

Marrickville Local Environmental Plan 2011 - Heritage Matters

Proposal Title : **Marrickville Local Environmental Plan 2011 - Heritage Matters**

Proposal Summary : **The planning proposal seeks to amend Marrickville Local Environmental Plan 2011 (Marrickville LEP 2011) to:**

- include 75 new heritage items and two new heritage conservation areas;
- amend an existing heritage item at Carrington Road, Marrickville, and three existing heritage conservation areas; and to
- correct various errors and anomalies to the heritage schedules.

PP Number : **PP_2015_MARRI_002_00**

Dop File No :

Marrickville Local Environr

Proposal Details

Date Planning : **22-Oct-2015**

LGA covered :

Marrickville

Proposal Received :

Region : **Metro(CBD)**

RPA :

Marrickville Council

State Electorate : **MARRICKVILLE**

Section of the Act :

55 - Planning Proposal

LEP Type : **Policy**

Location Details

Street :

Suburb :

City :

Postcode :

Land Parcel : **The planning proposal applies to various sites across the Marrickville LGA.**

DoP Planning Officer Contact Details

Contact Name : **Michael Kokot**

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RPA Contact Details

Contact Name : **Maxine Bayley**

Contact Number : **0293352060**

Contact Email : **maxine.bayley@marrickville.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Diane Sarkies**

Contact Number : **0292286522**

Contact Email : **diane.sarkies@planning.nsw.gov.au**

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub

Consistent with Strategy :

Regional Strategy :

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

:

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings : 0

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment : The Department's code of conduct policy has been complied with.

Have there been No

meetings or

communications with

registered lobbyists? :

If Yes, comment : Metropolitan (CBD) has not knowingly met or communicated with any lobbyist in relation to this planning proposal.

Supporting notes

Internal Supporting
Notes :

The planning proposal seeks to amend Marrickville LEP 2011 to apply local heritage protection to 75 new heritage items and two new heritage conservation areas. The planning proposal also seeks to make changes to an existing heritage item (by amending the name, including additional properties and street trees) and expanding three existing heritage conservation areas; and to correct various errors and anomalies to certain heritage items listed under Part 1 and Part 2 of Schedule 5 Environmental Heritage of Marrickville LEP 2011.

The Department has assessed the planning proposal against the relevant State and strategic planning policies, with which it is consistent.

While Council heritage reports have not been attached to the proposal, the planning proposal adopts their recommendations, and they are publicly available on Council's website.

The planning proposal is supported, as it will improve the identification and management of items of local and State heritage significance.

External Supporting
Notes :

The planning proposal carries forward Marrickville Council's heritage identification and protection objectives, including heritage studies undertaken during the preparation of Marrickville LEP 2011. Council's decision to prepare further heritage studies following finalisation of this LEP has resulted in the contents of this planning proposal.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The intent of the planning proposal is to provide additional protection for local heritage items within the Marrickville Local Government Area, as well as correctly identify certain existing heritage items.

The planning proposal states the proposed heritage items are a mixture of public and private items, as well as some State Government assets listed under section 170 of the Heritage Act 1977.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The planning proposal includes details of the 75 heritage items and two heritage conservation items Council wishes to add to Marrickville LEP 2011. The submission also includes details of an existing heritage item at Carrington Road, Marrickville, and three existing heritage conservation areas Council wishes to amend.

While the errors and anomalies Council wants to correct are listed in Attachment 8 to Council's 21 July 2015 meeting, these details have not been itemised in Council's actual submission. It is recommended Council be requested to identify all of these anomalies, together with any relevant mapping needed to identify them, as part of the submission, for exhibition purposes.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones
2.3 Heritage Conservation
3.1 Residential Zones
4.1 Acid Sulfate Soils
4.2 Mine Subsidence and Unstable Land
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards
SEPP No 19—Bushland in Urban Areas
SEPP No 21—Caravan Parks
SEPP No 22—Shops and Commercial Premises
SEPP No 30—Intensive Agriculture
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)
SEPP No 33—Hazardous and Offensive Development
SEPP No 50—Canal Estate Development
SEPP No 55—Remediation of Land
SEPP No 62—Sustainable Aquaculture
SEPP No 64—Advertising and Signage
SEPP No 65—Design Quality of Residential Flat Development
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Infrastructure) 2007
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (Temporary Structures and Places of Public Entertainment) 2007
SEPP (Affordable Rental Housing) 2009

e) List any other matters that need to be considered :

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Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **Given its heritage basis, the Department considers the planning proposal is consistent with all relevant SEPPs and Section 117 Directions.**

It is also noted that given Marrickville's industrial history and location to transport gateways, the following SEPPs may need further consideration in relation to any future development proposals involving some of the identified heritage items or areas: SEPP (Infrastructure) 2007, SEPP (Mining, Petroleum Production and Extractive Industries) 2007, SEPP 55 – Remediation of land and SEPP 33 – Hazardous and Offensive Development.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The planning proposal contains adequate maps of the new heritage conservation areas, and amendments to the existing heritage conservation areas.**

However, the planning proposal does not include:

- * mapping identifying the existing heritage item proposed to be changed; or**
- * maps identifying the location of the heritage items and conservation areas for which amendments to correct anomalies and errors are proposed.**

In addition, Council has not provided any heritage listing identification numbers of the proposed new heritage items and conservation areas shown on the proposed heritage map sheets to Marrickville LEP 2011. These should be added to the list of the heritage items in the submission, to enable correlation with the mapping.

It is recommended Council be required to amend the planning proposal to include the above mapping matters, for public consultation purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes a 28 day exhibition period, which is considered appropriate for this planning proposal.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Marrickville LEP 2011 was notified on 12 December 2011.**

Assessment Criteria

Need for planning proposal :	The planning proposal is the best way to achieve Council's aim to protect properties and places within the Marrickville local government area assessed as having heritage significance through recent studies, as well as correcting minor anomalies to the heritage schedules and heritage maps.
Consistency with strategic planning framework :	The planning proposal is consistent with A Plan for Growing Sydney, and particularly Action 3.4 Promote Sydney's heritage, arts and culture, particularly Action 3.4.4: Identify and re-use heritage sites, including private sector re-use through the Priority Precincts Program. The planning proposal is also consistent with the Marrickville Community Strategic Plan 2013 - Our Place, Your Vision, particularly in relation to Key Result Area 3: Marrickville's built environment demonstrates good urban design and the conservation of heritage, as well as social and environmental sustainability.
Environmental social economic impacts :	The rationale for the planning proposal is to identify and protect items and areas of heritage significance. Therefore: • it is not likely to adversely impact any critical habitat or threatened species, populations or ecological communities or their habitats; • the proposal is expected to have positive social impacts through increased heritage protection; • while it is not possible to determine the cumulative economic impacts of each heritage listing ahead of any specific development proposals, the planning proposal is not likely to have any significant economic impacts; and • it is not likely to make any additional demands on existing public infrastructure.

Assessment Process

Proposal type :	Consistent	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	RPA
Public Authority Consultation - s56(2)(d) :	Office of Environment and Heritage		

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

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Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name

DocumentType Name

Is Public

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 4.1 Acid Sulfate Soils**
- 4.2 Mine Subsidence and Unstable Land**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**
- 7.1 Implementation of A Plan for Growing Sydney**

Additional Information :

It is recommended the planning proposal proceeds subject to the following conditions:

- 1.The proposal is to be exhibited for 28 days.**
- 2.The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.**
- 3.Consultation with the Office of Environment and Heritage be undertaken prior to public exhibition.**
- 4.Prior to public exhibition, the planning proposal is to be updated to:**
 - * map the existing heritage item (Carrington Road, Marrickville) proposed to be changed;**
 - * provide details of the changes to the heritage items and conservation areas for which amendments to correct anomalies and errors are proposed, as well as appropriate mapping identifying these matters; and**
 - * include heritage listing identification numbers for the new heritage items and conservation areas shown on the proposed revised heritage map sheets from Marrickville LEP 2011. These should be added to the list of the heritage items, to enable correlation with the mapping.**
- 5. Council is also required to publicly exhibit the supporting heritage studies with the planning proposal.**

Supporting Reasons :

The planning proposal is supported because it will have a positive community impact by improving the protection of the heritage assets of the Marrickville local government area.

Signature:



Printed Name:

Diane Sarkis

Date:

23/11/15