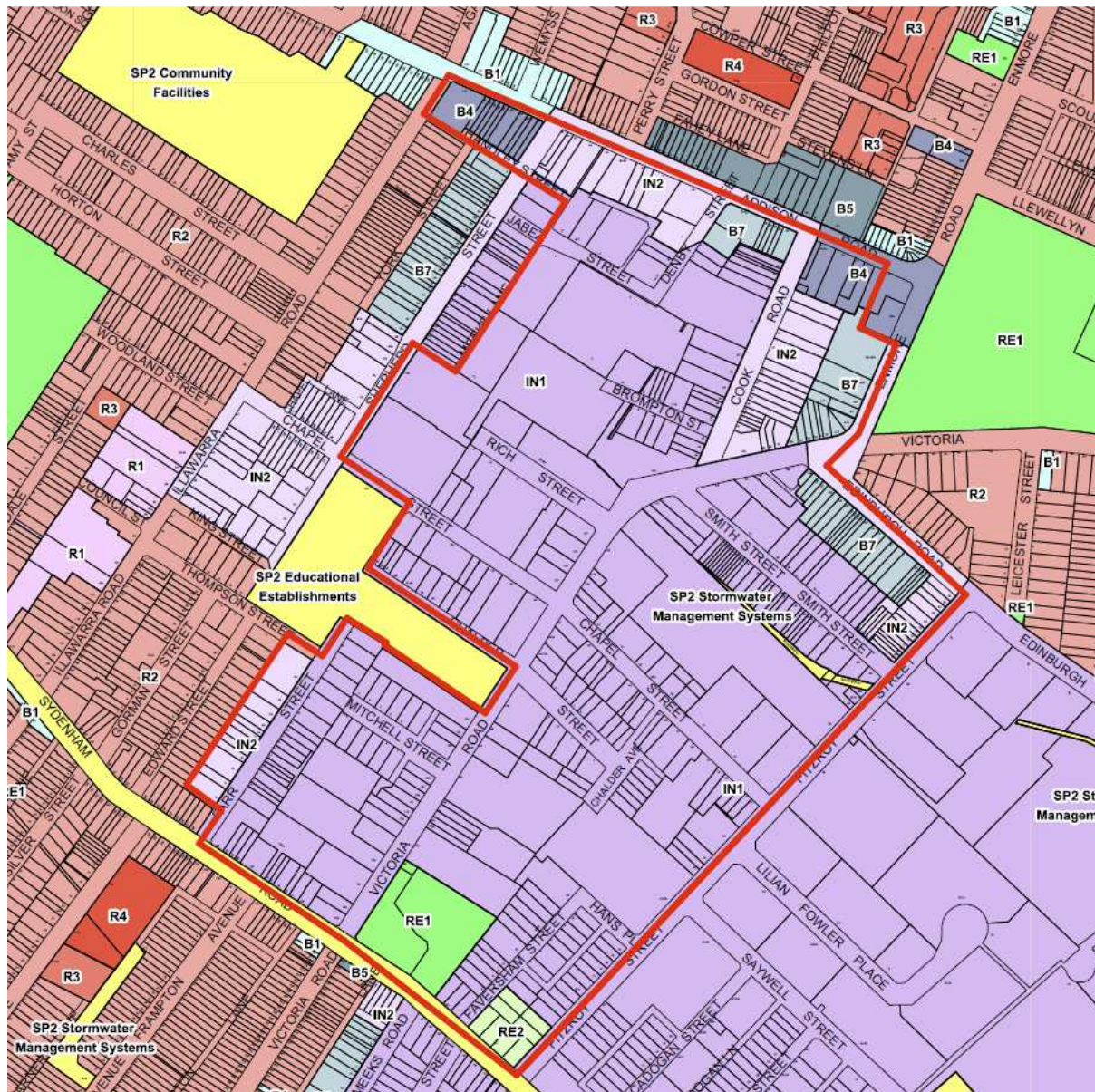


Figure 7 – Land Use Zoning Map from MLEP 2011



## Building Height

Maximum building height controls for the precinct are illustrated in **Figure 8**. The large majority of the precinct is not subject to maximum building height controls.

Properties on Addison Road near the intersections with Enmore Road, Cook Road, Sheperd Street and Illawarra Road are subject to a maximum building height limit of 14m. A small number of properties on Sydenham Road west of Farr Street are subject to a 9.5m limit.



**Figure 8** – Maximum Building Height Map from MLEP 2011

## Floor Space Ratio

The majority of the precinct is subject to a maximum Floor Space Ratio (FSR) of 0.95:1. Properties on Addison Road near the intersections with Enmore Road, Cook Road, Sheperd Street and Illawarra Road are subject to a higher FSR of 1.75:1. A small number of properties on Sydenham Road west of Farr Street are also subject to a 1.75:1 maximum FSR. Maximum FSR controls for the precinct are illustrated in **Figure 9**.



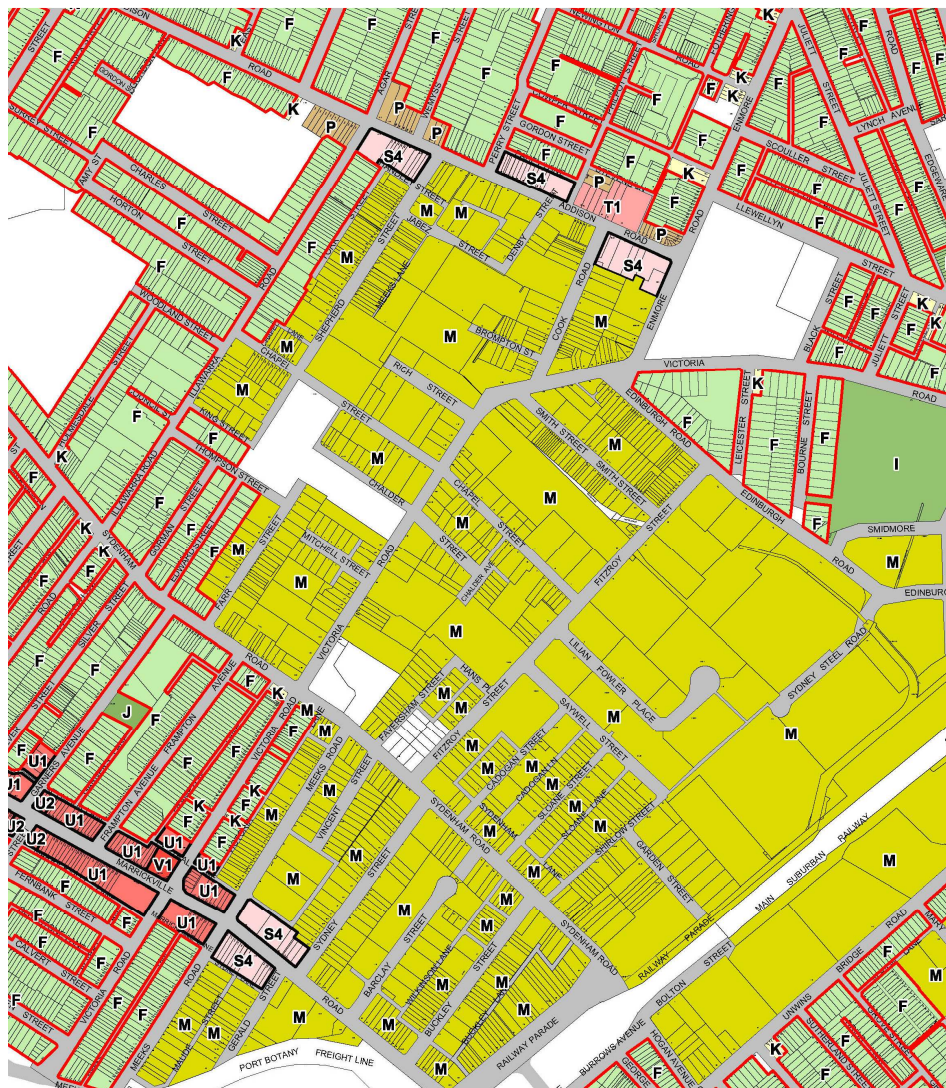


Figure 9 – Floor Space Ratio Map from MLEP 2011

## Heritage

There are two listed heritage items within the precinct:

- Industrial façade -14 Rich Street (Local).
- Sims Metal Factory, including interiors – 61-65 Shepherd Street (Local).

Marrickville Public School adjoins precinct P47 and is also a locally-listed heritage item.

## Aircraft Noise

The entire precinct is within the ANEF 20+ contour and is subject to the provisions of clause 6.5(3) of the LEP, which states that:

*(3) Before determining a development application for development to which this clause applies, the consent authority:*

*(a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and*

*(b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021–2000, and*

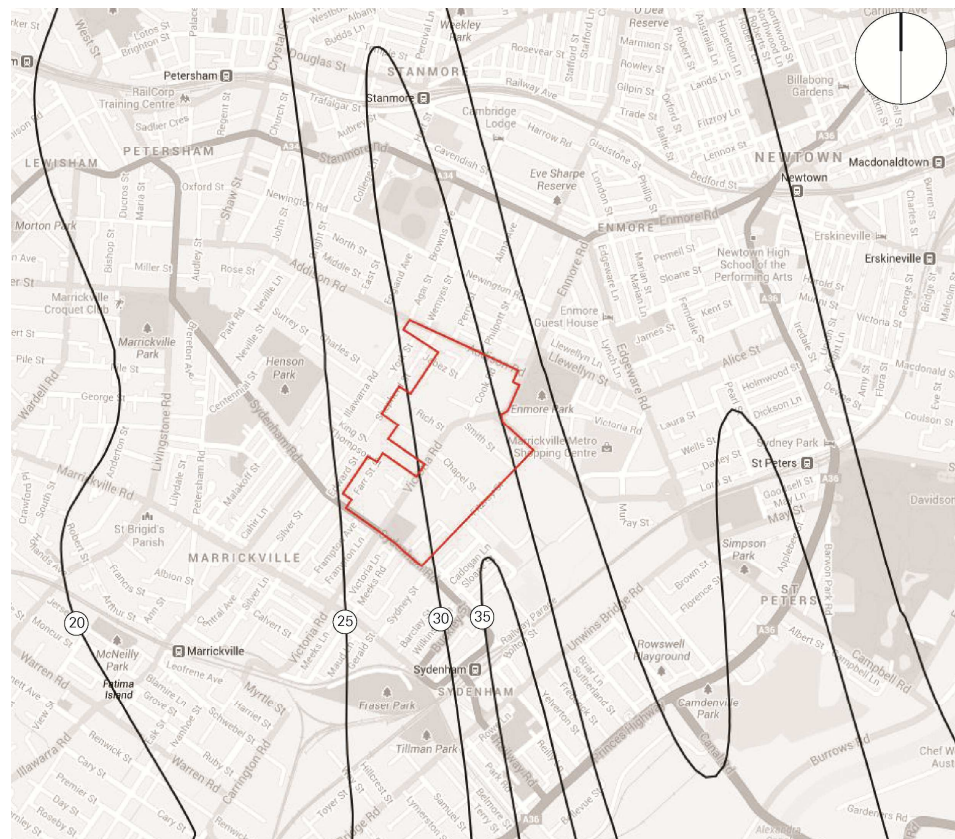
(c) must be satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021–2000.

**Table 2** identifies the relevant sound levels under AS 2021-2000, and **Figure 10** identifies the location of ANEF contours in relation to the precinct and surrounds. As discussed in Section 7.2.2, an LEP may permit development which departs from the land use guidelines in **Table 2**.

**Table 2 – AS2021-2000 – Table 2.1 Building Site Acceptability based on ANEF Zones**

| Building Type                        | Acceptable                   | Conditional   | Unacceptable         |
|--------------------------------------|------------------------------|---------------|----------------------|
| House, home unit, flat, caravan park | Less than 20 ANEF            | 20 to 25 ANEF | Greater than 25 ANEF |
| Hotel, motel, hostel                 | Less than 25 ANEF            | 25 to 30 ANEF | Greater than 30 ANEF |
| School, university                   | Less than 20 ANEF            | 20 to 25 ANEF | Greater than 25 ANEF |
| Hospital, nursing home               | Less than 20 ANEF            | 20 to 25 ANEF | Greater than 25 ANEF |
| Public building                      | Less than 20 ANEF            | 20 to 30 ANEF | Greater than 30 ANEF |
| Commercial building                  | Less than 25 ANEF            | 25 to 35 ANEF | Greater than 35 ANEF |
| Light industrial                     | Less than 30 ANEF            | 30 to 40 ANEF | Greater than 40 ANEF |
| Other industrial                     | Acceptable in all ANEF zones | –             | –                    |

Notwithstanding the above, where development is affected by aircraft noise Table 3.3 of AS2021-2000 requires indoor noise levels to comply with the Aircraft Noise Reduction' recommended internal acoustic design goal of not more than 50dB(A) for sleeping areas and dedicated lounges, 55dB(A) for other habitable spaces and 60dB(A) for bathrooms, toilets and laundries.



**Figure 10 – ANEF 2033 noise contours and Victoria Road Precinct boundary**



## 2.6 Land Use Capability

Our analysis of the capability of the physical attributes and context of Precinct 47 is contained in Table 3 below.

**Table 3** – Land use capability assessment

| Site Attributes                       | Capability for Rezoning for Mixed Business, Residential and Retail Development                                                                                                                                                                                          |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Urban and subregional context         | Suitable for mixed business, retail and residential uses at a medium to high density.<br>Airport obstacle limitation establishes building height limit.                                                                                                                 |
| Surrounding properties                | Road boundaries and large precinct scale allow for appropriate transition from surrounding low density to medium to high density and scale of development.                                                                                                              |
| Land size and topography              | Large precinct capable of supporting medium to high scale of development.                                                                                                                                                                                               |
| Existing vegetation                   | Minimal limitation, significant row of mature trees at Jabez Street should be protected.                                                                                                                                                                                |
| Existing buildings and infrastructure | Existing buildings within the precinct are outdated and of diminished relevance to the key economic drivers for employment in the area. Potential for retention and adaptive reuse of some buildings for other business or residential uses.                            |
| Access and transport                  | The precinct is well-served by public transport and is capable of supporting higher density employment and residential development.<br>Existing roads within the precinct are constrained in their ability to accommodate larger vehicles such as trucks.               |
| Heritage significance                 | Two local heritage items with localised restrictions relating to retention, no broader implications for new development elsewhere within precinct.                                                                                                                      |
| Geotechnical & Groundwater Conditions | There are no issues that significantly constrain future development within the precinct.                                                                                                                                                                                |
| Contamination                         | No wide-spread contamination has been identified within the precinct. There may be localised contamination hotspots that constrain individual sites.                                                                                                                    |
| Stormwater and flood risk             | Portions of the site are flood affected to varying extents, however, it is considered that these could generally be overcome through upgrades to existing stormwater infrastructure within the precinct and building design measures.                                   |
| Aircraft Noise and Operations         | Limitations on residential and commercial development with regard to compliance with relevant Australian Standards for indoor noise. New development for residential and higher-order commercial development will need to be designed with regard to these limitations. |

Subject to the limitations identified in **Table 2** above, it is considered that Precinct 47 has the capacity to accommodate a broader and denser range of employment and residential uses than the current planning controls described in **Section 2.5** would permit. The following chapters of this report explore how the existing planning controls could be expanded to maximise the utilisation of the precinct in line with the strategic aims and objectives for Sydney within the identified capability of the land.

## 3.0 Stakeholder and Community Engagement

### 3.1 Description of Engagement

Danias, Macken Strategic Planning Solutions and the project team have undertaken preliminary consultation with a number of key stakeholders in relation to the Preliminary Planning Proposal for Precinct 47. Consultation to date has focused on identifying the planning process being undertaken, key planning issues and matters for further consideration in preparing the Preliminary Planning Proposal and subsequent detailed site investigations and planning.

The following consultation has been undertaken by the proponent to date:

- Informal meetings with most landowners within the areas for which changes to planning controls are proposed.
- The project team met with officers from the (then) NSW Department of Planning and Infrastructure on 18 March 2014 to discuss the key strategic issues relating to the Preliminary Planning Proposal, including transitioning inner-city industrial land and development on land constrained by airport noise.
- The project team met with the Director, Planning and Environmental Services and officers of Marrickville Council on 26 March 2014 to provide an update on progress with the Preliminary Planning Proposal, discuss key issues and seek guidance from Council regarding the intended planning controls and provide an outline of the anticipated time frame for progression of the proposal. The (then) NSW Department of Planning and Infrastructure was also represented at this meeting.
- The project team met with representatives from Marrickville Public School and the NSW Department of Education and Communities on 29 April 2014 in order to provide an overview and update on the progress of the Preliminary Planning Proposal. The School advised that they were generally supportive of the proposal, and noted their concerns about traffic, road safety and pollution in the area as a result of existing land uses in the area.

### 3.2 Engagement Strategy

#### Stage 1 – Pre-Gateway

Following submission of this Preliminary Planning Proposal, the project team will undertake initial consultation with the local community immediately adjoining Precinct 47. Consultation activities will include targeted consultation with key stakeholders and small-scale consultation events with immediate neighbours to Precinct 47.

#### Stage 2 – Post-Gateway

In order to inform the detailed site planning and formulation of new planning controls for Precinct 47, the project team will undertake a range of active methods of engagement with the local community, land owners, government agencies and community and business organisations. This will include the distribution of project information (newsletters, social media, phone hotline), targeted consultation (door-knocking and arranged meetings) and open events (community meetings and/or drop-in sessions). Feedback received during this engagement process will be used to inform the Final Planning Proposal submitted to Marrickville Council for assessment.

### Stage 3 – Final Planning Proposal

It is anticipated that any Gateway Determination by the LEP Review Panel would include formal requirements for public exhibition and consultation for the Final Planning Proposal. The Final Planning Proposal will be publicly exhibited for a minimum of 28 days and there would be a formal opportunity for all members of the community to make submissions to Marrickville Council. This process will be supplemented by further community engagement activities undertaken by the proponent through public consultation events and information distribution.



## 4.0 Objectives and Intended Outcome

### Objectives

The primary objective of the Planning Proposal is to establish a strategic land use plan for the transition of Precinct 47 over the next 15 to 20 years.

#### Employment and Economy

- Provide land use zones which better meet the demand for inner-ring employment land, including for light industries and creative businesses.
- Facilitate an orderly transition over time from existing industrial uses to modern mixed business uses, including protection of viable existing business uses.
- Ensure that there is no net loss in employment within the precinct.
- Promote new development which does not detract from retail businesses in existing local centres within the local area.
- Retain some industrial land along the eastern edge of the precinct adjoin the rail corridor.
- Ensure that viable existing businesses are able to continue to operate, either within existing premises or in new premises within the precinct.
- Create direct employment through the redevelopment stages as well as indirect employment in local businesses and construction support services.
- Encourage the growth of emerging creative industries within the precinct and the establishment of a 'creative hub'.

#### Housing

- Provide for additional housing to meet the needs of Sydney's growing population.
- Support housing affordability policies by increasing housing supply and diversity.
- Ensure that new housing has a high level of amenity in terms of location, access to services and facilities, solar access and acoustic attenuation.
- Ensure that the interface between existing and new housing with employment uses is appropriate.

#### Urban Design

- Stimulate the urban renewal of a run-down industrial precinct.
- Provide uplifts in urban density commensurate to the site's proximity to transport, local centres, services and recreational facilities.
- Create a vibrant mixed use precinct that promotes activity throughout the day and evening.
- Ensure that future development within the precinct incorporates design excellence and high quality public domain treatments.
- Improve permeability within the precinct to encourage walking and cycling.
- Upgrade streetscapes to create pleasant, attractive and welcoming spaces.
- Provide for new open space within the precinct.

#### Sustainable Development

- Accommodate growth by increasing urban densities in existing, under-utilised urban areas.

- Built form to adopt industry best practice environmentally sustainable design principles.
- Promote non-car travel in favour of more sustainable transit modes.
- Provide new housing in an area with good access to retail and community services and recreational facilities.

### Intended Outcome

Over the next 15-20 years, Precinct 47 will be transformed into a vibrant mixed use precinct that supports ongoing local employment within the Inner West. Modern businesses and creative industries will thrive within the precinct, giving the area a distinct character whilst ensuring that new development does not detract from existing retail streets and centres. Key sites within the precinct will be redeveloped, contributing to an improvement in the aesthetic and amenity of the local area and encouraging activity within the public domain. Housing will be incorporated into new development within the precinct, creating an environment where residents can live close to their place of work whilst enjoying a high level of residential amenity. Diversity in housing stock will be increased whilst ensuring that new development is consistent with, and contributes positively to, the lifestyle of the area.

## 5.0 Preliminary Planning Proposal

### 5.1 Vision Statement

Our vision for the Victoria Road Precinct is of a vibrant, diverse and sustainable mixed use precinct, enabled by a new urban framework that provides pedestrian, cyclist and vehicular permeability, interesting and appropriate built form, high quality public spaces and access to all the amenities that will make the precinct a highly desirable place to work and live.

The rezoning and renewal of this precinct provides the opportunity to make significant improvements to the public domain, develop new residential communities and increase employment opportunities. New retail and commercial space will provide a critical mass to support emerging creative and technology businesses that are attracted by affordable and flexible space.

A new urban framework will better organise the distribution of the uses so that each use is supported rather than conflicted by its proximity to other uses. From its early days the area has accommodated a mix of fine grain working class housing along with a coarser grain of commercial and industrial development. However the current mix of fragmented ownership, small sites but large blocks and poor access for heavy vehicles conflicts with the industrial zoning.

The new street network should connect and interface into the existing surrounding areas so that there is permeability to and from the heart of the precinct for both residents and businesses, without impacting on the surrounding existing industrial and commercial uses and their transport corridors. A high quality public domain will encourage pedestrian traffic and expansion of businesses into outdoor areas that will result in a lively, attractive and activated streetscape. Increased soft landscaping and street tree planting will provide a perceived buffer from traffic, increased microclimate comfort, scale and colour.

Victoria Road is envisaged as becoming an active mixed-use street, providing a connection between the established village centres of King Street, Newtown (to the north of the precinct) and Marrickville Road, Marrickville (to the south), giving a distinctive identity to the neighbourhood and providing a strong edge to existing parks and proposed open space areas.

New exciting residential development will be established close to existing residential areas, open space and community facilities which will ensure dwellings have good access to parks, amenities and recreational facilities. This new residential population will stimulate existing businesses and retail outlets in Marrickville. Mixed uses will increase opportunities for residents to work locally and use local retail and leisure facilities. Active uses such as cafes, studios and small retail opportunities which line the streets and face open spaces will assist in increasing activity levels and pedestrian traffic in the area. Showrooms could enhance and develop the theme of home improvement offerings and not be competitive with existing retail centres.

Almost by osmosis the area has become a beacon for creative industries such as theatres, studios, art galleries and entertainment production businesses. The vision aims to foster this trend and encourage the creation of a local artistic and creative hub.

The conversion of the area around the heritage-listed Sims metal factory into a community hub could accommodate spaces for childcare, school expansion and community halls and promote symbiosis between cultural & community facilities and creative industries. This area will establish and nurture community identity,



social networks and participation in community life. It will be a lively meeting place with a spirit reflecting the creativity of the local neighbourhood.

Existing open spaces and parks within the precinct will be updated and promoted as green, active and attractive public places for the new residential areas. Strategically placed new 'pocket parks' will enhance the public domain and increase amenity for new residents.

The inclusion of new through-site pedestrian links will increase permeability of the precinct and allow better activation of all areas. Both proposed and existing streets, laneways and shareways will now become hubs of activity, lined with live/work/creative/ active type development.

The scale of the proposed built form is generally three to eight storeys, with opportunities for some signature taller forms around Wicks Park, Rich Street and the timberyard site where large landholdings would allow for such developments to be successfully accommodated without loss of amenity to the neighbouring areas.

Building envelopes have generally been configured to provide strong definition to existing and new streets and laneways. The Victoria Road precinct presents an exciting possibility to provide a creative, livable and sustainable community that is well connected to the surrounding area. With the State and Local Government's view to increase residential and employment densities, diversity and mixed uses around established centres that are close to public transport this precinct can assist in realizing this objective.

As the precinct will be reshaped over a 15 to 20 year horizon, the proposed design with its mixture of uses allows for the gentle transformation of the precinct so that there is some melding between the current uses and the new uses during the transition phase.

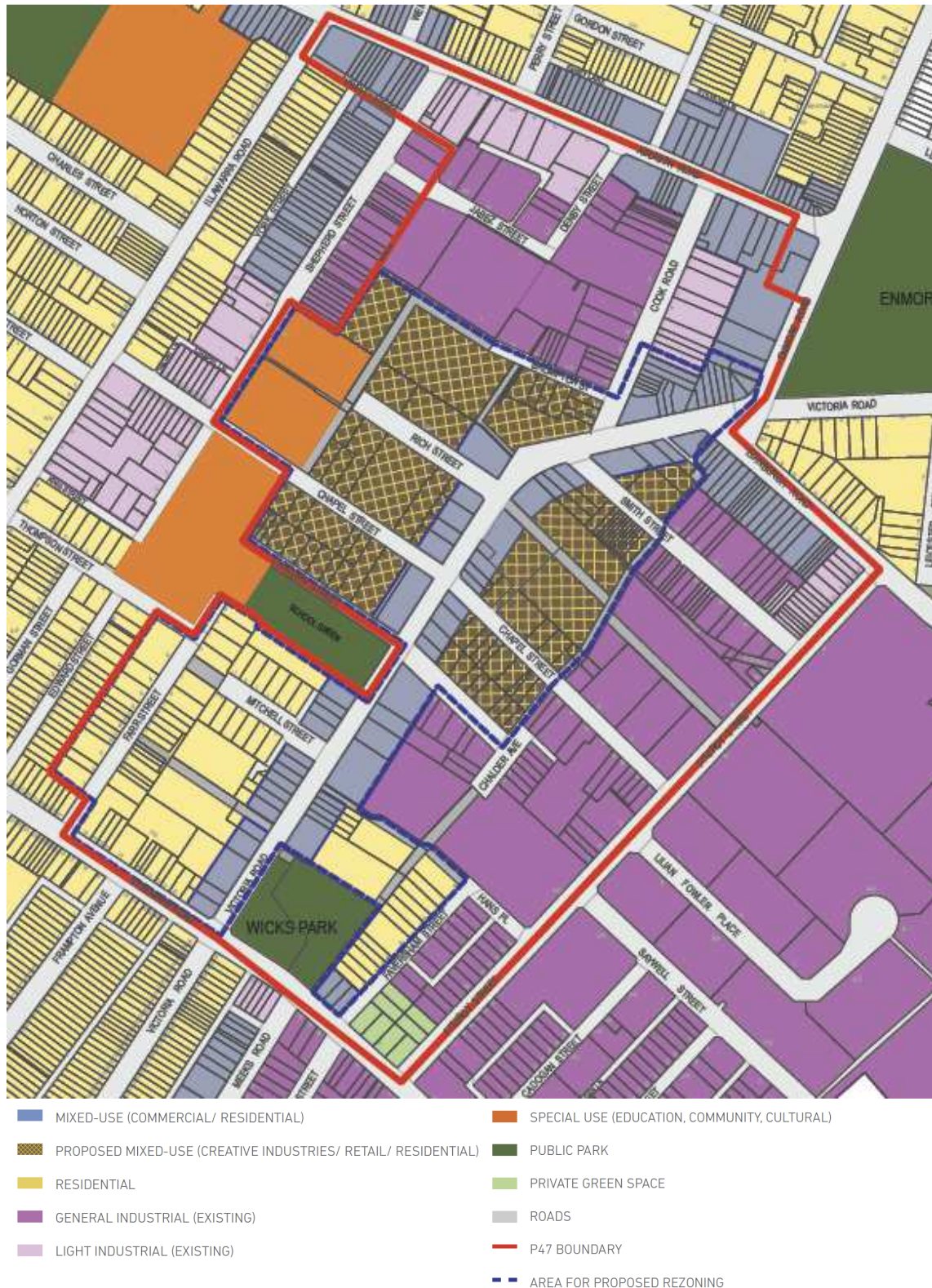
## 5.2 Indicative Master Plan

Turner & Associates have prepared an Urban Design Report and Master Plan for Precinct 47 (attached under separate cover) which has informed the proposed planning provisions contained in this Planning Proposal. Key features of this master plan include:

- rezoning of approximately half of Precinct 47 for land uses including creative industries, residential and commercial and retention of some existing industrial and business land use to maintain viable business operations within the precinct;
- floor space ratios between 1:1 and 3.5:1
- maximum building heights between 3 and 14 stories;
  - predominately six storey street edge to Victoria Rd, with a range of showroom-type commercial premises and neighbourhood retail and shop-top housing.
  - low-scale residential development in the vicinity of Shepherd Street and Farr Street to provide an appropriate interface to surrounding areas.
  - high-density residential development within the southern precinct of the Wicks Park and around the Rich Street creative hub.
- approximately 3,000 new residential dwellings with a mixture of one, two and three-bedroom apartments;
- creative industries precinct centred around Rich Street with complementary business premises;
- new mid-block road and pedestrian connections throughout the precinct;

The master plan will be further developed into a Draft Development Control Plan for Precinct 47 as part of the finalisation of the Planning Proposal, which would guide future development within the precinct.

**Figure 11** below illustrates the proposed layout of land uses within Precinct 47 envisaged under the Master Plan.



**Figure 11 – Indicative Land Use and Structure Plan**

### 5.2.1 Land Use Mix and Development Yield

Under the master plan it is envisaged that the proposed development would incorporate a range of business uses, creative industries and medium and high-density residential development. The distribution of these proposed uses within the precinct is illustrated in **Figure 11** above.

The indicative development yield based on the Turner & Associates Master Plan is broken down by land use and summarised in **Table 4** below.

**Table 4** – Indicative Development Yield

| Land Use                                | Gross Floor Area | Apartments   |
|-----------------------------------------|------------------|--------------|
| Residential                             | 239,764          | 3,080        |
| Showrooms/Commercial                    | 2,911            | –            |
| Creative Industries/Commercial          | 43,302           | –            |
| Office/Commercial                       | 20,629           | –            |
| General Industrial                      | 84,366           | –            |
| Light Industrial                        | 16,039           | –            |
| Special: Education, Cultural, Community | 9,794            | –            |
| <b>Total</b>                            | <b>416,805</b>   | <b>3,080</b> |

### 5.2.2 Built Form

The Master Plan proposes a diverse, medium-high density urban form for Precinct 47 which establishes Victoria Road as a key urban corridor with a series of distinct activity hubs characterised by higher-density development and a low-scale transition to adjoining areas.

Victoria Road would be characterised by a predominately six storey street edge, with showroom-type commercial premises and limited neighbourhood retail at ground level with shop-top housing above. This will create a strong linear urban corridor which reinforces the King Street/Enmore Road/Victoria Road/Marrickville Road linkage. **Figure 12** –illustrates the proposed built form along this corridor.

Rich Street would provide the focus for a new creative hub with artist spaces, creative businesses, cafes and shop-top housing. The depth of this sub-precinct and large consolidated land holdings provide an opportunity to achieve higher densities comprising a street edge of four to six storeys with pop-ups of up to 14 storeys, as illustrated at **Figure 13**.

Within the southern portion of the precinct, immediately to the north and west of Wicks Park, it is proposed to establish an environment that is more residential in character. This area will comprise higher density housing in order to take advantage of its proximity to open space, the Marrickville Road local centre and lower aircraft noise levels.

A lower scale of predominately residential development would provide a suitable interface between new development and existing residential areas in the vicinity of Shepherd Street and Farr Street, with building heights reduced to three and four storeys to provide an appropriate interface to surrounding areas.





Figure 12 – Illustration of built form along Victoria Road looking north



Figure 13 – Illustration of Rich Street built form looking west



### 5.2.3 Public Domain and Open Space

The Master Plan proposes a number of new public and communal open space areas within the precinct, providing for a significant upgrade to the urban amenity within Precinct 47. New development would provide for street tree planting, new communal open space, publicly accessible pocket parks and pedestrian/cyclist linkages to improve connectivity within the precinct and provide opportunities for passive and active recreation. New development would contribute to the upgrading of Wicks Park to provide a high quality focal point within the southern half of the precinct, as illustrated in **Figure 14** below.

**Figure 15** below illustrates a proposed pocket park providing a pedestrian/cycle connection between Farr Street and Victoria Road within the southern portion of the precinct.



**Figure 14** – Illustration of view towards Wicks Park looking north-east



**Figure 15** – Illustration of a pocket park connecting Farr Street and Victoria Road



### 5.2.4 Street Network

As illustrated in **Figure 16**, the Master Plan proposes a series of new roads and pedestrian/cycle linkages to improve permeability within the precinct and reduce block lengths to encourage street activity. The proposed amendments will allow greater connectivity within the precinct and allow for the efficient provision of vehicular access to new development blocks within the precinct and provide coordinated vehicle movements to new access points and signalised intersections.



Figure 16 – Proposed new road connections and block structures



## 5.3 Explanation of Provisions

### 5.3.1 Land Use

To promote a more diverse range of business and employment generating uses, it is proposed to rezone land within Precinct 47 for a Business Zone which permits residential development whilst maintaining some existing land use zonings (e.g. IN1 General Industrial along the western edge of the precinct).

**Figure 11** identifies the intended distribution of land uses within the precinct. Based on our review it is clear that there is no one zone within the Marrickville LEP that neatly fits the intended land use mix for the precinct. The project team has undertaken preliminary discussions with Marrickville Council and the Department to determine the most appropriate land use zones for the new mixed business/residential precinct. No decision has been made regarding the exact land use zones to be used or the demarcation between these zones. Instead, the following section includes a discussion and analysis of the potential zones that may be appropriate for the mixed business areas of the precinct. This analysis has regard to the objectives of the project identified in **Section 4.0**, the indicative master plan described in **Section 5.1** and the key planning issues identified in **Section 6.0**.

#### B1 Neighbourhood Centre and B2 Local Centre

These land use zones are predominately used for lower scale neighbourhood centres and retail streets within Marrickville and are not considered to be consistent with the urban renewal objectives for Precinct 47.

#### B4 Mixed Use

The objectives of the B4 Mixed Use zone under MLEP 2011 are (with our emphasis):

- *To provide a **mixture of compatible land uses**.*
- *To integrate **suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling**.*
- *To support the **renewal of specific areas** by providing for a **broad range of services and employment uses** in development which display good design.*
- *To promote commercial uses by limiting housing.*
- *To enable a purpose built dwelling house to be used in certain circumstances as a dwelling house.*
- *To constrain parking and restrict car use.*

The objectives of this land use zone are generally supportive of the desire to establish a vibrant mixed use precinct which combines multiple compatible land uses. The open zoning permits a range of land uses that are consistent with desired future development, including commercial premises, shop top housing and light industries. There are, however, a number of items of concern with regard to the specified land uses for this zone:

- while shop top housing and seniors housing is permitted, residential flat buildings are prohibited, posing potential assessment issues where it is appropriate to separate housing and commercial uses;
- the inclusion of retail as a broad permitted use is inconsistent with the intent of the Planning Proposal in that Precinct 47 is not intended to compete with established retail centres;

- prohibitions on warehouse and distribution centres and vehicle body repair stations may adversely impact upon existing uses within the precinct.

If the B4 Mixed Use zone was considered desirable then these issues could all be overcome through the introduction of complementary, precinct-specific conditions. A retail restriction clause could be introduced (similar in format to clause 7.23 of the Sydney LEP 2012) and additional permitted uses could be introduced for Precinct 47, and in doing so would enable future planning controls to accurately guide development to occur in accordance with the intended vision for the area.

## B5 Business Development

The objectives of the B5 Business Development zone under MLEP 2011 are (with our emphasis):

- *To **enable a mix of business and warehouse uses, and bulky goods premises** that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To enable a purpose built dwelling house to be used in certain circumstances as a dwelling house.*
- *To **support urban renewal and a pattern of land use and density that reflects the existing and future capacity of the transport network.***

These objectives are supportive of many of the business and urban renewal objectives of the precinct, however, the prohibition on all forms of residential accommodation (with the exception of dwelling houses) goes against the desire for a medium to high-density mixed use precinct. This could be overcome with the inclusion of residential flat buildings and/or shop top housing as additional permitted uses in Schedule 1 of the MLEP 2011. The introduction of these uses could be conditional on controls regarding amenity and scale of residential development in relation to employment uses, for example:

- residential accommodation must comprise no more than an established percentage of total gross floor area in any individual development for sites greater than a specified size;
- a development application for residential accommodation must demonstrate that appropriate standards for internal acoustic amenity will be met.

## B6 Enterprise Corridor

The objectives of the B6 Enterprise Corridor zone under MLEP 2011 are (with our emphasis):

- *To **promote businesses along main roads** and to encourage a **mix of compatible uses.***
- *To provide a **range of employment uses** (including business, office, retail and light industrial uses).*
- *To **maintain the economic strength of centres by limiting retailing activity.***
- *To **provide for residential uses, but only as part of a mixed development.***
- *To enable a purpose built dwelling house to be used in certain circumstances as a dwelling house.*

These objectives are supportive of a number of the economic and employment objectives of the precinct, and particularly with regard to providing a wider range of employment uses whilst restricting retail development to local-scale operations only. The broad prohibition on residential accommodation within the zone (with the exception of dwelling houses and serviced apartments), however, limits the ability to provide a truly mixed-use urban renewal option for the precinct. This

could be overcome with similar additional permitted uses within Schedule 1 of MLEP 2011 as suggested for the B5 Business Development Zone. It is also noted that it would be desirable for child care centres (currently prohibited within the B6 zone) to be permissible within the precinct.

## B7 Business Park

The objectives of the B7 Business Park zone under MLEP 2011 are (with our emphasis):

- *To provide a **range of office and light industrial uses**.*
- *To **encourage employment opportunities**.*
- *To enable other land uses that **provide facilities or services to meet the day to day needs of workers** in the area.*
- *To provide for limited **residential development** in conjunction with **permissible active ground floor 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.*

These objectives are generally supportive of the objectives of the Preliminary Planning Proposal. The permitted land uses in the B7 Business Park zone are generally consistent with the intended outcomes, in that it:

- permits office premises but prohibits retail premises;
- permits neighbour take away food and drink premises;
- permits residential flat buildings, shop top housing and dwelling houses; and
- supports ongoing light industries, hardware and building supplies, warehouse and distribution premises and vehicle sales premises.

Whilst the overarching retail restriction is supported, it may be appropriate to include additional permitted uses for, say, the Rich Street precinct where restaurants and cafes may be desired rather than only take-away food premises.

## IN1 General Industrial and IN2 Light Industrial

The Preliminary Planning Proposal anticipates the retention of approximately half of the Precinct 47 area for existing viable industrial purposes. This comprises the western interface of the precinct with Fitzroy Street as well as a smaller precinct centred around Jabez Street and Cook Road. Within these areas the IN1 General Industrial zone comprises the majority of land, with some smaller parcels of land zoned IN2 Light Industrial adjoining residential interfaces. Given that the objective of the retention of this land is to facilitate the retention of industrial businesses already viably operating within the IN1 General Industrial and IN2 Light Industrial zones, it is not considered that further changes to these land use zones are required at this stage.

## Conclusion

Based on the analysis above, it is considered that the B7 Business Park is most supportive of the objectives and desired character for Precinct 47, and could be applied as a broad zoning to the precinct. Alternatively, a more fine-grain approach could be taken in applying different business zonings in conjunction with medium and high-density residential zones, to delineate between different character areas within the precinct. The proponent will continue to work with Marrickville Council and NSW Planning & Infrastructure in order to determine the best approach in this regard.



### 5.3.2 Controls and Development Standards

#### Building Height and Floor Space Ratio

Detailed building height and floor space ratio (FSR) controls will be developed for Precinct 47 and included in the Final Planning Proposal based on the Master Plan prepared by Turner and Associates. The indicative building massing included in the Master Plan Design Report (**Appendix A**) will be refined as part of the detailed environmental studies and concept planning, and will form the basis of the planning controls contained within the Final Planning Proposal.

The indicative maximum building height and floor space ratio maps are reproduced at **Figure 17** and **Figure 18** respectively. In brief, the Preliminary Planning Proposal envisages the following building height controls within Precinct 47:

- 5-7 storey street edge along Victoria Road
- 3-4 storey street edges along Sydenham Road, Farr Street, Faversham Street and Sheperd Street;
- predominately 5-6 storey buildings within the centre of larger blocks; and
- three high density precincts with maximum building heights up to 14 storeys at Rich Street and in the vicinity of Wicks Park.

As illustrated in **Figure 17**, the taller building heights envisaged for the higher density precincts would be limited to a small number of buildings only, providing articulation within the urban form and allowing good amenity outcomes in terms of sunlight access. The form of the taller signature buildings will be subject to a design excellence review process.

The maximum floor space controls for Precinct 47 are generally between 1.7:1 and 2.3:1, with lower densities along sensitive residential interfaces to the west of the precinct and two pockets of higher density. Land to the north of Rich Street and to the north of Wicks Park would sustain higher densities of between 3.3:1 and 3.5:1, reflecting the vision for these areas as activity centres within Precinct 47.



Figure 17 – Indicative building envelopes plan





Figure 18 – Indicative floor space control plan

### Heritage

It is anticipated that the industrial façade at 14 Rich Street (Chapel Street frontage) and the Sims Metal Factory building at 61-65 Shepherd Street would continue to be listed as heritage items under the LEP. The heritage listing of Marrickville Public School (not within Precinct 47) would be unaffected and would also be a matter for consideration for future development within the vicinity of this site.

The Preliminary Heritage Analysis prepared by Graham Brooks and Associates (**Appendix B**) does not identify any additional items within the precinct worthy of heritage listing.

### Aircraft Noise

Clause 6.5 of MLEP 2011 currently includes provisions for the assessment of development applications for land that is in an ANEF contour of 20 or greater.



An Acoustic Assessment Report has been prepared by The Acoustic Group (**Appendix E**) and is discussed in **Section 6.4.2**. Precinct 47 is located within the ANEF 25 and 35 noise contours, and is subject to aircraft noise up to 87-88dB(A). An acoustic assessment has indicated that established noise mitigation design and construction methodologies can achieve suitable noise reductions

The Final Planning Proposal and Draft Development Control Plan would need to include controls to ensure that suitable internal acoustic amenity is achieved for all residential dwellings and business premises within the precinct, and will be informed by a detailed acoustic report setting out the recommended design methods to achieve these noise reduction levels.

### Protection of Existing Business Uses

There are a number of industrial businesses operating within Precinct 47 which remain viable. Many existing uses will continue to be permissible with development consent under the proposed zoning. Protections are afforded to these businesses by the existing use right provisions of the EP&A Act, however, further stakeholder consultation during the preparation of the Final Planning Proposal may indicate that it is also appropriate for the inclusion of additional permitted uses or additional protections for existing businesses. It is noted that the changes in uses will occur over a 15 to 20 year period.

### 5.3.3 Draft Development Control Plan

In addition to the amendments to the development standards within the LEP, it is proposed to prepare a Draft Development Control Plan for Precinct 47 which would be included within the existing Marrickville DCP 2011 at Section 9.47 Victoria Road (Precinct 47). The Draft DCP would include detailed built form and development controls to guide the form and function of future development within the precinct, including but not limited to:

- building envelope and design controls, including street and side setbacks, building massing and procedures for achieving design excellence;
- public domain guidelines, including different street types, footpath and cycles path configurations, street tree plantings, species selection, upgrades to Wicks Park and new pocket parks;
- requirements for communal open space and private open space within new developments;
- traffic and parking controls, including parking, driveway, site access, loading and servicing requirements;
- residential amenity controls, including for internal acoustic amenity;
- ecologically sustainable design initiatives, including incorporation of water sensitive urban design, renewable energy

The Draft DCP would seek to support a number of recent policy initiatives by Marrickville Council to ensure that future development within Precinct 47 represents best-practice in terms of urban design and amenity from the outset. This would include:

- provision of dedicated on and off-street parking for car-share vehicles in accordance with the recently adopted Marrickville Car Share Policy;
- provision of street trees throughout the revitalised precinct in accordance with the final version of the Marrickville Street Tree Master Plan;
- future Development Applications for Precinct 47 being subject to the Architectural Excellence Panel process adopted by Council (provided that it continues to operate beyond its initial funding period of June 2015).

## 6.0 Key Planning Issues

### 6.1 Employment and Economic Issues

#### 6.1.1 Local Economy and Employment

##### Economic Profile of Marrickville-Sydenham Employment Lands

Precinct 47 has historically been a major employment precinct centred predominately around manufacturing industries. The precinct benefits from proximity to Sydney Airport and Port Botany Container Terminal, however, it is also constrained by interfaces with adjoining residential areas and reliance on the suburban road network.

The most recent statistical data regarding employment within Precinct 47 is drawn from the NSW Bureau of Transport Statistics Journey to Work data for the Marrickville-Sydenham Employment Lands. As illustrated in **Figure 19**, the data collection area includes a large area of land to the south-east which is predominately comprised of manufacturing and warehousing premises. As such it is considered likely that the dataset overstates the representation of manufacturing and warehousing employment within Precinct 47.

As detailed in **Figure 20**, manufacturing is the largest industry of employment within the employment lands and accounts for a third of all employment, however, employment in this industry fell by 10% between 2006 and 2011. Employment in manufacturing, wholesale trade (the 2nd largest industry) and transport/postal/warehousing (the fourth largest industry) all declined over the period from 2006 to 2011, resulting in the loss of over 200 jobs within the precinct. Journey to Work statistics indicate that the decline in manufacturing has been occurring at a similar rate within Precinct 47 since at least 1996, however, a boundary adjustment in prior to 2006 prevents a direct comparison.

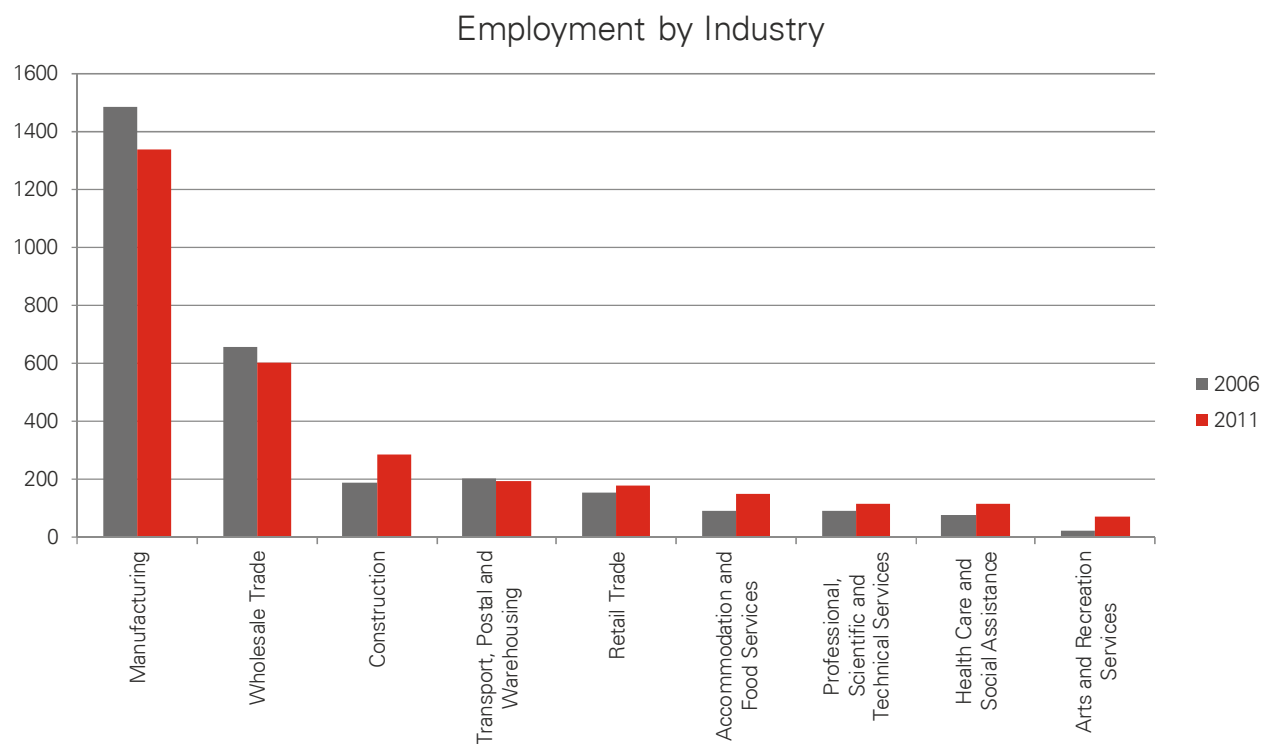
Between 2006 and 2011, employment in the construction industry jumped by approximately 100 positions, whilst over 200 additional positions were added in industries including accommodation/food services, art and recreation services, retail, health care and education. Combined with the addition of a further 100 jobs in non-categorised industries, these increases saw a net increase in employment within the Marrickville-Sydenham Employment Lands of nearly 200 jobs. Since this study, however, the main employer in the transport industry within the precinct – Johnson's Transport – is in the process of relocating from its Victoria Rd and Fitzroy St premises to a new location in Smithfield after many decades in Marrickville.

The available employment data indicates a trend away from the traditional manufacturing and wholesale trade industrial uses for which the Marrickville-Sydenham Industrial Lands are zoned. With the growth of better-serviced industrial and logistics lands with better transport connections in Western Sydney, the constraints of land fragmentation in inner-city precincts, and the economic advantages to business by locating premises close to appropriately skilled labour markets, this trend away from inner-city industrial employment is expected to continue in the future.

The small growth in jobs in the construction sector provides an indication that the proposed strategy of encouraging more home renovation showrooms and commercial offices for consultancies along the spine of Victoria Road would support local employment needs.



**Figure 19** – Employment data collection area



**Figure 20** – Employment within Marrickville-Sydenham Employment Lands by industry  
 Source: NSW Bureau of Transport Statistics, Journey to Work data (2006 and 2011)

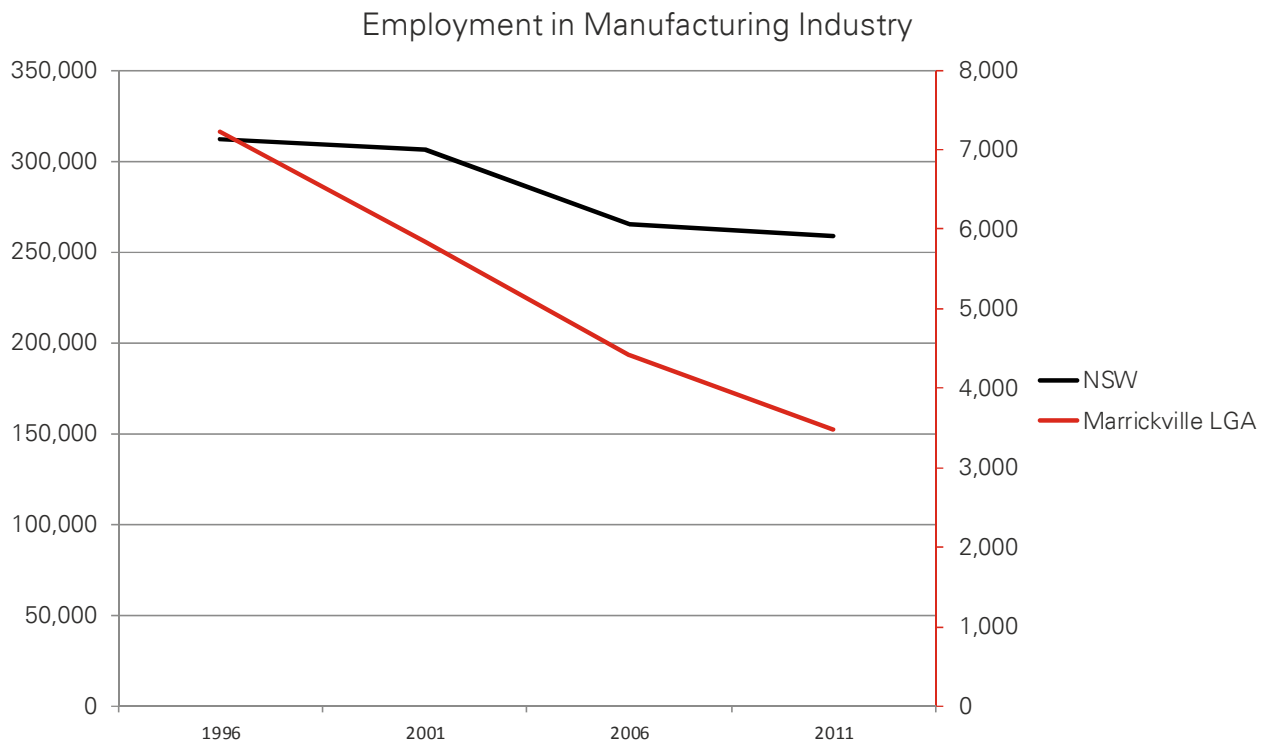


### Trends in Manufacturing in Marrickville

Employment in the manufacturing industry within the Marrickville LGA fell by more than 50% between 1996 and 2011, resulting in a loss of more than 3,500 jobs in the LGA.

Over the same period, however, total employment in manufacturing across NSW only fell by 17%. This is indicative of the restructuring of manufacturing in NSW and also the restructuring of inner-city employment lands.

**Figure 21** below illustrates a steady decline in manufacturing in the Marrickville LGA which is more than three times rate of decline across NSW. Furthermore, there is no evidence of any arrest in this rapid decline in manufacturing across the Marrickville LGA.



**Figure 21** – Manufacturing Employment in Marrickville LGA and NSW, 1996 to 2011

Source: Australian Bureau of Statistics

### Response of Planning Controls to Manufacturing and Industrial Decline

The dramatic shifts in manufacturing have occurred faster than changes to strategic planning controls have been able to respond, and particularly in the Marrickville LGA. The extent of land zoned for industrial uses within the LGA has remained largely unchanged since the 1990s, with piecemeal rezoning of a few smaller industrial sites, despite the rapid decline of the manufacturing industry as seen in **Figure 21**.

As a result, large industrial precincts have been unable to adapt to meet the changing needs of the new economy. Evidence of the decline in manufacturing across the Marrickville LGA, and the effects of outdated planning controls, can be clearly seen within Precinct 47 in the form of vacant sites, empty and underutilised buildings and the lack of recent investment in operational industrial sites.

With increased traffic movements within the local area, the narrow streets within the precinct and surrounds are no longer conducive to the heavy vehicle traffic

that is increasingly required to service modern manufacturing and industrial industries.

Unless planning controls are amended to respond to the changing economic conditions, both on a national and subregional level, the economic and physical decline in Marrickville's core employment precinct will continue.

### Transitioning to new employment uses

Maintaining the restrictive industrial zoning for Precinct 47 cannot counter national economic forces that are resulting in the decline of manufacturing employment in traditional inner-city industrial precincts. Instead, the industrial zoning limits the ability of these employment precincts to accommodate modernising industries and businesses.

In recent years, a number of non-industrial businesses have been attracted to Precinct 47 by low rents, inner-west location and access to public transport. Whilst these businesses are technically permissible within the zone, such as creative industries, food and beverage businesses (including retail and non-retail) they are better suited to mixed business areas.

A key trend in employment within the inner-Sydney suburbs more generally is the growth of consultancy services for the professional and service sectors. Employment in these sectors closely aligns with the employment profile and education levels of residents of the Marrickville LGA. At present the IN1 General Industrial zoning does not support this type of business use, and there is potential to provide for increased employment within the Marrickville LGA in this sector.

A key objective of the Planning Proposal is to ensure that there is no net loss in employment within the precinct, and seeks to achieve this by permitting a wider range of business uses which have higher employment densities than the existing land uses.

## 6.1.2 Relationship with Sydney Airport and Port Botany

A key factor in attempts to protect and preserve traditional industrial/employment precincts from land use change has been the desire to retain freight and manufacturing activities which rely on proximity to Sydney Airport and Port Botany.

Within the Marrickville LGA these activities are predominately clustered around Sydenham Station to the south-east of Precinct 47, and the transition of Precinct 47 to a mixed business precinct would not impact upon these activities. The broadening of the permissible business uses within the zone may in fact provide the opportunity to increase employment in businesses which have linkages with the airport and container terminal but do not undertake freight or industrial activities.

At a larger scale, freight and export/import-related manufacturing activities are moving away from inner-city locations in preference of locations that have good connectivity to the orbital road network and cheaper, larger and less constrained land free from the physical interface issues associated with locating in business and residential areas. A key example of this is the recent relocation of Johnsons Transport (whose clients include Qantas, several customs agents and major manufacturing and industrial businesses) from Precinct 47 to Smithfield. Precinct 47 can make a better contribution to the Sydney Airport/Port Botany economic centre as a mixed business precinct rather than an industrial precinct.

The Land Use Survey prepared by Danias Holdings (**Appendix G**) involved door-to-door survey of all the businesses in the Precinct to identify the business type and the number of employees. The survey confirms that most businesses within

Precinct 47 do not service Sydney Airport nor rely on a close proximity to Sydney Airport or Port Botany.

### 6.1.3 Job Creation in Marrickville

The Inner West is characterised by a younger, well-educated, professional population which is employed predominately in service sector industries (refer Table 5). This demographic is more likely to work in an office-based setting than in a warehouse, forcing the local population to travel outside of the LGA and presenting difficulties to industrial employers within Marrickville trying to sustain a localised workforce.

**Table 5** – Demographic analysis of Marrickville LGA

|                               | Demographic                                  | Marrickville LGA                                        | Sydney Urban Centre/<br>Locality                        |
|-------------------------------|----------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|
| <b>Age Profile</b>            | 20-34 years                                  | 29.0%                                                   | 23.0%                                                   |
|                               | 35-49 years                                  | 26.8%                                                   | 22.1%                                                   |
| <b>Industry of Employment</b> | Top 3 industries                             | Professional, scientific and technical services – 13.1% | Manufacturing – 11.2%                                   |
|                               |                                              | Education and training – 8.4%                           | Construction – 11.0%                                    |
|                               |                                              | Accommodation and food services – 7.5%                  | Professional, scientific and technical services – 10.9% |
| <b>Education</b>              | University or tertiary institution education | 25.8%                                                   | 17.3%                                                   |
| <b>Occupation</b>             | Managers and Professionals                   | 49.7%                                                   | 39.8%                                                   |
| <b>Income</b>                 | Median personal weekly income                | \$772                                                   | \$634                                                   |
|                               | Median household weekly income               | \$1,605                                                 | \$1,493                                                 |

Source: ABS Census 2011

Based on the trend away from traditional manufacturing and industrial uses discussed in **Section 5.1.1** above, it is evident that future employment growth within Marrickville needs to be driven by the service sector. This includes food and retail services, which are already provided in strong local centres within the Marrickville LGA, but also includes higher-order services such as professional services and high-value product sales. There is an opportunity to provide commercial office and showroom spaces within Precinct 47 which cannot physically be accommodated in existing centres that would support the employment needs of the local population. This could include:

- showrooms for home-ware and home improvement suppliers, such as those already present within Precinct 47;
- small to medium-size office spaces to cater for growing professional service businesses which have outgrown existing local premises; and
- opportunities for live-work and SOHO arrangements as part of mixed use developments in a precinct that provide residential amenity and meet the needs of business operations.

In addition to the above, the redevelopment of Precinct 47 will generate significant direct and indirect employment during construction stages over a 15 to 20 year timeframe. The early stages of the redevelopment are likely to occur over the first five years, however, concentrated around existing consolidated land holdings. Construction of the first stages alone could generate hundreds of jobs directly in construction and indirectly within the local economy.



### 6.1.4 Existing Business Profile and Land Uses

The Land Use Survey prepared by Danias Holdings (Appendix G) provides a detailed insight into the current state of business activity within Precinct 47. The key findings of this study are that:

- a total of 1,116 persons are currently employed within Precinct 47;
- there are a range of business types within the precinct with a distinct presence of food wholesaling (with associated retail activities such as bakeries and cafes), fashion and cosmetics, furniture and homewares businesses;
- the limited manufacturing and industrial operations within the precinct would typically be categorised as 'light industry' or 'vehicle repair'.

The land use survey indicates that Precinct 47 currently accommodates a total of 1,116 jobs across an area of 36ha, equating to approximately 31 jobs/ha. This is significantly below the average job density for Sydney (43 jobs/ha) and well below the job densities for the South Subregion (58 jobs/ha) or Sydney City (131 jobs/ha)<sup>1</sup>. The low employment densities achieved within Precinct 47 reflect a poor utilisation of land for employment uses compared to Sydney in general, but especially given the proximity of the site to the CBD, public transport and key economic infrastructure.

The land use survey reveals a significant discrepancy between the objectives of the IN1 General Industrial zone applying to the precinct and the actual land uses and business operations taking place. Whilst the objectives of the land use zone include 'providing a wide range of industrial and warehouse land uses', 'to support and protect industrial land for industrial uses' and 'to protect industrial land in proximity to Sydney Airport and Port Botany', it is evident that there is little correlation between these objectives and the actual land uses within this zone. The businesses operating within the precinct could generally be accommodated within a mixed business zone as there is only a limited number of true 'industrial' uses present. Based on the survey results, the main industries by employment within the precinct are:

- food industries (approx.24%);
- textiles (approx.20%);
- miscellaneous office, display and sales-based activities (approx.15%);
- manufacturing and industry (approx.10%);
- homewares and furniture (approx.9%);
- automotive (approx. 5%);
- construction and building contractors and suppliers (approx.5%); and
- creative arts and industries (approx.4%).

In terms of the most intensive business operations, it was also the non-industrial businesses which made the largest contribution to employment within the precinct. Of the ten largest employers within the precinct:

- six (131 jobs) were involved in food production, packaging and wholesaling;
- two were textile services (47 jobs);
- one was a live entertainment venue (20 jobs); and
- only one was a 'traditional industry', being a sheet metal fabricator (15 jobs).

<sup>1</sup> *Employment Lands Development Program –Update Report (NSW Department of Planning and Infrastructure, 2010)*

### 6.1.5 Creative Industries

As illustrated in the Land Use Survey and Creative Arts List provided at **Appendices G and H** respectively, there is a number of creative arts businesses which have emerged in recent times including art and sculpture workshops, galleries, recording studios and entertainment venues. The emergence of these businesses in an established industrial area indicates that there is a lack of suitable spaces for this type of business elsewhere in the region, but also reflects the diminishing demand for industrial uses. These uses would continue to be permissible and would be encouraged to further develop within the proposed mixed business zone. The vision for this Preliminary Planning Proposal envisages the renewal of the precinct in a way which encourages the existing creative arts operations to continue without the constraints currently imposed by the IN1 General Industrial Zone. The Final Planning Proposal and Draft Development Control Plan would include provisions to encourage the incorporation of creative arts uses into new development and the establishment of a creative arts hub centred around Rich Street within the north of the precinct.

### 6.1.6 Further Investigation and Studies

At its meeting on 4 March 2014, Council's Infrastructure, Planning and Environmental Services Committee noted the receipt of a \$50,000 grant from the Department of Planning and Environment which will be used to undertake an update of the Marrickville Employment Lands Study. The report to Council (File Reference # 4778/7211.14) relevantly notes that:

*There have been a range of proposals in recent years to rezone sections of Marrickville's core industrial lands to residential and other uses. The NSW Government has traditionally resisted these pressures, citing the need to retain industrial land to serve the needs of Sydney Airport and inner-Sydney. In the Marrickville context, flooding and aircraft noise are added constraints to rezoning. This approach is reflected in the 2007 Marrickville Urban Strategy (MUS), the 2008 Marrickville Employment Land Study (MELS) and Marrickville Local Environmental Plan (MLEP) 2011. Recently however it has become apparent that **there has been a change in attitude of the NSW Government toward a more flexible approach to rezoning of industrial land, which has added to rezoning pressures.***

***The main output from this project will be a study report, which will include:***

- *an update of the employment lands audit undertaken for the 2008 MELS – in the form of updated audit data/mapping and a written assessment of audit outcomes;*
- *a brief review of international, national, metropolitan and local trends, projects and plans related to employment lands to provide a strategic context for this study – to include an examination of reports from the NSW Government's Employment Lands Development Program and Employment Lands Task Force;*
- *an examination of cross-border issues – in particular, employment lands serving Sydney Airport and those within the City of Sydney and City of Botany Bay Local Government Areas;*
- *a summary of findings from the two stakeholder meetings planned for this study;*
- *the updated audit, review of trends/plans and stakeholder meetings; and*
- *recommendations for the rezoning of the abovementioned three precincts [Precinct 47, Carrington Road, Edinburgh Road] of industrial land.*

The review of the Employment Lands Study will be completed by August 2014, and will inform a future review of the Marrickville Urban Strategy. The study would also be completed in line with the assessment and finalisation of the Precinct 47 Planning Proposal.

It is clear from the current review of the Marrickville Employment Study that there is strategic merit for investigating alternative land uses for Precinct 47. By progressing the Preliminary Planning Proposal through the NSW LEP Gateway Review Panel, and allowing further detailed technical studies to be undertaken, the planning proposal process will enable a more comprehensive understanding of the alternative options for Precinct 47 to inform the Employment Lands Study Review. Similarly, the Employment Lands Study Review will provide a key input into the formulation and assessment of future planning controls for Precinct 47.

## 6.2 Housing Supply

### 6.2.1 Contribution to Housing Supply in Marrickville

Marrickville's population is expected to grow by some 20% over the two decades between 2011 and 2031, bringing the total population from 81,500 to approximately 97,600. This rate of growth is well below predictions for the wider Sydney Metropolitan Area (36%).

Dwelling occupancy rates within the Marrickville LGA have hovered around 2.2 to 2.3 persons per dwelling since 2001. One and two person households account for 65% of total households within the LGA, but 82.7% of occupied dwellings within the LGA have two or more bedrooms and 61% of dwellings are detached, semi-detached or attached houses. The disparity between household size and typology and local residents has implications for housing affordability and the ability to age in place. Incorporating medium and high-density residential uses within Precinct 47, will facilitate greater dwelling diversity within the Marrickville LGA

Based on existing occupancy rates, a total of 7,000 new dwellings will be required within Marrickville in order to accommodate the predicted 16,100 new residents over the period of 2011 to 2031. This population increase represents a 20% increase in the total number of dwellings within the Marrickville LGA.

The Marrickville Urban Strategy (MUS), which formed the basis for MLEP 2011, provides for the delivery of only 3,830 additional dwellings over the 25 years. Of the additional planned dwellings, the MLEP 2011 provides for only 2,530 of these dwellings. The MUS plans for the remaining 1,300 dwellings to be delivered over the 10-25 year horizon through the development of new centres within existing selected industrial precincts, which would require amendments to the LEP. Table 3 of the MUS breaks down the theoretical dwelling potential of different areas to accommodate dwelling growth to identify where the 3,830 additional dwellings would be located, with the dwelling potential planned for in MLEP2011 largely coming from density uplifts in existing centres (Dulwich Hill, Petersham, Lewisham, Marrickville Rd and Station and St Peters), the redevelopment of smaller industrial and special uses sites and a general increase in density in established areas. Increasing residential densities in established and developed centres and residential areas is a slow process due to the time and costs associated with consolidating fragmented and economically viable existing landholdings. As such, it may be that the theoretical dwelling potential identified in the MUS is not fully realised in the short- to medium-term.

Based on the above, there is a shortfall of at least some 4,500 dwellings between the theoretical dwelling potential provided for under MLEP 2011 and the latest population projections. The urban renewal of Precinct 47 therefore presents a



significant opportunity to absorb much of this required increase over the next 15-20 years and would alleviate significant development pressures on established residential areas within the LGA.

### 6.2.2 Suitability for Residential Uses

Transitioning Precinct 47 from an industrial zone to a mixed business zone will, over time, eliminate many of the environmental impacts such as noise for heavy vehicle traffic associated with heavy industries and manufacturing. This will improve the amenity of existing residential dwellings located at the interface with Precinct 47, and also presents an opportunity to integrate new residential uses into the precinct.

Two key constraints on residential development within the precinct that will be required to be addressed are the impacts of aircraft noise on residential amenity and the design and management of the residential/business interface to minimise land use conflict. Aircraft noise is addressed in **Section 6.4** below. It is anticipated that the Final Planning Proposal would include design guidelines addressing the relationship between employment and residential uses which would be incorporated into the Marrickville Development Control Plan should the Planning Proposal proceed.

The key social, environmental and economic benefits of incorporating residential development within Precinct 47 are summarised below:

- improved economic incentive to redevelop underutilised and dilapidated sites, ensuring that new business premises and residential dwellings are delivered in a timely manner;
- proximity to local centres at Marrickville Road and Enmore, as well as centre-based retail at Marrickville Metro;
- improves housing diversity and accessibility within the Marrickville LGA, including the provision of live/work opportunities;
- delivers much-needed housing within a location with good amenity;
- increased residential densities along strategic public transport corridors; and
- improving amenity and safety within the precinct by increasing daytime with employment uses and during the evening with residential uses.

## 6.3 Transport and Traffic

Hyder Consulting have prepared a Preliminary Traffic and Transport Assessment (**Appendix C**) that assesses the current conditions of the local road network, examines the likely impacts of the proposal and sets out some of the required infrastructure upgrades associated with any significant redevelopment of the precinct.

### Road Network

During the AM peak period Victoria Road carries traffic originating from the south and west of the precinct north-bound, with key feeder roads being Sydenham Road and Chapel Street. This situation occurs in the PM peak, albeit in the reverse direction. Traffic flow along Victoria Road during these periods is in the order of 800-900 vehicles per hour in the peak direction, indicating that the road has capacity to accommodate some 600 additional vehicles in the peak direction within the current clearway road configuration.

Hyder undertook traffic counts for three intersections along Victoria Road, being the intersections with Sydenham Road (signalised), Chapel Street and Rich Street. Modelling of these intersections reveals that the Sydenham Road intersection currently operates with an acceptable and satisfactory level of service during the

AM and PM peak periods, with the Chapel and Rich Street intersections also providing good levels of service for vehicles moving along Victoria Road but with significant delays for vehicles entering these intersections from the minor roads.

In order to estimate existing traffic generation within the precinct, Hyder assessed the existing land uses to using standard predictors to determine that the likely traffic generation for the precinct in peak hour is 1,601 two-way vehicle movements.

Based on the estimated land use mix and development intensities detailed in **Section 5.2**, Hyder have assessed the likely traffic generation for a scenario whereby the precinct is developed to the full capacity allowed by proposed planning controls. It is noted that the Preliminary Planning Proposal and Master Plan represent a 15-20 year vision for Precinct 47, and development of the precinct would occur incrementally over a sustained period of time in line with infrastructure improvements.

Based on a full-development scenario, Hyder estimate that there would be a net increase of 904 peak vehicle movements within Precinct 47, comprising 372 inbound and 532 outbound vehicle movements which reflects the proposed mix of residential and business uses. With the distribution of vehicle movements along a number of different routes from the precinct, this would result in only 211 vehicle trips at mid-block counts for Victoria Road, which is well within the existing spare road capacity for 600 vehicles identified by Hyder.

Hyder note that without changes to the configuration of existing intersections, it is likely that additional peak hour traffic movements associated with the precinct would cause a deterioration of conditions in local intersections. The intersection of Sydenham Road and Victoria Road would continue to operate at an acceptable level of service during the AM peak but without changes it would deteriorate during the PM peak. However, these impacts would be mitigated through improved signal coordination and other remedial measures without the need for a major intersection upgrade.

It is envisaged that if Chapel Street and Rich Street are the major network access points for future development within the precinct then these intersections would require future signalisation to allow safe and efficient access to and from the road network for future businesses and residents.

Importantly, it is anticipated that a shift towards the residential and mixed business land uses envisaged in the **Section 5.0** would result in a reduction in heavy vehicle movements within the local road network. This would particularly be the case within the western portion of the precinct which interfaces with the established residential area. Under the proposed land use configuration, retained industrial areas would have easy access to State and Regional Roads via Sydenham Road to the north via Fitzroy Street and via Addison Road/Victoria Road. Transitioning the western edge of the precinct to a residential and mixed business precinct will reduce the need to facilitate heavy vehicle movements in this area, and it is anticipated that there would be potential for traffic calming and safety measures along Shepherd Street and Illawarra Road.

A detailed Transport Management and Access Plan (TMAP) will be prepared to inform the Final Planning Proposal which considers the implications for the proposed rezoning in greater detail. This will include detailed assessment of the current and future performance of the existing road network, including a greater number of intersections likely to be affected by the rezoning of the precinct, as well as the capacity of existing and future public transport services. Based on this more detailed assessment, the TMAP will identify any infrastructure upgrades which are required within the precinct and locality to support new development associated with the proposed rezoning. The TMAP will also inform the preparation of car parking development controls for the precinct and detail measures designed

to actively encourage the use of non-car travel modes, such as public transport use, car-sharing, walking and cycling within the precinct.

### Parking

Parking within the precinct is currently heavily constrained. Existing streets are typically designed to provide on-street parking on either side whilst also maintaining wider road widths to accommodate large trucks. Insufficient on-site parking provision on many sites means that on-street parking is heavily utilised, and cars are often parking on the verge and on footpaths. This situation creates a poor streetscape and pedestrian environment. Regenerating the precinct, and providing higher development yields, will allow adequate on-site car parking to be provided in a coordinated and feasible manner. The TMAP will ensure that adequate on-site parking is provided within future development to meet demand, as well as reducing the overall demand for vehicle use within the precinct by informing measures to make the precinct more connected and accessible.

## 6.4 Airport Operations

### 6.4.1 Obstacle Limitation Surface and PANS-OPS

The maximum building height provisions in this Preliminary Planning Proposal have been developed to be below the Obstacle Limitation Surface (OLS) and PANS-OPS levels for Sydney Airport.

Consultation with Sydney Airport Corporation Limited (SACL) and the Commonwealth Department of Infrastructure and Regional Development will be undertaken during the preparation of the Final Planning Proposal for assessment and public exhibition.

### 6.4.2 Aircraft Noise

Precinct 47 is affected by aircraft noise due to its proximity to Sydney Airport. The site is located between the ANEF25 and ANEF35 contours identified in the Sydney 2033 Preliminary Draft Master Plan, as identified in Figure 9.

Under AS2021-2000 – Table 2.1 Building Site Acceptability based on ANEF Zones:

- Residential development is unacceptable in areas above ANEF25.
- Commercial development is conditionally acceptable between ANEF 25-35.

Notwithstanding the above, where development is affected by aircraft noise Table 3.3 of AS2021-2000 requires indoor noise levels to comply with the 'Aircraft Noise Reduction' recommended internal acoustic design goal of not more than 50dB(A) for sleeping areas and dedicated lounges, 55dB(A) for other habitable spaces and 60dB(A) for bathrooms, toilets and laundries.

Section 117B Direction 3.5 permits development inconsistent with Table 2.1 of the Australian Standard where "justified by a study prepared in support of the Planning Proposal which gives consideration to the objective of this direction".

An Acoustic Assessment has been prepared by The Acoustic Group (**Appendix E**) which considers the extent of noise from aircraft within a number of different areas within Precinct 47 based on the ANEF contours and acoustic monitoring undertaken within the precinct. This monitoring was undertaken in accordance with AS 2021-2000 'Acoustics-Aircraft noise intrusion- Building siting and construction' and the Industrial Noise Policy (EPA 2000).

Based on the findings of this assessment, it is evident that average maximum noise levels within the precinct range between 79dB(A) and 87-88dB(A). Table



3.3 of AS2021-200 requires an 'Aircraft Noise Reduction' based upon a recommended internal design goal for sleeping areas and dedicated lounges of not more than 50dB(A). In order to achieve suitable levels of amenity for indoor habitable rooms and bedrooms, this would require noise attenuation in the order of 29-38dB(A). The Acoustic Group finds that this level of noise attenuation is achievable through design and established construction techniques such as double-glazed windows.

It is noted that that commercial and residential development within a number of inner-west LGAs has been approved in locations that are not directly consistent with the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021-2000 'Acoustics-Aircraft noise intrusion- Building siting and construction' (refer Section 2.5). Table 6 and Figure 21 below identify the multi-unit residential developments within the ANEF 25+ noise contour that are known to have been approved within the Marrickville LGA in recent years. Based on these examples, it is expected that appropriate acoustic attenuation of buildings can be achieved within Precinct 47 in order to ensure that appropriate amenity is achieved in accordance with the relevant noise criteria. The Draft Development Control Plan will include additional measures to ensure that acoustic amenity is achieved, and will be informed by further input from the project team's acoustic consultant.

In addition to the above, the residential market is increasingly willing to accept the impacts of aircraft noise as a trade-off for other forms of amenity – i.e. proximity to the CBD, vibrant local centres, public transport and affordability. Given that the minimum standards for residential amenity detailed in the Australian Standard can be met for new development within the precinct, it is considered that residential development should be permitted given the good level of amenity able to be achieved in other aspects.

The Final Planning Proposal and Draft Development Control Plan would need to include controls to ensure that suitable internal acoustic amenity is achieved for all residential dwellings and business premises within the precinct, and will be informed by a detailed acoustic report setting out the recommended design methods to achieve these noise reduction levels.

**Table 6 – Residential development approved in Marrickville LGA within ANEF 25+ noise contour**

| Address                                            | Number of Apartments | Development Type        | DA Reference             |
|----------------------------------------------------|----------------------|-------------------------|--------------------------|
| 49 New Canterbury Road, Petersham                  | 27                   | mixed use               | DA 201000042-01/28029.10 |
| 80 Victoria Road & 12 Leicester Road, Marrickville | 44                   | residential             | DA 201000288/64807.10    |
| 80-84 Illawarra Road, Marrickville                 | 13                   | townhouses /residential | DA 201000338/73316.10    |
| 275 Addison Road, Marrickville                     | 14                   | residential             | DA 201100404-02/66345.11 |
| 359 Illawarra Road, Marrickville                   | 174                  | mixed use               | DA01000115.01 - JRPP     |
| 123 Marrickville Road, Marrickville                | 12                   | mixed use               | DA 201200311/75136.12    |
| 58-60 Crystal Street, Petersham                    | 14                   | mixed use               | DA 201200318-03/76383.12 |
| 22 Hillcrest Street, Tempe                         | 14                   | residential             | DA 201200573/39551.13    |
| 26 Enfield Street, Marrickville                    | 21                   | residential             | DA 201200394/5314.13     |
| 46 Frederick Street, Sydenham                      | 4                    | residential             | DA 201300016/53714.13    |
| 8 Cowper Street, Marrickville                      | 22                   | residential             | DA 201300070-03/49759.13 |
| 60-68 Hutchinson Street, St Peters                 | 20                   | residential             | DA 201300145-03/54843.13 |
| 44-56 Mat Street & 19 Hutchinson Street, St Peters | 49                   | mixed use               | DA 201306249.03/66378.13 |
| 89-91 Newington Road, Stanmore                     | 10                   | residential             | DA 201300150/87535.13    |
| 23-29 Addison Road, Marrickville                   | 60                   | mixed use               | DA 201300025-03/7043.14  |

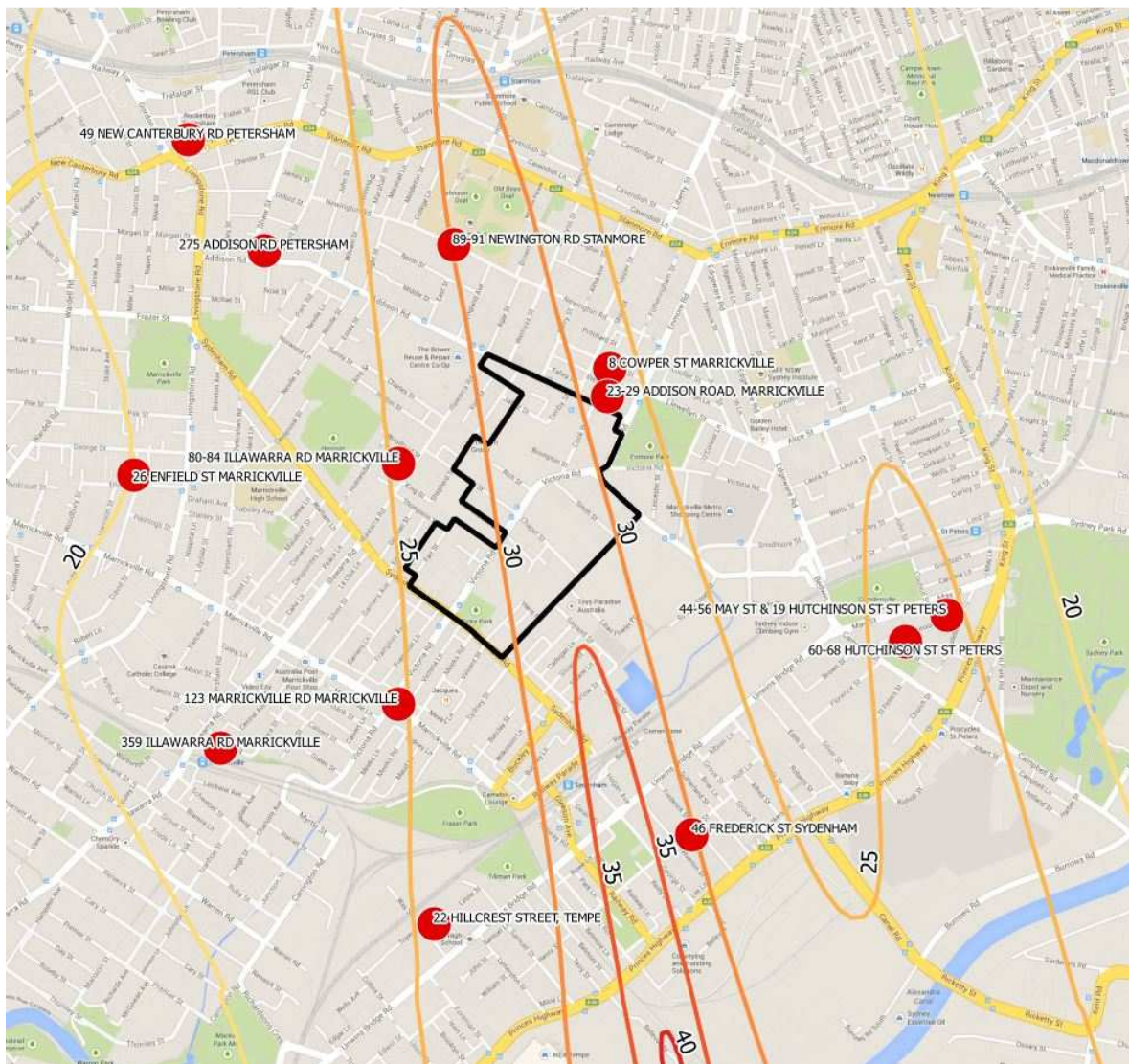


Figure 22 – Approved residential developments within ANEF 25 +

## 6.5 Heritage

Graham Brooks and Associates (GBA) have prepared a Preliminary Heritage Analysis of Precinct 47 (Appendix B) which considers the heritage value of the two local heritage items identified within the precinct under MLEP 2011. These two items are the Chapel Street industrial façade and the Sims Metal Factory at Rich Street.

The Sims Metal Factory building has been consistently listed as a local heritage item for some time, despite substantial changes to the fabric of the original building. Previous heritage assessments have concluded that the extent of these alterations have diminished the integrity of the original structure. Development consent has previously been issued by Council for the building's demolition, however, these consents have since lapsed. GBA recommends that the building could be suitable for further changes and/or adaptive reuse as part of the broader renewal of Precinct 47.

GBA's preliminary assessment finds that the Chapel Street industrial façade should be retained as part of any future redevelopment of the precinct, and could be adaptively reused in any redevelopment of the site behind this façade provided that structural stability of the wall could be ensured. Future design development

should respect the integrity of the facade and limit modification to those areas identified as being less sensitive from a heritage perspective.

In light of the above it is considered that the two heritage items within the precinct do not pose a significant constraint on the implementation of new planning controls for Precinct 47, provided that controls continue to provide for their ongoing retention and adaptive reuse within the precinct.

Marrickville Public School is a locally-listed heritage item which is outside of the Precinct 47 boundary. Whilst the Preliminary Planning Proposal does not envisage any changes to the planning controls for this site, it is envisaged that the planning controls for the surrounds of the school within Precinct 47 will change. The Preliminary Planning Proposal seeks a transition of development intensity down to a lower-scale form in the vicinity of the school. It also seeks to facilitate a new low-scale special use precinct opposite the school on Chapel Street that would respect the heritage character of the school and existing heritage structures within Precinct 47 as well as providing complementary uses and expansion potential for the school.

## 6.6 Flooding

A Flood Liability Report has been prepared for the precinct by WMA Water (**Appendix D**) which provides a high level assessment of existing flood conditions and constraints on future development within the precinct.

Precinct 47 forms part of the Marrickville Valley catchment, which is the primary influence on localised flooding in the Marrickville area. During major flood events Sydenham Road and Fitzroy Street act as floodways, while other roads in the precinct act as flood storage areas. Flood waters affect a number of properties within the precinct, largely in the vicinity of roads and open stormwater channels.

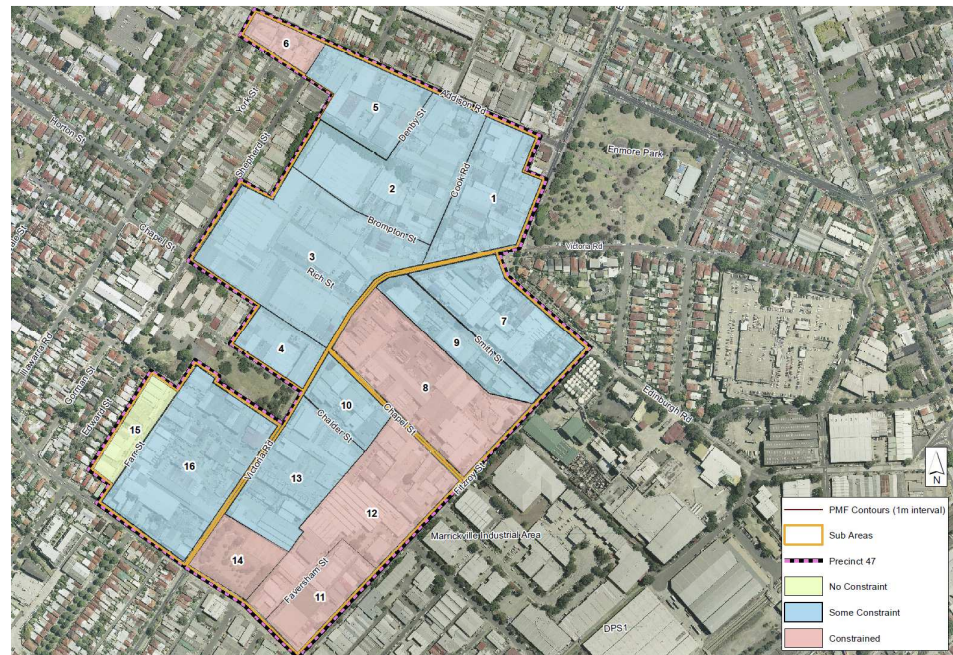
WMA have undertaken an assessment of flooding impacts on individual sub-catchments within the precinct based on the suitability of each sub-catchment for residential development. Highly flood-prone land is better utilised for industrial uses, as these types of businesses can more readily adapt their practices to flooding. WMA have determined that development for residential uses can occur where:

- basement car park entrances can be designed for the 1% AEP event height plus 0.5m;
- evacuation is possible;
- new development would not impact on flooding on surrounding properties; and
- there is no exacerbation of flood risk.

**Figure 23** below summarises the extent of flooding constraints on Precinct 47. This figure illustrates that the south-eastern corner of the precinct, primarily being land in the vicinity of Fitzroy Street and Chapel Street, is the most constrained portion of the site. The remainder of the precinct is subject to some constraints on development, which are primarily associated with the availability of evacuation routes and the extent of flooding.

The detailed Planning Proposal will require further investigation into the impact of proposed block layouts, new road connections and potential stormwater infrastructure upgrades on flooding within the precinct and surrounding areas.





**Figure 23** – Flood constraints on precinct development potential

## 6.7 Soil and Ground Conditions

A series of Geotechnical Reports, Detailed Contamination Site Investigation Reports and Acid Sulphate Soils Assessments have been prepared by Aargus (**Appendix F**) for land owned by and associated with Danias Holdings Pty Ltd (detailed in **Section 2.3**). These assessments provide a strong representative sample of ground conditions within the precinct, being undertaken over a number of sites across the precinct.

### Geotechnical Conditions

Weathered sandstone of low-moderate strength underlies layers of clay, fill and sands within the precinct and is encountered at depths of between 3.0 metres and 10.4 metres below ground level. It is expected that this layer of sandstone is underlain by stronger bedrock of sandstone or shale. It is expected that basements and building foundations can be built using standard construction methodologies.

Groundwater is encountered within the precinct at depths of between 1.15 metres and 2.2 metres below ground level, and basement excavation will require de-watering.

### Contamination

Clause 6 of State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55), requires that prior to the rezoning of land for residential, recreational, educational or child care purposes, the consent authority unless it has considered whether the land is contaminated and whether it is suitable or can be made suitable for the proposed uses.

Based on the findings of the contamination investigations, it is evident that:

- Contamination within the precinct is associated with a range of former and current uses including general filling, former foundry and landfill waste, chemical storage and use, asbestos based building materials, vehicle parking, underground storage tanks and potential migration of contaminated groundwater.

- Contamination from heavy metals, hydrocarbons and organic chemicals above the levels for commercial and residential uses was encountered in a substantial number boreholes tested throughout the precinct.
- Elevated levels of dissolved heavy metal concentrations were encountered in a number of groundwater monitoring locations within the precinct.

Based on their investigations, Aargus generally concluded that the site either were, or could be made, suitable for use for commercial and/or residential development subject to:

- preparation of detailed investigation of the sites prior to future development;
- preparation and implementation of Remedial Action Plans where necessary; and
- classification of future soils in accordance with the 'Waste Classification Guidelines, Part 1: Classifying Waste' (DECC 2009)

### Acid Sulphate Soils

Investigations for Potential Acid Sulphate Soils (PASS) by Aargus found that PASS was found in only a small number of localised areas within the subject sites and is unlikely to constrain future development. Notwithstanding this the assessments indicated that PASS is present within the precinct, and Acid Sulphate Soils Management Plans would be required for future developments involving disturbance of natural soils within the precinct.

## 6.8 Community Facilities and Social Infrastructure

The urban renewal of Precinct 47 will generate demand for community services and infrastructure within the local area. New development within the precinct would be required to contribute to local infrastructure in the form of Section 94 Development Contributions for recreational facilities, community facilities and traffic infrastructure.

Precinct 47 is well-located in relation to existing community and social infrastructure, including Enmore Park and the Annette Kellerman Aquatic Centre, Henson Park and the Addison Road Community Centre. It is also noted that Council has recently invited Expressions of Interest for the redevelopment of the old Marrickville Hospital site, which would include a new library and community hub. This precinct is only a 15-25 minute walk from Precinct 47.

Given the scale of development proposed, an update to Council's contribution plan and schedule of works may be required to ensure that development contributions are directed to ensure that new development does not burden existing local infrastructure in the vicinity of the precinct. It may also be appropriate to provide contribution rates specific to Precinct 47 similar to Council's approach for Marrickville Town Centre, the St Peters Triangle, Petersham South and Lewisham South precincts.

A report entitled 'Facilities Needs Research – Strategic Directions for Marrickville' was prepared on behalf of Marrickville Council in June 2012 which identified a number of shortfalls in existing community facilities within the Marrickville LGA. In order to address some of these shortfalls and meet the needs of the future population of the study area, a contributions plan specific to Precinct 47 will be prepared in consultation with Council and the community during preparation of the Final Planning Proposal. This contributions plan could address a number of Marrickville Council's infrastructure planning objectives including the provision of:

- public meeting and community rooms;
- public art;

- new open space and upgrades to existing recreational areas, and specifically Wicks Park (including the tennis centre) which is currently under-utilised;
- improved pedestrian and cyclist facilities for Precinct 47; and
- other community services such as child care facilities.

**Table 7** below summarises the calculation of indicative S94 contributions for the precinct based on a full development scenario for the residential components. Based on Council's current S94 contribution levies under the Marrickville S94 Contributions Plan 2014, the full development of the precinct would result in the payment of approximately \$45 million to Council for the purpose of providing new and improved recreational facilities, community facilities, public open space and transport infrastructure.

The rates used in Table 7 are based on Council's generic contributions, however, the Precinct 47 Contributions Plan may include different rates in a similar manner to Council's approach for the Marrickville Town Centre, St Peters Triangle, Petersham South and Lewisham South precincts.

The estimated S94 contributions payable for non-residential development within the precinct are summarised in

**Table 8.**

Based on the estimates contained within the sections, above, total S94 development contributions over the full development life of Precinct 47 under the proposed planning controls could be in the vicinity of \$45 to \$55 million. This equates to approximately half of the development-funded portion of the entire works schedule identified in Council's current S94 Development Contributions Plan.

**Table 7** – Estimate of residential S94 Contributions under Marrickville S94 Contributions Plan 2014

| Dwelling Type  | Indicative Apartment Mix | Estimated Yield | Current Contribution Per Dwelling | Total S94 Contribution |
|----------------|--------------------------|-----------------|-----------------------------------|------------------------|
| 1 bed + Studio | 45%                      | 1383*           | \$11,677.97                       | \$16,148,881           |
| 2 bed          | 45%                      | 1383*           | \$17,919.85                       | \$24,780,465           |
| 3 bed          | 10%                      | 307*            | \$20,000.00                       | \$6,146,000            |
| Total          | 100%                     | 3073*           | N/A                               | \$47,075,345           |

\* Indicative only - final numbers to be confirmed during preparation of Final Planning Proposal

**Table 8** – Estimate of S94 Contributions under Marrickville S94 Contributions Plan 2014

| Development                     | Estimated Yield (GFA)                                 | Current Contribution Rate                                                                         | Total S94 Contribution             |
|---------------------------------|-------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------|
| Commercial and Retail Showrooms | 14,500m <sup>2</sup> *                                | Commercial: \$9,425.54 per 100m <sup>2</sup> GFA<br>Retail: \$10,597.54 per 100m <sup>2</sup> GFA | Approx. \$1,366,625 to \$1,536,643 |
| Industrial                      | No contributions payable for retained industrial land | \$2,332.60 per 100m <sup>2</sup> GFA                                                              | N/A                                |
| Creative Industries             | 20,000m <sup>2</sup> *                                | No specified charge.                                                                              | N/A                                |
| Total                           | 35,000m <sup>2</sup> *                                | N/A                                                                                               | Approx. \$1,450,000                |

\* Indicative only - final numbers to be confirmed during preparation of Final Planning Proposal



## 7.0 Justification

### 7.1 Need for the Planning Proposal

#### 7.1.1 Is the Planning Proposal a result of any strategic study or report?

The redevelopment of Precinct 47 (Precinct 47) was identified by Marrickville Council as an area for further investigation during the finalisation of the Marrickville Local Environmental Plan 2011. On 1 May 2012 Council resolved to

1. *advise the proponent [E&D Danias Pty Ltd] of the Victoria Road corridor development proposal that it will consider revised planning controls for the precinct. That Council request the proponent to submit a Planning Proposal for the Precinct. Such a proposal must include an Urban Design Study for the Precinct; an initial staging plan; a response to the policy issues raised in the Department of Planning's letter of 27 /04/12; include an analysis of all possible uses for the Precinct including industrial, creative industries, showrooms, commercial, live/work, and residential uses; an environmental sustainable development strategy; an employment strategy and proposed planning controls; and*
2. *supports pursuing Precinct 47 proposal jointly and cooperatively with the Department of Planning through the Gateway process.*

This Initial Planning Proposal is consistent with Council's resolution.

Danias have engaged an expert consultant team in key disciplines to undertake initial strategic and design studies to inform the Preliminary Planning Proposal. The specialist consultant team have prepared a number of studies that set out the strategic planning justification for this Planning Proposal. These studies include:

| Discipline                      | Consultant                          |
|---------------------------------|-------------------------------------|
| Development Management          | Titfa Consultancy                   |
| Urban Planning                  | JBA                                 |
| Urban Design and Masterplanning | Turner Associates                   |
| Community Consultation          | Macken Strategic Planning Solutions |
| Acoustics                       | The Acoustic Group                  |
| Flooding and Stormwater         | WMA Water                           |
| Transport and Traffic           | Hyder Consulting                    |
| Geotechnical and Contamination  | Aargus                              |
| Heritage                        | Graham Brooks and Associates        |

Together the consultant studies present a strong and compelling strategic planning case for this Planning Proposal on a number of grounds including the following:

- there is declining demand for industrial zoned land within the Marrickville LGA, and employment in manufacturing has declined significantly, with no indication of any reversal in these trends;
- allowing for a greater mix of businesses to locate in the area is essential to ensuring that the Precinct 47 continues to contribute to local employment in the future;
- the location, context and attributes of Precinct 47 are more suitable for a mix of business and residential uses, and there are no unmanageable environmental constraints that would preclude mixed use development on the site;
- land within the precinct is underutilised and the current uses fail to realise the area's full potential to contribute to local employment and housing targets;

- there are no environmentally sensitive areas, hazards or constraints of such significance to prohibit the land use changes proposed in this Preliminary Planning Proposal;
- the development of the precinct for mixed business and residential uses positively reinforces State, regional and subregional planning strategies and policies as it would:
  - deliver new job opportunities in modern industries and more closely align with the skills and requirements of the local workforce and businesses;
  - contribute to the supply and diversity of housing within the subregion; and
  - deliver new high quality development in a precinct that is well serviced with infrastructure and accessible to the transport network and centres of employment, retailing and business services, recreational and entertainment opportunities.
- subject to detailed investigations, the existing road network is expected to have sufficient capacity (with local infrastructure upgrades) to accommodate the proposed rezoning and any subsequent development will not result in any unsatisfactory adverse traffic or parking implications.
- the development of the precinct would result in significant community benefits, including the upgrade of recreational facilities, delivery of new community facilities and upgrades to the public domain and urban amenity of the area.

### 7.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal to have Precinct 47 rezoned with specific development standards for maximum FSR and building heights supplemented with a Draft DCP and master plan is consistent with Government policy and approaches to the rezoning of land, and is considered the best means of achieving the objectives and intended outcomes.

### 7.1.3 Is there a net community benefit?

The Department of Planning and Environment's Draft Centres Policy requires that new proposals for commercial and retail development that are inconsistent with the permitted uses in a zone should be subject to a Net Community Benefit Test.

The key criteria specified in the Draft Centres Policy for assessing the net community benefit are in bold italics below.

***Will the rezoning be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?***

Yes. Refer to Section 7.2 of this report.

***Is the subject site located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/Subregional strategy?***  
Refer to Section 7.2

***Is the rezoning likely to create a precedent or create or change the expectations of the landowner or other landholders?***

The proposed rezoning will provide existing landholders and businesses with certainty regarding the future direction of the precinct as an employment area. This will allow these stakeholders to make business decisions including in regard to property improvements, employment and business development etc. At present this certainty is lacking, given the clear national and metropolitan economic shifts

which make the industrial zoning of the precinct unsustainable in the medium to long term. The landowners are supportive of the Planning Proposal.

**Have the cumulative effects of other rezoning proposals in the locality been considered? What was the outcome of these considerations?**

There are no comparable rezoning proposals in the locality that would result in cumulative impacts. The rezoning of the Masters Home Improvement site at Edinburgh Road examined the viability of the area as a future industrial zone and finding that the site was not required for industrial uses, however this proposal dealt with one individual site only and did not consider the implications for the broader precinct.

A large industrial site within the Carrington Road Precinct in southern Marrickville was investigated for rezoning during the preparation of the Marrickville Urban Strategy, it was not supported by the (then) NSW Department of Planning when MLEP 2011 was made<sup>2</sup>. At its meeting on 17 April 2012, at Council resolved that the site should be investigated for rezoning from its current IN1 General Industrial zone as part of a future review of the Marrickville Urban Strategy. At the same meeting Council deferred consideration of Precinct 47 to its 1 May 2012 meeting where it invited the submission of a Preliminary Planning Proposal by the proponents (this document). No further information regarding the Carrington Road precinct has been made publicly available.

At its meeting on 4 March 2014, Council's Infrastructure, Planning and Environmental Services Committee noted the receipt of a \$50,000 grant from the Department of Planning and Environment which will be used to undertake an update of the Marrickville Employment Lands Study which will inform a future review of the Marrickville Urban Strategy. This study, which is expected to be completed by August 2014 and prior to the assessment of the Final Planning Proposal for Precinct 47, will consider the cumulative impacts of broader changes to employment lands within Marrickville.

**Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?**

The Planning Proposal will facilitate the renewal of outdated and underutilized employment land by change from an industrial zoning to a mixed business zone. A key objective of the proposal is to ensure that there is no net loss in employment within the precinct. Furthermore, it is anticipated that by rezoning land for mixed business uses then employment within the precinct can be maintained or grow even as employment in manufacturing declines due to broader economic forces.

**Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?**

The Planning Proposal seeks to allow residential development within the precinct in a manner which supports the valuable role the precinct plays in employment. The proposal will facilitate the delivery of housing within the existing urban footprint in a location with good access to public transport, retail, services and employment. Its location within Marrickville and the quantum of housing proposed would ensure a significant increase in housing supply and choice in the local area.

**Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?**

A strategic bus corridor runs through the centre of the precinct along Victoria Road. Detailed investigation of transport and utility infrastructure as part of the Final Planning Proposal, however, early investigations indicate that there is

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<sup>2</sup> Item 6, Business Paper for 4 March 2014 Infrastructure, Planning and Environmental Services Committee of Marrickville Council



sufficient infrastructure in place or that infrastructure can be readily upgraded to meet new demand.

**Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?**

Existing industrial uses will relocate from inner-city locations irrespective of this Planning Proposal. This proposal seeks to maintain local employment in the face of the decline in local manufacturing, whilst also providing new housing in an area which is walkable and has good public transport. At present, over 80% of Marrickville LGA's employed residents travel outside of the LGA for work. In addition, some heavy vehicle movements will likely be removed from the suburban road network as the precinct transitions. As such, it is not considered that there will be any adverse impacts on greenhouse gas emissions, road operating costs or road safety.

**Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?**

The NSW Department of Planning and Infrastructure is progressing a number of proposals, including the Western Sydney Employment Area, which seek to release significant areas of land for industrial and employment-generating business precincts. The NSW Government is also investing in road and rail freight infrastructure upgrades which support the movement of freight directly from Sydney Airport and Port Botany to distribution centres on the urban fringe, thereby bypassing traditional inner-ring industrial areas. The Government has committed to the delivery of the WestConnex Motorway by 2023 – less than a decade from now. A primary objective of this motorway is to improve linkages between Sydney Airport and Port Botany with the Sydney Orbital road network, thereby removing road freight from the suburban road network and easing traffic congestion. This project supports the transition of freight and manufacturing away from inner-city locations, which reinforces the economic trends to which this Planning Proposal is responding.

**Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?**

There are no environmental reasons for not processing with the Planning Proposal. There are existing flooding constraints within the precinct which would be required to be addressed in the Final Planning Proposal and as part of future infrastructure planning and applications for development. In addition, the Planning Proposal would see a significant increase in landscaped open space (both public and private) and a substantial increase in street tree planting throughout the precinct.

**Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?**

The Planning Proposal will improve the existing industrial-residential interface between the Precinct 47 by providing a more compatible mix of land uses and the incorporation of appropriate design guidelines for the future redevelopment of the precinct. The regeneration of Precinct 47 will contribute to significant upgrades to the public domain through streetscape and footpath upgrades, creation of new public open space areas and an increase in active ground level uses.

**Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?**

The proposal seeks to provide for a greater mix of business premises within Precinct 47. It is anticipated that the rezoning would increase choice by facilitating the development and growth of businesses that are not already present in surrounding centres. A key objective of the proposal, however, is to ensure that the type of businesses that are permissible within the precinct do not directly

compete with existing retail and commercial operations in established strip retail and local centres in the vicinity.

**If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?**

Precinct 47 is located in close proximity to a number of established centres. It is not proposed to establish a new centre, but rather be complementary to existing centres.

**What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?**

Proceeding with this Planning Proposal will allow Precinct 47 to evolve into a vibrant and viable employment area into the future by facilitating a mix of compatible land uses that are better suited to the modern economy. It is in the public interest to ensure that land use planning continues to support employment and housing growth in inner-city locations that are well serviced by existing centres, public transport and infrastructure. In addition, the revitalisation of an existing run-down precinct with new development and public domain upgrades will improve the amenity and aesthetic of the locality, and in doing so enhance the quality of life for existing residents.

Should the Planning Proposal not proceed, employment will continue to decline in the key industries for which the precinct is currently designated and zoned. Whilst some of this employment loss may be compensated for by growth in other business types, this growth will be constrained by the existing land use and planning controls, preventing real investment and renewal in a precinct which is currently declining in economic value, employment and physical quality.

## 7.2 Relationship to Strategic Planning Framework

### 7.2.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional strategy?

#### NSW State Plan 2021

The NSW State Plan 2021 which was released in 2011 is the overarching strategic document for policy in the state with regards to the economy, infrastructure, development, housing, transport, health, community services and education.

- **Goal 1 – Improve Performance of the NSW Economy:** Precinct 47 is underperforming in terms of employment and economic output at present, with a number of vacant and underutilised spaces. Rezoning the site for uses that will continue to generate and grow employment in Sydney's modern economy will contribute to growing employment and gross domestic product within the NSW economy.
- **Goal 5 – Housing Affordability and Availability:** Providing residential dwellings within Precinct 47 will assist in meeting city-wide shortfalls in housing supply, thereby contributing to improved housing affordability and availability. This is particularly beneficial as the Planning Proposal supports the provision of new housing in an established area with existing infrastructure and good access to services and facilities.
- **Goal 8 – Public Transport:** The Planning Proposal supports the provision of increased employment and residential development in an area that is well served by existing public transport services, including the strategic bus corridor that runs through the centre of the precinct.

- **Goal 20 – Build Liveable Cities:** This Planning Proposal offers an opportunity to regenerate a rundown and ageing precinct by allowing more diverse business types and introducing residential development, thereby stimulating renewal and providing a mix of uses which will positively contribute to the character and vitality of the Marrickville LGA.

### Draft Metropolitan Strategy for Sydney 2031

The Draft Metropolitan Strategy for Sydney 2031 (2013) is a strategic document that sets out the framework for the Sydney region over the next two decades. The Metro Strategy identifies five key issue areas which form the framework for policy directions and key action areas required to implement the desired future development pattern for Sydney. This Planning Proposal is consistent with the Metro Strategy as described below.

#### A Liveable City

Under the Metro Strategy, the Central Subregion (including Marrickville) is required to provide for a minimum of 82,000 new dwellings by 2021 (7 years from now) and 138,000 new dwellings by 2031. The strategy also identifies a need to increase the provision of affordable housing across Sydney.

This Planning Proposal will result in the provision of housing within the precinct that will support a more diverse business landscape, improve the viability of the strategic bus corridor and provide infill housing in an area with good access to existing services and infrastructure.

The provision of housing in areas subject to environmental constraints that diminish the perceived desirability of living in a certain area but do not significantly impact upon the overall amenity of residents (i.e. aircraft noise) can also assist in delivering housing to the market at more affordable prices.

#### Productivity and Prosperity

The Metro Strategy states that:

*Industrial lands also foster industry clusters, especially in manufacturing and logistics. In Western Sydney, industrial lands account for 37 per cent of all jobs in distinct industrial clusters (food and beverage; advanced manufacturing and equipment; building materials; defence; medical products; logistics; and advanced materials).*

Precinct 47 is constrained by road capacity and congestion, access to employees and access to other growing industrial precincts. The strengthening of road connectivity between Sydney Airport/Port Botany as a result of the WestConnex project will further reduce any competitive advantage that Precinct 47 currently holds over industrial precincts in Western Sydney. As such, it is evident that the medium and long-term viability of Precinct 47 is poor. Given that the precinct is not able to develop as an industry cluster under its current IN1 General Industrial zoning, it is essential from a long-term perspective for the site to facilitate the clustering of other business types if it is to remain viable as an employment centre. As identified in **Section 5.1** and **Section 6.0**, it is envisaged that Precinct 47 would evolve to allow the clustering of creative industries, home improvement showrooms and local business and consultancies to establish a vibrant mixed use business precinct which offers employment more suited to the local residential population. This will ensure that the precinct can continue to be viable as an employment precinct.

Objective 13 of the Metro Strategy notes the following:

*Existing industrial lands, especially in established areas, are under pressure to be rezoned to other uses, despite the clear need for them in the future.*



*Latest data also reveals a noticeable increase in rezoning of employment lands to non-industrial and wider employment uses. In 2011, 415 hectares were rezoned in Sydney across areas such as Liverpool, Parramatta, Marrickville and Auburn.*

*To provide a framework to assess proposals to rezone industrial land, an assessment checklist has been developed (Criteria Table 1, page 49) in consultation with key stakeholders on the NSW Government's Employment Lands Task Force.*

The assessment checklist is addressed in **Table 9** below.

**Table 9** – Industrial Lands Strategic Assessment Checklist for rezoning of existing industrial land

| Criteria                                                                                                                                                                                                                                                                                                                      | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is the proposed rezoning consistent with State and/or council strategies on the future role of industrial lands?                                                                                                                                                                                                              | Refer to discussion in Section 8.2.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Is the site: <ul style="list-style-type: none"> <li>■ near or within direct access to key economic infrastructure?</li> <li>■ contributing to a significant industry cluster?</li> </ul>                                                                                                                                      | <ul style="list-style-type: none"> <li>■ Access to Sydney Airport and Port Botany from Precinct 47 is heavily constrained by the existing suburban road network. The site does not have direct access to any other key economic infrastructure.</li> <li>■ the precinct does not contribute to any significant industry cluster.</li> </ul>                                                                                                                                                |
| How would the proposed rezoning impact the industrial land stocks in the subregion or region and the ability to meet future demand for industrial land activity?                                                                                                                                                              | As outlined in <b>Section 7.1</b> of this report, demand for industrial activity within Precinct 47 has been in decline for over two decades and there is no indication of this trend reversing. Given the diminishing demand for inner-city industrial land it is therefore considered that the proposal, which retains the most productive and viable industrial-zoned land parcels within the precinct, will not impact upon the ability to meet future demand for industrial activity. |
| How would the proposed rezoning impact on the achievement of the subregion/region and LGA employment capacity targets and employment objectives?                                                                                                                                                                              | The land use zones and development controls proposed in the Final Planning Proposal will ensure that employment within Precinct 47 is either maintained or increased from current levels.                                                                                                                                                                                                                                                                                                  |
| Is there a compelling argument that the industrial land cannot be used for an industrial purpose now or in the foreseeable future and what opportunities may exist to redevelop the land to support new forms of industrial land uses such as high-tech or creative industries?                                               | Existing industrial building land is not desirable to the industrial market (as evidenced by low occupancy and high frequency of non-industrial business uses within industrial premises), building stock is dilapidated and the precinct as a whole is not competitive with modern industrial lands located predominately in Western Sydney.                                                                                                                                              |
| High-tech or creative industries are better supported by mixed business zonings that allow the establishment and clustering of other, non-industrial, businesses in the same area. The proposed land use zones would permit light industries and other supporting businesses to continue to be developed within the precinct. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Is the site critical to meeting the need for land for an alternative purpose identified in other NSW Government or endorsed council planning strategies?                                                                                                                                                                      | Precinct 47 has the potential to contribute to the ambitious employment and dwelling targets established for Sydney under the Metro Strategy.                                                                                                                                                                                                                                                                                                                                              |

### Balanced Growth

The Metro Strategy seeks to identify and make available urban renewal areas within the city whilst strengthening and growing Sydney's centres. The Metro Strategy notes that:

*"growth in many centres of different sizes benefits housing delivery, but not business, which benefits from a smaller number of larger groupings and centres. This reflects the benefits of agglomeration, whereby businesses have improved chances of thriving when located close to each other"*

The NSW Government is actively promoting the clustering of freight, industrial, manufacturing and warehouse type businesses in the vicinity of key orbital roads and the Western Sydney Employment Area through land release policies and infrastructure provision. The Metro Strategy identifies two employment clusters identified as the 'Sydney Airport & Environs' and 'Port Botany & Environs' Specialised Precincts, however, these precincts (as mapped in the Draft South Subregional Strategy) do not include Precinct 47. Given that the precinct does not form part of any strategic business cluster, and is considered ideal for urban renewal, it is considered that the Preliminary Planning Proposal presents an opportunity to support new residential growth whilst also facilitating further employment growth within the precinct.

#### **Health and Resilient Environment**

Detailed site investigations as part of the detailed Planning Proposal, including the preparation of an environmentally sustainable development strategy for the precinct and precinct flood modelling, will ensure that future development within the precinct is consistent with the principles of ecologically sustainable development and appropriately manages risks from natural hazards.

#### **Accessibility and Connectivity**

The Planning Proposal provides for a sustainable mix of land uses which supports employment containment within the local region, thereby minimising travel distances, and by locating higher density development along a strategic bus corridor to promote public transport use.

#### **Draft Sydney South Subregional Strategy (2007)**

The Draft Sydney South Subregional Strategy (2007) sets the framework for planning and development in the Sydney South Subregion for the next 25 years.

The Draft Strategy includes directions and actions for the following matters that are relevant considerations for the zoning of Precinct 47 and are discussed further in the following sections.

#### **Economy and Employment Lands**

Precinct 47 is identified as Category 1 Employment Land under the Draft Subregional Strategy, indicating that the land should be retained for industrial. However, the letter from the NSW Department of Planning and Infrastructure (now Planning and Environment) to Marrickville Council (27 April 2012) in relation to Precinct 47 notes that:

*Please be aware that the categories of employment lands will not continue in future versions of the draft subregional strategies as such categorisation has limited the ability of employment lands to adjust to changing economic conditions.*

As discussed in **Section 5.1** of this report, it is considered that the rezoning of the precinct is consistent with the broader aims of ensuring that employment targets are met and that land is retained for employment uses. Changes to the business use mix will however ensure a more sustainable employment offering that better suits the local demographic of Marrickville.

#### **Centres and Corridors**

The Planning Proposal does not seek to establish a new centre or compete with existing centres. The proposal seeks an uplift in employment and residential density along a designated strategic bus corridor, which is consistent with the principles of the strategy, and will substantially improve the vitality and viability of existing centres within the locality.

## Housing

The Planning Proposal will make a significant contribution to the supply and diversity of housing within the Marrickville LGA. Whilst Marrickville Council appears to have provided for housing growth to meet the draft Subregional Strategy housing targets under the Marrickville LEP 2011, as discussed in more detail at Section 6.2 revised population forecasts for Sydney since the release of the Draft Subregional Strategies in 2007 has resulted in additional demand for approximately 4,500 additional dwellings above the current planned supply. Furthermore, the Department's letter to Marrickville Council dated 27 April 2012 states that

*"it is the Department's view to encourage urban renewal in appropriate areas where feasible investment opportunities are evident irrespective of these [housing and employment] targets."*

In light of the above, it is considered that the Planning Proposal will make a valuable contribution to the delivery of housing within the Marrickville LGA consistent with the Draft Subregional Strategy.

## Transport

The Preliminary Planning Proposal provides for an intensification of land use within the immediate vicinity of Strategic Bus Corridor No.26 as identified in the Draft Subregional Strategy. This will contribute to increased patronage of public transport and reduced reliance on private motor vehicles, consistent with the strategy. Introduction of new streets within the precinct as envisaged in the master plan will also increase permeability for pedestrians and cyclists, and it is anticipated that future development of the precinct would be accompanied by upgrades to pedestrian and cycling infrastructure.

## 7.2.2 Is the Planning Proposal consistent with applicable S.117 Ministerial Directions?

The following Section 117 Directions are relevant to the Planning Proposal and addressed further below:

- a) 1.1 – Business and Industrial Zones;
- b) 3.4 – Integrating Land Use and Transport;
- c) 3.5 – Development Near Licensed Aerodromes;
- d) 5.1 – Implementation of Regional Strategies; and
- e) 6.3 – Site Specific Provisions.

### Section 117 Direction - 1.1 Business and Industrial Zones

The proposal's consistency with the S117 Direction for residential zones is outlined in **Table 10** below.

**Table 10** – Consistency with S117 Direction – 1.1 Business and Industrial Zones

| Provision                                           | Comment                                                                                                                                                                                                                                                                                                                                                                               | Consistent? |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>(4) A Planning Proposal must:</b>                |                                                                                                                                                                                                                                                                                                                                                                                       |             |
| a) give effect to the objectives of this direction, | <p>The Planning Proposal will:</p> <ul style="list-style-type: none"> <li>▪ encourage employment growth within an existing employment precinct</li> <li>▪ transition existing industrial land to mixed business in response to the decline in industrial employment; and</li> <li>▪ ensure that there are viable and permissible employment uses in place for Precinct 47.</li> </ul> | Yes         |

| Provision                                                                                                                                              | Comment                                                                                                                                                                                                                 | Consistent? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| b) retain the areas and locations of existing business and industrial zones,                                                                           | The precinct will be rezoned from IN1 Industrial to a mixed business zone. There would be no net loss in land available for employment-generating development.                                                          | Partial     |
| c) not reduce the total potential floor space area for employment uses and related public services in business zones,                                  | The Planning Proposal provides for a significant uplift in total potential floorspace for employment uses.                                                                                                              | Yes         |
| d) not reduce the total potential floor space area for industrial uses in industrial zones, and                                                        | The Planning Proposal rezones from IN1 Industrial to a mixed business zone. Light industrial uses would continue to be permissible within the new zone, however, general industrial activities will not be permissible. | Partial     |
| 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. | N/A                                                                                                                                                                                                                     | N/A         |

A Planning Proposal may be inconsistent with the S117 Directions if the relevant planning authority can satisfy the Director General of the NSW Department of Planning and Environment that the inconsistent provisions are justified by a study which gives consideration to the objective of this direction. The objectives of the Business and Industrial Zones S117 Direction are:

- 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.

The detailed Planning Proposal will be accompanied by an employment and economic impact study prepared with regard to these objectives. At a high level, and as discussed in **Section 5.1**, it is considered that the Preliminary Planning Proposal can be justified in accordance with these objectives in that it:

- ensures that there will be no net loss in employment within the precinct;
- will assist in managing and compensating for the decline in manufacturing and other industrial activity and employment within the precinct;
- protects Precinct 47 as a major employment precinct within the Marrickville LGA; and
- supports the viability of the existing employment lands by permitting a broader mix of business uses that are consistent with market demand and economic forces acting at the metropolitan, national and global scales.

It is noted that the Employment Lands Task Force Report (2012) states that:

*The industrial zones in the Standard Instrument LEP need to provide sufficient flexibility to meet modern employment opportunities. This will support new development and renewal in many industrial zones to underpin economic growth. Many contemporary industrial uses, particularly in an Australian context, are now non-polluting and low impact, and often combine office functions with warehousing and distribution. There is also an ever increasing amount of 'clean' high technology industries, including research and development, information and communications and advanced manufacturing. These low-impact industrial uses are compatible with many other employment generating uses, such as large-format retailing and stand-alone offices. Given that the nature of industry has changed significantly in recent times, the*



*concept of a “traditional” industrial zone may need to be reconsidered. For example, increasing the flexibility of industrial zones by increasing the range of mandatory permissible uses, allowing additional local uses in specialised locations, and assessing trends in industrial zones and uses in other cities, both nationally and internationally, will help to ensure Sydney continues to remain competitive as a global city.*

This excerpt supports the key principles and drivers for this Planning Proposal. For Precinct 47 to be viable as an employment precinct in the long-term, it is important that the planning controls support the renewal and transition of the precinct to meet the needs of contemporary businesses within the metropolitan inner-ring.

### Section 117 Direction - 3.1 Residential Zones

As outlined in **Table 11** below, the Planning Proposal is consistent with the S117 Direction for residential zones.

**Table 11** – Consistency with S117 Direction – 3.1 Residential Zones

| Provision                                                                                                                                                                                                                 | Comment                                                                                                                                                                                                                                                        | Consistent? |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>(4) A Planning Proposal must include provisions that encourage the provision of housing that will:</b>                                                                                                                 |                                                                                                                                                                                                                                                                |             |
| a) broaden the choice of building types and locations available in the housing market, and                                                                                                                                | The Preliminary Planning Proposal seeks to permit medium and high density residential development in an urban environment which provides a substantial broadening of the existing local housing market which is predominately detached and attached dwellings. | Yes         |
| b) make more efficient use of existing infrastructure and services, and                                                                                                                                                   | The proposal will make more efficient use of existing infrastructure and services as it would increase residential and business development around existing transport corridors, particularly Victoria Road.                                                   | Yes         |
| c) reduce the consumption of land for housing and associated urban development on the urban fringe, and                                                                                                                   | The Planning Proposal seeks to regenerate an existing brownfield precinct into a mixed business and housing precinct which supports consolidated urban growth and minimises the need for new housing growth on the urban fringe.                               | Yes         |
| d) be of good design.                                                                                                                                                                                                     | The Preliminary Planning Proposal and indicative master plan sets out design principles which promote a well-designed urban environment.                                                                                                                       | Yes         |
| <b>(5) A Planning Proposal must, in relation to land to which this direction applies:</b>                                                                                                                                 |                                                                                                                                                                                                                                                                |             |
| 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 | It is anticipated Precinct 47 can be adequately serviced, with detailed investigations to be undertaken prior to the finalisation of the Planning Proposal.                                                                                                    |             |
| b) not contain provisions which will reduce the permissible residential density of land.                                                                                                                                  | The Planning Proposal increases the capacity of the precinct to accommodate residential dwellings in a sustainable manner.                                                                                                                                     |             |

### Section 117 Direction - 3.4 Integrating Land Use and Transport

As outlined in **Table 12** below, the Planning Proposal is consistent with the S117 Direction for the integration of transport and land use.

**Table 12** – Consistency with S117 Direction – 3.4 Integrating Land Use and Transport

| Provision                                                                                                                                                                      | Comment                                                                                                                                                                                                                                                                                                             | Consistent? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>(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:</b> |                                                                                                                                                                                                                                                                                                                     |             |
| c) Improving Transport Choice - Guidelines for planning and development (DUAP 2001), and                                                                                       | The Preliminary Planning Proposal seeks to regenerate a precinct which is located along a strategic bus corridor and in proximity to rail corridors. The proposal will increase the density of employment and residential premises within proximity to public transport without detracting from existing centres.   | Yes         |
| d) The Right Place for Business and Services - Planning Policy (DUAP 2001)                                                                                                     | The Preliminary Planning Proposal seeks to facilitate the transition of parts of Precinct 47 from unsustainable industrial uses to business premises that are not compatible with local centres. These businesses will ideally increase employment densities in a precinct already well-served by public transport. | Yes         |

### Section 117 Direction 3.5 – Development Near Licensed Aerodromes

The proposal's consistency with the S117 Direction for development near licensed aerodromes is outlined in **Table 13** below. In this instance the licensed aerodrome is Sydney Airport.

A Planning Proposal may be inconsistent with the S117 Directions if the relevant planning authority can satisfy the Director General of the NSW Department of Planning and Environment that the inconsistent provisions are justified by a study which gives consideration to the objective of this direction. The objectives of the Development Near Licensed Aerodromes S117 Direction are as follows:

- 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.*

As discussed in detail at **Section 6.4.2** and in the Acoustic Study (**Appendix E**), the Preliminary Planning Proposal is consistent with these objectives in that:

- a) the proposed maximum building heights are below the published OLS and PANS-OPS levels for Sydney Airport;
- b) see above; and
- c) based on the recorded noise levels within Precinct 47, new development is capable of achieving the Aircraft Noise Reduction levels specified in Table 3.3 of AS2021-2000 which are considered to be appropriate levels to ensure that residential amenity is not adversely affected by aircraft noise.

In light of the above it is considered that the proposed mix of residential and business uses proposed for the precinct under the Preliminary Planning Proposal is justified given the consistency with the amenity criteria in the relevant Australian Standards and the overarching benefits of providing new housing and business stock within the precinct.

**Table 13 – Consistency with S117 Direction – 3.5 Development Near Licensed Aerodromes**

| Provision                                                                                                                                                                                                                                                                                                                                                                                     | Comment                                                                                                                                                                                                                                                                                                                                                               | Consistent? |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>(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:</b>                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                       |             |
| a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,                                                                                                                                                                                                                                                                                | This will be undertaken as part of preparation of the detailed Planning Proposal.                                                                                                                                                                                                                                                                                     | Yes         |
| b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,                                                                                                                                                                                                                                                                           | The building heights described in the preliminary master plan are below the OLS.                                                                                                                                                                                                                                                                                      | Yes         |
| c) for land affected by the OLS: <ul style="list-style-type: none"> <li>– prepare appropriate development standards, such as height, and</li> <li>– allow as permissible with consent development types that are compatible with the operation of an aerodrome</li> </ul>                                                                                                                     | <ul style="list-style-type: none"> <li>– development standards ensure that new development would be beneath the OLS</li> <li>– the detailed Planning Proposal will be accompanied by an acoustic study which identifies existing noise conditions and inform provisions to manage potential conflicts between aerodrome operations and proposed land uses.</li> </ul> |             |
| 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.                                                                 | N/A                                                                                                                                                                                                                                                                                                                                                                   | N/A         |
| <b>(5) A Planning Proposal must not rezone land:</b>                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                       |             |
| 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                                                                                                                                                                                                                  | Precinct 47 is within the ANEF25+ area.                                                                                                                                                                                                                                                                                                                               | No.         |
| b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or                                                                                                                                                                                                                                                                                                                | Marrickville Public School is already located within the ANEF25 – ANEF30 area. The Planning Proposal does not rezone land specifically for any of these uses, however it is noted that some of these uses would be permissible within the proposed zones.                                                                                                             | No          |
| c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.                                                                                                                                                                                                                                                                                                                 | Approximately 60% of Precinct 47 is within the ANEF30-ANEF35 bracket.                                                                                                                                                                                                                                                                                                 | No          |
| <b>(6) A Planning Proposal that rezones land:</b>                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                       |             |
| a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or<br>b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or<br>c) for commercial or industrial purposes where the ANEF is above 30,<br>must include a provision to ensure that development meets AS 2021 regarding interior noise levels. | As detailed in <b>Section 6.0</b> , interior noise level criteria under AS 2021 can be achieved using commercially available building treatments and design measures where residential uses are permitted within Precinct 47. The requisite condition is included as a proposed provision in <b>Section 5.2</b> .                                                     | Yes         |

### 7.2.3 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The State Environmental Planning Policies directly applicable to the Planning Proposal are addressed in **Table 14** below.

**Table 14** – Consistency with State Environmental Planning Policies

| Planning Instrument                                              | Provision                                                                                                                                                                                                                                                                                                                                                                                                  | Comment                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State Environmental Planning Policy No. 55 – Remediation of Land | When rezoning land the relevant planning authority must not permit a change of land use unless the planning authority has considered whether the land is contaminated, and whether the land is suitable, or can be made suitable for all purposes for which the land will be zoned.                                                                                                                        | Detailed Environmental Site Assessments have been prepared for parts of Precinct 47 by Aargus. This assessment indicates that the precinct is not subject to widespread contamination, and is generally suitable for commercial and residential uses subject to further investigation and remediation of localised contamination hotspots. |
| State Environmental Planning Policy No. 32 – Urban Consolidation | Each council must consider and the Minister must consider whether urban land is no longer needed or used for the purposes for which it is currently zoned or used, whether it is suitable for redevelopment for multi-unit housing and related development in accordance with the aims and objectives of this Policy and whether action should be taken to make the land available for such redevelopment. | A transition from IN1 Industrial to a mixed business use will result in a reduction of offensive or hazardous business operations within the precinct that currently prohibit residential development from occurring.                                                                                                                      |

### 7.2.4 Is the Planning Proposal consistent with the local Council's strategic plan?

#### Marrickville Urban Strategy 2007

The Marrickville Urban Strategy (MUS) was adopted by Marrickville Council in April 2007, and formed the basis for the planning controls ultimately adopted in the Marrickville LEP 2011. Now over seven years old, this strategy relies on a number of strategic plans and data which has been superseded in the intervening period. Notwithstanding this, there are a number of strategic directions and objectives contained within the identified in the MUS which are relevant to this Planning Proposal.

#### Strategy Principles and Directions

The MUS recognises the need to provide additional housing to adapt to demographic change and population growth. In particular, the strategy notes that shrinking household sizes within the Marrickville LGA and the need to provide additional housing to support Sydney's population growth are both key drivers for the delivery of new infill housing. Since the publication of the MUS, the NSW Planning & Infrastructure has revised its population growth estimates for the Sydney metropolitan region (refer **Section 5.2**).

Section 4.7 of the MUS identifies the key directions which summarise Council's high level directions for future urban planning. The Planning Proposal's consistency with these directions is detailed in **Table 15** below.



**Table 15** – Consistency with Marrickville Urban Strategy directions

| Direction                                                                                                                                                           | Comment                                                                                                                                                                                                                                                                                                                                        | Consistent? |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1) Continue to support Marrickville's diverse community;                                                                                                            | Supporting creative industries, maintaining employment and providing greater diversity in housing stock are key elements of this Planning Proposal which will support Marrickville's diversity.                                                                                                                                                | Yes         |
| 2) Focus new residential development in existing centres with good public transport and services to improve housing choice;                                         | Precinct 47 is bisected by a Strategic Bus Corridor identified by the NSW Government, and is close to a number of existing local centres with retail, community and recreational services. The proposal will support housing diversity through the introduction of a range of housing types which are less common within the Marrickville LGA. | Yes         |
| 3) Strengthen and renew the Marrickville/Sydenham strategic employment lands;                                                                                       | The Planning Proposal strengthens the Marrickville Employment Lands by supporting a transition from declining industrial and manufacturing industries toward a mixed-business precinct which can adapt to the changing economic and business needs of Sydney                                                                                   | Yes         |
| 4) Enhance the distinctive character of local centres;                                                                                                              | The Planning Proposal ensures that the precinct does not directly compete with, or detract from, established centres within the Marrickville LGA. The increased residential activity within the precinct will support the economic viability of existing centres within the locality.                                                          | Yes         |
| 5) Improve local public transport, walking and cycling connections to centres;                                                                                      | The Planning Proposal includes new pedestrian and cyclist street connections within the precinct and will support the redevelopment of the precinct with accompanying public domain upgrades.                                                                                                                                                  | Yes         |
| 6) Continue to improve local parks and public domain in centres;                                                                                                    | The Final Planning Proposal will be accompanied by a Development Control Plan and Draft Contributions Plan which facilitate improvements to the public domain.                                                                                                                                                                                 | Yes         |
| 7) Investigate opportunities to increase community facilities; and                                                                                                  | The Preliminary Planning Proposal identifies opportunities to provide enhanced community facilities which will be further investigated in collaboration with Council and the community, and will be facilitated through the Draft Contributions Plan which accompanies the Final Planning Proposal.                                            | Yes         |
| 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. | The Final Planning Proposal will be accompanied by an Ecologically Sustainable Development Strategy to provide guidelines to ensure that future development within the precinct supports environmental improvements across the precinct.                                                                                                       | Yes         |

### Employment Lands

The MUS states that:

*The employment lands in Marrickville, Sydenham, St Peters and Tempe provide both metropolitan wide and local employment opportunities. These lands are coming under increasing pressure for conversion to other activities. The employment lands are close and well connected to the airport and port and play a vital strategic economic role for Sydney's and the country's benefit. They also provide spaces for new enterprises and 'start-ups' for local businesses. As some large land users move to outer suburban locations, and production moves away from Sydney or offshore, there may be changes to the types of*

*businesses in these lands with, in some cases, less land required. This may provide opportunities for mixed use redevelopment of selected employment sites [our emphasis]. These redevelopments should occur according to strict criteria that ensure opportunities for economic development are not diminished. However, the strategic employment lands should be supported and strengthened to maintain suitable inner city locations to service future needs.*

It may be necessary to modernise “run-down” industrial areas where opportunities arise and this will require partnership with landowners and the State Government.

The issues raised in this section of the MUS are addressed in Section 5.0 and elsewhere in this Preliminary Planning Proposal. Importantly, the Preliminary Planning Proposal is consistent with this provision in that it:

- targets no net loss in employment within the precinct;
- seeks to better accommodate and foster new enterprise and ‘start-ups’ within the Victoria Precinct, including for creative uses; and
- aims to modernise a ‘run-down’ industrial area and future-proof the area to ensure the continuation of local employment within the precinct.

#### **Housing and Living – Action 1.4: Select Rezoning of Industrial Sites**

Whilst Action 1.4 of the MUS is focused on isolated industrial lands, recent State Government policy shifts in regard to industrial lands mean that this MUS Action has significant relevance to Precinct 47. In particular, Action 1.4 states (with our emphasis) that:

*This action proposes that selected industrial areas are considered for ‘mixed use’ activities. Sites would **require comprehensive masterplanning**, with particular attention to providing an **appropriate treatment of transition areas to control potential amenity impacts with other industrial lands** as well as **potential impacts on business competitiveness**. These sites would be required to **maintain and enhance employment** on rezoned land by identifying **opportunities for community services** (refer to Action 7.2) and **creative industries** (refer to Action 4.4). Opportunities for the **provision of public open space** as part of the redevelopment should also be considered (refer to Action 9.2).*

Further, Action 1.4 identifies a series of criteria which should be considered if a change of use is to be considered, which are reproduced and addressed in **Table 16** below.

**Table 16** – Consistency with Action 1.4 of the Marrickville Urban Strategy

| Criteria                                           | Comment                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is located close to a centre.                      | Precinct 47 is located in close proximity to Marrickville Metro (stand alone shopping centre), Marrickville Road (village) and Newtown (town centre).                                                                                                                                                                                   |
| Is redundant from historical industry perspective. | Refer to <b>Section 6.1</b> . Traditional industrial and manufacturing activities within Precinct 47 have been in decline for a number of years, and this trend is expected to continue. There are opportunities to revitalise the precinct with new employment uses more appropriate to the local demographic of the Marrickville LGA. |
| Is well serviced by public transport.              | Refer to <b>Section 2.4</b> . Victoria Road is identified as a strategic bus corridor with direct services to the Sydney CBD and a number of local and subregional centres.                                                                                                                                                             |
| Is within walking distance of public open space.   | Refer to <b>Section 2.4</b> . There are a number of open space areas within and in close proximity to Precinct 47, and there is also opportunities to introduce new open space should urban renewal occur.                                                                                                                              |

| Criteria                                                                                                                                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Development can occur in a way that responds to aircraft, road or rail noise.                                                                                  | As discussed in <b>Section 6.4.2</b> , it is expected that impacts from aircraft and other noise sources can be appropriately managed through design controls and implementation of appropriate performance standards.                                                                                                                                                                                                                                                                                        |
| Provides opportunities for improving public domain.                                                                                                            | The existing public domain within Precinct 47 is in poor condition and deters pedestrian and cyclist activity. As demonstrated in the Master Plan Design Report prepared by Turner Studio ( <b>Appendix 0</b> ), there is significant scope for the urban renewal of this precinct to drive improvements in public domain.                                                                                                                                                                                    |
| Is not located close to strategic assets (port, airport or freight lines).                                                                                     | Precinct 47 is not identified as strategic economic land in the Sydney Airport Master Plan 2033.                                                                                                                                                                                                                                                                                                                                                                                                              |
| Rezoning would not result in conflicts between residential uses and industrial uses that impact upon residential amenity, and hinder business competitiveness. | <p>The proposed configuration of land uses detailed within the Preliminary Planning Proposal have been designed to minimise potential land use conflict and would be reinforced through design controls within the Draft Development Control Plan which would be prepared to accompany the Final Planning Proposal.</p> <p>The planning proposal seeks to limit retail development within Precinct 47 in order to protect and strengthen the role of existing retail centres within the Marrickville LGA.</p> |

In light of the above it is considered that urban renewal of Precinct 47 as envisaged in the Preliminary Planning Proposal is consistent with and supports the objectives and actions identified in the MUS.

### Marrickville Public Art Strategy 2003

The master plan for Precinct 47 envisions an urban area which fosters and grows the emerging creative uses within the locality by providing spaces for artists and galleries, particularly centred around Rich Street. The Draft DCP which accompanies the Final Planning Proposal would include measures consistent with the Marrickville Public Art Strategy to ensure that public art is a prominent feature throughout the precinct and can evolve in a way which engages the local arts community within the precinct and surrounding areas.

## 7.3 Environmental, Social & Economic Impact

### 7.3.1 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?

There is no critical habitat or threatened species, populations or ecological communities, or their habitats on or around the site that will be affected by the Planning Proposal.

### 7.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No environmental effects are likely as a result of the Planning Proposal other than those discussed in **Section 6.0**. These issues will be further investigated as part of the Final Planning Proposal process and recommendations made to manage or mitigate any potential adverse impacts.

The environmental issues associated with the detailed design and construction of development envisaged in this Planning Proposal would need to be addressed in detail in future Development Applications.

### 7.3.3 How has the Planning Proposal adequately addressed any social and economic effects?

Economic effects are addressed in Section 6.1. Where necessary, detailed assessments of the economic, employment, social and cultural impacts will inform and accompany the Final Planning Proposal for assessment and public exhibition.

## 7.4 State and Commonwealth Interests

### 7.4.1 Is there adequate public infrastructure for the Planning Proposal?

#### Utility Services Infrastructure

The full range of utility services, including electricity, telecommunication, gas, water, sewer and stormwater drainage is available in and in the vicinity of the precinct. Further investigation of utilities infrastructure capacity will be undertaken as part of the detailed site investigations to inform the Final Planning Proposal.

#### Transport Infrastructure

A designated strategic bus corridor runs along Victoria Road through the centre of the precinct, providing regular bus services to nearby train stations and key subregional destinations including the Sydney CBD.

#### Social Infrastructure

Marrickville Public School is located within the centre of Precinct 47, whilst Marrickville High School is located approximately 800m to the west of the precinct. It is understood that there is existing capacity within these schools and nearby education facilities to accommodate population growth.

Marrickville Library is located within 850m walking distance of the precinct edge, and it is also noted that Council has sought expressions of interest for the development of a new Marrickville Community Hub on the corner of Livingstone Rd and Marrickville Road.

There will be opportunities to incorporate new child care centres and community facilities within Precinct 47 as part of future development. In addition, new development within the precinct will be levied for development contributions in order to provide community services and social infrastructure in the area.

### 7.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation requirements will be specified by the LEP Gateway Review Panel, and the outcomes of these discussions will be detailed in the Final Planning Proposal. Relevant government stakeholders in the Planning Proposal process include:

- Marrickville Council;
- NSW Department of Planning and Environment;
- Transport for NSW;
- NSW Department of Education and Training;



- Sydney Airport Corporation Limited;
- Airservices Australia;
- Civil Aviation Safety Authority;
- Commonwealth Department of Infrastructure & Regional Development; and
- relevant utilities providers (e.g. Sydney Water, Ausgrid, Jemena).

To date, preliminary discussions have been held with Marrickville Council, the NSW Department of Planning and Environment and Marrickville Public School.

## 7.5 Future Supporting Studies

As identified within **Section 6.0** of this Proposal, future supporting studies will be prepared or updated to support the final detailed Planning Proposal in relation to the following key planning issues:

- Employment and economic impact;
- Transport management and access plan ;
- Stormwater and flooding;
- Noise;
- Infrastructure and services including stormwater, sewer, electricity, gas, and telecommunications; and
- Community needs assessment and Draft Contributions Plan.

## 8.0 Conclusion

The purpose of this Preliminary Planning Report is to support the rezoning process for Precinct 47 by documenting and integrating the environmental, social and economic analysis undertaken for consideration by Marrickville Council and the LEP Gateway Review Panel. The Preliminary Planning Proposal has been prepared in response to a resolution by Marrickville Council in May 2012 to invite the proponent to further investigate the future use of the precinct. Detailed site investigations, design and assessment will follow should the proposal receive a Gateway Determination allowing it to proceed, and will inform the Final Planning Proposal and Draft Development Control Plan which will be subject to further assessment and public consultation.

The economic profile of inner-city industrial lands has changed dramatically over the past fifty years as Sydney's economy has transitioned from a manufacturing and industrial economy to a service and knowledge-based city. Infrastructure advances in Sydney, including the development of the orbital road network, has prompted the migration of 'traditional' industries to Western Sydney, where businesses have better access to appropriately sized and serviced land and appropriately skilled labour markets. This transition has seen a decline in the economic viability, employment intensity and urban amenity of Precinct 47.

The need to renew planning controls for Precinct 47 provides an opportunity to achieve a positive urban renewal outcome that meets the employment and housing needs of the Marrickville LGA. Based on an identified demand for a new mix of non-retail business premises, including creative industries, homeware showrooms, food wholesaling and offices, the Master Plan for Precinct 47 seeks to ensure that the precinct can transition to grown and modernise employment to better reflect the precinct's location, access to infrastructure and local employment needs whilst maintaining half of the precinct for viable light industrial uses. The transition away from noisy and polluting industries also presents an opportunity to integrate new housing create a vibrant mixed-use precinct to meet demand for housing generated by population growth, changing demographics and address the need for more affordable and accessible housing.

The report has documented and assessed the capability of the land to be rezoned for mixed business and residential uses, and has examined the strategic environmental, economic, social and infrastructure implications associated with the proposal. Based on the information provided in the specialist assessments, we have concluded that there is clear strategic merit for the proposal to progress to detailed planning and assessment. In light of the above we recommend that Council and the Gateway Panel support the Preliminary Planning Proposal.