

Item No: C0715 Item 3

Subject: MARRICKVILLE HERITAGE REVIEW 2014

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SUMMARY

Council provided an allocation within its 2012/13 budget for the completion of three heritage projects. Those projects were a heritage review of southern sections of the Marrickville local government area (defined as areas south of the Illawarra/Bankstown railway line) for potential new Heritage Items and Heritage Conservation Areas; a contributory building assessment of six nominated commercial centres for inclusion within Marrickville Development Control Plan (MDCP) 2011; and a heritage assessment of three potential Heritage Items (1 individual building and 2 groups of buildings) for potential listing as Heritage Items and/or Heritage Conservation Areas. Those projects have now been completed and are detailed within this report.

It is recommended that Council resolves to prepare a planning proposal and exhibit the recommendations of the Heritage Projects as detailed in **ATTACHMENT 1** to this report.

The report also recommends that Council resolves to undertake a number of actions arising from the heritage projects in relation to ongoing management and identification of heritage within the local government area as part of future heritage reviews.

RECOMMENDATION

THAT:

1. the report be received and noted; and
2. Council adopts the recommendations in **ATTACHMENT 1** to this report.

Our Place, Our Vision – Marrickville Community Strategic Plan 2023	
3.9	Marrickville's built environment demonstrates good urban design and the conservation of heritage, as well as social and environmental sustainability

BACKGROUND

During its consideration of the draft MLEP 2010 at its Extraordinary Meeting of 24 May 2011 Council resolved that a further report be prepared outlining the scope and estimated cost for a further heritage study process. This was due to the high level of community interest in the heritage provisions of the draft LEP.

A heritage review scoping report was considered by Council at its meeting of 15 November 2011. This report outlined the costs and implications of four options for Council to undertake further heritage assessments of the local government area. Following consideration of this report, it was resolved that:

Item 3

1. Council resolve to undertake a heritage review in broad accordance with Option 2 with the heritage assessment of Hoskins Park and environs in Dulwich Hill being preferably undertaken and funded by savings within the existing Planning Services budget and Projects 1&2 within Option 2 subject to the allocation of funds for this study as part of the 2012/13 budget process;
2. noting that few heritage Items and no conservation areas have been nominated in the southern part of the municipality, Council officers provide a further report to Council as soon as possible indicating ways in which items and areas in Marrickville's Southern area-defined as South of the railway Line - can be included in Option 3, even if only as preliminary work; and
3. that the supplementary report also provide more specific estimates for the work, to enable proper consideration as an item in the 2012/13 budget.

Option 2 included three distinct heritage projects as follows:

- *Project 1: Review of List of Potential Heritage Items; assessment of an internal list of potential heritage items predominantly collated by Council's Heritage & Urban Design Advisor. Several items are also derived from Paul Davies & Associates 2009 report into potential Heritage Items, which recommended Council pursue several other properties for heritage listings. The Marrickville Heritage Society would also be approached to nominate their recommendations for additional Heritage Items.*
- *Project 2: Heritage Review of Hoskins Park and surrounds, Dulwich Hill; this project is derived from Council's receipt of over 400 proforma letters of support for a Heritage Study Review of Hoskins Parks and environs, since June 2011.*
- *Project 3 – Streetscape/Contributory Building Assessment of Commercial Centres; this project involves an extension of work previously completed as part of the development of the new planning controls, relating to commercial centres. A Contributory Buildings Map was developed for the following Heritage Conservation Areas located within commercial centres: Dulwich Hill Commercial Precinct (HCA 28), Petersham Commercial Precinct (HCA 25) & Marrickville Civic Precinct (HCA 30).*

In response to Item 2 of the November 2011 resolution on the scope and costs involved in a heritage study of the southern areas of the Marrickville LGA (defined as the area south of the Illawarra/Bankstown Railway line) to identify new potential Heritage Items and Heritage Conservation Areas Council resolved in December 2011 to:

1. *undertake a heritage review of the southern sections of the Marrickville LGA generally in accordance with the scope of work contained within this report.*
2. *seek funding as part of the 2012/13 budget to undertake the heritage review.*
3. *include additional heritage projects at 89A-E and 91 Camden Street, & 11-19 James Street, Enmore; 16-22 Hastings Street, Marrickville; and 17 Railway Terrace, Lewisham, as part of this project.*
4. *develop a heritage nomination process for community nominations for potential Heritage Items within the southern section of the LGA, as well as seeking nominations from the Marrickville Heritage Society.*

A budget allocation \$100,000 was provided within the 2012/13 budget to fund the heritage projects. As per Council's resolution of 15 November 2011 the heritage assessment of Hoskins Park and environs was undertaken from savings within the Planning Services budget and completed as a separate process in September 2012. The subsequent MLEP 2011 and MDCP 2011 amendments are being processed as part of the Amendment 2 process.

The final brief for the Heritage Review process included the following projects:

1. A Heritage Review of southern sections of the Marrickville local government area (defined as areas south of the Illawarra/Bankstown railway line) for potential Heritage Items (including proposed items list provided by Council) and Heritage Conservation Areas, for inclusion within Marrickville Local Environmental Plan 2011;
2. A Contributory Building Assessment & Mapping of six (6) select Commercial Centres, for inclusion within Marrickville Development Control Plan 2011; and
3. A Heritage Assessment of three (3) potential Heritage Items (1 individual building and 2 groups of buildings) for potential listing as Heritage Items or Heritage Conservation Areas (either as new Heritage Conservation Areas or expansion of existing Heritage Conservation Areas) within MLEP 2011.

A copy of the brief is included at **ATTACHMENT 2** to this report. The brief was distributed to five heritage consultancy firms contained within Council's Heritage and Urban Design consultants register as part of a selection process. The brief specified the requirements for each project and requested an expression of interest for each project and explained that it was not essential that all projects be completed by the same consultant.

The successful submitters were:

Project 1 Southern Areas Assessment: Paul Davies Pty. Ltd.

Project 2 Contributory Building Mapping for 6 centres: Paul Davies Pty. Ltd

Project 3 Potential Heritage Items Assessment: NBRIS + Partners

This report contains a number of attachments developed through the course of the projects. **ATTACHMENTS 1 and 2** are explained above. A description of the remainder of the attachments is as follows:

ATTACHMENT 3: Assesses each of the proposed Heritage Items nominated by the Marrickville Heritage Society and explains the reasoning behind whether or not they were forwarded to the consultants for further assessment.

ATTACHMENT 4: Summarises each proposed heritage recommendation from the Southern Areas Assessment Report.

ATTACHMENT 5: During the development of the Southern Areas Report, it became evident that funding would allow for the assessment of 1 additional potential Heritage Item. The attachment lists all of the potential Heritage Items identified during the fieldwork and provides an assessment of their risk of demolition/alteration. This assessment identified 30 & 32 Schwebel Street, Marrickville as most at risk and therefore as the additional item for assessment as part of this study.

ATTACHMENT 6: Provides a full list of potential Heritage Items identified during fieldwork for Project 1 (Southern Areas Assessment) and Project 2 (Contributory Building Assessment & Mapping). This attachment includes all of the **ATTACHMENT 5** potential Heritage Items which could not be fully assessed as part of the Southern Areas Assessment due to budget limitations.

ATTACHMENT 7: Draft Heritage Inventory Sheet for 36 Terminus Street, Petersham, providing an assessment against relevant heritage criteria.

ATTACHMENT 8: List of MLEP 2011 errors and anomalies which can be rectified as part of the planning proposal recommended to be prepared as a result of this report.

DISCUSSION

The following discussion provides an overview of the findings of each of the three projects and the associated MLEP 2011 and MDCP 2011 amendments that are necessary to implement the recommendations of the projects.

Project 1 – Southern Areas Assessment

The aim of this project was to obtain a thorough understanding of the heritage significance of the southern sections of the Marrickville local government area, including the identification of potential Heritage Items, Heritage Conservation Areas and a written summary of the historical development of the area.

Council staff had previously compiled a list of potential heritage items identified through the planning and assessment functions of Council. The Marrickville Heritage Society (MHS) were also contacted to nominate a list of potential heritage items and heritage conservation areas for the southern section of the Marrickville LGA. These lists were collated and refined by Council officers to fit within the project's budget. The reasoning for including or excluding each MHS nomination was documented and is shown at **ATTACHMENT 3** to this report. It should be noted that many of the MHS nominations were already contained within Council's potential items list.

The resultant list contained 41 potential heritage items for initial assessment by the consultants. All 41 items in the initial review list were visited during fieldwork and photographs of each item taken from the street. Current satellite and 1943 aerial photographs were compared for each item to determine whether building footprints or roof forms had changed in that period, and to what extent. On the basis of this work, the list was further refined to 30 potential heritage items to undergo detailed historical research. An assessment of the potential heritage items is included as **ATTACHMENT 4**.

The brief required the consultants to survey and assess the entire southern section of the LGA to determine heritage values, including heritage values of the public domain. Consequently, no potential heritage conservation area boundaries were suggested for assessment, as it was the role of the study to identify any potential heritage conservation areas as part of the survey process.

The final report was received by Council in April 2015 and is available for viewing at www.marrickville.nsw.gov.au/en/development/heritage-and-conservation/. The report presents a thorough thematic history for the southern parts of the Marrickville LGA, as well as a more detailed assessment of the Carrington Road area as requested by the brief. The key recommendations of the report are:

- 71 New Heritage Items as shown in **ATTACHMENT 5**.
- New Heritage Conservation Area at Lackey Street and Simpson Park, St Peters (page 144 of Southern Areas Assessment report).
- Expansion of existing Heritage Conservation Area 16 – Goodsell Street, St Peters (page 145 of Southern Areas Assessment report).
- Modification for existing heritage listing of select buildings at Carrington Road, Marrickville (page 129 of Southern Areas Assessment report).
- Future heritage review of other potential Heritage Items identified as part of the study.

- Proposed listing of brick and sandstone kerbing located in Tempe, Sydenham and St Peters (Items 11 & 12 in **ATTACHMENT 5** table). The report recommends that Council review the extent and integrity of the sandstone and brick kerbing in the identified streets and map the extent and location of the sandstone and brick kerbing in those streets (currently, some sandstone and brick kerbing and footpaths are heritage listed but not to their full extent). Following this process, it is recommended that Council develop a management strategy for historic sandstone and brick kerbing within the Marrickville LGA. For example, one approach could be that in streets where such historic kerbing is fragmentary (which will be apparent from the mapping), the kerbing could be allowed to be removed from those streets in order to repair the historic kerbing in streets with more extensive and intact historic kerbing. Based on the mapping information, Council consider heritage listing extensive intact runs of sandstone and brick kerbing in particular streets (not remnants). It is recommended that these investigations be undertaken as part of the next heritage review process.
- Itemisation of Section 170 Register assets (as detailed in **ATTACHMENT 6**)

All NSW State government instrumentalities, organisations and agencies are required to prepare heritage and conservation registers in accordance with Section 170 of the NSW Heritage Act 1977. Section 170 requires agencies to identify, conserve and manage heritage assets owned, occupied or managed by that agency. The register identifies buildings, but may also include natural, moveable, archaeological, landscapes and Aboriginal heritage. The progress of agencies in preparing registers and managing their heritage assets is monitored by the Heritage Council, and Section 170 Registers are submitted to the Heritage Council of NSW for endorsement.

A number of government owned assets and buildings identified within a relevant Section 170 Register are not listed as heritage items under MLEP 2011. The Southern Areas Assessment Report notes this situation and recommends that all Section 170 heritage listed items for Marrickville LGA be reviewed and any Section 170 listed heritage items which are not currently included in MLEP 2011 be added to the LEP heritage schedule following public exhibition and consultation with the relevant NSW State agencies. A total of 29 properties on Section 170 registers are not listed as heritage items under MLEP 2011. These items are shown in **ATTACHMENT 5**.

Two of these properties, within the 28-44 Campbell Street, St Peters, group are privately owned despite still being located on the Section 170 for the Roads and Maritime Service (RMS) and are currently being subject to acquisition as part of the WestConnex process. Despite this, it is recommended that the entire group be listed as it consists of a row of Victorian terraces and has been assessed as a group. All property owners, including the State agencies, will be notified of the proposed listing as part of the LEP Amendment public exhibition process. It should be noted that the provisions of the State Environmental Planning Policy (Infrastructure) 2007 requires public authorities to consult with Council before undertaking development that is likely to have an impact that is not minor or inconsequential on a local heritage item, and to take into consideration any comments received.

The report recommends that Council amend MLEP 2011 to include the Section 170 Register Items not already listed as local heritage items. Heritage Inventory Sheets will be compiled from the existing Section 170 Registers and will be publicly exhibited.

Proposed DCP Amendments

The proposed MLEP 2011 amendments will necessitate consequential amendments to MDCP 2011 to reflect the new and/or amended heritage listings. The amendments will be to Part 8 *Heritage* and Part 9 *Strategic Context*. Other references within the document will also require amendment to ensure they are consistent with the relevant provisions in MLEP 2011.

Item 3

This report recommends that Council resolve to make any consequential amendments to MDCP 2011 to ensure that the document is consistent with MLEP 2011. All MDCP 2011 amendments will be publicly exhibited concurrently with the proposed amendments to MLEP 2011.

Project 2 – Contributory Building Assessment & Mapping of six (6) select Commercial Centres

MLEP 2011 incorporates planning controls to allow for increased residential development in a number of commercial centres, whilst focussing on the management of streetscape changes to retain the existing character of those areas. Managing those impacts was particularly important within commercial centres which were also located within heritage conservation areas, being:

- HCA 5: Parramatta Road Commercial Precinct;
- HCA 25 Petersham Commercial Precinct; and
- HCA 28 Dulwich Hill Commercial Precinct.

To manage changes within those areas, Council mapped all buildings considered to contribute to the character of those precincts, and included those maps within Part 8 (Heritage) of MDCP 2011.

Section 5.1.1 within Part 5 (Commercial and Mixed Use Development) of MDCP 2011 defines a 'contributory building' as representing a significant historical period layer for the Heritage Conservation Area, which is either substantially intact or has reversible alterations. Where Council determines that a building is contributory, as a minimum, the street fronting portion of the existing building (being the front most original structural bay where this is intact) is required to be retained to maintain the structural and aesthetic integrity of the building.

Whilst these controls have applied to commercial properties contained within Heritage Conservation Areas, it is acknowledged that significant buildings are located throughout the LGA's commercial centres. It is appropriate that these building be identified and all reasonable measures be used to maintain their existing character in the event of redevelopment. Project 2 extends the mapping of contributory buildings to six other commercial centres within the LGA, being:

- **Parramatta Road (Camperdown – Lewisham)**– All buildings on the southern side of Parramatta Road between Nos. 101 Parramatta Road (western corner of Mallet Street), Camperdown and Nos. 824-826 Parramatta Road (eastern corner of Brown Street), Lewisham; including all of the Parramatta Road Commercial Precinct Heritage Conservation Area (HCA 5).
- **Illawarra Road (Marrickville)** – All buildings south of Marrickville Road (business zoned areas) being Nos. 265 – 459 Illawarra Road (corner Renwick Street), Marrickville, on the eastern side and Nos. 236-412 Illawarra Road (northern corner of Renwick Street), Marrickville, on the western side. This area contains no Heritage Conservation Areas.
- **King Street/Enmore Road (Newtown/Enmore)** – All buildings on the western side of King Street between Nos. 241 King Street (corner of Church Street) Newtown (including 1-13 Bedford Street) and Nos. 631 King Street (corner Lord Street), Newtown; and both sides of Enmore Road from Nos. 2-214 Enmore Road (eastern corner of Edgeware Road) and 1-213 Enmore Road, Enmore (eastern corner of Edgeware Road) and including 2 Stanmore Road. This area is contained within the King Street and Enmore Road Heritage Conservation Area (HCA 2).

- **New Canterbury Road (Hurlstone Park)** – All buildings on the northern side of New Canterbury Road from Nos. 715 & 875 (eastern corner of Old Canterbury Road). This area contains no Heritage Conservation Areas.
- **Wardell Road (Dulwich Hill)** - All commercial buildings north of the station between Nos. 231 Wardell Road (southern corner of Keith Street) and 245 Wardell Road (northern corner of Bedford Crescent). This area is adjacent to, but not contained within a Heritage Conservation Area.
- **Stanmore shops (Stanmore)** – All commercial buildings located north of Stanmore Station being Nos. 83-117 Percival Road; & 16-18 Douglas Street; and 88-140 Percival Road (corner Douglas Street). This area is contained within the Annandale Farm Heritage Conservation Area (HCA 6).

Period buildings within commercial areas are different to contributory buildings within Heritage Conservation Areas and will be subject to the 'Design Guidelines' section within Part 5 (Commercial and Mixed Use Development) of MDCP 2015 for their relevant building type. These buildings and the associated guidelines do not receive the same level of statutory weight as the Conservation Areas which is unavoidable due to the provisions of the EP&A Act. Notwithstanding the Part 5 provisions in the DCP provide guidance and alert proponents of development to the positive aspects of retaining heritage as part of redevelopments.

This project was completed in April 2015 and the report can be viewed at www.marrickville.nsw.gov.au/en/development/heritage-and-conservation/. It is proposed to extend the existing controls contained within Section 5.1.1 to properties identified as contributory buildings within Project 2. Consequently, the maps contained within Section 8.4.2 will include the six commercial centres evaluated as part of this project.

The report makes general recommendations relating to controls contained within Part 5 of MDCP 2011 (Commercial and Mixed Use Development) and recommends that the word 'contributory buildings' only be used for properties within Heritage Conservation Areas. Properties identified in Project 2 should be identified as 'Period Buildings' according to the report as these are not within HCAs. It is recommended that Section 5.1.1 be amended to reflect this differentiation in accordance with the wording contained within the Project 2 report.

It should be noted that development applications affecting period and contributory buildings will each be subject to referral to Council's Heritage and Urban Design Advisor. However, different sections of the MDCP 2011 will apply with contributory buildings subject to greater statutory protection. Period buildings are also not afforded the same level of protection from the provisions of the Codes SEPP.

The report also proposes an extension of the existing South Dulwich Hill HCA 29 to include Nos. 231-245 Wardell Road, Dulwich Hill. These properties comprise a group of shops which date from the period circa 1900-1920. All of the shops are identified within the report as period buildings representative of the Federation period (Nos. 231, 231A, 233-235, 237, 241 and 243 Wardell Road), and the inter-war period (239 Wardell Road). The report states that '*Given the consistency of the shops group, the overall integrity, and the proximity to HCA C29: South Dulwich Hill Conservation Area, it is recommended that the Wardell Road shops be incorporated into a Heritage Conservation Area, logically as an extension to HCA C29*'.

It is noted that the subject buildings are commercial in nature, whereas the remainder of HCA 29 comprises residential properties. However, the report notes '*there are precedents for incorporation of shops into a predominantly residential conservation area, both within the Marrickville local government area - as this is the situation with the Stanmore Shops which are part of HCA 6: Annandale Farm*.' In light of the above advice, it is recommended that MLEP 2011 Heritage Map be amended to show the proposed expanded boundaries of HCA 29 South Dulwich Hill Heritage Conservation Area.

Item 3

In its consideration of the LGA's commercial mainstreets, the report notes a substantial loss of original detailing and unsympathetic modifications including:

- Loss of post-supported balconies
- Enclosed balconies to first floor facades
- New windows within original window openings
- Inappropriate modern signage, particularly above awning level
- Inappropriate colour schemes

Council recently resolved to request a further report on what additional support Marrickville Council can provide towards maintaining and enhancing local heritage through measures such as a local heritage assistance fund or by other heritage related projects. Should Council subsequently decide to establish a local heritage assistance fund, the elements within the LGA's commercial centres noted above would be logical items for funding.

Further, the Contributory Building Assessment and Mapping report recommends that Council consider requesting a Statement of Heritage Impact and/or archaeological assessment report before granting consent for substantial demolition of a period building within a commercial centre which is over 50 years old.

The brief also required a review of controls contained within the previous DCP 34 King Street and Enmore Road: Heritage and Urban Design (now included as Section 8.2.4 King Street and Enmore Road - HCA 2 within Part 8 Heritage). These controls came into force in 2000 and have not been reviewed in detail since that time. The King Street and Enmore Road Heritage Conservation Area is one of the most recognised heritage areas within the LGA. A review of the current controls was appropriate to ensure controls for the area are up to date.

In this regard, the report recommends amendments to Section 8.2.4 as follows:

Remove from Section:

- All references to building rankings and replace with references to either heritage item or contributory building as applicable and include references to contributory building mapping.
- Image on page 34 which indicates support for the introduction of a third level to the street boundary for a two storey building as this should not be supported.

Introduce new parts into Section 8 as follows:

- **Summary of core heritage values and elements** (detailed in report)
- **Significant subdivision and public domain elements**
- **Elements that contribute to the consistency of the streetscape**
- **Subdivision** where site amalgamation is possible new development must reflect the original narrow subdivision pattern in the form and detailing of the streetscape presentation.

Make general amendments to the Section as follows:

- Divide existing controls into **General controls**; **Conservation controls**; and **Infill development controls**
- In **General controls** state that 'painted signs in a traditional form to awning fascias, below the cornice line of parapets, and to window and door glazing (for example gold painted lettering on window or door glazing) is encouraged.
- In **Conservation controls** refer to specific elements that contribute to the consistency of the streetscape (as visible from the public domain) including street alignments along ridgelines and district views; enclosed vistas created by street curves; intricate skyline views of elaborate decorative parapets; high urban density; retail shops built to street alignment, awnings over footpaths; roof forms appropriate to typology and period of construction; building heights appropriate to typology and construction.

- In **Infill development controls** note that there are limited new development opportunities within the HCA and that building identified as heritage items or contributory buildings are to be retained. Note that new development behind building facades must align with existing floor levels of fenestration to the retained façade.
- Amend **Management Policy** to be consistent with other relevant heritage commercial areas for example Petersham Commercial Precinct HCA 25. Include references to reinstatement of post-supported balconies, opening up and restoring enclosed or recessed balconies, appropriate colour schemes for contributory buildings.
- **Building facades** include that 'facadism' should be discouraged and roller shutters should be prohibited.
- Amend Section 8.1.9 **Archaeological sites** to include more detail as to the requirements for archaeological assessment reports and in what instances they may be required to be completed.

The complete list of recommended amendments to Section 8.2.4 is included in the Contributory Buildings report which can be viewed at www.marrickville.nsw.gov.au/en/development/heritage-and-conservation/.

Project 3 – Heritage Assessment of three Potential Heritage Items

Previous heritage studies commissioned by Council in the development of the MLEP 2011 and MDCP 2011 identified several of potential additional Heritage Items or Heritage Conservation Areas. This project involved a heritage assessment of those properties, being:

- **89A-89E & 91 Camden Street & 11-19 James Street, Enmore** (identified in the Heritage Peer Review Report prepared by Tanner Architects, 2011)
- **16-22 Hastings Street, Marrickville** (identified in the Heritage Peer Review Report prepared by Tanner Architects, 2011)
- **17 Railway Terrace, Lewisham** (identified in HCA boundary review prepared by Paul Davies Pty. Ltd., 2011)

Council made available to the consultants all previous correspondence with property owners regarding their properties, including structural engineers' reports relating to 17 Railway Terrace, Lewisham.

This project was completed in April 2015 (available for viewing at www.marrickville.nsw.gov.au/en/development/heritage-and-conservation/) and recommends the following:

- The listing of 17 Railway Terrace, Lewisham as a Heritage Item.
- The extension of the boundaries of Heritage Conservation Area 26 – Lewisham Estate Heritage Conservation Area to include No. 17 Railway Terrace, Lewisham.
- The listing of the properties at 89A-E & 91 Camden Street & 11-19 James Street, Enmore as a Heritage Conservation Area.
- No heritage listing for 16-22 Hastings Street, Marrickville.

Both the Southern Areas Assessment and the Contributory Building Assessment & Mapping of the six nominated commercial centres identify a number of potential heritage items as a result of their fieldwork and other research. This list is included as **ATTACHMENT 6** to this report. It is recommended that the cost and process to investigate these properties be addresses as part of the forthcoming heritage report examining ways in which Council can support and protect heritage within the LGA.

Additional Heritage Amendments

Council has previously resolved to heritage list the following:

- 6 Livingstone Road, Petersham, known as the 'Beynon and Hayward' building.
- The "I Have a Dream" mural located on the eastern wall of No. 305 King Street, Newtown.

This planning proposal provides an opportunity for Council to progress the above amendments, under the umbrella of a 'heritage' LEP amendment process. As Council has previously resolved to progress with these listings, these will be included as part of any planning proposal for the heritage projects the subject of this report.

Miscellaneous matters

36 Terminus Street, Petersham

No.36 Terminus Street is a terrace house constructed in 1885/1886 which is listed on the Register of the National Estate for the interior mural depicting people and events associated with Australia's involvement in the Sudan War during 1885. The mural is described as an early and rare example of an internal mural depicting historical events and believed to be sourced directly from cartoons appearing in newspapers and the Bulletin Magazine at that time. The mural is deemed significant for expressing a public patriotic statement about an early colonial military venture which received substantial public attention at the time. The mural is located on the north and east interior walls of the ground floor front room (the former shop section).

The Register of the National Estate is a non-statutory listing therefore does not provide any protection for the building or the mural. To ensure that the mural is protected, it is recommended that the property be listed in Schedule 5 of the MLEP 2011 for its interiors only. Council has had contact with the current property owners who are aware of the property's listing on the Register of the National Estate. A draft Heritage Inventory Sheet has been drafted for the property and is **ATTACHMENT 7** to this report.

Anomalies and errors

Council officers have identified a number of anomalies and errors within MLEP 2011 Schedule 5 Parts 1 and 2 and the Heritage Map that can be addressed as part of this planning proposal. The amendments will not make any substantive changes to the existing Schedule 5 but seek to improve its accuracy and usability. A full list of proposed amendments to rectify anomalies and errors is included at **ATTACHMENT 8** to this report. This report recommends that Council resolve to make those proposed changes to MLEP 2011.

FINANCIAL IMPLICATIONS

Nil for the Planning Proposal the subject of this report. A forthcoming report requested by Council at its 9 June 2015 meeting will provide advice on ways Council can assist in maintaining and enhancing local heritage. This report will consider the budget and resourcing implications of a future heritage review process, the heritage actions arising from the heritage projects in this report as well as other options such as a local heritage assistance fund.

PUBLIC PARTICIPATION

Public participation will occur as part of the public exhibition of the planning proposal. Proposed amendments to the MDCP 2011 will be exhibited concurrently.

CONCLUSION

The recently completed heritage projects recommend a number of amendments to the Marrickville LEP 2011 and DCP 2011. The amendments seek to ensure that identified items of heritage and streetscape value are adequately protected within Marrickville's planning controls. This report recommends that Council resolves to prepare and publicly exhibit a planning proposal to implement the findings of the heritage projects.

ATTACHMENTS

1. Report Recommendations
2. Marrickville Heritage Projects Brief
3. Marrickville Heritage Society Nominations
4. Proposed Heritage Items from Southern Areas Report
5. Potential Heritage Items - Refined List
6. Projects 1 and 2: Proposed Heritage Items
7. Draft Heritage Inventory Sheet - 36 Terminus Street Petersham
8. List of Errors and Amendments

THAT Council:

1. Resolves to prepare a Planning Proposal to amend Marrickville LEP 2011 Schedule 5 (Environmental Heritage) Part 1 and Part 2 and the Heritage Map that incorporates the following matters:
 - 71 new Heritage Items (12 of which are in Council ownerships and/or management; 29 of which are derived from Section 170 Registers) as recommended in the Southern Areas Heritage Report;
 - Include the 'I Have A Dream' mural, located on the eastern wall of No. 305 King Street, Newtown, as a Heritage Item;
 - Include No. 36 Terminus Street, Petersham, as a Heritage Item for its interiors only;
 - Include No. 6 Livingstone Road, Petersham, known as the 'Beynon and Hayward' building as a Heritage Item;
 - Include No. 17 Railway Terrace, Lewisham, as a Heritage item;
 - Amend existing heritage listing details for Heritage Item I68 (Carrington Road – Select industrial facades and Canary Island Palms) as detailed in this report;
 - Include HCA 37 – Lackey Street & Simpson Park, St Peters;
 - Include HCA 38 – Camden Street & James Street, Enmore;
 - Extend the boundaries of HCA 26 – Lewisham Estate Heritage Conservation Area to include No. 17 Railway Terrace, Lewisham;
 - Extend boundaries of HCA 16 – Goodsell Estate, St Peters to include sections of May Street & King Street as detailed in this report;
 - Extend boundaries of HCA 29 – South Dulwich Hill Heritage Conservation Area as detailed in this report;
 - Amend MLEP 2011 Schedule 5 (Environmental Heritage) Part 1 and Part 2 to rectify errors, anomalies and make other minor changes as shown in Attachment 8.
2. Submit the draft planning proposal to the Department of Planning and Environment for Gateway Determination.
3. Resolves to amend MDCP 2011 to incorporate the following matters:
 - Insert 8.2.39 Lackey Street & Simpson Park, St Peters - HCA 37 into Part 8 (Heritage);
 - Insert 8.2.40 Camden Street & James Street, Enmore – HCA 38 into Part 8 (Heritage);
 - Amend references within the MDCP 2011 to include HCA 37 and HCA 38 as necessary;
 - Amend 8.2.18 Goodsell Estate (St Peters) – HCA 16 to include the proposed new boundaries;
 - Amend 8.2.28 Lewisham Estate – HCA 26 to include proposed new boundaries including No. 17 Railway Terrace, Lewisham;
 - Amend 8.2.31 South Dulwich Hill - HCA 29 to include the proposed new boundaries and reference to commercial building types;
 - Amend 9.5 Lewisham South (Precinct 5) in Part 9 (Strategic Context) map to show proposed new boundaries including No. 17 Railway Terrace, Lewisham;
 - Amend 9.14 Camdensville (Precinct 14) in Part 9 (Strategic Context) map to include reference to HCA 38 - Camden Street & James Street, Enmore;
 - Amend 9.18 Dulwich Hill Station North (Precinct 18) in Part 9 (Strategic Context) map to show expanded boundaries of South Dulwich Hill – HCA 29;
 - Amend 9.25 St Peters Triangle (Precinct 25) in Part 9 (Strategic Context) map and text to show expanded boundaries of Goodsell Estate (St Peters) – HCA 16 and to include reference to HCA 37 - Lackey Street & Simpson Park, St Peters;
 - Amend Part 9.36 Petersham (Commercial Precinct 36) to reflect heritage listing of No. 6 Livingstone Road, Petersham;

- Amend Part 9.37 King Street and Enmore Road – Commercial and Part 8.2.4 King Street and Enmore Road – HCA 2 to include management recommendations for the Telstra Plaza, including the “I Have a Dream” mural and “We Have the Dreaming” murals;
 - Amend Part 8 (Heritage) to include contributory building maps and make reference to six select commercial centres as mapped in the Marrickville Contributory and Period Building Assessment and Mapping Project for 6 Select Commercial Centres (Paul Davies);
 - Amend Part 8 (Heritage) and Part 9 (Strategic Context) to ensure planning controls protect the identified contributory buildings and streetscape elements which contribute to the character of the commercial areas;
 - Amend Part 5 (Commercial and Mixed Use Development) as outlined in this report as per the recommendations of the Marrickville Contributory and Period Building Assessment and Mapping Project;
 - Amend Parts 8.2.4 (King Street and Enmore Road - HCA 2), 8.4.2 (Contributory buildings) and 8.1.9 (Archaeological sites) as outlined in this report as per the recommendations of the Marrickville Contributory and Period Building Assessment and Mapping Project.
4. Resolves to review the extent and integrity of the sandstone and brick kerbing in the identified streets within the Marrickville Southern Areas Heritage Review and map the extent and location of the sandstone and brick kerbing in these streets with the goal of heritage listing and developing a management strategy for historic sandstone and brick kerbing within the Marrickville LGA as part of the next heritage review process;
 5. Resolves to undertake a heritage assessment of potential heritage items identified through Project 1 Southern Areas Assessment and Project 1 Contributory Buildings and Mapping of 6 Commercial Centres as part of the next heritage review process;
 6. Consider options for the assessment of proposed heritage items contained in Attachment 6 and a policy to request Statement of Heritage Impact and/or archaeological assessment report before granting consent for substantial demolition of a period building within a commercial centre which is over 50 years old as part of a forthcoming report to Council on heritage management options;
 7. Resolves to rectify minor errors and/or anomalies in MDCP 2011 as shown in Attachment 8; and
 8. Resolves to public exhibit the draft planning proposal and MDCP 2011 amendments.