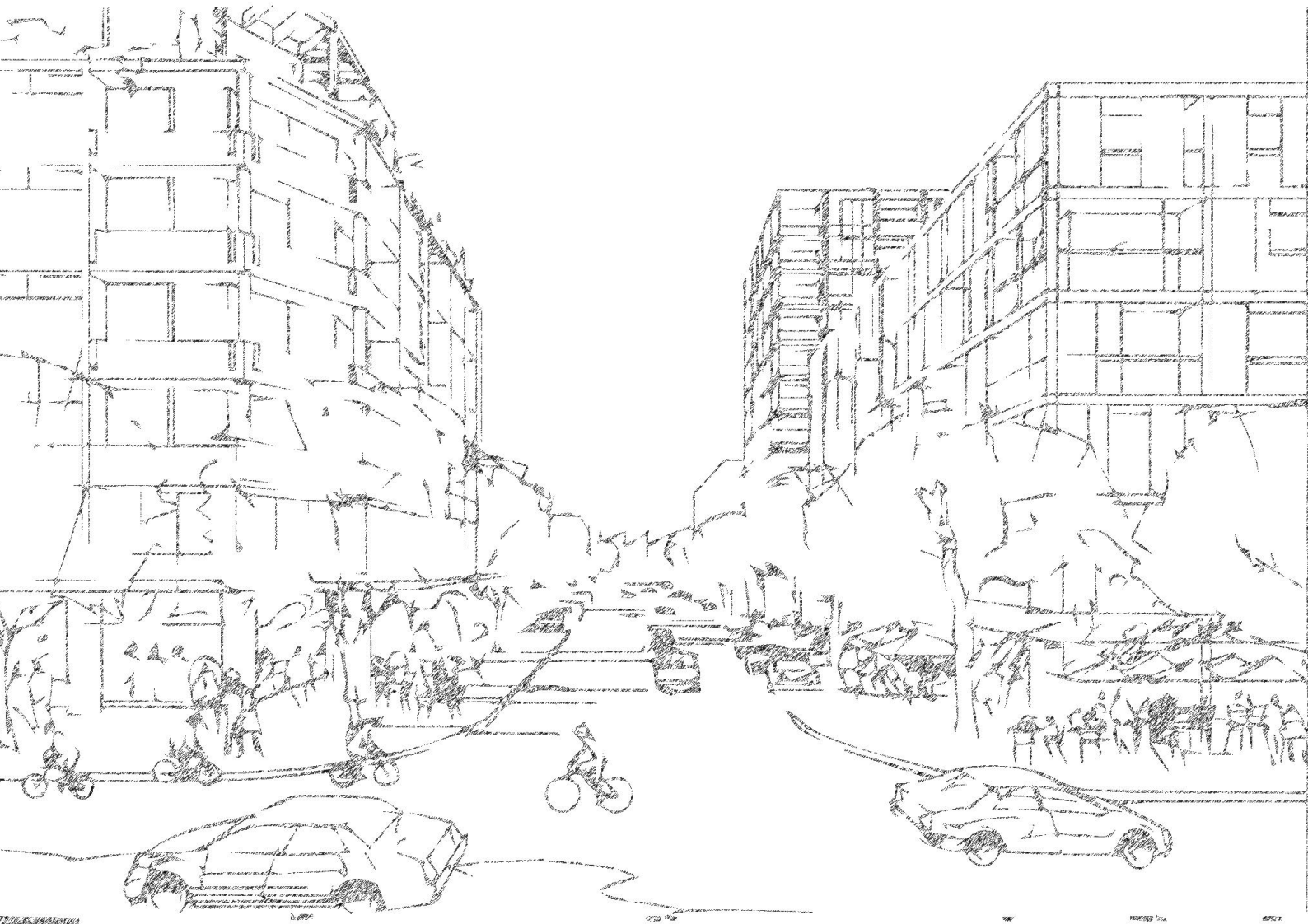


Planning Proposal Planning Report

Victoria Road Precinct, Marrickville

Planning proposal for land uses and development standards

Submitted to Marrickville Council
On Behalf of Danias Holdings



July 2016 ■ 13530

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JBA

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Lockleys

Under Separate Cover

Master Plan Design Report

Turner + Associates

Executive Summary

This 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.

A Planning Proposal was submitted to Council in May 2014, which was the subject of assessment and discussion with Council over the course of 2014. This included the non-statutory public exhibition of the Planning Proposal in late-2014, with a small number of submissions in both support and objection. The Planning Proposal was endorsed by Marrickville Council at a full Council meeting in September 2014. The proposal was subsequently referred by Council to the NSW Department of Planning & Environment's Gateway Review Panel in October 2014, and in December 2014 the Department requested that the proposal be withdrawn in order to allow additional studies be undertaken for a revised Planning Proposal.

A half-day Design Workshop was held on 2 March 2015 involving participants from the NSW Department of Planning & Environment, Marrickville Council and the project team. The Design Workshop agreed some parameters for the planning process, future land use options for the precinct and the process for amending and updating the Planning Proposal.

The 2014 Planning Proposal was withdrawn in April 2015. Since the Department's referral of the Planning Proposal back to the proponent in late-2014, the project team has undertaken an Employment Strategy and Aircraft Noise Strategy and have consulted further with Council, the Department, Sydney Airport Corporation Limited and the Australian Government Department of Transport and Regional Development.

The NSW Government has since released A Plan for Growing Sydney, which this planning proposal supports, and provided details of a number of major infrastructure commitments, including the CBD and Southwest Metro and the WestConnex Motorway. In addition, A Plan for Growing Sydney and supporting infrastructure has shifted employment lands planning in Sydney through the announcement of the Badgerys Creek Airport, Western Sydney Employment Lands and approval or designation of several new freight intermodal terminals in south-west and western Sydney. The Precinct 47 Planning Proposal is consistent with all of these actions.

This updated Planning Proposal responds to the conditions set out in the Gateway Determination issued by the NSW Department of Planning and Environment on 14 March 2016.

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 dramatic decline in employment in these industries and a resultant decline in the urban fabric of the precinct. At the same time, land use conflict is intensifying as continuing business uses increasingly interface with residential and non-industrial business uses that have crept into the precinct.

Recent strategic planning and infrastructure decisions by the NSW Government, including the release of A Plan for Growing Sydney and commitments to the WestConnex motorway and Sydney Metro City & Southwest lines, have also substantially altered the context for future land use in Precinct 47 and the broader Marrickville LGA. To ensure that Precinct 47 continues to contribute the employment and housing needs of Marrickville and Greater Sydney in the future, a more diversified and modern mix of businesses and housing is required. The location of the precinct on a strategic bus corridor and approximately 400 metres from Sydenham Station at the nearest boundaries, adjoining existing residential areas and with good access to services also makes the location ideal for greater development in appropriate areas.

In May 2016 Marrickville Council exhibited the Sydenham Station Creative Hub whose boundaries are adjacent to Precinct 47. The concept arose from a report conducted by the Future Cities working group. The proposal acknowledges the declining industrial use in the area, noting the high number of vacancies and recommends zoning changes to broaden uses in the area with a focus on encouraging more creative uses and some accommodation.

Precinct 47 offers an opportunity to catalyse urban renewal that will improve local employment options, increase housing choice and provide affordable housing in a location within approximately 500m of a major interchange railway station at Sydenham. The renewal of this precinct will significantly improve the quality of the urban form within the precinct, and improve connectivity and amenity for neighbouring areas by reducing land use conflict and opening up new linkages toward Sydenham.

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 and grow employment within the precinct;
- provide a broader mix of businesses that better meet the local employment profile and changing demographics of the Marrickville LGA 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;
- ensure that 3% of new housing stock is provided for the purpose of affordable housing;
- ensure that all new development achieves compliance with standards for internal acoustic amenity;
- 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 (48%) of the existing Precinct 47 land under its existing zoning to facilitate continuation of industrial, warehousing and other business uses;
- 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 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 48% of Precinct 47 to permit a broader range of business, light industrial, live/work and residential uses;
- ensuring that the predominate focus will be on employment, with residential uses permitted on less than 20% of land within Precinct 47, of which half will be in mixed use areas;
- provision for creative industries;
- maximum building heights ranging between 11 and 48 metres;
- maximum floor space ratios ranging between 1:1 and 3.5:1;
- acoustic design specifications to mitigate aircraft noise; and
- requirement for 3% of all residential floor space (in the form of finished dwellings) for use as affordable housing.

A Draft Development Control Plan amendment to Marrickville Development Control Plan 2011 for Precinct 47 has also been prepared by the proponent following the Gateway Determination, and is to be publicly exhibited concurrently with the Planning Proposal.

Changes from 2014 Planning Proposal

Following consultation with Marrickville Council and the NSW Department of Planning & Environment during the assessment of the 2014 Planning Proposal for Precinct 47, the following key changes have been made to the planning vision:

- restrict residential uses to between the ANEF 25-30 noise contour;
- minor amendments to street and block layouts;
- reduction in the estimated housing yield from 3,100 apartments to approximately 1,100 apartments;
- identification of specific LEP provisions for which amendment is sought (land use zone, building height, floor space ratio, additional local provisions);
- inclusion of affordable housing contribution of 3% of developable residential floor area;
- additional acoustic studies and preparation of a comprehensive Aircraft Noise Strategy to demonstrate how residential amenity will be protected.

These changes address the additional information requested by the NSW Department of Planning & Environment following its initial assessment of the 2014 Planning Proposal.

Amendments in response to Gateway Determination

On 14 March 2016 the NSW Department of Planning and Environment (DP&E) issued Gateway Approval for the Victoria Road Precinct Planning Proposal. In making this decision the DP&E set out a number of conditions that were required to be met prior to the Planning Proposal going on public exhibition. Further additional work has been carried out by the proponent in response to these conditions and this updated Planning Proposal Report and accompanying documentation addresses all of the matters raised in the Gateway Determination. This is discussed in further detail in Section 1.1.3. It is noted however that the following key changes have been made to the Planning Proposal in response to the matters raised in the Gateway Determination:

- LEP height limits have been amended to ensure compliance with the Obstacle Limitation Surface as advised by the Sydney Airport Corporation Limited;
- LEP height limits along Sydenham Road and Farr Street (surrounding Wicks Park) have been reduced to facilitate a more graduated transition to surrounding areas;
- The proposed land use zone around Wicks Park has been amended from R4 High Density Residential to a mix of B4 Mixed Use and B5 Business Development Zones. This has been done to retain greater levels of employment, provide a more graduated transition in land use, and to respond to aircraft noise constraints.
- A Draft Development Control Plan has been prepared that sets out a clear vision and objectives for the precinct, and provides a much clearer planning framework to guide and regulate future development in accordance with the proposed LEP controls.
- Other potential heritage items of significance within the precinct have been identified.

Strategic Framework and Context

The NSW Government released A Plan for Growing Sydney, Sydney's new metropolitan strategy, in December 2014. The Plan seeks to facilitate new employment and housing opportunities in locations that leverage off existing and new infrastructure provision. The Victoria Road Precinct within Precinct 47 is centred around a strategic bus corridor and within walking distance of Sydenham Station, which will become a major interchange for the new CBD & South West Metro and the existing Sydney Trains Network. This new infrastructure will directly link the precinct into Sydney's Global Economic Corridor by providing same-seat-service to major knowledge employment hubs in the Sydney CBD, Barangaroo, North Sydney, St Leonards, Macquarie Park and Macquarie University. This creates new opportunities for employment in the local area, particularly given the highly skilled and educated local workforce present in Marrickville who currently have few local employment options within the Marrickville LGA.

At the same time as the CBD & South West Metro is creating new opportunities for employment in the Victoria Road Precinct, other significant investment by the NSW Government in freight rail and the WestConnex motorway will erode any remaining competitive advantages held by fragmented industrial precincts in the Inner West. These two key pieces of transport infrastructure aim to improve connectivity between Western Sydney's employment lands and Port Botany/Sydney Airport, with the aim of reducing travel times to Western Sydney and removing heavy vehicles from local inner city roads. This shift is already being reflected by the movement of traditional industrial business out of Marrickville to areas such as Smithfield.

Transitioning the land uses in the Victoria Road Precinct is appropriate in this context of investment and changing land use patterns. Significant investment by the NSW Government provides a catalyst for the restoration and renewal of this area to deliver strong community outcomes, and will support the accompanying growth. This Planning Proposal would deliver significant benefits to the community by transforming a run-down and underutilised area into a lively precinct that offers relevant local employment opportunities and more diverse housing opportunities. Accordingly, this Planning Proposal is considered to be entirely consistent with, and facilitative of, A Plan for Growing Sydney.

Key Planning Issues

Built Form and Building Heights

The proposed building heights and built form has been informed by an urban design analysis and master planning process undertaken by Turners Architects.

Built form has been designed to ensure that the Victoria Road Precinct effectively transitions and integrates with the existing surrounding area, and does not result in any adverse impacts to the amenity of surrounding residents.

The scale of the proposed built form is generally 3 to 7 storeys, with opportunities for some signature taller forms around Wicks Park and the timberyard site where large landholdings allow for such developments to be successfully accommodated without loss of amenity to the neighbouring areas. Heights of the proposed buildings are lower at the interfaces with the surrounding areas so there is an appropriate transition from the surrounding context, in particular from existing residential areas, to proposed taller building heights within the precinct.

Building envelopes have been configured to provide strong definition to existing, and new, streets and laneways whilst responding to the opportunities and constraints presented by the existing surrounding context. Building envelopes at the interface with the surrounding area provide a transition to the central precinct area where taller building forms create a more urban environment, active public domain and opportunities for a variety of building typologies. 6-7 storey buildings along Victoria Road designate it as the primary road through the precinct, the main commercial corridor and public transport route. Behind these, building forms are generally lower 3-6 storey forms that relate to their context and site orientation. Along Sydenham Rd the 3 storey streetwall provides an appropriate height transition to the buildings on the southern side, with any taller forms setback from the streetwall. In the general industrial areas the building forms could be equivalent to 3-4 commercial or residential storeys to accommodate high-bay warehouses.

Employment and Economic Impact

An Employment Strategy has been prepared for Precinct 47 that identifies existing patterns of employment and, using this comprehensive and ground-truthed evidence base, makes positive recommendations to support local employment into the future.

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. The NSW Government projects that manufacturing and transport/warehousing employment will continue to decline in the coming decades within the Marrickville LGA. This is particularly the case in fringe and transitional areas within the western edge of the Sydenham-Marrickville industrial precinct, due to smaller lot sizes, infiltration of non-industrial uses and interfaces with residential areas in these locations. 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 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. Between 1996 and 2011, the proportion of residents with tertiary qualifications more than tripled. The number of residents with a Bachelor Degree qualification or higher quadrupled. There is a need to support the growth of local creative industries and modern business services within the LGA to provide jobs that are aligned with the skills and employment needs of local residents.

The provisions of this Planning Proposal will ensure that there will be a net increase in employment within the precinct, and will also result in greater diversification of employment opportunities within the Victoria Road Precinct. As demonstrated within the analysis contained in this report, the proposed rezoning has the potential to result in up to 4,000 more jobs for the local community. 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.

The NSW Government has recently announced that the Sydenham-Bankstown rail corridor will be converted to rapid transit as part of the CBD & Southwest Metro project. Sydenham Station, located approximately 400m from the southern portion of Precinct 47, will have a train every 4 minutes during peak periods and become a major interchange station. The Metro will provide a direct connection between Sydenham Station and the CBD, Barangaroo, North Sydney, St Leonards, Macquarie Park and University and the Norwest Business Park, connecting this precinct to Sydney's Global Economic Corridor with significant travel time savings. Potential stations on the Metro at Sydney University or Australian Technology Park will further improve access to jobs and education.

The NSW Government has committed to a significant investment in major road upgrades across the Inner West to better connect Sydney's transport gateways of Port Botany and Sydney Airport into the orbital motorway network. This project will reduce the need for heavy vehicles to travel on local roads in the Inner West and South Sydney, and better connect industrial lands in Western Sydney with key transport links. Simultaneously, the NSW Government is targeting a significant increase in the proportion of freight moved out of the transport gateways via rail to new and planned intermodal terminals in Western Sydney. These two big infrastructure moves are aimed at reducing conflict between industrial activity and residential/business activity in Sydney's inner-suburbs, and will further erode competitive advantages gained by Marrickville's industrial lands from their proximity to the airport/port. This will further reduce demand for industrial land in Marrickville.

Analysis of the local road network indicates that there is capacity to accommodate growth in employment and residential development within the precinct. Further analysis of local intersection performance and capacity may be required for public exhibition and final assessment of the Planning Proposal.

Airport Operations

The Planning Proposal seeks to permit residential development on land within the ANEF 25-30 noise contour. This is permitted under the NSW Government's Local Planning Directions where it is informed by an Aircraft Noise Strategy. JBA, working with acoustic engineers from EMM and architects from Turner

Associates, have prepared this strategy following consultation with the NSW Department of Planning & Environment, Marrickville Council, Sydney Airport Corporation Limited and the Australian Government Department of Infrastructure and Regional Development. The Strategy demonstrates how residential apartments can be constructed within the ANEF 25-30 noise contour whilst continuing to meet the noise criteria in Australian Standard 2021-2000 *Acoustics—Aircraft noise intrusion—Building siting and construction*. This will ensure that future residents will enjoy a high level of indoor amenity whilst substantially mitigating the potential for land use conflict with airport operations.

It is noted that residential areas of the Marrickville LGA are already highly affected by aircraft noise, and there have been a number of recent development examples that have demonstrated how acoustic mitigation measures can effectively be incorporated in building design to achieve acceptable internal amenity levels.

The maximum building heights included in the Planning Proposal have been developed with regard to the PANS-OPS and OLS surfaces, and have been informed by consultation with Sydney Airport Corporation Limited and the Commonwealth Department of Infrastructure and Regional Development. Detailed building design controls will be included in a future Development Control Plan to mitigate any potential impacts on airport operations.

Stormwater and Flooding

The area is subject to flooding constraints, with a number of open drainage channels running through the precinct. 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. It is noted that the Victoria Road Precinct was largely unaffected by recent severe storm flooding across Sydney which occurred in April 2015. Further investigations into flooding have been carried out by WMA water and an updated Flood report accompanies the Planning Proposal.

Further Studies and Justification

This Planning Proposal is accompanied by a number of key studies, technical reports and documents that have been prepared and carried out to inform preparation of the Planning Proposal. The Planning Proposal should be read in conjunction with these accompanying reports and documents, in particular the following documents should be viewed as they will be instrumental in giving effect to the proposed planning controls:

- Draft Development Control Plan for Precinct 47 that sets out the vision and desired future character for the area
- Aircraft Noise Strategy; and
- Updated Indicative Master Plan.



Figure 1 – Proposed master plan for the Victoria Road Precinct
Source: Turners

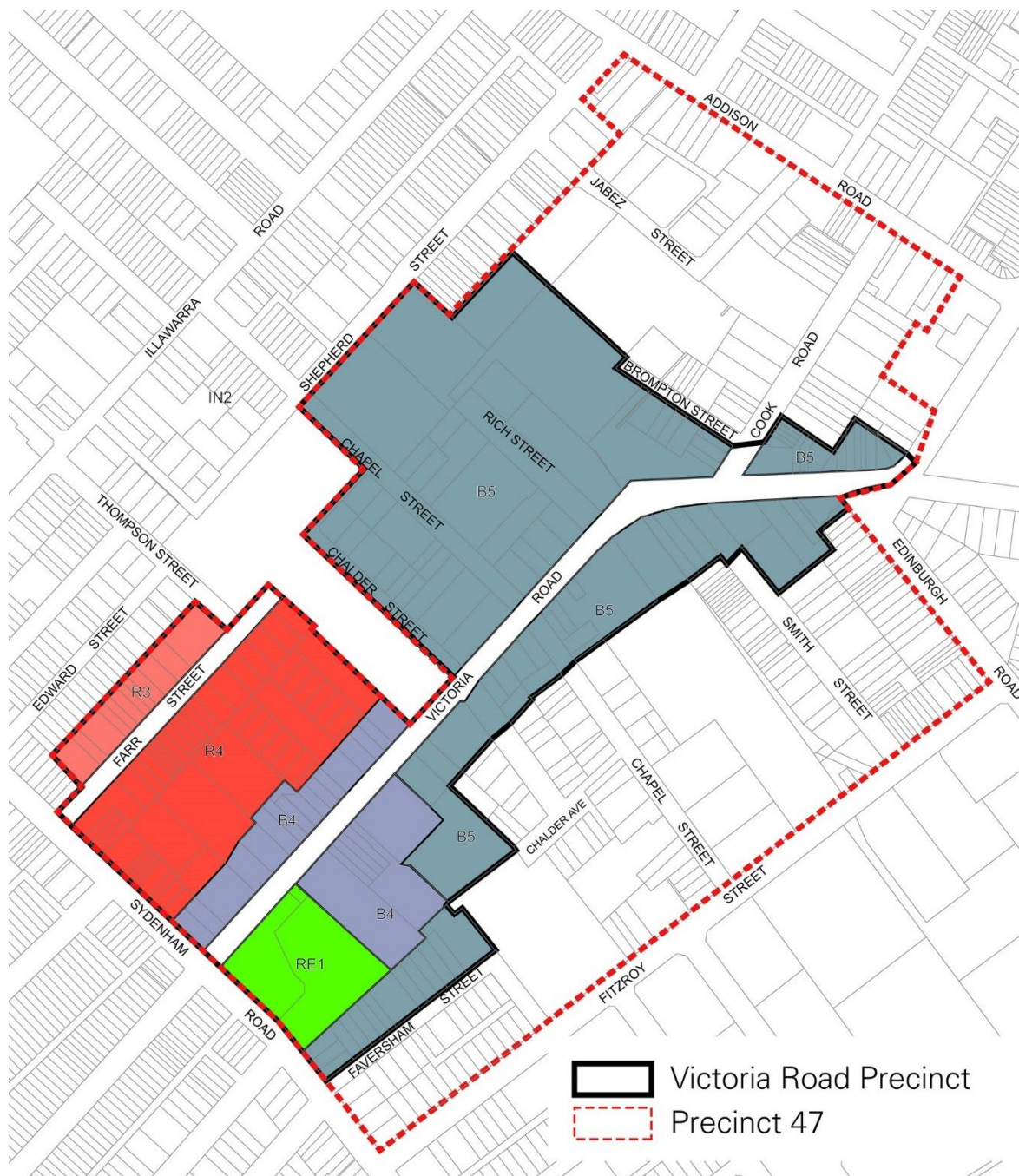


Figure 2 – Proposed land use zoning map

1.0 Introduction

This 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) 2011.

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

This 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.

1.1 Background and Planning History

A summary of key events in relation to Precinct 47 and the Victoria Road Precinct is included in **Table 1** below.

Table 1 – Summary of Victoria Road Precinct planning history

Date	Event/Action
27 April 2012	Director-General of the Department writes to Marrickville Council advising that a review of planning controls for the Victoria Road Precinct is supported, and that a mix of land uses including commercial, business and residential is to be considered.
1 May 2012	Council requests proponent to submit a Planning Proposal for the Victoria Road Precinct.
21 May 2014	Planning Proposal submitted to Marrickville Council.
15 July 2014	Council considers Planning Proposal and requests additional information from the NSW Department of Planning & Environment.
2 September 2014	Marrickville Council approves the referral of the 2014 Planning Proposal to the NSW Department of Planning & Environment's Gateway Review Panel.
2 October 2014	Marrickville Council officers write to the NSW Department of Planning & Environment advising of Council's resolution and formally requesting a Gateway Determination.
14 December 2014	A Plan for Growing Sydney, the new metropolitan strategy, is released by the NSW Government.
16 December 2014	Department of Planning & Environment requests that additional studies and consultation be undertaken to support revised Planning Proposal, and that the Planning Proposal be withdrawn in order to allow this to occur.

Date	Event/Action
December 2014 to February 2015	2014 Marrickville Employment Lands Study (2014 MELS) and 2014 Planning Proposal placed on (non-statutory) public exhibition.
16 January 2015	Meeting between Victoria Road project team and Department of Planning & Environment to discuss the further assessments required and process forward.
3 February 2015	Marrickville Council resolves to "reaffirm its support for a review of the planning controls for the Victoria Road Precinct/Precinct 47" and invite the proponent and the NSW Department of Planning & Environment to a workshop to discuss the Planning Proposal.
2 March 2015	Workshop held between Department of Planning & Environment, Marrickville Council staff and Victoria Road Precinct project team to discuss the Planning Proposal and MELS findings.
April 2015	Victoria Road Precinct project team formally withdraws Planning Proposal to facilitate amendments resulting from the Department's preliminary assessment.
7 April 2015	Marrickville Council considers the post-exhibition report for the MELS and Victoria Road Precinct, and resolves to not adopt the MELS. Council instead resolves to request that the authors of the MELS reconsider their findings in light of the Victoria Road Precinct Employment Strategy, subject to additional funding being received from the Department. 2014 Planning Proposal formally withdrawn by Council.
June 2015	Victoria Road Precinct project team hold meetings with the Australian Department of Transport and Regional Development and Sydney Airport Corporation Limited to discuss the Victoria Road Precinct Aircraft Noise Strategy.
August 2015	Revised Planning Proposal submitted to Marrickville Council.
November 2015	Revised Planning Proposal forward by Marrickville Council to NSW Department of Planning and Environment.
March 2016	Gateway Approval, subject to conditions, is issued by Deputy Secretary of the Department of Planning and Environment, as delegate of the Greater Sydney Commission.
July 2016	Updated Planning Proposal submitted to Department of Planning and Environment for their review.

1.1.1 2012 LEP Review and Amendment No.1

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**.

1.1.2 2014 Planning Proposal

Following on from Council's invitation to the proponent for the submission of a Planning Proposal, an expert consultant team was assembled to undertake the technical studies required to underpin recommendations for future land use planning controls. This culminated in the submission of a Planning Proposal to Council in May 2014 to seek revised planning controls for Precinct 47. In brief, this proposal sought a change from the existing industrial Precinct 47 to a mixed-business zone with residential flat buildings permitted as part of a mixed use

Overview of 2014 Planning Proposal

The 2014 Planning Proposal envisaged a mixed business precinct incorporating residential development across the majority of Precinct 47, with a staged transition toward the established industrial lands in the east of the precinct. In brief, the proposal would have facilitated the rezoning of an area spanning between Rich Street in the north and Sydenham Road in the south for mixed residential and business uses. The proposal would have resulted in approximately 3,000 apartments within the precinct whilst increasing opportunities for local employment.

Figure 3 below illustrates the master plan prepared for this precinct in support of the 2014 Planning Proposal.

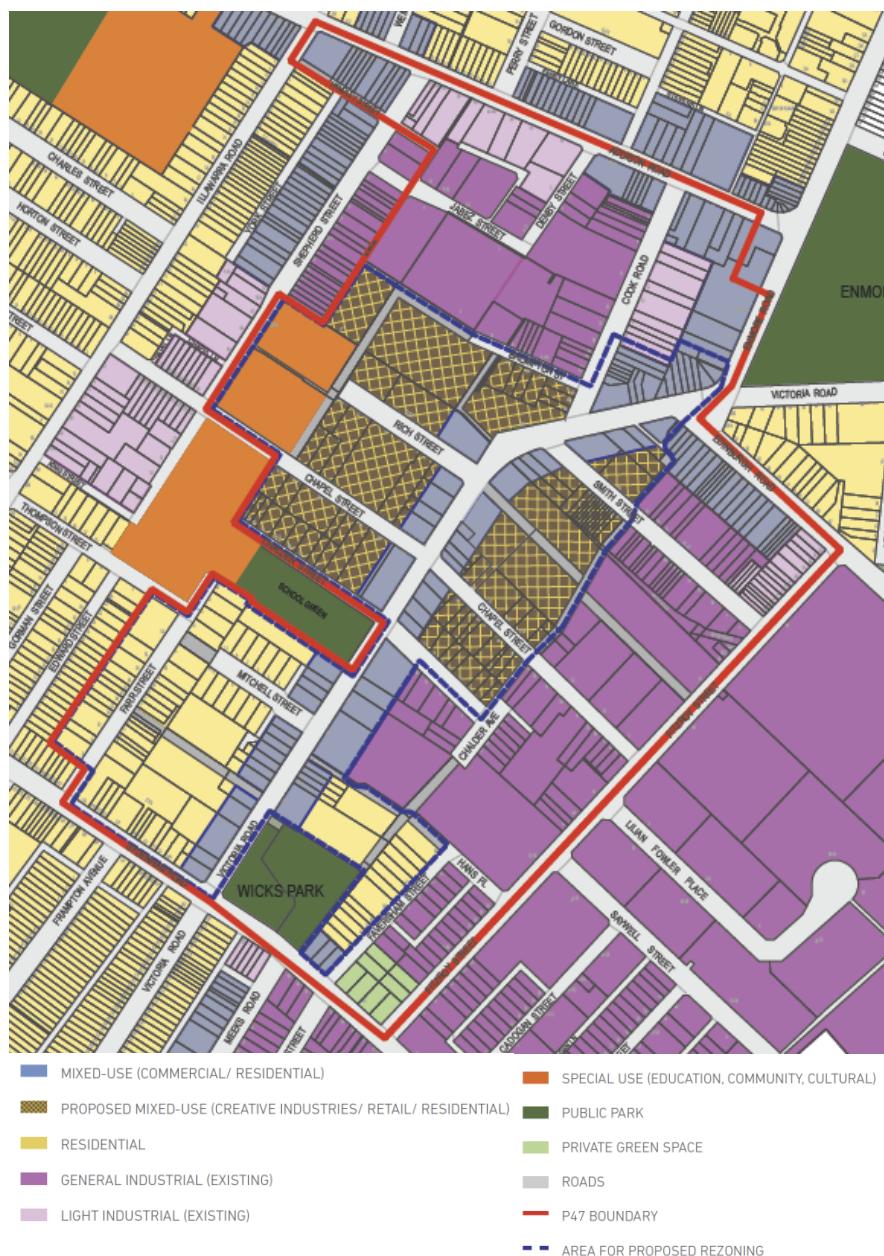


Figure 3 – Previous indicative land use and structure plan from 2014 Planning Proposal

Process and Status

Council resolved to submit the 2014 Planning Proposal to the NSW Department of Planning & Environment's Gateway Review Panel in September 2014. On 16 December 2014, the Department wrote to Marrickville Council and the proponent advising that the Planning Proposal had not been referred to the Gateway Review Panel as the Department believed that there was additional information required in order to complete its assessment. It was acknowledged by the Department that there is strategic merit in reviewing planning controls for this precinct. In the conclusion of its letter, the Department:

"request[s] Council withdraw the planning proposal to incorporate the recommendations of the study [the MELS and A Plan for Growing Sydney] and allow for further investigation of the strategic merit of retaining the Victoria Road industrial lands in the context of the broader local government area and subregion."

Council agreed to formally withdraw the Planning Proposal in April 2015 following the conclusion of the public exhibition period and at the request of the Victoria Road project team.

Matters to be addressed in future planning

Specifically, the Department requested that four issues be addressed as follows:

- **Aircraft Noise** – Aircraft Noise Strategy to be prepared to address S117 Local Planning Direction including consultation with Sydney Airport Corporation Limited and the Commonwealth Department of Transport and Regional Development. At the workshop held in March 2015, it was agreed that residential land uses could be located within the ANEF 25-30 noise contour (subject to Aircraft Noise Strategy) but that the inclusion of substantive residential development in the ANEF 30+ noise contour should not be pursued in the short-term.
- **Land Use** – the Planning Proposal should be updated to reflect substantive changes in metropolitan planning policy for land use set out in A Plan for Growing Sydney, which was released in December 2014, and reflect more advanced planning for employment lands in Precinct 47.
- **Subregional Strategies** – the NSW Department of Planning & Environment advised at the March 2015 workshop that the new Subregional Strategies are currently being prepared, and that this process should not impede the review of planning controls within the Victoria Road Precinct.
- **Employment Lands** – the NSW Department of Planning & Environment advised at the March 2015 workshop that whilst the 2014 Marrickville Employment Lands Study provides some useful information, its policy weighting is only that which is assigned to it by Council. The Victoria Road Precinct Employment Strategy was prepared by JBA on behalf of the proponent and submitted to Council in response to the public exhibition of the 2014 MELS. At its meeting of 7 April 2015, Council resolved to not adopt the 2014 MELS but instead request that the consultant give further consideration to the JBA Employment Strategy. We understand that this has not yet been commenced, and in the absence of any finalised policy or study this Planning Proposal has been based on the basis of the JBA Employment Strategy as discussed in further detail at **Section 1.1.3** below. Notwithstanding this, the Planning Proposal is consistent with the strategic direction of the MELS, particularly in the retention of industrial and employment lands within the precinct. The MELS supports the transition of the southern and western edge of Precinct 47 away from the existing IN1 General Industrial zoning, which is facilitated by this Planning Proposal.

The above matters were addressed in the revised Planning Proposal that was resubmitted to the Department of Planning and Environment in November 2015, and which subsequently received Gateway Approval in March 2016.

1.1.3 Gateway Determination

On 14 March 2016 the NSW Department of Planning and Environment (DP&E) issued its Gateway Determination for the Victoria Road Precinct Planning Proposal.

Specifically, the DP&E determined that “under section 56(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to the Marrickville Local Environmental Plan 2011 to amend land use zoning and development controls applying to land within the Victoria Road Precinct (as defined in the planning proposal) should proceed, subject to conditions.”

As noted above the DP&E set out a number of conditions that were required to be met prior to the Planning Proposal going on public exhibition. These

conditions are set out in **Table 2** below along with a short summary of how these have been responded to.

Table 2 – Gateway conditions and response

No	Condition	Response
1	Prior to public exhibition, the planning proposal is to be updated to:	
	include a plain English explanation of the intended effect of the proposed provisions;	A plain English explanation of the intended effect of the proposed provisions is provided at the front of this Planning Proposal Report.
	review the proposed R4 High Density Residential zoning around Wicks Park to provide a more appropriate interface and transition with the IN1 General Industrial zone at Faversham Street, either by retaining the IN1 General Industrial zone or by the application of a business zone, to provide for a suitable transition to the industrial land to the south;	Amendments have been made to LEP controls on land around Wicks Park. In particular, the previously proposed R4 zone has been amended to a mix of B4 and B5 zones. These changes have been made to facilitate an appropriate interface and transition to Industrial Lands between Faversham and Fitzroy Street. Refer to Section 5.0, the updated Indicative Masterplan (provided under separate cover) and the Draft Development Control Plan (Appendix E) for further details.
	amend the maximum building height to: ensure a safe separation to the Obstacle Limitation Surface, as determined by Sydney Airport Corporation Limited;	The proposed LEP height map has been updated to respond to the OLS as determined by SACL. Refer Section 5.4.
	provide better height integration along Sydenham Road (between Victoria Road and Farr Streets) in the context of a suitable transition with the surrounding area and having regard to the height controls demonstrated in the masterplan and the independent Urban Design Study, prepared by Roderick Simpson, including providing a maximum 12m height limit for land fronting Sydenham Road and suitable setbacks to the north;	In response to this condition the proposed LEP height along Sydenham Road has been reduced to 11m to facilitate better height transition and integration. Refer updated LEP height map in Section 5.4 and the Draft DCP (Appendix E) and the Indicative Masterplan (Under separate cover).
	ensure that proposed height and design controls for the proposed residential areas are appropriate in the context of the existing residential areas;	The LEP height limits have been designed to support a transition of heights down to existing surrounding residential areas. Refer updated LEP height map in Section 5.4 and the Draft DCP (Appendix E) and the Indicative Masterplan (Under separate cover).
	consider design advice provided in the independent Urban Design Study, prepared by Roderick Simpson;	Design advice provided by Roderick Simpson has been considered. This is discussed in further detail in Appendix O and the Indicative Masterplan (Under separate cover).
	(a) provide further justification for inconsistencies identified with A Plan for Growing Sydney, particularly regarding the protection of industrial land around the Sydney Airport	Further justification regarding the protection of industrial land around the Sydney Airport Transport Gateway has been provided. Refer to Section 6.1.3 for further details.

	Transport Gateway, to ensure the area is able to provide employment opportunities;	
	(b) provide further justification for inconsistencies with Section 117 Direction 1.1 Business and Industrial Zones, in particular: i. the loss of industrial land in the Precinct (Clause a(b)); ii. the loss of total potential floor space area for industrial uses in industrial zones (Clause a(d)); iii. address the suitability and appropriateness of R4 High Density Residential adjacent to the IN1 General Industrial at Faversham Street;	Amendments have been made to the proposed zoning around this area resulting in land being changed from a R4 High Density to B5 Business Development. Further justification in response to Section 117 Direction 1.1 has also been provided. Refer to Section 7.2.2 for further details.
	(c) provide further justification for inconsistencies with Section 117 Direction 3.5 Development near Licensed Aerodromes;	Further justification in response to Section 117 Direction 3.5 has been provided. Refer to Section 7.2.2 for further details as well as the Draft DCP (Appendix E).
	(d) provide further justification for inconsistencies with Section 117 Direction 4.3 Flood Prone Land, in particular: i. how future developments will be designed to mitigate the impact of flooding on buildings and neighbouring properties as well as emergency egress management;	Further justification in response to Section 117 Direction 4.3 has been provided. Refer to Section 7.2.2 for further details as well as the updated Flood Report (Appendix K) and the Draft DCP (Appendix E).
	(e) provide further justification for inconsistencies with the Sydenham to Bankstown Corridor Strategy; and	Further analysis of the proposal against the Sydenham to Bankstown Corridor Strategy has been carried out and additional justification provided in Section 7.2 .
	(f) a Draft Development Control Plan is developed, in consultation with SACL and Marrickville Council, giving consideration to matters that may affect pilot safety or the operation of the airport in building design (that is, no reflective surfaces or protruding items).	A draft Development Control Plan has been developed, with both SACL and the Inner West Council being consulted as part of this process. A copy of the Draft DCP is provided at Appendix E .
2	Prior to public exhibition, a heritage study is to be conducted for Precinct 47 to identify items that have potential heritage significance and should be preserved (this includes industrial heritage).	A heritage study has been conducted for Precinct 47 in response to this condition and in accordance with the agreed scope and is provided at Appendix H .
3	Prior to public exhibition, the planning proposal must be updated and provided to the Department for review and approval.	The Planning Proposal has been submitted to the DP&E for review and approval.
4	Community consultation is required under sections 56(2)(c) and 57 of the Act as follows: (a) the planning proposal is considered to be routine as described in A Guide to Preparing Local Environmental Plans (Department of Planning & Infrastructure 2013) and must be made publicly available for a minimum of 28 days; and, (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).	These matters will be complied with at the time of consultation of the Planning Proposal.

5	Consultation is required with the following public authorities under section 56(2)(d) of the Act in relation to the proposal: - Transport for NSW; - Roads and Maritime Services; - Marrickville Council; - Sydney Airport Corporation; - Department of Infrastructure and Regional Development (Commonwealth); - Department of Education and Training; - Energy Australia; - Telstra; and - Sydney Water. The public authorities are to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.	Consultation has been held with SACL and the Inner West Council (formerly Marrickville Council) post the Gateway Determination. The identified public authorities will be consulted on the planning proposal during the public exhibition and consultation process.
6	A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act.	Noted
7	The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.	Noted

The following key changes have been made to the Planning Proposal in response to the matters raised in the Gateway Determination:

- LEP height limits have been amended to ensure compliance with the Obstacle Limitation Surface as advised by the Sydney Airport Corporation Limited;
- LEP height limits along Sydenham Road and Farr Street (surrounding Wicks Park) have been reduced to facilitate a more graduated transition to surrounding areas;
- The proposed land use zone around Wicks Park has been amended from R4 High Density Residential to a mix of B4 Mixed Use and B5 Business Development Zones. This has been done to retain greater levels of employment, provide a more graduated transition in land use, and to respond to aircraft noise constraints.
- A Draft Development Control Plan has been prepared that sets out a clear vision and objectives for the precinct, and provides a much clearer planning framework to guide and regulate future development in accordance with the proposed LEP controls.
- Other potential heritage items of significance within the precinct have been identified.

1.2 The Planning Process

This Planning Report forms part of a Planning Proposal originally submitted to Marrickville Council. Following Marrickville Council's submission of the proposal to the Department of Planning and Environment in November 2015, Gateway Approval was issued in March 2016 under Section 56(2) of the *Environmental Planning and Assessment Act 1979*. The proposal has therefore been determined to have 'strategic merit' and is considered worthy of further detailed assessment and public exhibition.

In accordance with the conditions of the Gateway Determination, further investigations and studies have been carried out by the proponent to address key outstanding matters. The new and updated documents now accompany this updated version of the Planning Proposal that has been drafted for the purposes

of being placed on public exhibition for community consultation. Following completion of the public exhibition and community consultation process the Planning Proposal will undergo a detailed assessment by Marrickville Council with further input from DP&E and other government agencies including but not limited to the NSW Roads and Maritime Services, Department of Education, Transport for NSW and the Department of Infrastructure and Regional Development (Cth).

The steps involved in the LEP Rezoning Process are illustrated in **Figure 4** below.

Proponent Instigated LEP Rezoning Process (Guide)

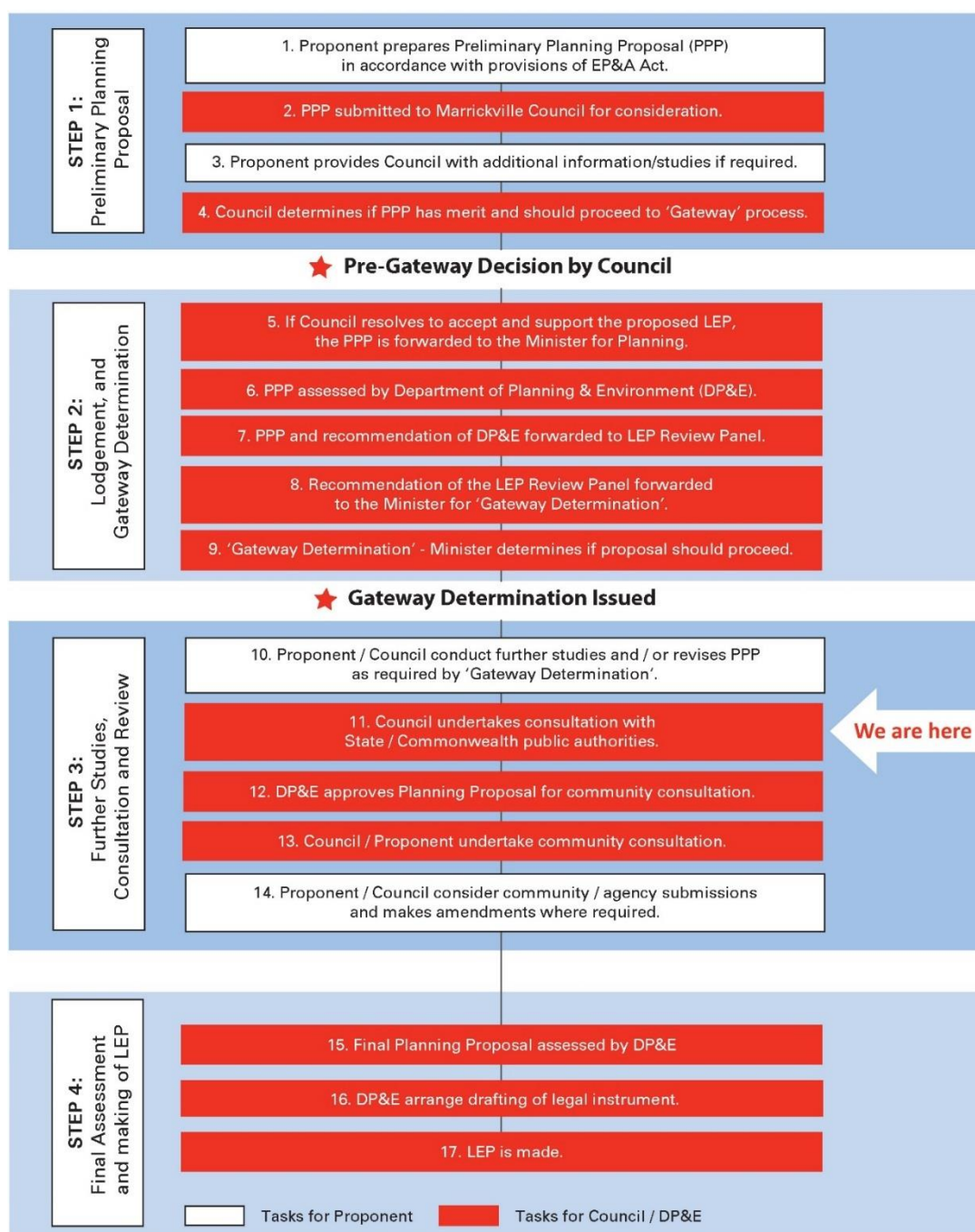


Figure 4 – Proponent instigated LEP Rezoning Process

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 context of Precinct 47 is illustrated in **Figures 5 and 6** 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.

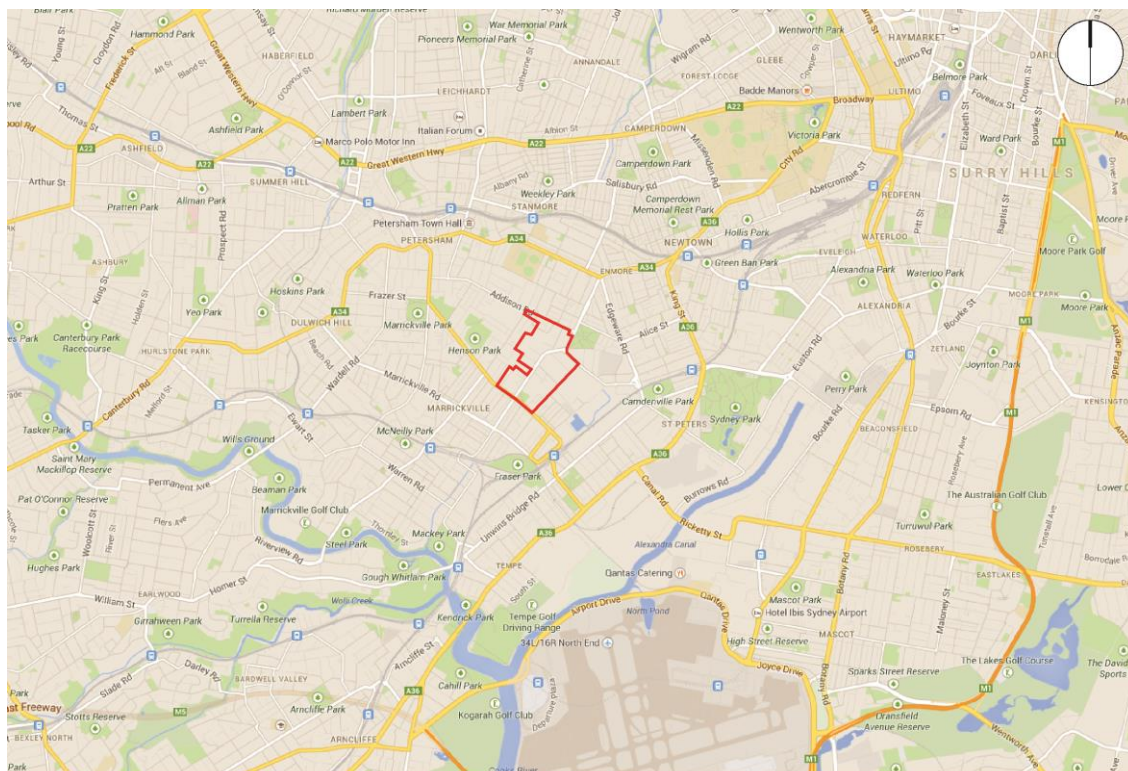


Figure 5 – Site location

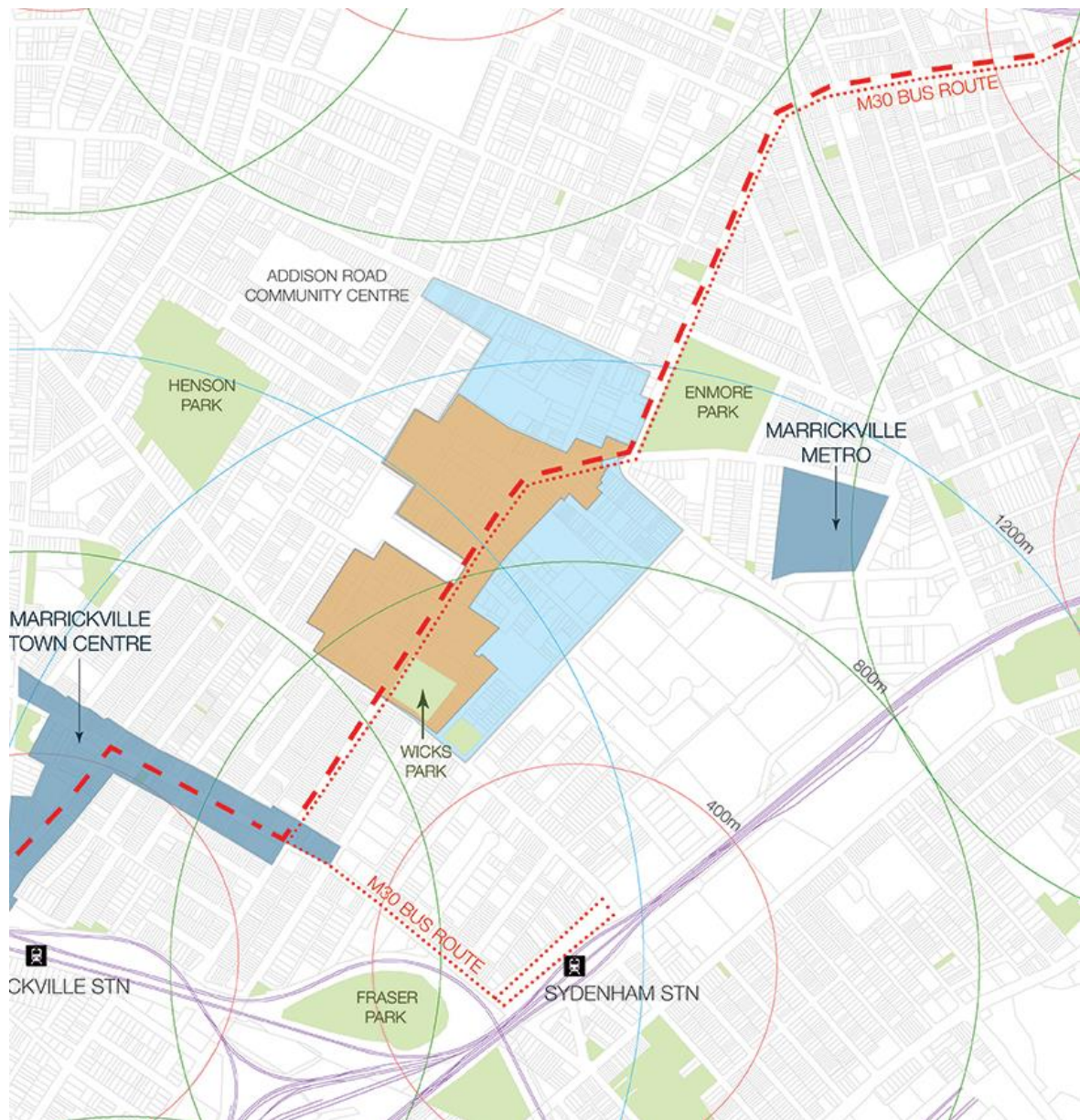


Figure 6 – Local transport and centres context

2.2 Site Description

The boundary of Precinct 47 is generally consistent with that contained within Part 9 of Marrickville Development Control Plan 2011 and is illustrated in **Figure 7**.

Figure 7 also illustrates the boundary of the Victoria Road Precinct, which is a smaller sub-precinct concentrated around the Victoria Road corridor and the south-western edge of Precinct 47.

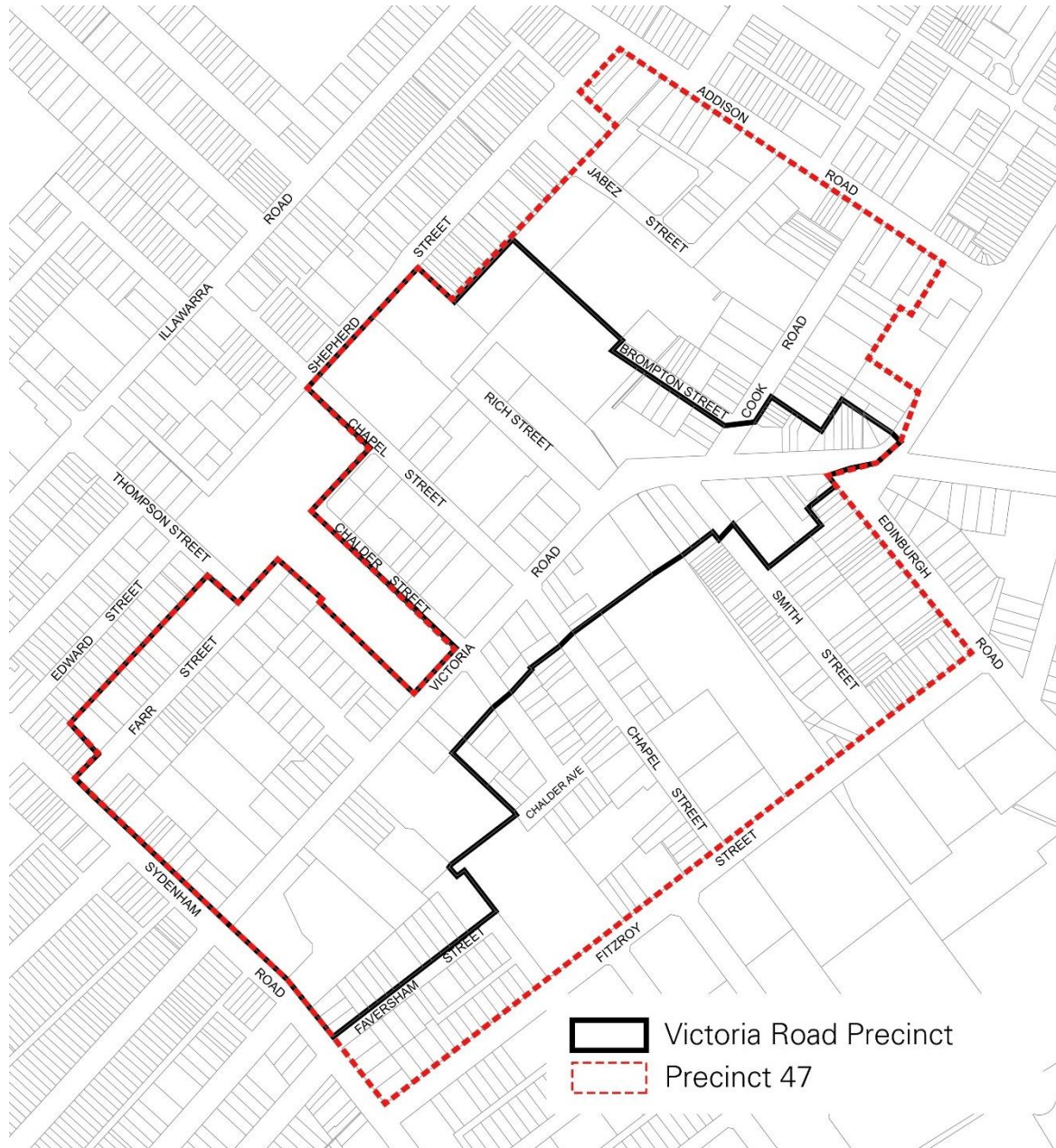


Figure 7 – Precinct 47 and rezoning boundary

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 Timber, 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 eastern boundary of the precinct. 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 significant 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 200m² lots through to large industrial sheds with building footprints in excess of 4,000m². The oldest building within the immediate vicinity of the precinct is 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 20th 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 8**.



Figure 8 – Site context images

2.3 Land Ownership

There are a number of substantial consolidated land holdings within the precinct, which are identified in **Table 3** 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 3 – Major property ownership

▪ Land Owner	▪ Property Description	▪ Approximate Area
▪ Danias Holdings Pty Ltd	▪ 183 Victoria Road (27 lots)	▪ 16,500 m2
	▪ 1 Rich Street and 10 Brompton Street (3 lots)	▪ 12,600 m2

▪ Land Owner	▪ Property Description	▪ Approximate Area
	▪ 190 Victoria Road (12 lots)	10,700 m ²
Frank W Johnston Pty Ltd	▪ 56 Fitzroy Street	Approx. 15,500 m ²
Beradee Pty Ltd	▪ 2 Jabez Street	Approx. 9,100 m ²
D. Morelli & D. Rowney	▪ 14 Rich Street	Approx. 7,500 m ²
Confetta Pty Ltd	▪ 61 Shepherd Street	5,000 m ²
Croydon Industries Pty Ltd	▪ 12 Cooks Road	4,620 m ²
Jonathon Khan	▪ 6 Rich Street	3,654 m ²
FactoryTheatre	▪ 105 Victoria Road	3,500 m ²
Euro Marble Australia Pty Ltd	▪ 11 Rich Street	2,717 m ²
Shiny NSW Pty Ltd	▪ 122-130 Edinburgh Road	2,681 m ²
PJ Ward Smash Repairs	▪ 31-45 Smith Street	2,600 m ²

Figure 9 identifies land owned by Danias Holdings Pty Ltd and land owners who have indicated support of the current planning proposal process.

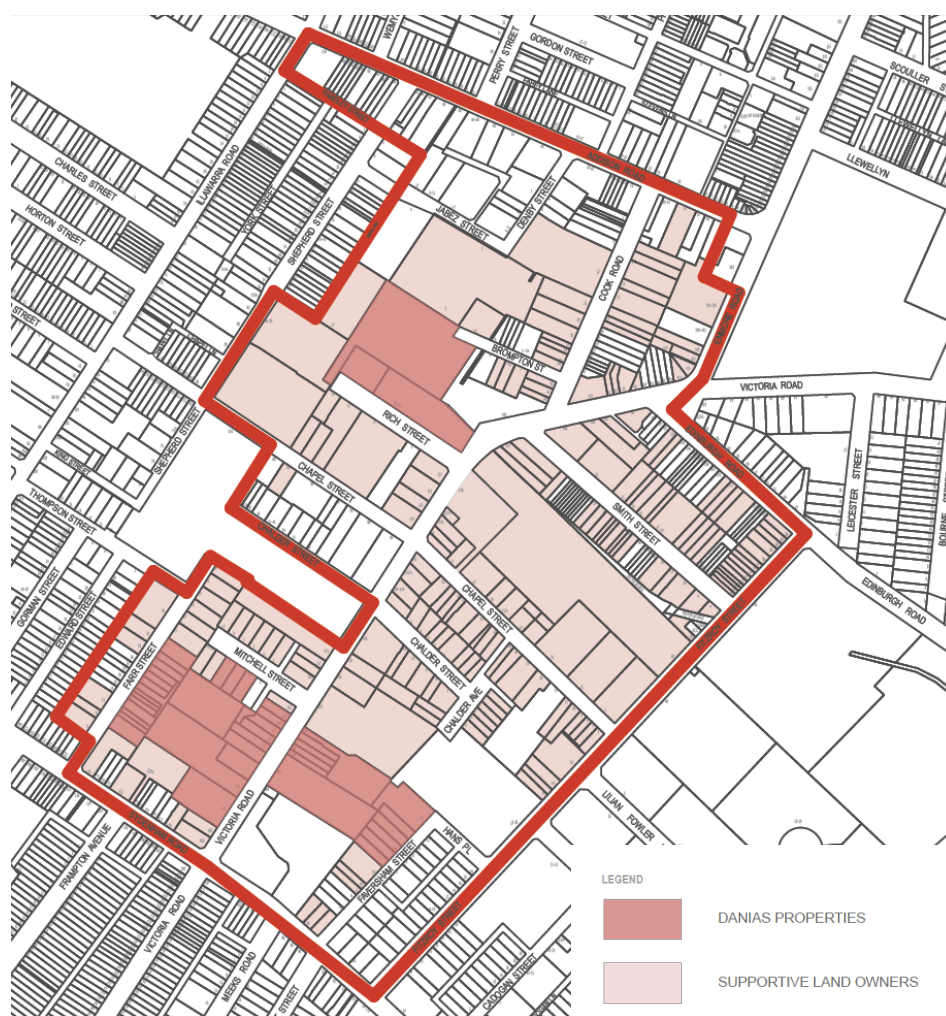


Figure 9 – Danias Holdings properties and supportive land owners

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 11**. 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 m² to approximately 29,000m² 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, but is currently underutilised by the community.

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

The NSW Government has recently announced the City & Southwest Metro which will involve the connection of the North West Rail Link through to Bankstown via a new harbour rail crossing and tunnel beneath the Sydney CBD (refer **Figure 10**). The Sydney Metro will commence operations in 2024 (8 years from now) with 15 services per hour and capacity to double this level of service. With a train every four minutes upon commencement of operations, the Metro represents a significant improvement to the level of service at Sydenham and Marrickville Stations. Sydenham will be a major new interchange between the

Sydney Trains and Sydney Metro networks, allowing commuters from Sydney's south-west to transition between services.

Upon commencement of the Sydney Metro, residents of Sydenham and Marrickville will have same-seat service to the CBD, Barangaroo, North Sydney, St Leonards, Macquarie Park and University and Norwest Business Park, as well as potential additional stations at Sydney University or Australian Technology Park. The Sydney Metro will offer significant time-savings for commuters travelling into and north of the CBD, opening up access to a wider range of employment, education and cultural institutions.

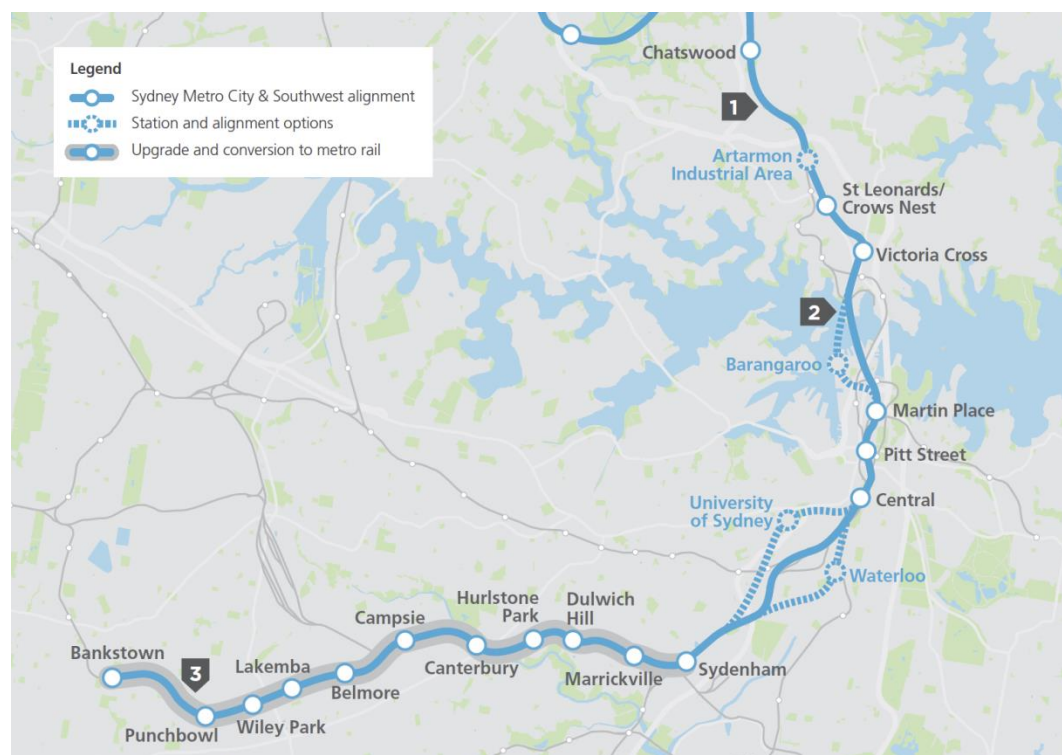


Figure 10 – Proposed Metro City & Southwest alignments
Source: Transport for NSW

In addition, 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 11 – Site context and indicative surrounding land uses

2.5 Existing 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 12** contains an extract from the land use zoning map.

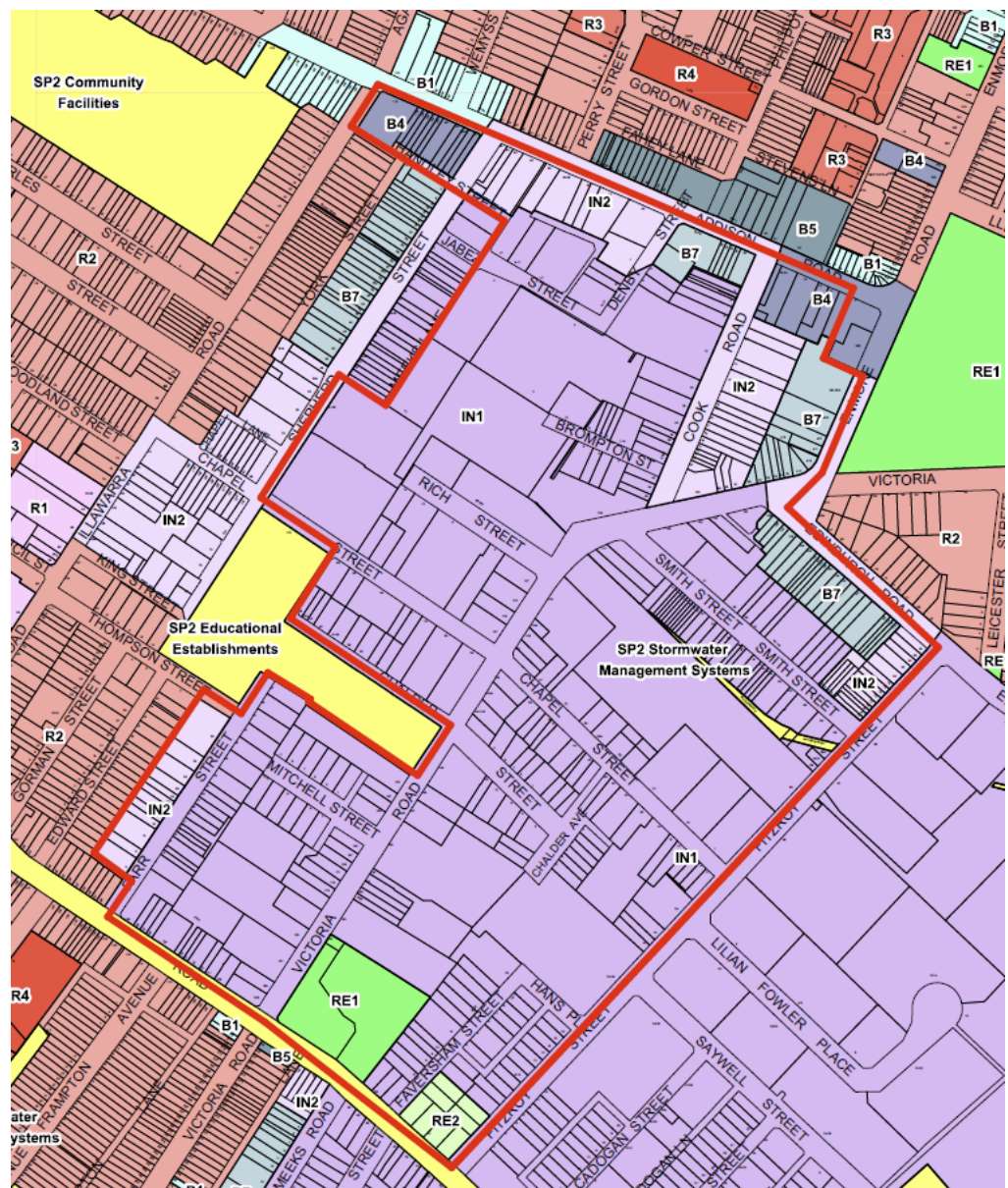


Figure 12 – Land Use Zoning Map from MLEP 2011

Building Height

Maximum building height controls for the precinct are illustrated in **Figure 13**. 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 13 – 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, Shepherd 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 14**.

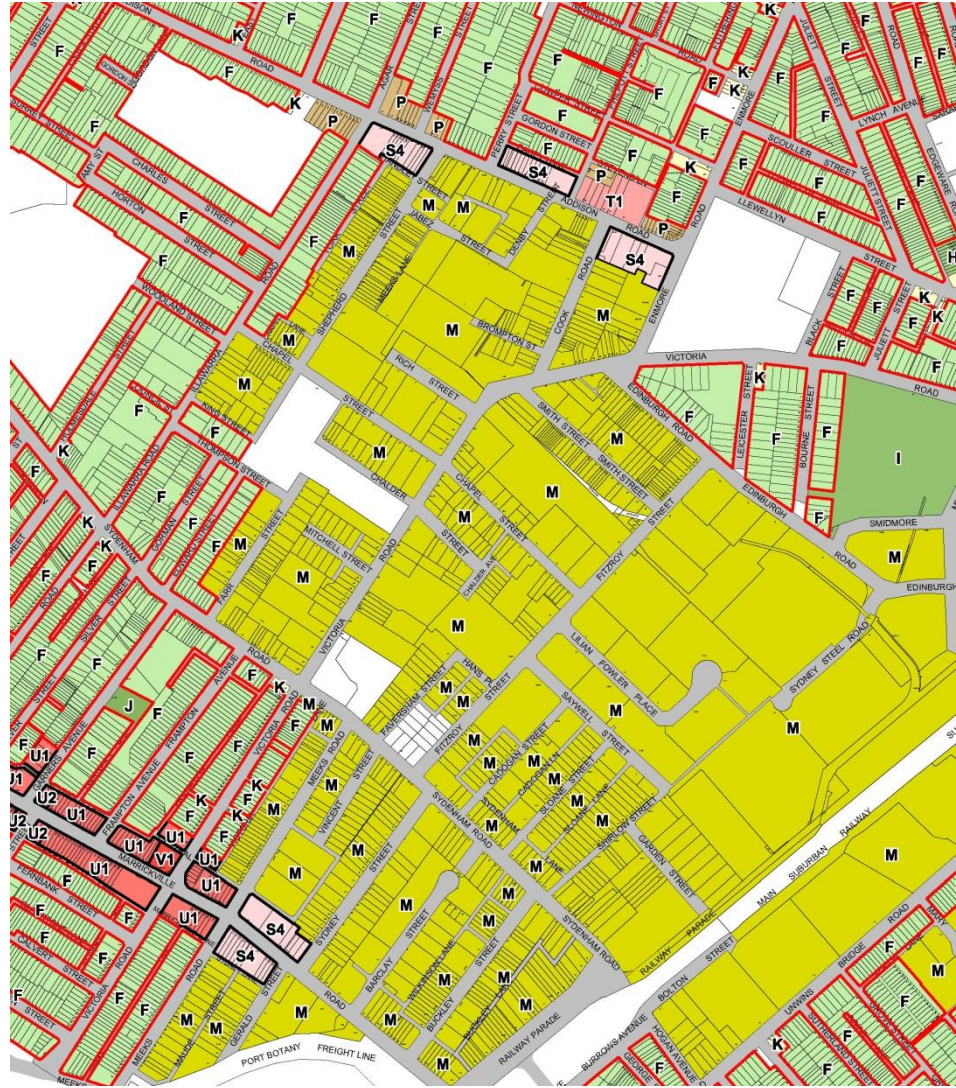


Figure 14 – Floor Space Ratio Map from MLEP 2011

Heritage

There are currently 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 25+ 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 4 identifies the relevant sound levels under AS 2021-2000, and Figure 15 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 4.

Table 4 – 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.

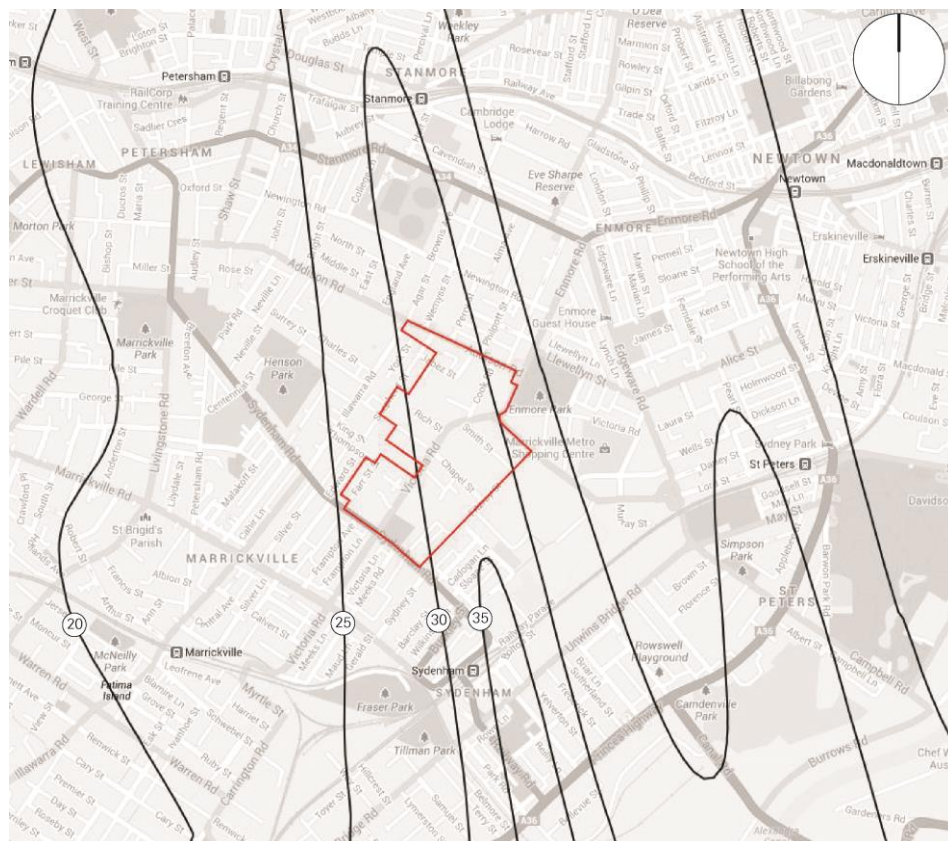


Figure 15 – ANEF 2033 noise contours and Precinct 47 boundary

2.6 Land Use Capability

Our analysis of the capability of the physical attributes and context of Precinct 47 is contained in **Table 5** below.

Table 5 – 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. 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-serviced by public transport and is capable of supporting higher density employment and residential development. 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 3** 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 consultation with a number of key stakeholders in relation to the 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 Planning Proposal and subsequent detailed site investigations and planning.

Marrickville Council

The project team have met with Council staff on numerous occasions throughout the process of the preparation and administration of the 2014 Planning Proposal for Precinct 47, including both prior to and during the assessment of the Planning Proposal by Council. Senior Council staff participated in and hosted the workshop convened in early-2015 with the Department of Planning & Environment and the project team in order to discuss the process forward for planning in this area. In addition, Councillors were briefed by the project team in relation to the 2015 Planning Proposal and the project team would be willing to brief the new Council again upon the submission of this revised Planning Proposal. The proponent has also addressed numerous Council meetings in open forums.

Following the issue of the Gateway Approval in March 2016, the project team have further met with Council to discuss the conditions and agree a course of action for updating the Planning Proposal.

NSW Department of Planning & Environment

Senior officers from the NSW Department of Planning and & Environment have been briefed a number of times regarding the proposal, have attended a number of joint meetings with Council and attended the workshop convened in early-2015 at Marrickville Council.

Following the issue of the Gateway Approval in March 2016, the project team have met with DP&E on a number of occasions to obtain a better understanding of the Gateway conditions, agree the strategy for carrying out the additional work and to provide progress updates.

The Project Team has also met with the Departments Urban Renewal team to discuss the Sydenham to Bankstown Urban Renewal Corridor Strategy and the impact of the Planning Proposal on the strategy. In May 2016 the Project Team participated in the Department's community workshops on the Corridor Strategy.

Sydney Airport Corporation Limited

The project team met with the Mr Ted Plummer (Head of Government and Community Relations) from Sydney Airport Corporation Limited (SACL) on 5 June 2015 to discuss the findings of the Aircraft Noise Assessment and preliminary Aircraft Noise Strategy.

Following the issue of the Gateway Approval in March 2016, the project team have been liaising with SACL to get advice on the OLS height limits and to consult with them regarding the Draft DCP. The project team met with SACL on 4th July and have provided SACL with a copy of the Draft DCP for review and comment.

Australian Government Department of Transport and Regional Development

The project team met with Mr Scott Stone (General Manager, Aviation Environment) from the Australian Government Department of Infrastructure and Regional Development on 9 June 2015 to discuss the findings of the Aircraft Noise Assessment and preliminary Aircraft Noise Strategy.

NSW Department of Education and Communities and Marrickville Public School

The project team met with representatives from Marrickville Public in April 2014 in order to provide an overview and update on the progress of the Planning Proposal. At the time 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.

Local land owners

The project team and land owner have consulted both formally and informally with over 50 businesses and land owners throughout Precinct 47 throughout the duration of the planning process. These discussions have been ongoing since the Gateway Approval was issued in March 2016.

Public exhibition of 2014 Planning Proposal

The 2014 Planning Proposal was publicly exhibited for over two months between 17 December 2014 and 27 February 2015. The Planning Proposal was exhibited concurrently with the 2014 MELS. Submissions were received from Leichhardt Council, Botany Bay Council, NSW Ports and Sydney Airport Corporation Limited in relation to the MELS exhibition, and a number of submissions from the public were received in relation to the items in both support and objection to each of the proposals.

Following receipt of the Gateway Approval and the subsequent update of the Planning Proposal it is required that the Council carry out further public exhibition and consultation in accordance with the prescribed Gateway conditions.

Wider community and other stakeholders

In addition to the above, the proponent voluntarily undertook the following activities in order to involve and inform the community of early planning activities:

- established a project website (www.victoriaroadprecinct.com) that contains comprehensive details of the project and planning process;
- letterbox-dropped the entire precinct and immediate surrounds informing the community about the project;
- attended public meetings about the project;
- offered to meet with the local community group;
- discussed the proposal with the Marrickville Public School Principal;
- doorknocked every landowner in Precinct 47;
- responded to all local media enquiries; and
- the proponent continues to meet with land owners, business operators and local residents about the planning proposal.

3.2 Engagement Strategy

Stage 1 – Post-Gateway

Following submission of this Planning Proposal, the project team have undertaken initial consultation with the local landowners within Precinct 47. Consultation meetings have also been undertaken with:

- Sydney Airport Corporation;
- Marrickville Public School; and
- Inner West Council planning staff.

Stage 2 – Exhibited Planning Proposal

In accordance with Condition 4(a) of the Gateway Approval the updated Planning Proposal is required to be placed on public exhibition and consultation for a minimum of 28 days. To comply with this requirement, it is anticipated that this Planning Proposal will be public exhibited by the Inner West Council for public comment. The 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 the Inner West Council. The proponent will also work with Council on expanding the consultation process with further community engagement activities undertaken by the proponent through public consultation events and information distribution.

In accordance with normal practice, during the public exhibition period consultation will be undertaken with:

- Department of Transport and Regional Development;
- Department of Education and Communities;
- The Administrator of the Inner West Council; and
- Other public authorities and utilities.

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 particularly on the fringe of the main industrial precinct, 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 industrial land along the eastern edge of the precinct that adjoins 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.
- Provide additional housing near major transport corridors that will benefit from substantive infrastructure improvements and investment such as the Southwest Metro.
- Support housing affordability policies by increasing housing supply and diversity and ensuring that a proportion of all new housing will be dedicated to affordable and key worker housing.
- 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.
- Increase opportunities for live/work housing in Marrickville, for both the creative and professional/consulting sectors of the market.
- Contribute to the supply of affordable housing within Marrickville by including planning mechanisms to ensure that new residential development contributes to local affordable housing stock.
- Ensure that all new dwellings are designed to achieve accepted levels of internal acoustic amenity.

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.
- Deliver a built form and urban design outcome that effectively transitions and integrates with the surrounding area.

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 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 commercial, home renovation, showroom, food productions and other non-residential space will provide a critical mass to support other 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.

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 seven storeys, with opportunities for some signature taller forms around Wicks Park 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, liveable 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 and the accompanying Draft Development Control Plan. Key features of this master plan include:

- rezoning of approximately 48% 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.
 - medium-scale residential development in the vicinity of Farr Street to provide an appropriate interface to surrounding areas.
 - Medium to high-density residential development within the southern precinct around Wicks Park and the timberyards site.
- approximately 1,100 new residential dwellings with a mixture of one, two and three-bedroom apartments;
- new mid-block road and pedestrian connections throughout the precinct.

The master plan has informed the preparation of a Draft Development Control Plan for Precinct 47 (**Appendix E**) which once adopted will provide a detailed framework to guide and regulate future development within the precinct.

Figure 16 illustrates the proposed layout of land uses within Precinct 47 envisaged under the Master Plan.



Figure 16 – Master Plan for Precinct 47
Source: Turners

5.2.1

5.2.1 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 in the southern portion of the precinct. This will create a strong linear urban corridor which reinforces the King Street/Enmore Road/Victoria Road/Marrickville Road linkage.

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 still mixed use but which exhibits a more residential character overlooking Wicks Park. This area will comprise medium to higher density housing in order to take advantage of its proximity to open space, the Marrickville Road local centre and lower aircraft noise levels, whilst still maintaining an active street front on Victoria Road. New dwellings will benefit from close access to Sydenham Station, where the new Sydney Metro will provide a 'walk-up-and-go' service that offers significant travel time savings to the CBD, North Sydney, St Leonards and Macquarie Park. Building heights will reduce along the eastern side of Wicks Park to provide an appropriate transition to Faversham Street and Sydenham Road.

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

5.2.2 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.

5.2.3 Street Network

As illustrated in **Figure 17**, 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. Proposed connections outside of the rezoning area could be considered as part of future planning, and have been shown to demonstrate integration and potential future connectivity.



Figure 17 – 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 the Precinct 47 to a range of zones that match the desired future land use. The B4 Mixed Use and B5 Business Development zones are proposed to support more diverse employment options throughout rezoned portions of Precinct 47, with shops prohibited in order to limit competition with established retail corridors and centres. Residential zones are proposed in the southern portion of Precinct 47, which is located outside of the ANEF 30+ noise contour and within walking distance of Sydenham Station. Discussion of each proposed zone is provided below. The existing land use table from MLEP 2011 would continue to apply.

Overall, the Planning Proposal would result in approximately 48% of land (excluding existing roads) within Precinct 47 being retained for its current business, industrial or open space zoning. Under the Planning Proposal, 80% of private land (i.e. excluding Wicks Park and existing roads) within Precinct 47 will be retained in its existing zoning or exclusively for employment purposes. A further 10% of land will be rezoned to B4 Mixed Use, resulting in of 90% of private land within the precinct being subject to a business zoning.

In summary, this Planning Proposal seeks to rezone the following land within Precinct 47:

- 28% of land (excluding existing roads) to be rezoned to B5 Business Development to permit a mix of business, light industrial and creative uses;
- 10% of land (excluding existing roads) to be rezoned to B4 Mixed Use to permit a range of business, creative and residential uses;
- 8% of land (excluding existing roads) to be rezoned to R4 High Density Residential to permit new housing within the southern portion of the precinct close to transport; and
- 2% of land (excluding existing roads) to be rezoned to R3 Medium Density Residential for a new transitional zone on Farr Street.

The proposed zoning map is contained in **Section 5.4** below.

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**.*

The B5 Business Development Zone has been selected as it is considered to best reflect the urban renewal objectives for the Victoria Road Precinct and the desire to create a more diverse and relevant mix of business uses that support local employment needs. The prohibition on retail uses within the zone is considered to be essential, which along with the zone objectives will ensure that new development does not impact on the viability of established centres in Marrickville.

Following receipt of the Gateway Determination in March 2016 land bordering the eastern side of Wicks Park has been rezoned from R4 High Density Residential to B5 Business Development. This amendment in the zoning has been made to respond to the gateway conditions and provide an area of land use transition between the proposed B4 Mixed Use Zone to the west and the existing IN1 Industrial Zone to the east. The B5 Business Development Zone will still allow for the existing uses to operate in the future, it will continue to encourage employment growth in the area, and will effectively provide a buffer between any future residential uses and the existing industrial uses to the east.

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.

It is proposed in **Section 5.3.4** to prohibit 'shops' (except neighbourhood shops) as within the Victoria Road Precinct to prevent retail competition with established centres and corridors.

R4 High Density Residential

The objectives of the R4 High Density Residential zone under MLEP 2011 are (with our emphasis):

- *To provide for the **housing needs of the community within a high density residential environment**.*
- *To provide a **variety of housing types within a high density residential environment**.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for office premises only as part of the conversion of existing industrial and warehouse buildings.*
- *To provide for office premises and retail premises in existing buildings designed and constructed for commercial purposes.*
- *To provide for **well connected neighbourhoods that support the use of public transport, walking and cycling**.*

This zone is considered to be appropriate as it is the only residential zone under MLEP 2011 that explicitly lists residential flat buildings as a permitted use. The R4 High Density Residential zone will facilitate the provision of housing in close

proximity to public transport (both new and existing) and provide for suitable transitions to established residential areas (in conjunction with the proposed development standards).

R3 Medium Density Residential

The objectives of the R3 Medium Density Residential zone under MLEP 2011 are (with our emphasis):

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for office premises and residential flat buildings only as part of the conversion of existing industrial and warehouse buildings.*
- *To provide for office premises and retail premises in existing buildings designed and constructed for commercial purposes.*

This zone is proposed to apply only to land to the on the western side of Farr Street. Existing buildings in this area are typically two storey commercial/industrial buildings that are built to the property boundaries. These properties abut existing single storey dwellings in Edward Street. The proposed R3 Medium Density zone would allow for the redevelopment of these sites for medium density residential, including the potential conversion of these buildings to low-scale residential apartments or offices. This will provide for an orderly transition between the proposed high density zone to the east and the established low density residential precinct to the west.

5.3.2 Controls and Development Standards

Building Height and Floor Space Ratio

The indicative maximum building height and floor space ratio maps are reproduced at **Figure 20** and **Figure 21** respectively. In brief, the Planning Proposal envisages the following building height controls within Precinct 47:

- 5-6 storey street edge along Victoria Road
- 3 storey street edges along Sydenham Road and Farr Street (west side);
- predominately 5-6 storey buildings on larger blocks; and
- high density in the central precincts with maximum building heights up to 14 storeys.

As illustrated in **Figure 20**, 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 1:1 and 2.3:1, with lower densities along sensitive residential interfaces to the west of the precinct and two pockets of higher density. Land north of Wicks Park and located between Sydenham Road, Mitchell Street, Farr Street and Victoria Road (i.e. the Timbryard Site and immediate surrounds) would sustain higher densities of up to 3.5:1, reflecting the vision for these areas being the focus of residential within Precinct 47.

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.

A further Heritage Assessment of Precinct 47 has been carried out by Artefact Heritage and is included at **Appendix H**. It carries out a high level review and identifies known and potential heritage items within the Precinct, and sets out a series of recommendations in relation to heritage for the Planning proposal and future planning of the area.

Affordable Housing

It is proposed to include a mandatory affordable housing contribution of 3% of residential dwellings (or monetary levy equivalent) for all new residential development within the Precinct 47. This will ensure that there is a material public benefit to the community as a result of new development.

Affordable housing contributions are currently collected in three other localities within NSW at the following rates:

■ Ultimo-Pyrmont	0.8%
■ Green Square	3%
■ Willoughby LGA	4%

This provision would be implemented in accordance with sections 94F and 94G of the *Environmental Planning Assessment Act 1979*.

A rate of 3% has been adopted as it is considered to provide an appropriate balancing between project viability and making a meaningful contribution to the supply of affordable housing. The rate is equivalent to that required in Green Square, but slightly lower than Willoughby. This is considered appropriate as the cost of residential development in Precinct 47 will be slightly higher than other precincts due to the cost of implementing the Aircraft Noise Strategy, and apartment sales prices are expected to be lower in Precinct 47 compared to the Willoughby LGA.

This Planning Proposal adopts the provision used in the Willoughby Local Environmental Plan 2012. As worded, the provision would vest responsibility for the ownership and management of these dwellings with Marrickville Council or a registered community housing provider (i.e. City West Housing, Evolve Housing, Bridge Housing). This should be a broader policy decision for Marrickville Council, and the proposed provision would not preclude Council from making this policy decision at a later date.

Aircraft Noise

JBA has prepared an Aircraft Noise Strategy with input from EMM and Turner Associates to ensure that internal amenity criteria are achieved for all future dwellings within the Victoria Road Precinct. This has been informed by discussions with Marrickville Council, the Department of Planning & Environment, Sydney Airport Corporation Limited and the Australian Government Department of Transport and Regional Development.

The Aircraft Noise Strategy includes building design standards and strategies that will allow new residential flat buildings to achieve the standard internal acoustic criteria set out in the Australian Standard. It is intended that this strategy be implemented as a development policy document alongside the Planning

Proposal in order to guide the formulation and assessment of future Development Applications within the Victoria Road Precinct.

The Aircraft Noise Strategy is provided at **Appendix F** of this Planning Proposal and is discussed in further detail at **Section 6.4** of this report.

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, and it is not considered necessary to include additional duplicate provisions in the Planning Proposal. It is noted that the changes in uses will occur over a longer time period, which will give businesses certainty required to adapt and respond to the changing urban context.

5.3.3 Draft Development Control Plan

A Draft Development Control Plan (Draft DCP) for the Victoria Road Precinct (Precinct 47) has been prepared to accompany the Planning Proposal (**Appendix E**). The Draft DCP establishes a framework to guide development in Precinct 47 – Victoria Road (the precinct). Specifically, it sets out to:

- identify the desired future character, development principles, key elements and indicative structure for the future development of the precinct;
- communicate the planning, design and environmental objectives and controls against which the consent authority (i.e. Inner West Council) will assess future development applications;
- ensure the orderly, efficient and environmentally sensitive development of the precinct; and
- promote a high quality urban design outcome.

In the event that the Planning Proposal is gazetted as an LEP Amendment into the Marrickville LEP 201, the Draft DCP is intended to be adopted simultaneously and form part of the Marrickville Development Control Plan 2011. It is proposed that the Draft DCP replace and supersede the current Section 9.47 Victoria Road (Precinct 47) contained within the Marrickville DCP 2011.

The Draft DCP sets out the desired future character for Precinct 47 and divides the Precinct into a number of Sub-precincts (**Figure 18**), with each of these also having a specified future character statement as shown below.



Figure 18 – Sub-precincts
Source: JBA

Victoria Road Corridor Sub-precinct

The Victoria Road Corridor Sub-precinct covers areas fronting Victoria Road. It is proposed to evolve into a main commercial spine comprising commercial, showroom, bulky goods, retail and other non-residential uses featuring well-designed built form that has a sensitive interface with a high quality public domain featuring footpaths, street trees and other street furniture. This will create a pleasant and inviting environment to foster greater pedestrian and commercial activity along Victoria Road.

Areas south of Chalder Street within the sub-precinct will transition into a new vibrant mix of ground floor non-residential uses, and residential uses on the upper levels where noise affectation from the operation of Sydney Airport is less prevalent. 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. These mix of uses will increase opportunities for residents to work locally and use local retail and leisure facilities. Where noise-generation from existing flight paths across the Precinct make it inappropriate for residential uses, non-sensitive uses such as office space, ground floor showrooms will be implemented in order to support activation along the corridor.

Timber Yards Sub-precinct

The Timber Yards Sub-precinct will be a new residential area that will support the function of the Victoria Road Corridor Sub-precinct, interconnecting with the proposed mixed use areas along the Victoria Road. Built form will transition in height, being predominantly 3-5 storeys along the periphery with opportunities for taller buildings in the central area of the sub-precinct to minimise amenity impacts to adjoining low density residential areas. Siting and design measures will also be required for taller building elements to minimise residential amenity impacts from the operation of Sydney Airport.

New shared zones and enhanced footpaths within the sub-precinct will add to the vibrancy of the area, increasing pedestrian activity and connections to new pocket parks and commercial areas along the Victoria Road Corridor Sub-precinct.

Wicks Park Sub-precinct

This Wicks Park Sub-precinct will predominantly be a mixed use area that will be characterised by non-residential ground floors with residential above. This sub-precinct will also support the function of the commercial corridor along Victoria Road while maximising amenity opportunities from Wicks Park. Streetscape and street network improvements will directly link to Victoria Road, enhancing the permeability of the sub-precinct, and supporting the ongoing function of the Victoria Road Commercial Corridor.

The extension of Hans Place to Victoria Road will be a one-way shared zone that will provide a key pedestrian link from the Creative hub precinct to the Victoria Road Commercial Corridor with the opportunity for active uses such as cafes, studios, boutique showrooms and smaller retail opportunities. By retaining the potential heritage façade of 23-33 Faversham Street, it will provide a physical delineation between the active mixed use laneway west of Faversham Street and the business development area east, minimising potential land use conflicts, whilst providing a signified entry point into the mixed use laneway.

The sub-precinct will focus higher density residential along the northern edge of Wicks Park and maximise high visual amenity provided by the open space area. To minimise potential land use conflicts with the existing industrial area to the east and noise and vibration affectation from the operation of Sydney Airport, transitional uses under a B5 Business Development Zone will be integrated along the western side of Faversham Street, with the existing IN1 zone to be retained between Faversham and Fitzroy Streets. This area of business uses will help facilitate an appropriate land use transition whilst removing any possibility of conflicts between future residential uses and existing industrial uses.

Chalder Avenue Sub-precinct

The Chalder Avenue Sub-precinct is a transitional precinct that will provide a buffer between the heavy industries to the east, and the commercial strip along Victoria Road. The sub-precinct will encourage modern forms of light industrial uses that will minimise the land use conflicts between surrounding uses. This will enable the sub-precinct to progressively evolve to cater for more modern employment industries that will provide a compatible transition and minimising potential land use conflicts.

Chapel Street Sub-precinct

The Chapel Street Sub-precinct has a strong presence of creative industries, such as music, design and workshops. The future vision for the Chapel Street Sub-precinct is to reinforce the strong presence of creative industries and build upon the existing home renovation stores that will see the sub-precinct become the focal point for these activities. The transition of the sub-precinct will be supported by identifying possible future connections to enhance the permeability of the sub-precinct, improving the walkability and traffic movements that will integrate with the surrounding road network.

Existing heritage items and significant elements such as the Sims Metal Factory and 14 Rich Street may provide an opportunity for a new community hub that will be a venue for community events, such as village markets, exhibitions and functions.

Draft DCP Controls

In addition to outlining the aims, objectives and desired future character for Precinct 47, the Draft DCP provides a detailed planning and development framework to guide future development and assist the Council with their assessment of applications. These controls cover the following key topics:

- Movement network
- Shared Zones
- Green Links
- Indicative Street Sections
- Public Open Space Network
- Stormwater Management
- Building form and design
- Building height
- Setbacks
- Active ground floor uses
- Architectural excellence
- Aircraft operation
- Noise
- Social and community facilities
- Heritage

It is noted that new development within the precinct will need to have regards to the proposed Draft DCP controls as well as other relevant provisions in the Marrickville DCP 2011, that together will provide a complete and comprehensive list of controls that will ensure that all development can be appropriately assessed and determined by Council.

For further details refer to the Draft Victoria Road Precinct (Precinct 47) DCP provided at **Appendix E**.

5.4 Proposed Amendments to LEP Provisions

This Planning Proposal seeks to amend planning controls for land within Precinct 47. **Figure 19** below illustrates the extent of Precinct 47 and the boundary of the proposed amendments to planning controls.

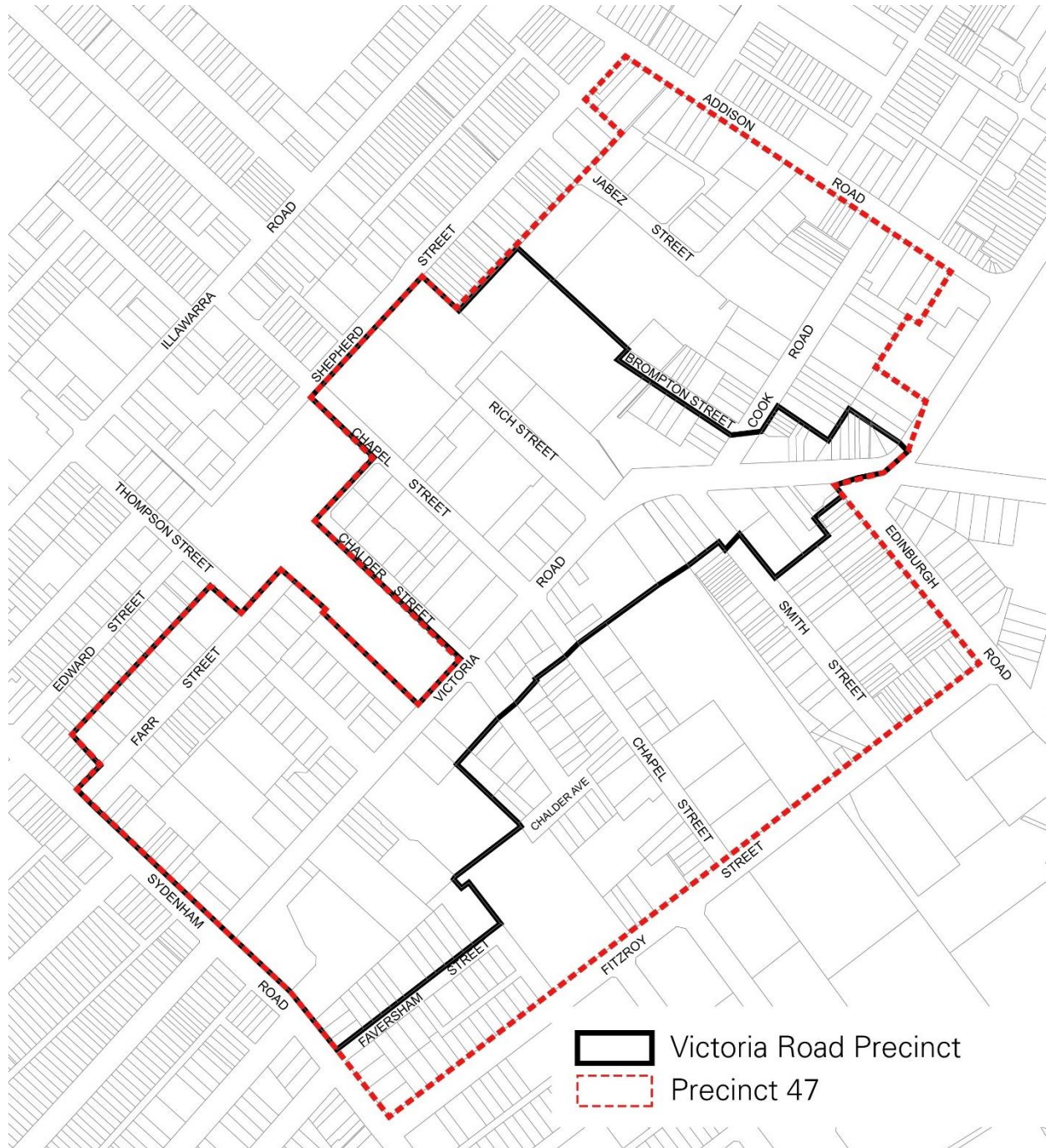


Figure 19 – Precinct 47 boundary and land application plan

5.4.1 Land Use Zone

This Planning Proposal seeks to amend the Land Zoning Map under MLEP 2011 as identified in **Figure 20** below.

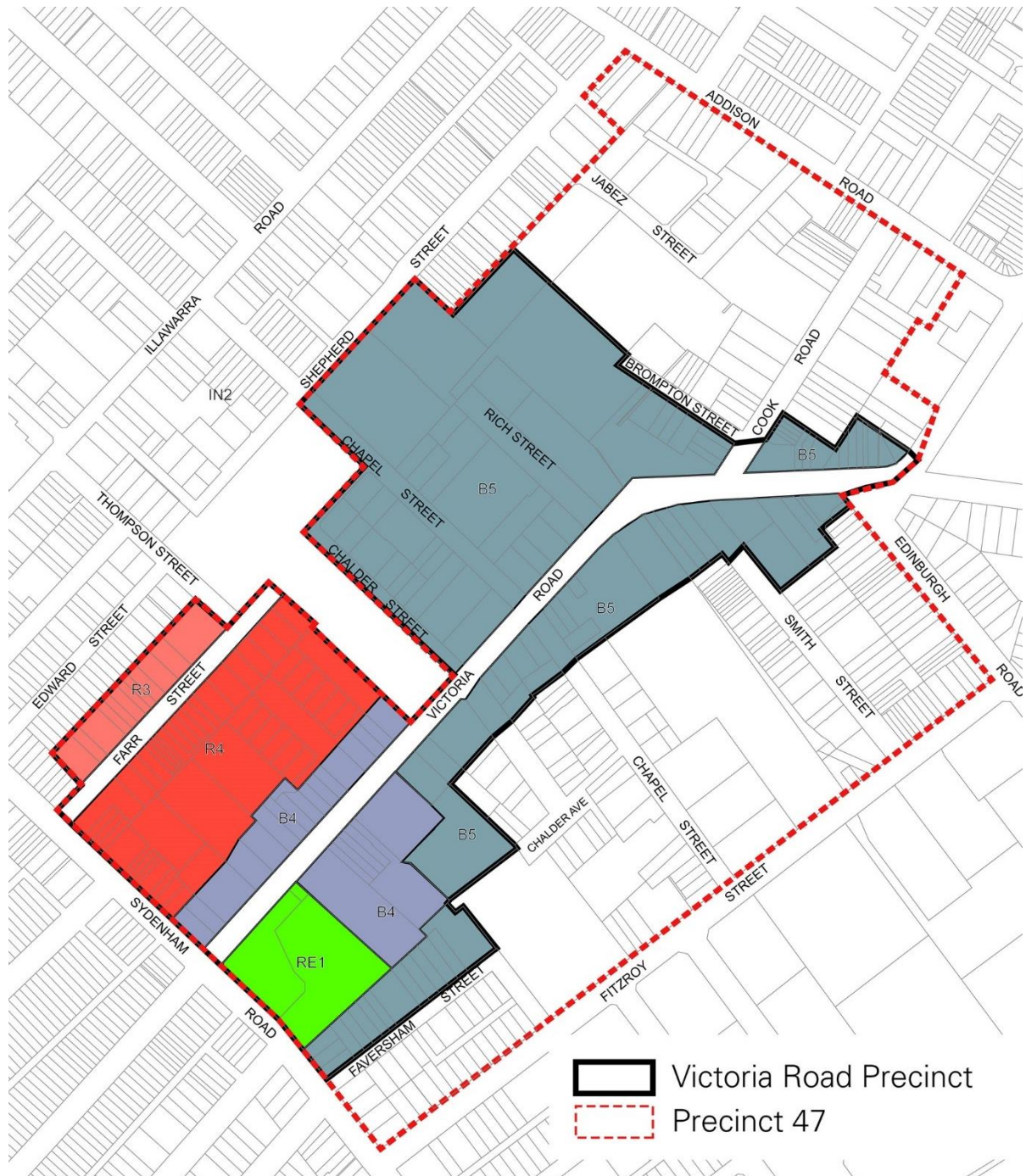


Figure 20 – Proposed land use zoning controls

5.4.2 Building Height

This Planning Proposal seeks to amend the Height of Buildings Map under MLEP 2011 as identified in **Figure 21** below.

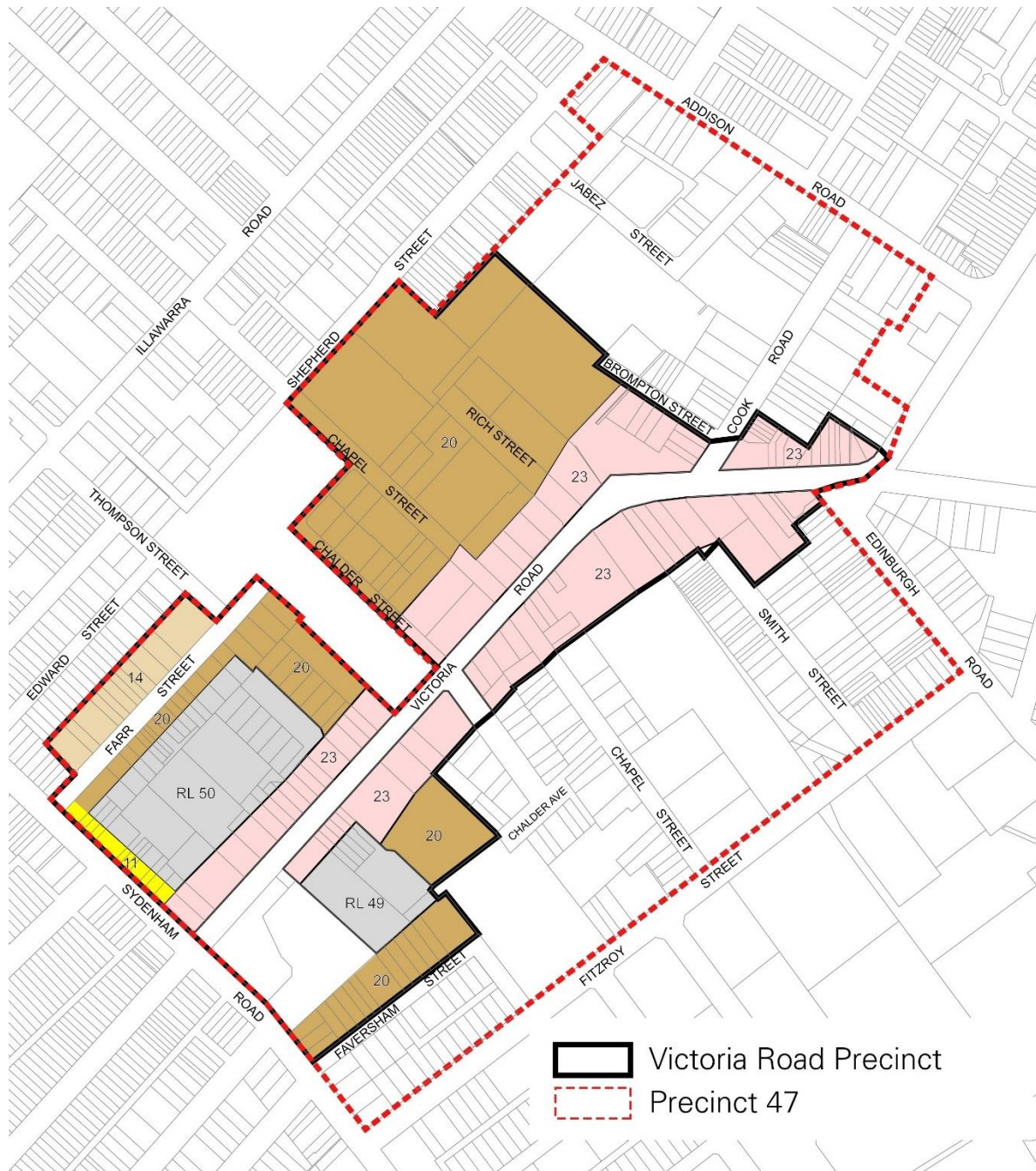


Figure 21 – Proposed building height (in metres) controls

5.4.3 Floor Space Ratio

This Planning Proposal seeks to amend the Floor Space Ratio Map under MLEP 2011 as identified in **Figure 22** below.

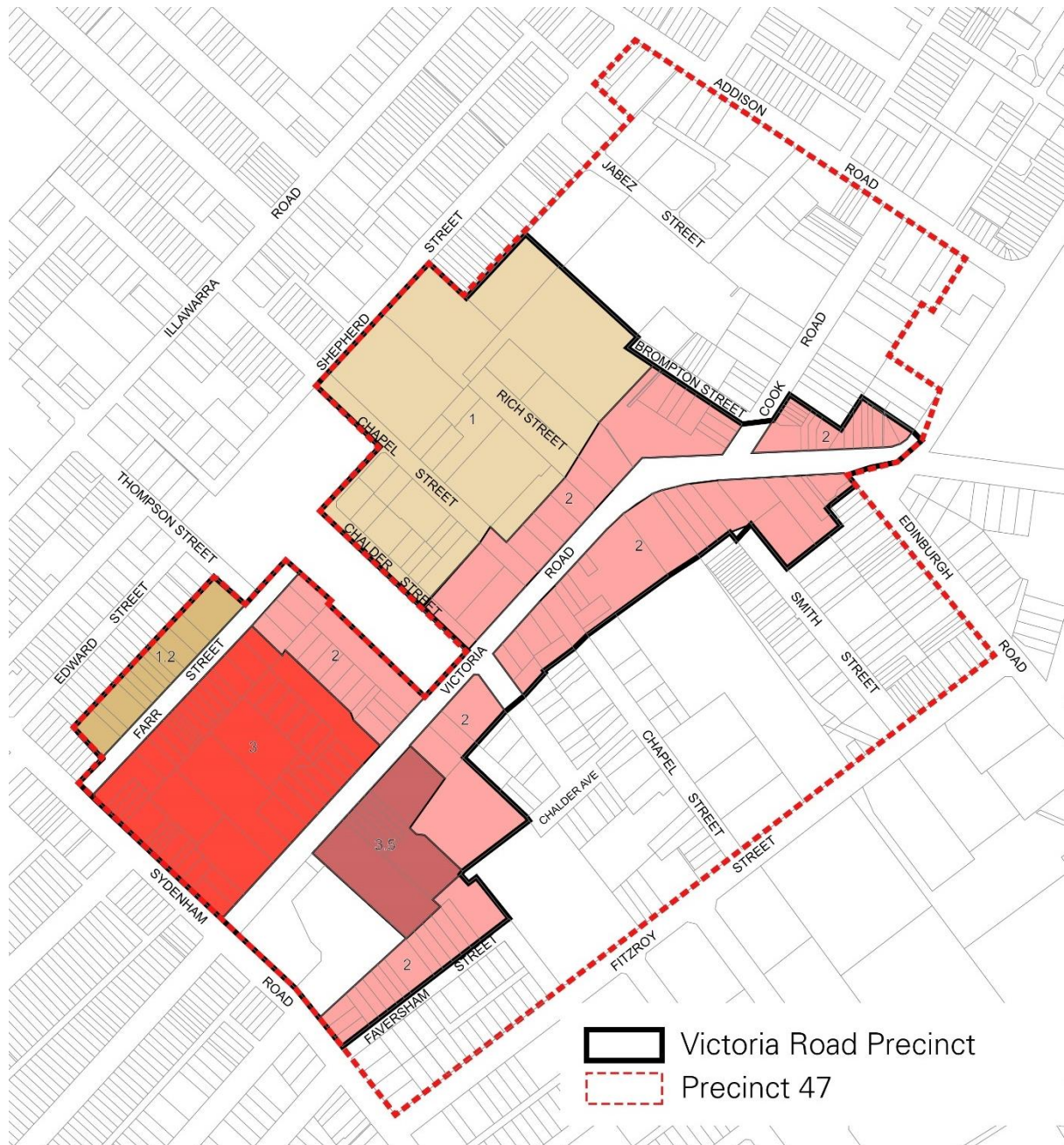


Figure 22 – Proposed floor space ratio controls

5.4.4 Schedule 1 Key Sites – Affordable Housing, Aircraft Noise and Retail Restriction

In addition the provisions identified above, it is recommended that the portion of the Victoria Road Precinct that is proposed to be zoned B4 Mixed Use and R4 High Density Residential (see **Figure 23**) be identified as a 'Key Site' in Schedule 1 of the LEP in order to provide site-specific controls for the provision of affordable housing and the implementation of design standards to ensure internal acoustic amenity.

1. This clause applies to certain land in Marrickville as shown coloured blue on the Key Sites Map and identified as Key Site (number to be inserted upon gazettal).

Aircraft Noise

2. A consent authority must not determine an application for a development including residential apartments unless it is satisfied that the following internal acoustic criteria will be achieved:
 - a) in any bedroom in the building—35 dB(A) at any time between 11 pm and 7 am,
 - b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.
3. When determining an application to which subclause (4) applies the consent authority must have regard to any Aircraft Noise Strategy, or equivalent strategy contained within a development control plan that applies to the land, that has been adopted by Council.

Retail Restriction

4. Notwithstanding any other provision of this LEP, development for the purpose of shops (except neighbourhood shops) are prohibited on land to which this clause applies.

Affordable Housing

5. For the purposes of this clause, the Marrickville Affordable Housing Principles are as follows:
 - a) affordable housing must be provided and managed in Marrickville so that accommodation for a diverse residential population representative of all income groups is available in Marrickville, and
 - b) affordable housing must be rented to tenants whose gross household incomes fall within the following ranges of percentages of the median household income for the time being for the Sydney Statistical Division according to the Australian Bureau of Statistics:

Very low income household	less than 50%
Low income household	50% or more, but less than 80%
Moderate income household	80–120%

and at rents that do not exceed a benchmark of 30% of their actual household income, and

- c) dwellings provided for affordable housing must be managed so as to maintain their continued use for affordable housing, and
- d) rental from affordable housing received by or on behalf of the Council or other nominated social housing provider, after deduction of normal landlord's expenses (including management and maintenance costs and all rates and taxes payable in connection with the dwellings), must be

used for the purpose of improving or replacing affordable housing or for providing additional affordable housing in Marrickville, and

- e) affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in Marrickville, especially in terms of internal fittings and finishes, solar access and privacy.
6. Development consent must not be granted to the erection of residential accommodation on land identified as a “Key Site (*number to be inserted upon gazetta*)” on the Key Sites Map unless the consent authority has taken the following into consideration:
- a) the Marrickville Affordable Housing Principles,
 - b) the impact the development would have on the existing mix and likely future mix of residential housing stock in Marrickville,
 - c) whether an affordable housing condition should be imposed on the consent.
7. The following are affordable housing conditions:
- a) a condition requiring the payment of a monetary contribution to the consent authority by the applicant to be used for the purpose of providing affordable housing in accordance with the Marrickville Affordable Housing Principles that is the value, calculated in accordance with subclause (4), of 3% of the accountable total floor space to which the development application relates, or
 - b) if 3% of that accountable total floor space provides a sufficient amount of gross floor area, a condition requiring:
 - i. the dedication in favour of the consent authority or a registered community housing provider, free of cost, of land of the applicant comprised of one or more complete dwellings with a gross floor area of not more than the amount equivalent to that percentage, each dwelling having a gross floor area of not less than 50 square metres, and
 - ii. if the total amount of gross floor area of the complete dwelling or dwellings is less than the amount equivalent to that percentage, the payment of a monetary contribution to the consent authority by the applicant that is the value, calculated in accordance with subclause (8), of the gross floor area equivalent to the difference between those amounts,

to be used for the purpose of providing affordable housing in accordance with the Marrickville Affordable Housing Principles.
8. The amount of the contribution to be paid under a condition imposed under subclause (6) (c) is the value of the gross floor area concerned calculated by reference to the market value of dwellings of a similar size to those proposed by the development application.
9. This clause does not apply to development for the purpose of any of the following:
- a) boarding houses,
 - b) community housing (as defined in section 3 of the Housing Act 2001),
 - c) group homes,
 - d) hostels,
 - e) public housing (as defined in section 3 of the Housing Act 2001).

10. An affordable housing condition must not be imposed in relation to an amount of accountable total floor space if the consent authority is satisfied that such a condition has previously been imposed under this clause in relation to the same or an equivalent amount of accountable total floor space on the site.

11. In this clause:

accountable total floor space means the gross floor area of the residential component of the development to which the development application relates.

nominated housing provider means a not-for-profit organisation operating for the purpose of providing housing at below-market rates to households that is registered with the NSW Registrar of Community Housing.

market value means the most current median sales price of such dwellings for Marrickville as documented in the Rent and Sales Report NSW published by the Department of Family and Community Services or, if another document has been approved for that purpose by the Secretary, that document.

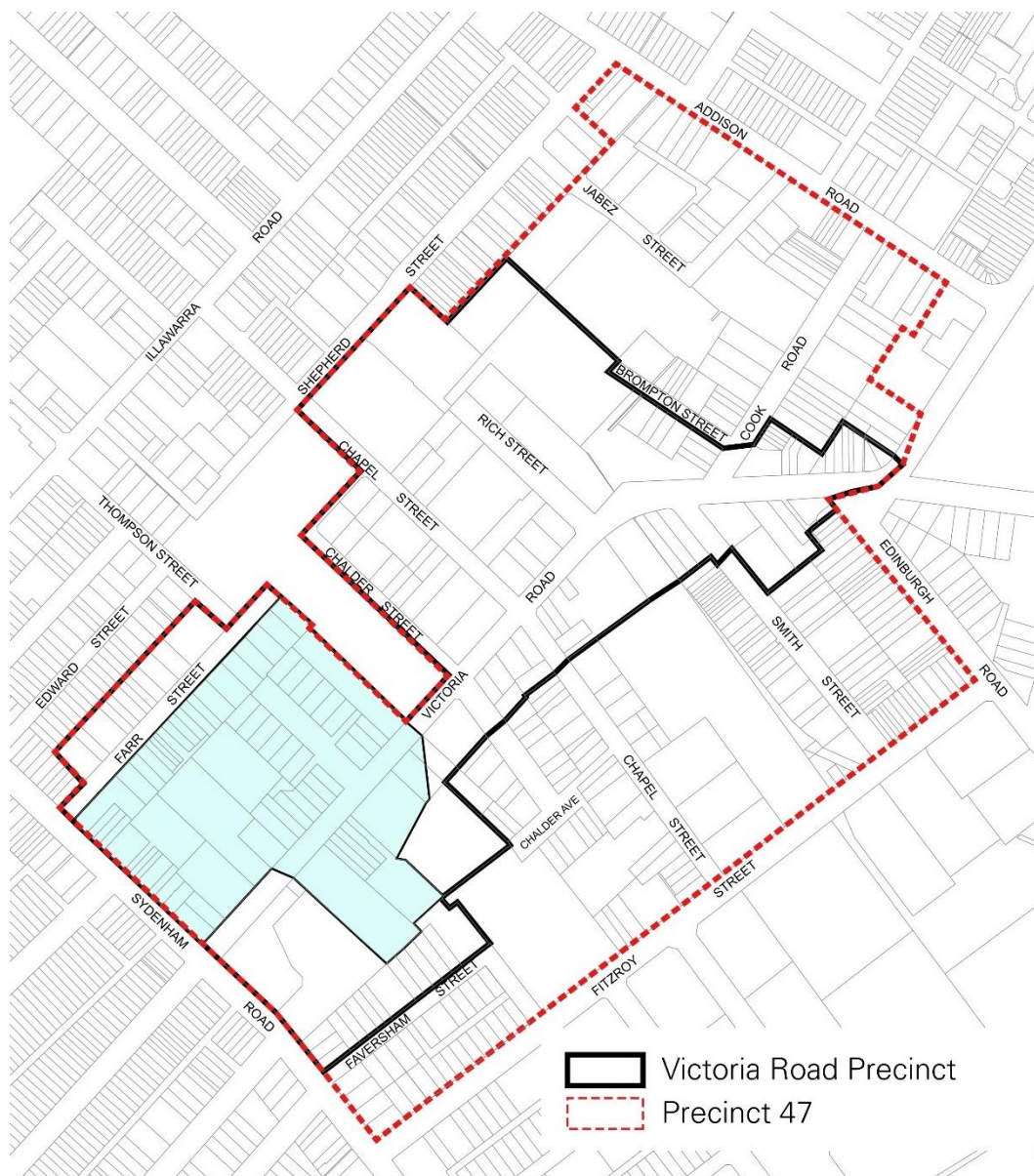


Figure 23 – Proposed key sites map

6.0 Key Planning Issues

6.1 Employment and Economic Issues

6.1.1 Strategic Context and Studies

Recognising the changing industrial context in Marrickville, in early 2014 Council engaged a consultant to update the 2010 Employment Lands Study. This updated report, the Marrickville Employment Lands Study 2014 (the MELS), was reported to Council in November 2014. The MELS identified three potential future land use scenarios for Precinct 47, all of which supported a transition away from an industrial land use zone for the area bounded by Victoria Road, Sydenham Road and Marrickville Public School. Scenario 1 recommends that this area be rezoned to B5 Business Development, whilst Scenarios 2 and 3 recommended a mix of B7 Business Park and B4 Mixed Use zonings. Consideration was not given to promoting a broader mix of uses due to the limited remit of the study to investigate industrial land only.

In receiving the MELS, Marrickville Council resolved to place the study on public exhibition for comment and community input from December through to February 2015. During the course of public exhibition, several concerns were raised with the MELS, including the lack of consultation with local businesses, errors in auditing of employment lands and the failure to take into account the impact of major NSW Government investments in transport infrastructure. In addition, A Plan for Growing Sydney was released soon after the commencement of public exhibition for the MELS.

Following the release of A Plan for Growing Sydney, the MELS and the precinct workshop with Marrickville Council/ NSW Department of Planning & Environment, JBA prepared an Employment Strategy to inform detailed land use recommendations for the Victoria Road Precinct (a smaller sub-precinct on the residential edge of Precinct 47). Drawing on the high-level information in the MELS, new strategic context provided by the release of A Plan for Growing Sydney, and detailed ground-truthed investigations of Precinct 47, the Victoria Road Precinct Employment Strategy sets out a positive vision to reconnect the Victoria Road Precinct with the employment needs of the Marrickville community. The Employment Strategy is consistent with the recommendations of the MELS in that it promotes a range of new mixed business precincts within Precinct 47.

Council received the Victoria Road Precinct Employment Strategy shortly after the public exhibition of the MELS. In light of this Employment Strategy, Council resolved at its Infrastructure, Planning and Environmental Services committee meeting on 7 April 2015 that the MELS should be revised to consider the implications of the Victoria Road Employment Strategy and A Plan for Growing Sydney. At the time of writing, this update has not been completed and it does not appear that the MELS will be finalised.

In April 2016 the then Marrickville Council also published draft plans for the Sydenham Station Creative Hub (**Figure 24**), which is a Council initiated project plan to realise the Council's vision for the Marrickville Industrial lands adjacent to Sydenham Station. The vision is that the Sydenham Station Creative Hub precinct will become a more accessible destination with an improved pedestrian experience achieved through tactical interventions within the public realm and transitioning the uniform industrial environment to a more diverse range of uses including light industry, creative industries and additional uses such as small bars, cafes and restaurants to support the existing entertainment and music opportunities that are currently permitted.

The strategy for the Sydenham Station Creative Precinct was informed by work undertaken as part of the Future Cities Program 2014, which amongst other things, identified and acknowledged the declining nature of traditional industrial uses and the resultant increasing vacancy rates under the incumbent planning framework. In response to this it recommended delivering greater diversity in the range of uses in the precinct to support its future evolution and transformation into a vibrant creative precinct that supported the ongoing industrial use of the area alongside creative arts, a café and small bars culture and a live music scene.



Figure 24 – Sydenham Station Creative Hub
Source: Marrickville Council

The following sections provide a summary of the key employment issues and trends that are affecting employment in Precinct 47, which are described in greater detail in the Employment Strategy that is included at **Appendix C** of this Planning Proposal.

6.1.2 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. 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 25**, 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 decline in employment in the Precinct has been most notable in the western and southern parts of the precinct which are characterised by small industrial lots and narrow streets. Employment levels on the main Timberyard site have halved over the past decade.

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.

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 25 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.

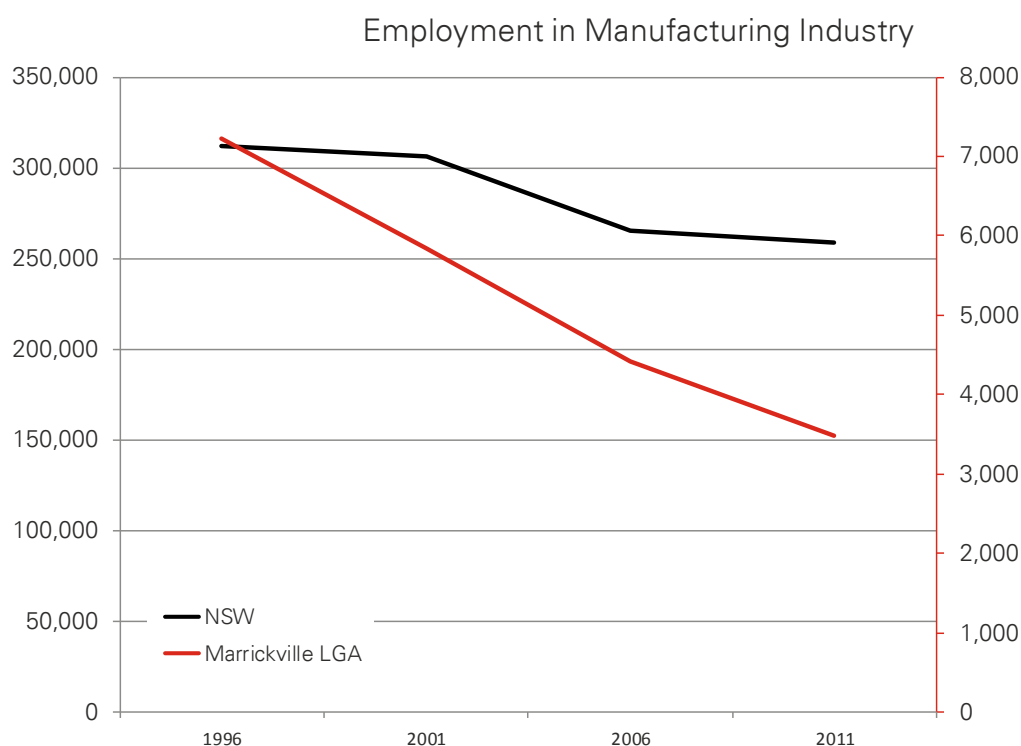


Figure 25 – Manufacturing Employment in Marrickville LGA and NSW, 1996 to 2011
Source: Australian Bureau of Statistics

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 25**.

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.

6.1.3 Relationship with Key Infrastructure

The nature of employment land use within Precinct 47 will be significantly shaped by changing infrastructure investments being made by the NSW Government and private sector. Projects such as the CBD & Southwest Metro will connect Sydenham and Marrickville into a corridor of knowledge-intensive economic activity stretching from Norwest Business Park through to Redfern. At the same time, new investments in road and rail freight infrastructure will erode the competitive advantage gained by industrial and import-export businesses from proximity to Sydney Airport and Port Botany.

The CBD and Southwest Metro will provide a direct and high-frequency rail connection to key knowledge employment centres of the Sydney CBD, Barangaroo, North Sydney, St Leonards, Macquarie Park, Macquarie University and Norwest Business Park. Potential stations at Sydney University or Waterloo will only strengthen this connectivity. This new connection transforms the public transport context of Sydenham, which will have significant implications for the types of business and opportunities and demand arising in the precinct. Rather than relying simply on proximity to Port Botany and Sydney Airport, the Metro will connect this precinct into the employment growth occurring in Sydney's Global Economic Corridor. Leveraging off Marrickville's highly educated and skilled workforce (refer **Section 6.1.4**), there is great potential for Sydenham to contribute to the growth in Sydney's knowledge economy and provide new employment opportunities that benefit the local community.

At the same time as new opportunity is arising for knowledge-economy growth in Sydenham, significant investments in freight infrastructure will reduce the remaining competitive advantage of constrained industrial lands in Sydenham.

The NSW Government and private sector is investing heavily in motorway and freight rail infrastructure designed to enhance the movement of freight between the port precinct and industrial land in Western Sydney. In particular, the proposed WestConnex Motorway will enhance linkages (reduced congestion, faster travel times) between major serviced and unconstrained industrial precincts in Western Sydney and the ports precinct, with the aim of removing heavy vehicle traffic from local roads in South Sydney and the Inner West.

The NSW State Plan aims to double the proportion of freight movement by rail through Port Botany by 2020. The recent approval of intermodal freight terminals at Moorebank, and A Plan for Growing Sydney's identification of a future intermodal terminal in the Western Sydney Employment Area, will further assist in meeting this target and improving the ability to move freight by rail and bypass the constrained inner-city areas around the port. The Commonwealth's commitment to deliver a second international airport at Badgerys Creek will also increase opportunities for air freight to entirely bypass inner-Sydney. Air freight to this location will benefit from a 24-hour airport with direct access to the Broader Western Sydney Industrial Area, the interstate road network and new intermodal connections.

Sydney Airport and Port Botany

Condition 1(d) of the Gateway Approval issued by the Department of Planning and Environment states (our emphasis):

'provide further justification for inconsistencies identified with A Plan for Growing Sydney, particularly regarding the protection of industrial land around the Sydney Airport Transport Gateway, to ensure the area is able to provide employment opportunities;

A key factor in past policies has been to preserve traditional industrial/ 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. This is no different in A Plan for Growing Sydney, with the exception that it maps the Sydney Airport and Port Botany Precincts, which includes the airport and port themselves as well as surrounding land required to support these strategic transport gateways. A zoomed in version of this plan is shown in **Figure 26** below and clearly illustrates that land to the west of the Princes Highway, including Precinct 47, is not located within either of the identified Strategic transport Precincts. In contrast, Precinct 47 is located within Sydney's Global Economic Corridor and adjacent to an identified urban renewal corridor, indicating a need for renewal and a greater contribution to Sydney's knowledge economy.

Further, the Sydney Airport Master Plan identifies land around the airport that is considered to be strategically important to the airport. The Airport Master Plan highlights a large area around it that is considered to be strategically important, but importantly does not identify Precinct 47 as forming part of this area. In relation to the land use and planning relationships between Sydney Airport and nearby Local Government Areas, it says of Marrickville LGA.

'Due to access limitations, few airport related industries are located within Marrickville'

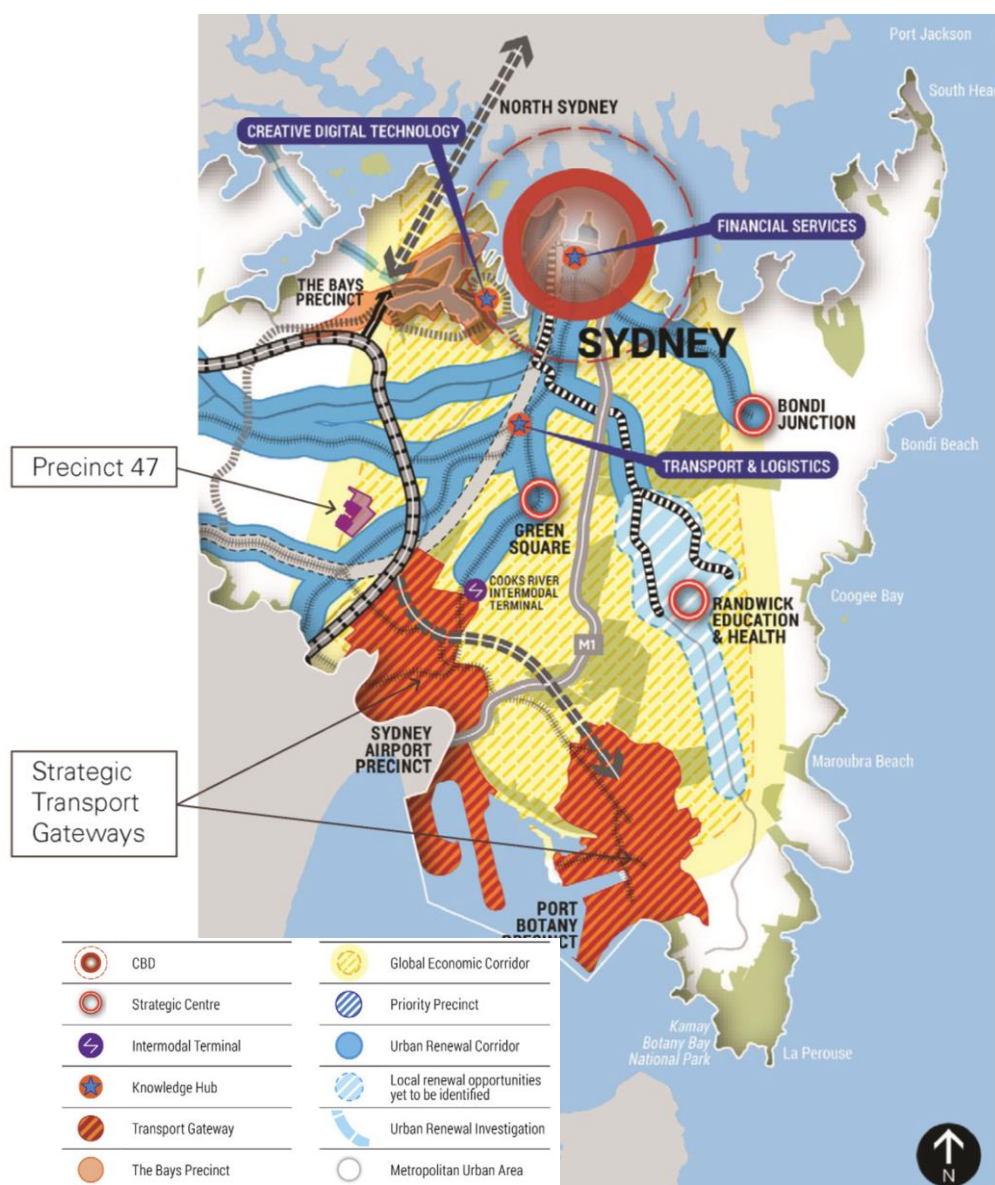


Figure 26 – Central Subregion physical structure plan, showing Precinct 47 and transport gateway land

Source: *A Plan for Growing Sydney*, NSW Department of Planning & Environment

Action 1.5.1 of *A Plan for Growing Sydney* seeks to ‘Develop and implement a strategy for the Sydney Airport and Port Botany precincts to support their operation, taking into account land uses and the proposed transport investments.’

To achieve this the Plan stipulates that ‘the Government will work with local councils and the airport and port authorities to:

- Identify and reduce land use conflicts between growing residential areas and the freight transport network;
- Identify strategically located sites that support freight activity and movements around Sydney Airport and Port Botany;
- Protect strategically located sites that support the freight network, commencing with areas most affected by aircraft noise; and
- Consider the role of commercial and mixed use activities in the corridor from Green Square to Mascot.’

In response to Action 1.5.1 it is noted that:

- Under the Planning Proposal approximately 48% of land (excluding existing roads) within Precinct 47 will be retained for its current business, industrial or open space zoning. A total of 80% of all private land (i.e. excluding Wicks Park and existing roads) within Precinct 47 will be retained in its existing zoning or be rezoned exclusively for employment purposes with a further 10% of land being zoned mixed use.
- Extensive Land Use Surveys carried out by Danias Holdings (**Appendix M**) confirms that the large majority of businesses within Precinct 47 do not service Sydney Airport nor rely on a close proximity to the Airport of Port Botany for their operation. It is noted that these surveys involved door-to-door knocking of all the businesses in the Precinct to identify the business type and the number of employees. Given the outcome of the Land Use Survey the precinct is not considered to be a strategically located site/area that supports freight activity or movements around Sydney Airport and Port Botany;
- Within the former Marrickville LGA transport-related activities are predominately clustered around Sydenham Station to the south-east of Precinct 47. The transition of Precinct 47 to a mixed business precinct would not impact upon these 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 planning proposal will introduce new planning controls that broaden the range of businesses that are able to locate in the area to take advantage of the Precincts relative proximity to the Sydney Airport and Port Botany gateways. In this regard the proposal may in fact assist with increasing links with these key transport precincts.
- The planning proposal will introduce new housing into Precinct 47. Whilst this is the case appropriate design and mitigation measures will be implemented to effectively manage potential noise impacts to minimise the possibility of land use conflicts and to ensure protection and preservation of the operational needs of Sydney Airport;

In addition to the above points that respond directly to Action 1.5.1, it is highlighted that a key stated priority for the Central Subregion is ***'to identify suitable locations for housing intensification and urban renewal, including employment agglomerations, particularly around Priority Precincts, established and new centres, and along key public transport corridors including the Airport; Inner West and South Line; the Eastern Suburbs and Illawarra Line; the Bankstown Line; Inner West Light Rail; CBD and South East Light Rail; and Sydney Rapid Transit.'***

In response to this Central Subregional priority it is noted that the proposed rezoning of Precinct 47 will deliver a significant number of new houses and jobs, thus providing the opportunity for people to live and work in close proximity to rapid public transport (i.e. Sydenham Station) and the Sydney Airport. At the same time, it will facilitate the intensification and urban renewal of an area that has been in decline for an extended period of time and which is in much need of regeneration.

In summary, the Planning Proposal is considered to provide an outcome that is consistent with A Plan for Growing Sydney in that:

- a) the Planning Proposal relates to land that is located outside of the Sydney Airport Precinct and Port Botany Precinct as identified in the Plan;
- b) The Precinct is also located outside the area identified in the Sydney Airport Masterplan as being strategically significant to the airports operations;
- c) the large majority of land within Precinct 47 will retain its existing industrial zoning or be rezoned exclusively for employment purposes;
- d) the large majority of business that operate within Precinct 47 do not service the Sydney Airport or Port Botany, nor do they rely on either of these strategic transport gateways to support their operations;
- e) the proposed LEP Amendments will allow for a broader range of businesses to locate in the area, which may improve links with the strategic transport gateways;
- f) the proposed LEP amendments will not undermine or compromise the operation of the strategic transport gateways; and
- g) the proposed LEP amendments will facilitate the urban renewal of the area and deliver a significant amount of housing that will help achieve a number of key subregional priorities within A Plan for Growing Sydney.

6.1.4 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 6**). This demographic is more likely to work in an office-based setting than in a warehouse or factory, 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 6 – Demographic analysis of Marrickville LGA

	Demographic	Marrickville LGA	Sydney Urban Centre/ Locality
Age Profile	20-34 years	29.0%	23.0%
	35-49 years	26.8%	22.1%
Industry of Employment	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%
Education	University or tertiary institution education	25.8%	17.3%
Occupation	Managers and Professionals	49.7%	39.8%
Income	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.

6.1.5 Existing Business Profile and Land Uses

The Land Use Survey prepared by Danias Holdings (**Appendix M**) 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)¹. 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%);

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

- 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).

6.1.6 Creative Industries

As illustrated in the Land Use Survey and Creative Arts List provided at **Appendices M** and **N** 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 Planning Proposal envisages the renewal of the precinct in a way which encourages the existing creative arts operations to continue within mixed business zones without the land use conflict and constraints currently imposed by the IN1 General Industrial Zone.

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 Planning Proposal for public exhibition will include design guidelines (Draft DCP) 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 employment uses, expanding non-residential uses in the evenings and integrating this with residential uses that improve casual surveillance of the area.

A residential compatibility analysis was undertaken as part of the Employment Strategy to assess the ability to integrate housing with new business precincts, as illustrated in **Figure 27** below. It should be noted that this Planning Proposal seeks to facilitate only a small segment of the identified residential areas, being land to the south of Marrickville Primary School and outside of the ANEF 30+ noise contour.



Figure 27 – Residential compatibility analysis
Source: JBA Employment Strategy

6.3 Transport and Traffic

Hyder Consulting have prepared a Traffic and Transport Assessment (**Appendix J**) 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 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 1,063 peak vehicle movements within Precinct 47, comprising 362 outbound and 701 inbound vehicle movements during a typical AM peak which reflects the proposed mix of residential and business uses. It is noted that major traffic generator within the precinct would continue to be attributable to business activity within the precinct. With the distribution of vehicle movements along a number of different routes from the precinct, this would result in only 400 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. To facilitate the proposed vision for Precinct 47, the intersection of Sydenham Road and Victoria Road would require improvements to add dedicated right-hand turn lanes to three of the existing approaches, which would be funded through local development contributions resulting from the renewal of the precinct. Preliminary analysis indicates that this upgrade would ensure that this intersection would continue to operate at a satisfactory level of service to RMS standards. It is likely that the need for this upgrade would not be required until several stages of the renewal had been delivered. It is envisaged that further traffic management improvements (improved signal coordination, new road connections and intersections etc.) throughout the precinct would further improve traffic conditions without the need for any major intersection upgrades.

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 unconflicted 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. The reduction in heavy vehicle traffic within the Victoria Road Precinct will be supported by

regional shifts (i.e. WestConnex Motorway) that will reduce heavy vehicle movements along Sydenham Road and the Inner West².

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. Detailed traffic and transport Assessments undertaken at the development application stage for each new development 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 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 has been undertaken as part of the preparation of this Planning Proposal, which has confirmed that:

- development of the heights envisaged under this Planning Proposal will not interfere with the OLS and PANS-OPS levels for Sydney Airport; and
- any development which is above the levels envisaged under this Planning Proposal would require additional consultation with these groups as part of the Development Application referrals process.

Figure 28 below identifies the existing airport operational restrictions that apply in relation to the precinct.

Maps for the Obstacle Limitation Surface and PAN-Ops that were supplied by SACL, along with a Ground Survey of the Precinct are included at **Appendices P** and **Q** respectively.

² *Future Cities Program, 2014 Alumni Communique and 2014 Mayor's Program, 19 June 2014, www.futurecities.org.au/sites/fcc/media/177.pdf*



Figure 28 – Airport operational overlays and limitations
 Source: Sydney Airport Corporation Limited

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 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". This has been further discussed at **Section 6.4.3** below.

An Acoustic Assessment has been prepared by EMM (**Appendix D**) which analyses the noise conditions of the Victoria Road Precinct, as well as tests and evaluates the effectiveness of a number of building design measures and materials that could be adopted to achieve an appropriate level of amenity in accordance with the relevant Australian Standards.

Based on the findings of this assessment, with a 85 db L_{ASmax} noise level established for the site, performance requirements for façade, roof / ceiling and glazing have been developed to ensure consistency of future development with AS2021, where applicable.

The Acoustic Assessment ultimately determines that current building materials can be reasonably applied to future development in order to achieve the internal noise goals set under AS2021 such that occupant amenity is not compromise. It also shows that even though the site is within the 25-30 ANEF zone, building design can result in internal noise levels are appropriately insulated from aircraft noise, and are insulated appropriately.

It is also 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 7** and **Figure 28** 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. Danias Holdings have undertaken an audit of recent development approvals issued by Marrickville Council for residential flat buildings in aircraft noise-affected areas, with a large amount of supporting information provided in **Appendix G**. Based on these examples, it is expected that appropriate acoustic attenuation of buildings can be readily achieved within Precinct 47 in order to ensure that appropriate amenity is achieved in accordance with the relevant noise criteria. The Aircraft Noise Strategy, which will ultimately act as a Development Control Plan within the site, includes additional measures to ensure that an adequate level of acoustic amenity is achieved.

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.

Table 7 – Audit of residential development approvals in ANEF-affected areas

Address	Number of Dwellings	Development Type	ANEF (time of determination)	Date of determination	DA Reference
33 Crown Street St Peters	16	Residential	25-30	26/07/2005	DA200400504
39-57 Crown Street St Peters	10	Townhouses/residential	25-30	12/12/2005	DA200500253
60-82 Princess Highway & 19-23 Crown Street St Peters	63	Mixed use	25-30	3/07/2007	DA200600646
35 Barwon Park Road St Peters	4	Residential	25-30	7/11/2007	DA200700157
31-33 Barwon Park Road St Peters	4	Residential	25-30	9/07/2014	DA200700156
84-88 Princess Highway St Peters	21	Mixed use	25-30	7/12/2010	DA201000276
9-11 Barwon Park Road St Peters	3	Townhouses/residential	20-25	13/07/2015	DA201200276.02

Address	Number of Dwellings	Development Type	ANEF (time of determination)	Date of determination	DA Reference
53 Barwon Park Road & 1-17 Campbell Street St Peters	23	Residential	25-30	10/07/2012	DA201200026
44-46 Princes Highway St Peters	49	Mixed use	20-25	23/10/2014	DA201400271
23-29 Barwon Park Road St Peters	14	Residential	20-25	8/05/2015	CA201500002
40-44 Crown Street St Peters	9	Residential	25-30	22/08/2014	DA201400151
23 Campbell Street St Peters	2	Townhouses/residential	25-30	16/06/2015	DA201500034
39 Barwon Park Road St Peters	9	Residential	25-30	30/12/2014	DA201400695
1-27 Princess Highway St Peters	128	Residential	25-30	30/08/2001	DA199901935
19 Hutchinson Street & 44-56 May Street St Peters	49	Mixed use	25-30	8/11/2013	DA201300249
7-9 Hutchinson Street St Peters	8	Mixed use	25-30	11/11/2014	DA201400116
23-25 May Street St Peters	12	Mixed use	20-25	12/11/2014	DA201400230
63-79 Princess Highway St Peters	94	Mixed use	25-30	19/11/2014	DA201400587
1 Goodsell Street St Peters	41	Residential	25-30	2/10/2003	DA200200621
159 Princess Highway St Peters	59	Residential	25-30	20/11/2003	DA200200203
14-18 Mary Street St Peters	9	Town houses	25-30	6/11/2002	DA200200460
27-31 St Peters Street St Peters	20	Town houses	25-30	7/11/2002	DA200100102
85 Church Street St Peters	4	Town houses	25-30	14/01/2002	DA200100647
63 Grove Street St Peters	34	Town houses	30-35	1/08/2006	DA200500749
28 Philpott Street Marrickville	6	Town houses	30-35	10/06/1998	D/147/98
18 Cecilia Street Marrickville	105	Residential	25-30	24/03/1999	D603/98
108-110 Illawarra Road Marrickville	12	Residential	25-30	28/04/1999	DA199900407

Address	Number of Dwellings	Development Type	ANEF (time of determination)	Date of determination	DA Reference
342A Marrickville Road Marrickville	34	Residential	25-30	23/04/1999	D836/98
198-204 Marrickville Road Marrickville	49	Residential	25-30	10/06/1999	D211/09
252-254 Illawarra Road Marrickville	19	Residential	25-30	6/12/2000	DA200000422
11-13 Gordon Street Marrickville	104	Residential	30-35	3/10/2002	DA200200317
2-6 Schwebel Street Marrickville	15	Residential	25-30	13/06/2002	DA200100665
182-186 Livingstone Road & 313-319 Marrickville Road Marrickville	92	Mixed use	25-30	11/07/2012	DA201200169
295 Victoria Road Marrickville	23	Residential	30-35	18/09/2002	DA200200438
1-9 Empire Lane Marrickville	9	Residential	25-30	2/04/2003	DA200200700
151-153 Illawarra Road Marrickville	8	Residential	25-30	6/08/2003	DA200200808
24-26 Perry Street Marrickville	9	Town houses	30-35	3/09/2003	DA200300236
1A Cowper Street Marrickville	6	Residential	30-35	18/12/2003	DA200300433
1-13 Garners Avenue Marrickville	56	Residential	30-35	3/02/2004	DA200200247
299-301 Marrickville Road & 88 Petersham Road Marrickville	19	Mixed use	25-30	2/12/2003	DA200300668
176 Marrickville Road Marrickville	27	Mixed use	30-35	2/06/2004	DA200400086
276-278 Marrickville Road Marrickville	15	Mixed use	25-30	10/11/2005	DA200500651
29-35 Cowper street Marrickville	34	Residential	30-35	5/03/2008	DA200600405
359 Illawarra Road Marrickville - JRPP	180	Mixed use	25-30	19/08/2010	DA201000115

Address	Number of Dwellings	Development Type	ANEF (time of determination)	Date of determination	DA Reference
21-27 Garners Avenue Marrickville	14	Residential	25-30	3/11/2009	DA200900171
16-18 Gorman Street Marrickville	8	Town houses	25-30	24/06/2010	DA201000135
80 Victoria Road Marrickville	45	Residential	25-30	9/12/2010	DA201000288
80-84 Illawarra Road Marrickville	13	Town houses	25-30	7/12/2010	DA201000338
6-8 Holmesdale Street Marrickville	5	Town houses	25-30	10/08/2012	DA201200051
123 Marrickville Road Marrickville	15	mixed use	25-30	11/12/2012	DA201200311
8 Cowper Street Marrickville	22	residential	25-30	13/08/2013	DA201300070
23-29 Addison Road Marrickville	60	Mixed use	25-30	11/02/2014	DA201300025
65-69 Addison Road Marrickville	10	Mixed use	30-35	10/06/2015	DA201300346
31-33 Addison Road Marrickville	26	Mixed use	25-30	27/06/2005	DA201300345
97 Marrickville Road Marrickville	38	Mixed use	25-30	9/12/2014	DA201400212
110 Addison Road Marrickville	33	Mixed use	30-35	3/10/2014	DA201400496
11-13 Fotheringham Lane Marrickville	7	Town houses	25-30	13/03/2015	DA201500133
45 Unwins Bridge Road Sydenham	7	Residential	35-40	17/09/2009	DA200900208
268-270 Unwins Bridge Road Sydenham	7	Mixed use	30-35	7/09/2011	DA201100036
286 Unwins Bridge Road Sydenham	6	Mixed use	30-35	9/02/2012	DA201100477
266 Unwins Bridge Road Sydenham	3	Mixed use	30-35	6/03/2013	DA201200510
264 Unwins Bridge Road Sydenham	4	Mixed use	30-35	11/11/2014	DA201400349
11-13 Gleeson Street Sydenham	6	Mixed use	30-35	14/05/2013	DA201200345

Address	Number of Dwellings	Development Type	ANEF (time of determination)	Date of determination	DA Reference
2 A, B, C Union Street Tempe	8	Town houses	25-30	6/12/2000	DA199902192
22 Hillcrest Street Tempe	9	Residential	25-30	11/06/2013	DA201200573
131-147 Alice Street Newtown	27	Town houses	25-30	23/01/1998	D462/97
Lots 4&8 2B Gladstone Street Newtown	16	Residential	25-30	13/04/1999	D723/98
6-8 Albert Street Newtown	24	Residential	25-30	24/05/1999	D847/98
1-3 Gladstone Street Newtown	63	Residential	25-30	10/12/2004	DA200100538
3 Pemell Lane Newtown	5	Residential	25-30	7/07/2004	DA200400143
63-71 Enmore Road Newtown	29	Mixed use	25-30	3/02/2009	DA200300686
36-60 Alice Street, Newtown		Mixed use	25-30		DA201200225
2-12 Metropolitan Road Enmore	15	Residential	25-30	6/03/2006	DA200500289
2 Holt Street Stanmore	17	Residential	30-35	8/10/1998	D297/98
92-96 Percival Road Stanmore	25	Mixed use	30-35	24/11/1998	D203/98
140 Percival Road Stanmore	10	Mixed use	30-35	19/12/2000	DA200000510
1-7 Railway Avenue Stanmore	35	Residential	25-30	4/05/2001	DA200000824
175-183 Trafalgar Street Stanmore	17	Mixed use	30-35	5/06/2002	DA200100892
1-7 Macaulay Road Stanmore	16	Residential	25-30	16/08/2002	DA200000824
1-5 Salisbury Road Stanmore	10	Residential	25-30	11/12/2003	DA200200911
1A Cannon Street Stanmore	6	town houses	25-30	7/07/2004	DA200400154
111 Percival Road Stanmore	8	Mixed use	30-35	26/05/2005	DA200400292
58-76 Stanmore Road Stanmore	63	Mixed use	25-30	4/08/2010	DA200800531
105-107 Percival Road Stanmore	9	Mixed use	30-35	7/07/2009	DA200800382

Address	Number of Dwellings	Development Type	ANEF (time of determination)	Date of determination	DA Reference
8 Holt Street Stanmore	7	residential	30-35	31/12/2012	DA201200387
14 Holt Street Stanmore	13	residential	30-35	15/07/2015	DA201400368
386-414 Parramatta Road Petersham	92	Mixed use	30-35	12/11/1997	LEC CA200900025
107-115 New Canterbury Road Petersham	20	Mixed use	25-30	7/08/2007	DA200700233
1-3 Coronation Ave Petersham	109	Residential	25-30	6/06/2002	DA200200074
301-313 Stanmore Road Petersham	24	Mixed use	25-30	4/05/2002	DA199901910
299 Stanmore Road Petersham	15	Mixed use	30-35	29/10/2003	DA200300185
5 Croydon Street Petersham	25	Residential	25-30	13/12/2003	DA200200523
49 New Canterbury Road Petersham	27	Mixed use	25-30	9/07/2010	DA201000042
58-60 Crystal Street Petersham	14	Mixed use	25-30	12/12/2012	DA201200318
446 Parramatta Road Petersham	31	Mixed use	25-30	16/06/2015	DA201500260

Source: Danias Holdings

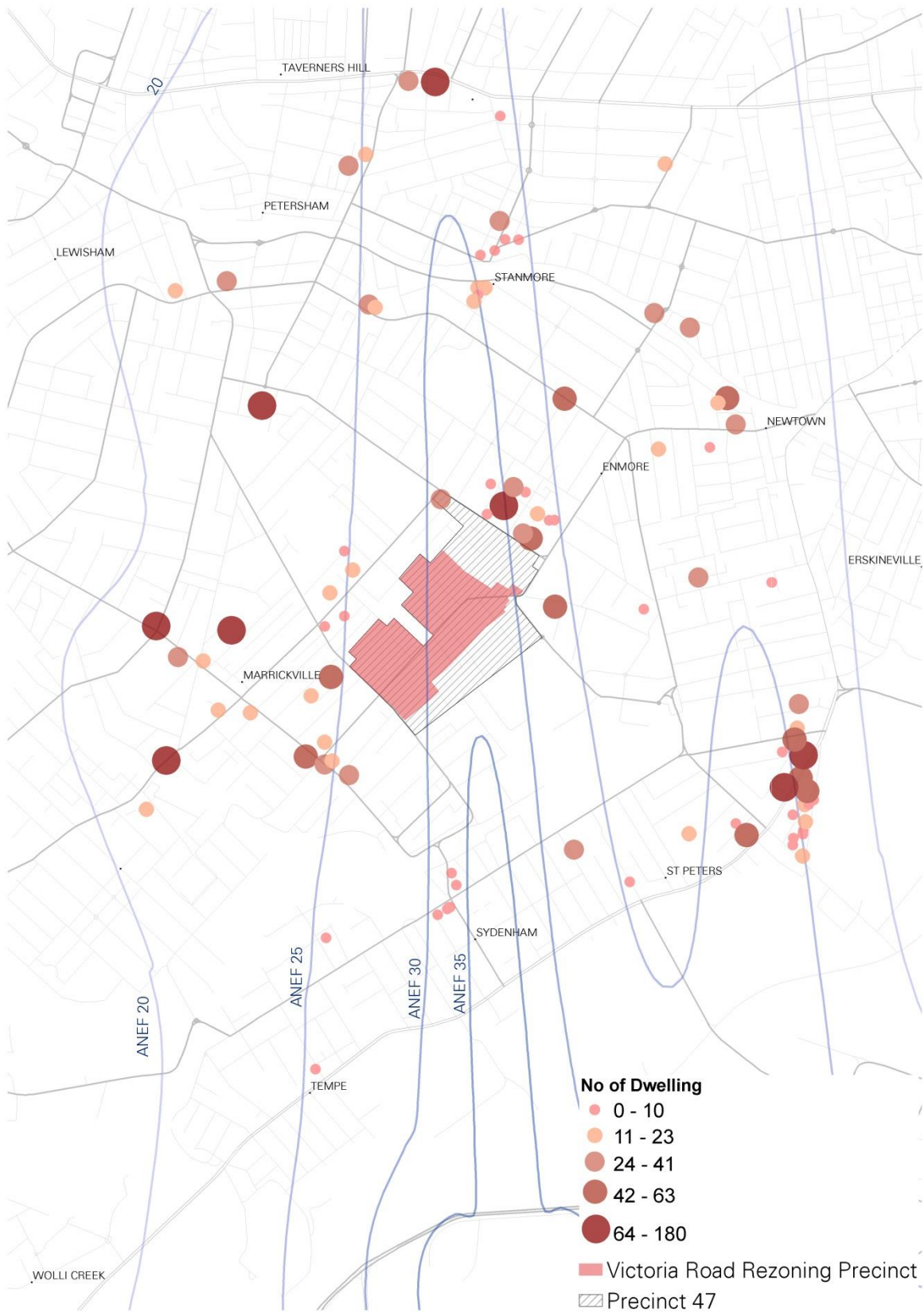


Figure 29 – Approved residential developments within aircraft noise-affected areas
Data source: Danias Holdings

6.4.3 Section 117B Direction

In accordance with Section 117B of the *Environmental Planning and Assessment Act, 1979*, this Planning Proposal is required to demonstrate consistency with Direction 3.5, which relates to 'Development near licensed aerodromes'. Direction 3.5 applies when any relevant planning authority prepares a Planning Proposal which will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome. Due to the proximity of the site to Sydney Airport, Direction 3.5 applies to this Planning Proposal.

A detailed assessment of the Planning Proposal against the objectives, as well as against the detailed requirements of Council has been undertaken as part of the Aircraft Noise Strategy prepared to accompany this Planning Proposal (**Appendix F**). Section 4.1 provides a full breakdown of the consistency of the proposal against Direction 3.5, however in short the following is noted:

- As a standard approach Direction 3.5 seeks to restrict residential development from occurring on land where the ANEF exceeds 25. However, an exception to this requirement exists where the Director-General of the Department of Planning is satisfied that the provisions of the Planning Proposal that are inconsistent are justified by an according strategy.
- All residential development will meet the Indoor Design Sound Levels specified for dwellings under Australian Standard AS2021-2000.
- The submitted Noise Strategy ensures that future development within the Precinct will not compromise the effectiveness or safety of Sydney Airport, through employment of the measures outlined within the strategy.
- The operation of Sydney Airport will not be affected by development within the Victoria Road Precinct in any manner which would constitute a hazard / potential hazard to aircraft flying in the vicinity of the development.
- The controls contained within the Victoria Road Precinct DCP will ensure that future development isn't adversely affected by aircraft noise, and will achieve an appropriate level of residential amenity for human occupation.

6.4.4 Summary of Aircraft Noise Strategy

As detailed throughout this Planning Proposal, the Victoria Road Precinct has all the key underlying characteristics to support urban renewal. However, the area is presently constrained by aircraft noise associated with Sydney Airport. This is reflected in the fact that the Precinct presently sits between the 25-35 ANEF contours.

Sydney Airport is one of Australia's most important pieces of infrastructure, generating or facilitating the equivalent of 6% of economic activity by New South Wales, and in 2013 being used by an average of more than 100,000 passengers per day. Given its importance, it is vital to ensure that Sydney Airport's ongoing operation is not compromised by new development within the Precinct. This includes development that would limit or impact on the airport's ability to operate in accordance with current or future practices as outlined in the Sydney Airport Master Plan 2033.

An Aircraft Noise Strategy has therefore been prepared as part of this Planning Proposal (see **Appendix F**) in order to provide an appropriate framework to assist in achieving a balance between urban renewal of the Victoria Road Precinct and protection of Sydney Airport's ongoing operations. The Aircraft Noise Strategy is focussed around the portion of the site which sits within the 25-30 ANEF contours, which are seen as the most capable of being developed for the purposes of high amenity residential accommodation based on acoustic studies, current industry practice in acoustic attenuation and recent development examples with the Marrickville LGA.

The Aircraft Noise Strategy puts in place measures, standards and requirements to ensure that future development is designed to respond to aircraft related noise impacts, and in doing so is intended to provide the necessary certainty that an appropriate development outcome can be achieved at the site. The objectives of the Aircraft Noise Strategy are therefore as follows:

- To ensure that all new development in the Victoria Road Precinct is designed to achieve an appropriate level of amenity for its occupants taking into consideration its land use.
- To ensure that all residential development satisfies key necessary design criteria relating to building siting, design, building materials and facilities.
- To ensure that new development within the Precinct complies with Australian Standard AS 2021:2015.
- To ensure that future residents within the Victoria Road Precinct are appropriately informed about aircraft noise within the Victoria Road Precinct;
- To protect the ongoing operation of Sydney Airport and minimise the potential for reverse impacts from new development within the Victoria Road Precinct.

To ensure that these objectives are realised, the Aircraft Noise Strategy includes a number of recommendations in relation to matters including:

- building design (including orientation);
- building materials and acoustic treatments;
- communal indoor open space; and
- governance and management.

The Strategy is included in full at **Appendix F** and it is intended that this will be incorporated into the Marrickville DCP or adopted as a separate DCP for the Victoria Road Precinct at the time of gazettal of the LEP amendments.

6.4.5 Findings of Aircraft Noise Strategy

The Aircraft Noise Strategy concludes that residential development is capable of being constructed within the ANEF 25-30 noise contour using well-recognised design and construction techniques to comply with the AS2021-2000 Indoor LS_{max} Design Sound Level of:

- 50 dB(A) for bedrooms;
- 55 dB(A) for other habitable spaces; and
- 60 dB(A) for bathrooms, toilets, laundries.

Figures 30 and 31 below illustrate how these criteria could be achieved through one approach to the design and layout of sample apartments in the worst case noise scenario across the precinct. The Aircraft Noise Strategy provides guidance to future developers within the precinct as to how these criteria can be achieved, whilst also allowing scope for new design and material approaches to be implemented as they come about. Any Development Application for residential dwellings within the precinct would be required to be accompanied by an acoustic report confirming that the proposed design is consistent with the Aircraft Noise Strategy and complies with the relevant criteria for internal amenity under the Australian Standard.

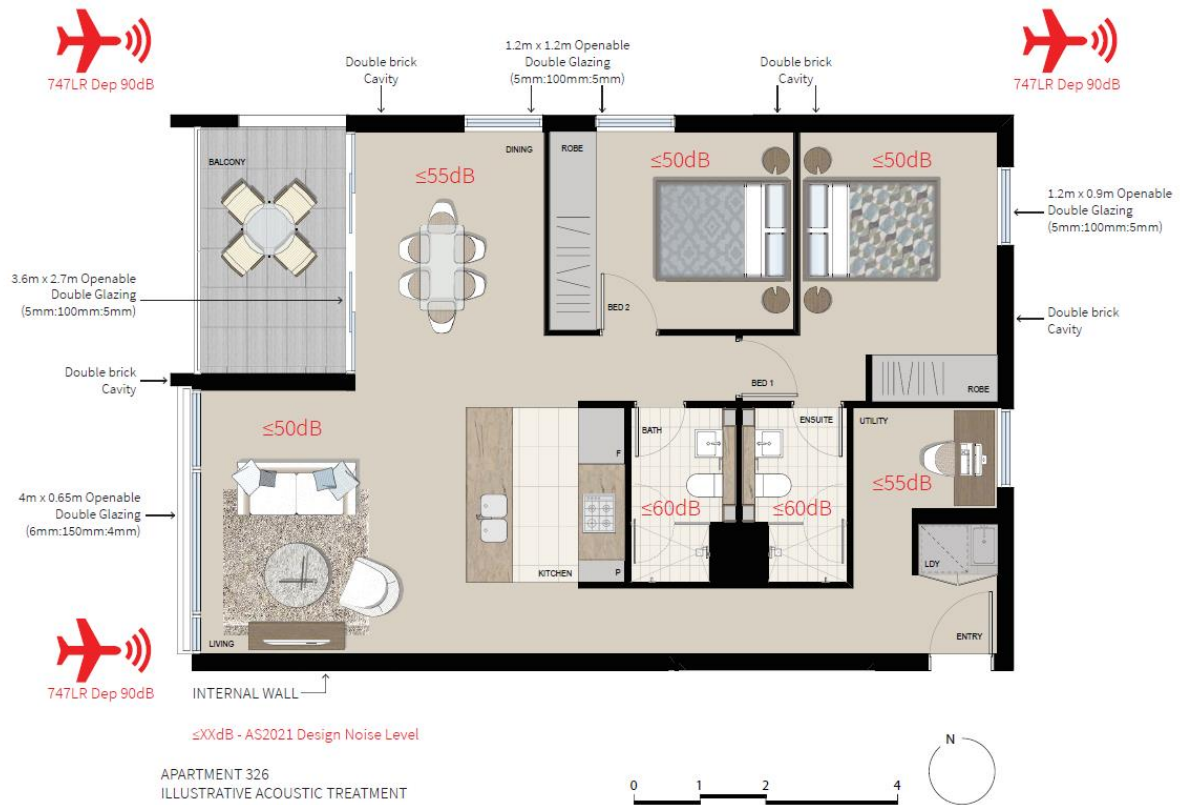


Figure 30 – Indicative apartment layout, building treatments and acoustic outcomes with worst-case predicted noise



Figure 31 – Indicative apartment layout, building treatments and acoustic outcomes with worst-case predicted noise

In order to ensure that future occupants of dwellings within the Victoria Road Precinct achieve a high level of amenity, the Aircraft Noise Strategy recognises that additional design measures should be included for new residential dwellings to provide for useable communal open space in recognition of the acoustic impact of aircraft noise on outdoor private and communal open space. To this effect, the Strategy requires the provision of indoor communal open space for residents of any residential flat building. In summary, the Strategy recommends that:

- minimum internal area of 40m², or 1m² per apartment, whichever is the larger up to a maximum of 250m²;
- examples of suitable communal open space include
 - music/sound rooms;
 - gymnasium;
 - indoor pools;
 - greenhouse/conservatory;
 - games room or media room; or
 - shed/workshop.
- Floor area provided for the purpose of a communal indoor facility to meet this requirement is excluded from the calculation of Gross Floor Area;
- Indoor communal open space areas not to exceed an internal noise level of 70dB(A) L_{Smax}, or lower for noise-sensitive uses;
- Indoor communal open space would not negate the need to provide communal outdoor areas and landscaping in accordance with SEPP 65.

The strategy also makes recommendations regarding the governance of aircraft noise management within future apartment buildings within the Victoria Road Precinct, including the conveyance of information to potential purchasers and residents regarding the scale and duration of aircraft noise.

The findings of the Aircraft Noise Strategy will be implemented through the incorporation of the provisions into the DCP for the Victoria Road Precinct that will be developed to support the recommended amendments to the Marrickville LEP.

6.5 Heritage

An initial Heritage Analysis of Precinct 47 prepared by Graham Brooks and Associates (GBA) accompanied the Planning Proposal that was submitted to DP&E for Gateway Determination (**Appendix I**), it considered the heritage value of the two local heritage items identified within the precinct under MLEP 2011. These two items being 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 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 assessment also found 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. GBA recommended that

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 was 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 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 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.

Post-Gateway Analysis

As part of the Gateway Approval issued by DP&E in March 2016, a condition was included in the determination notice that a further heritage investigation of Precinct 47 should be carried out to identify items of potential heritage significance that should be preserved.

Following issue of the Gateway Determination further discussions and correspondence with DP&E was held to clarify the brief for the proposed study. Once this was confirmed Danias Holdings commissioned Artefact Heritage to undertake a further review of Precinct 47 and document their findings in a report that addressed Gateway Condition 2.

In preparing Heritage Assessment (**Appendix H**) Artefact Heritage undertook a high-level review of the precinct to confirm existing listed heritage items, buildings that are presently unlisted by which reach are considered to reach the threshold for local significance, potential heritage items and discounted potential heritage items. The outcome of this analysis is shown in below and in **Figure 32**.

Listed Items

- Industrial Façade, 93-97 Chapel Street - has local historic and aesthetic heritage values.
- Sims Metal Factor (including interiors), 65 Shepherd Street. This item has local historic and aesthetic heritage values. It retains a significant structural frame including the roof. However, it has undergone modifications and recladding.

Unlisted heritage items

The following items were found to reach the threshold for local heritage significance and warrant heritage listing.

- Former Ambulance building, 158 Edinburgh Road – demonstrates local historic, associative, aesthetic and rarity heritage values.
- Electricity Substation no. 284, 200 Victoria Road – demonstrates local historic and aesthetic heritage values.

Potential heritage items

The following items were considered to potentially be of local heritage significance and warrant further detailed heritage assessment (exterior and interior) and potential heritage listing.

- Kennards building, 64 Chapel Street – This warehouse may have local historic and aesthetic heritage values.
- 23-33 Faversham Street – This factory, in particular its brick façade, may have local historic and aesthetic heritage values.
- 8-12 Rich Street – Comprises two buildings currently divided as three properties, they have potential to demonstrate local historic and aesthetic heritage values.
- Air Raid Shelter, Wicks Park – The buried remains of the World War two air raid shelter may have local historic, associative and social heritage values.

Discounted potential heritage items

The following items were reviewed and assessed as not reaching the threshold for local heritage significance and should not be included as heritage items.

- 171-177 Victoria Road
- 15-31 Farr Street
- John Fisher Printing, 2 Smith Street
- Factory Theatre, 105 Victoria Road
- Brompton Street tin sheds
- Hardwood Floors, 169 Victoria Road.

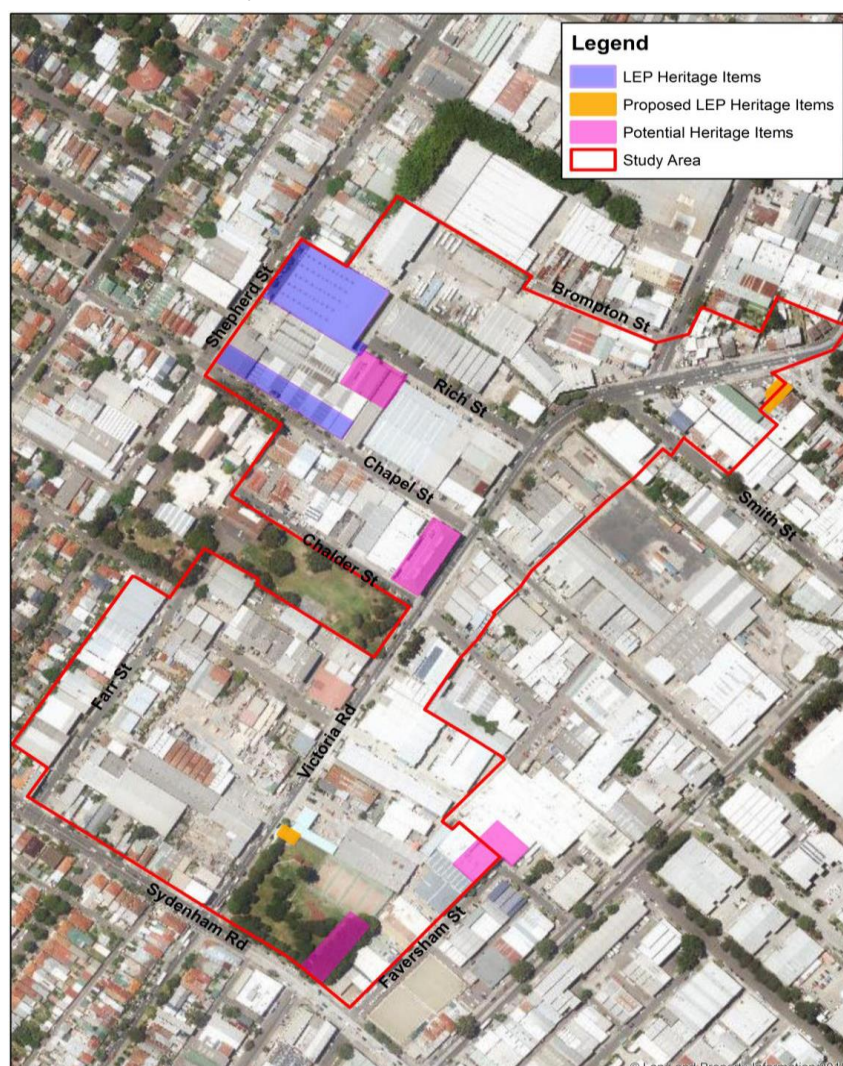


Figure 32 – Potential Heritage Items
Source: *Artefact Heritage*

Following their analysis, Artefact Heritage conclude that the eight known and potential industrial heritage items provide an opportunity to demonstrate the layered history and enhance the cultural and urban character of Precinct 47. With this in mind they make a number of recommendations for the Planning Proposal, these being:

- a) That site-specific controls be included in the updated DCP for Precinct 47, in particular the items as known and potential heritage items should be identified in the DCP and referred to Part 8 of the Marrickville DCP 2011.
- b) The objectives of the DCP provisions should also include the historic industrial development and character of the study area to ensure these values are conserved and appropriately managed in future development.
- c) The DCP should require that Heritage Impact Statements be prepared and submitted with new development applications affecting the items presented in identified as being known or having the potential to be heritage listed.
- d) The items identified as meeting the threshold to be locally listed, or having the potential to be locally listed, should be subject to further detailed heritage assessment as part of any future comprehensive heritage review undertaken by Council.
- e) Heritage items in the study area should be retained for modern industrial uses or adaptively re-used in a way that respects their heritage significance.

In light of these recommendations the Draft DCP prepared for Precinct 47 includes a Heritage section that responds to the recommendations made by Artefact Heritage. With regard to the need for further heritage analysis of the identified potential heritage items, it is considered that this analysis will be undertaken when Council carries out a wider audit of LGA heritage items, or at the time when a development application is lodged.

6.6 Flooding

A Flood Liability Report has been prepared for the precinct by WMA Water (**Appendix K**) 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 33 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.

This is considered to be acceptable, as it is envisaged that any sensitive residential development in the vicinity of Faversham Street would have alternate access via Victoria Road.

Currently, most of the area within the Precinct is covered by hardstand, which increases stormwater run-off and worsens the effects of storm events. The Masterplan design and Draft DCP controls will result in more landscaped open space, deep soil planting and on-site water retention. Together these measures will assist with managing stormwater within the precinct and will help mitigate against any flood events.

WMA has assessed appropriate flood planning levels for each development precinct where mixed business and residential uses are proposed, in accordance with the relevant provisions of the Marrickville Development Control Plan. These levels are outlined as RLs in Table 8 below and have been considered in the development of the master plan and Draft Development Control Plan for the precinct. These planning levels are not considered to pose any unique constraints to future buildings within the mixed use precincts.

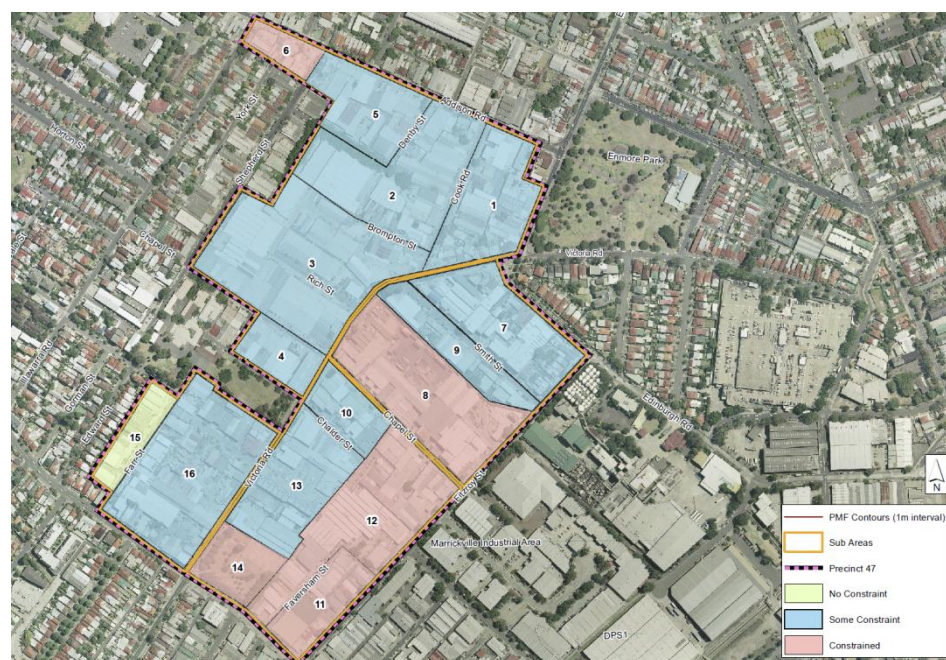


Figure 33 – Flood constraints on precinct development potential

Table 8 – Flood planning levels for future development

Sub-Area	Minimum Flood Planning Level (mAHD)	Maximum Flood Planning Level (mAHD)	Maximum PMF Level (mAHD)
11	2.9	3.0	4.6
12	2.9	4.2	4.6
13	3.6	4.6	4.6
14	3.0	3.6	4.6
15	5.3	8.7	9.6
16	3.5	8.5	8.3

Source: WMA Water

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 L**) 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 site 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 prior to the gazettal of the 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 which is currently under-utilised;
- improved pedestrian and cyclist facilities for Precinct 47; and
- other community services such as child care facilities.

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 substantial local infrastructure contributions to Council for the purpose of providing new and improved recreational facilities, community facilities, public open space and transport infrastructure.

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 Planning Proposal is consistent with Council's resolution.

In addition, the Marrickville Employment Lands Study prepared by SGS Economics & Planning, which has not been adopted by Council, recognises that there is scope to transition away from the current IN1 General Industrial zoning of the Victoria Road Precinct towards a business zoning. JBA has prepared a more detailed Employment Strategy that draws on precinct-scale data and the outcomes of A Plan for Growing Sydney in order to make positive land use and employment recommendations for the Victoria Road Precinct within Precinct 47. This Planning Proposal is consistent with this strategy.

Danias have engaged an expert consultant team in key disciplines to undertake strategic planning and design studies to inform the 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
Employment Strategy	JBA
Community Consultation	Macken Strategic Planning Solutions
Urban Design and Masterplanning	Turner Associates
Aircraft Noise Strategy	EMM, JBA and Turners
Transport and Traffic	Hyder Consulting
Flooding and Stormwater	WMA Water
Heritage	Graham Brooks and Associates + Artefact Heritage
Geotechnical and Contamination	Aargus

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 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. The site is located on a strategic bus corridor and is within 800 metres of Sydenham Station. Furthermore, the NSW Government is investing heavily in public transport upgrades in the area through the delivery of the CBD and South-West Metro line to Sydenham Station, which will link Sydenham directly into Sydney's Global Economic Corridor.

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

Yes. 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 made³. At its meeting on 17 April 2012, 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 Planning Proposal by the proponents (this document). No further information regarding the Carrington Road precinct has been made publicly available.

The Marrickville Employment Lands Study, which has not been adopted by Council, recognises that there is capacity to transition employment away from traditional industrial uses within Marrickville, with the provision of ongoing employment-generating uses is encouraged through the transition of land toward a mixed business zoning. The Planning Proposal supports this objective.

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

Employment has declined significantly within Precinct 47 over the past 20 years. The Planning Proposal will facilitate the renewal of outdated and underutilized employment land by change from an industrial zoning to a mixed business zone. As demonstrated in Section 7.2.2 of this report the proposed rezoning will result in a net increase of up to 4,400 new jobs in the precinct. In addition to creating new jobs it will facilitate greater diversification of employment opportunities that

³ Item 6, Business Paper for 4 March 2014 Infrastructure, Planning and Environmental Services Committee of Marrickville Council

better respond to Marrickville and Sydney's changing workforce demographic. This increase and diversification in the number of jobs within the precinct will greatly assist in managing and compensating for the decline in manufacturing and other industrial activity and employment within the precinct, where lands are no longer required, and will support 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.

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

No. The Planning Proposal seeks to allow residential development within the precinct in a manner that 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?

Yes. The site is located on a strategic bus corridor and is within 400m -800m of Sydenham Station, and existing public transport services are capable of accommodating additional growth in this area. The NSW Government has also planned significant infrastructure investments that will improve access to the Victoria Road Precinct for residential and business activity but divert access for industrial uses away from the area.

The CBD and Southwest Metro will re-join the existing Sydney Trains network at Sydenham Station before following the existing alignment of the Bankstown Line. The Metro will provide services every 4 minutes during peak period, allowing for non-timetabled 'walk-up-and-go' commuting at Sydenham Station, and provide direct service to major knowledge-sector employment precincts at Waterloo or Sydney University, the Sydney CBD, Barangaroo, North Sydney, St Leonards, Chatswood, Macquarie Park, Macquarie University and Norwest Business Park.

The NSW Government is also investing in the WestConnex motorway and upgrades to freight rail connections to Port Botany to new intermodal freight terminals in south-west Sydney. This infrastructure is intended to allow freight and industrial traffic to bypass inner-Sydney to new industrial lands in Western Sydney.

Currently the site lacks permeability in terms of pedestrian and cycling access. This Planning Proposal creates new opportunities to connect and improve infrastructure for these forms of transport and improve the amenity for pedestrians and cyclists in the area.

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?

No. There are no environmental reasons for not proceeding with the Planning Proposal. There are existing flooding constraints within parts of the precinct which would be required to be addressed 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. The Planning Proposal has also been strongly supported by the Local Government as being strategically important for the local area and its local residents and businesses.

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. A contribution to affordable housing of 3% of the accountable floor space will be made.
- **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.

A Plan for Growing Sydney

A Plan for Growing Sydney is the NSW Government's new metropolitan strategy to manage Sydney's change and growth over the coming 15 years. The Plan responds to Sydney's needs as a growing global city, establishes broad spatial principles for land use change, and sets out a framework to facilitate growth through coordination of planning and infrastructure delivery. The rezoning of the Victoria Road Precinct is consistent with the Plan in that it provides a coordinated

land use response to major infrastructure investment in the locality, responds to changing economic and spatial patterns to halt decline in the precinct and create new employment opportunities, and facilitates the restoration and renewal of a run-down and underutilised urban area.

Infrastructure

Major new infrastructure investments by the NSW and Australian Governments form the backbone of the Plan. A new international airport at Badgerys Creek, the WestConnex and the delivery of Rapid Transit from Rouse Hill to Bankstown will support economic growth, increased productivity and provide new opportunities for urban renewal.

Increasing the utilisation of freight rail between Port Botany/Sydney Airport and major freight distribution precincts is a key action of the Plan, with the aim of reducing inner-city congestion and getting trucks off local roads. The WestConnex seeks to ease congestion on inner-city roads by allowing heavy vehicles to bypass surface roads when travelling between the city, major transport gateways and industrial precincts. A doubling of the proportion of container freight transported through NSW ports is also targeted by 2021 under the NSW State Plan through investments in freight rail infrastructure and new intermodal terminals.

Urban Renewal

The Plan seeks to “accelerate urban renewal across Sydney” by supporting Council-led urban infill projects and capitalising on new transport infrastructure investments, such as the Sydenham-Bankstown Rapid Transit conversion and the proposed delivery of the WestConnex. The Plan notes that urban renewal creates an opportunity to deliver new housing and employment whilst also increasing the amenity of surrounding areas by revitalising run-down and under-utilised land. Done well, this represents a win-win for both present and future communities.

Housing Supply and Choice

According to the Plan an extra 1.6 million people will live in Sydney in 2031. They will have different family structures, living arrangements, lifestyle choices and housing preferences. This presents a dual-challenge of providing more housing and diversifying the overall supply of housing. The Plan is clear in its strategic intent for new housing to be provided in areas that are close to public transport, services, existing centres, recreational facilities and where they can be supported by existing infrastructure.

Economy and Employment

Sydney drives 70% of NSW’s total economic output, and ensuring a healthy, vibrant and competitive local economy is fundamental to meeting the needs of the community, such as employment, services, infrastructure and lifestyle, can continue to be met into the future. Sydney’s economy has moved into its post-industrial phase, with strong growth in the financial, professional and other service sector industries, whilst the manufacturing and transport industries now make up less than 15% of Sydney’s gross regional product (Regional Development Australia 2013).

The Plan focuses on supporting Sydney’s continued growth as a major service-sector economy and Australia’s gateway to international trade. Supporting growth in professional jobs is a major focus, whilst trade-related industries will benefit from the release of new industrial land and infrastructure in planned business precincts in Sydney’s west.

Industrial Lands

The Plan includes a number of actions to support freight movement, protect transport gateways and manage industrial precincts throughout Sydney.

Important industrial land around Sydney Airport/Port Botany required to support the transport gateways is identified as the area from the Princes Highway in Sydenham across to Port Botany. The Sydenham-Marrickville Industrial Precinct to the west of Sydenham Station is outside of this identified area.

Supporting the growth of planned, serviced and purpose-built industrial precincts in Sydney's west is a key action in the Plan, with new motorway and freight rail connections and the designation of two areas, Bankstown-Milperra and the Broader Western Sydney Employment Area, as priority employment growth precincts.

A review of how the NSW Government assesses the conversion of under-utilised industrial to other land uses is envisaged in the Plan through an update to the *Industrial Lands Strategic Assessment Checklist*. Importantly, the Plan predicts situations where planning controls should be updated to support the ongoing evolution of industrial activities into more intensive commercial activities. 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: near or within direct access to key economic infrastructure? contributing to a significant industry cluster?	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. the precinct does not contribute to any significant industry cluster.
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 Section 7.1 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 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.	The proposed development facilitates the transition of underutilised and surplus industrial sites to a mixed business zoning that will support increased local employment.

Criteria	Comment
Is the site critical to meeting the need for land for an alternative purpose identified in other NSW Government or endorsed council planning strategies?	The Planning Proposal will ensure that the precinct continues to contribute toward employment-generating uses whilst also boosting housing supply.

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) 4.3 – Flood Prone Land
- e) 6.3 – Site Specific Provisions.
- f) 7.1 – Implementation of A Plan for Growing Sydney

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?
(4) A Planning Proposal must:		
give effect to the objectives of this direction,	The Planning Proposal will: encourage employment growth within an existing employment precinct transition existing industrial land to business development mixed use in response to the decline in industrial employment; and ensure that there are viable and permissible employment uses in place for Precinct 47.	Yes
retain the areas and locations of existing business and industrial zones,	The precinct will be rezoned from IN1 Industrial to B5 Business Development and B4 Mixed Use zones. There would be no net loss in employment-generating development.	Partial
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 floor space for employment uses.	Yes
not reduce the total potential floor space area for industrial uses in industrial zones, and	The Planning Proposal rezones from IN1 Industrial to B5 Business Development and B4 Mixed Use zones. Light industrial uses would continue to be permissible within the new zones, however, general industrial activities will not be permissible.	Partial
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.

In addition to the above 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.

Employment Analysis

Following the issue of the Gateway Approval further analysis has been carried having regard to the above objectives and provisions of Section 117 Direction – 1.1 Business and Industrial Zones. This analysis focusses on the current and potential employment generation by the precinct under the incumbent planning controls, and makes a comparison of these numbers against the potential employment generation that could be obtained under the proposed zoning and planning controls. We explore this in further detail below.

Current Employment

On a door to door land use and business survey of the Precinct was carried out by Danias Holdings Pty Ltd. A full record of the survey results is contained at **Appendix M**, with a separate survey, including photographic information, for the current businesses operating in the Wicks Park area.

Maximum employment potential under current controls

To estimate the potential maximum employment generation JBA has quantified the reasonable maximum floor area that could be achieved within the Precinct, and then subsequently applied workforce ratios set out within Marrickville Council's Section 94 contribution plan. We have then applied a 10% sensitivity

ratio to final calculations to provide a range for the maximum employment scenarios and to ensure that a best case scenario is captured within the analysis.

As set out in Section 2.0 the Precinct 47 has a total area 36 hectares, which comprises:

- IN1 Industrial Land – 22.6 hectares
- IN2 Industrial Land – 2.38 hectares
- B4 Mixed Use Land – 0.32 hectares
- B7 Business Park Land – 1.37 hectares
- Road reserves and other – 9.3 hectares

Table 11 below provides an analysis of the current and proposed scenarios and demonstrates the maximum potential floor space that can be achieved within Precinct 47.

Table 11 – Precinct 47 – Employment Generation Capacity

Zone	Area (excludes roads)	Max FSR (LEP)	Maximum Potential Floor space	Workers per m ² of GFA ^a	No. of Employees	Sensitivity (10%)
EXISTING						
IN1 Industrial	22.6 ha	0.95	214,700m ²	0.01/m ²	2,147	1932 - 2,362
IN2 Industrial	2.38 ha	0.95	22,610m ²	0.01/m ²	226	206 - 249
B4 Mixed Use ^b	0.32 ha	1.75*	2,400m ²	0.05/m ²	120	108 - 132
B7 Business Park	1.37 ha	0.95	13,015m ²	0.05m ²	651	586 - 716
TOTAL (EXISTING)	26.67		253,365m²		3,144	2,830 – 3,458
PROPOSED						
IN1 Industrial	9.60 ha	0.95	91,200m ²	0.01/m ²	912	821 – 1,003
IN2 Industrial	1.71ha	0.95	16,245m ²	0.01/m ²	162	146 - 178
B4 Mixed Use ^b	2.14 ha	0.75 ^b	16,050m ²	0.05/m ²	803	723 – 883
B5 Business Development ^c	3.4 ha	1.0	34,000m ²	0.03/m ²	1,020 ^c	918 – 1,122
B5 Business Development ^c	5.53 ha	2.0	110,600m ²	0.03/m ²	3,318 ^c	2,896 – 3,650
B7 Business Park	1.33 ha	0.95	12,635m ²	0.05/m ²	631	568 - 694
TOTAL (PROPOSED)	23.71 ha		271,430m²		7,144	6,072 – 7,530

^a Density rates for workers sourced from Marrickville Section 94 Contributions Plan 2004 (Retail: 0.05m², Commercial: 0.05m², Industrial: 0.01m²).

^b B4 Mixed Use land is assumed to have a ground floor non-residential level with residential above. A non-residential FSR of 0.75:1 has therefore been applied to all B4 Mixed Use land to account for driveway entrances, servicing, residential lobbies etc.

^c A workers/m² ratio of 0.03 has been applied to the B5 Business Development zone to reflect the fact that not all uses will be at a commercial intensity. The proposed ratio represents a mid-point between Industrial (0.01) and Commercial (0.05) worker densities and reflects the potential for a mixed land use pattern in these areas.

As shown in **Table 11**, under the current planning controls Precinct 47 has a theoretical maximum potential to generate up to 3,458 jobs for the local community and wider Sydney. Under the current scenario the large majority of these jobs would fall within the fields of manufacturing, logistics, wholesale trade and other professions commonly located in industrial zoned land.

As noted in Section 2.3.2 of the Victoria Road Precinct Employment Strategy only 3,479 people were employed in manufacturing in Marrickville in 2011, being just 15% of the total Marrickville workforce and representing a decline in workforce numbers of 40% since 2001. Similarly, jobs in wholesale trade and transport and logistics fell by 18% and 65% respectively in Marrickville during this same period. In light of this even in the event that Precinct 47 was able to realise its full potential, it is considered unlikely that such space would be able to achieve full occupation given the declining nature of such industries in the area.

By comparison under the proposed planning controls Precinct 47 would have a theoretical maximum potential to generate up to 7,530 jobs for the local community and wider Sydney. This represents an increase of circa 4,000 jobs on the precinct's potential maximum employment capacity under the current planning controls.

The proposed introduction of Business Zones will also support a greater diversity of employment opportunities including jobs in professional, scientific and technical services, education and training, administrative and support services and retail trade. Such new job opportunities will also not come at a great expense to jobs in manufacturing, wholesale trade and logistics as large parts of Precinct 47, particularly the healthier parts of the precinct, will remain industrial under the Planning Proposal.

In light of the above analysis the planning proposal is considered to provide an outcome that is consistent with Section 117 Direction for Business and Industrial Zones as:

- It will result in a net increase of up to 4,000 new employment opportunities within the precinct;
- It will facilitate greater diversification of employment opportunities within the precinct that better respond to Marrickville and Sydney's changing workforce demographics, which as demonstrated in the Employment Strategy (**Appendix C**) is increasingly becoming a white collar knowledge and skills based populous.
- It will enable the retention and continued operation of the most viable and productive industrial zoned land within the precinct, and in this regard will continue to protect large parts of Precinct 47 for such uses;
- It will introduce a new B5 Business Development Zone, that will still allow for many existing uses to continue their operation and/or locate to the area if desired. In particular, as demonstrated by the Wicks Park Survey (**Appendix M**) the proposed zoning changes to land along Faversham Street and Fitzroy Street will still support the current uses, and in fact will result in more of these uses becoming permissible. The new zone will therefore better reflect the current use mix in this area;

- It will assist in managing and compensating for the decline in manufacturing and other industrial activity and employment within the precinct, where lands are no longer;
- It will support 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.

Section 117 Direction - 3.1 Residential Zones

As outlined in **Table 12** below, the Planning Proposal is consistent with the S117 Direction for residential zones.

Table 12 – Consistency with S117 Direction – 3.1 Residential Zones

Provision	Comment	Consistent?
(4) A Planning Proposal must include provisions that encourage the provision of housing that will:		
a) broaden the choice of building types and locations available in the housing market, and	The 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 Planning Proposal and indicative master plan sets out design principles which promote a well-designed urban environment.	Yes
(5) A Planning Proposal must, in relation to land to which this direction applies:		
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.	Yes
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.	Yes

Section 117 Direction - 3.4 Integrating Land Use and Transport

As outlined in **Table 13** below, the Planning Proposal is consistent with the S117 Direction for the integration of transport and land use.

Table 13 – Consistency with S117 Direction – 3.4 Integrating Land Use and Transport

Provision	Comment	Consistent?
(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:		
Improving Transport Choice - Guidelines for planning and development (DUAP 2001), and	The 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
c) The Right Place for Business and Services - Planning Policy (DUAP 2001)	The 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 14** 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 Report (**Appendix D**), the 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 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 14 – Consistency with S117 Direction – 3.5 Development Near Licensed Aerodromes

Provision	Comment	Consistent?
(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:		
a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,	The proponent has consulted with the Department of Infrastructure and Regional Development in the preparation of the Planning Proposal and Aircraft Noise Strategy.	Yes
b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,	The building heights described in the master plan are below the OLS. Further consultation has been carried out with SACL. In response to this the LEP height limits for the tallest parts of the site have been adjusted to specify RL heights instead of standard height limits. As a result, they provide greater certainty and clarity around maximum height limits and ensure that the proposal responds specifically to the OLS height provisions. It is noted that any temporary structures within the precinct that need to exceed the OLS height limit (e.g. cranes) will be the subject of a separate approval prior to obtaining any development consent.	Yes
c) for land affected by the OLS: – prepare appropriate development standards, such as height, and – allow as permissible with consent development types that are compatible with the operation of an aerodrome	– The proposed LEP height maps have been drafted to ensure that new development will be beneath the OLS height provisions. – The Planning Proposal is accompanied by an acoustic study which identifies existing noise conditions and informs planning provisions to manage potential conflicts between aerodrome operations and proposed land uses. – An Aircraft Noise Strategy has been prepared specifically for the precinct and provide a robust framework to guide and regulate future development within the precinct. – A new DCP has been prepared for the precinct, which includes controls that ensure that building, in particular their rooftops will be designed in such a way to minimise any potential impacts on airport operations.	Yes
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.	The Planning Proposal does not seek to encroach above the OLS height limit.	Yes

Provision	Comment	Consistent?
This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.		
(5) A Planning Proposal must not rezone land:		
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. A Precinct Specific noise strategy has been prepared that responds to the objectives of the Section 117 Direction by providing a framework to guide and regulate development to ensure that it achieves acceptable amenity for future residents and protects the continued operation of the airport.	No.
b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or	Not applicable.	N/A
c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.	The area proposed to be zoned B7 Business Park within the ANEF 30+ already permits a mixture of industrial, creative and office uses. It is expected that use of standard construction techniques in any future development will ensure compliance with the relevant internal noise design criteria where necessary.	No.
(6) A Planning Proposal that rezones land:		
a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.	As detailed in Section 6.0, 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 Section 5.2.	Yes

However, the S117 Direction states in this section that:

(7) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(a) justified by a strategy which:

(i) gives consideration to the objectives of this direction, and

(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and

(iii) is approved by the Director-General of the Department of Planning, or (our emphasis added)

(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or

- (c) *in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
- (d) *of minor significance.*

As noted in the section above, an Aircraft Noise Strategy has been prepared in accordance with the direction. The Strategy has been drafted with the specific intent that it be adopted as part of the Marrickville DCP upon gazettal of any LEP amendment. This Strategy is provided at **Appendix F** and addressed at **Section 6.4** of this report.

In addition to this a Draft DCP for Precinct 47 has been prepared and includes controls to govern and regulate new development proposals in the precinct, and sets an overarching objective to *'ensure new development and alterations and additions to existing buildings does not affect the ongoing operation of Sydney Airport.'*

Overall, the proposed Aircraft Noise Strategy and Draft DCP will ensure that any future development is guided and regulated by a robust planning framework that prioritises the protection of Sydney Airport by ensuring that new development is sensitively designed to respond to the constraints imposed by aircraft operations. In light of this the Planning Proposal is considered to appropriately respond to the Section 117 direction for Development Near Licenced Aerodromes.

Section 117 Direction 4.3 – Flood Prone Land

The proposal's consistency with the S117 Direction for development of flood prone land is outlined in **Table 14** below. Flood affectation of the land is discussed in Section 6.6 of this report and in further detail in the Flood Report prepared by WMA Water (**Appendix K**).

A Planning Proposal may be inconsistent with the S117 Directions if the relevant planning authority can satisfy the Director General (Secretary) of the NSW Department of Planning and Environment that the areas of inconsistency are of minor significance.

Table 15 – Consistency with S117 Direction – 4.3 Flood Prone Land

Provision	Comment	Consistent?
What a relevant planning authority must do if this direction applies		
4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).	Clause 6.3 of the Marrickville LEP 2011 already includes provisions that give effect to and ensure consistency with the Flood Development Manual. As such additional provisions are not required in this Planning Proposal.	Yes
5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.	The site is already zoned for predominately Industrial purposes, and this provision is therefore not applicable.	N/A

Provision	Comment	Consistent?
6) A planning proposal must not contain provisions that apply to the flood planning areas which: a) permit development in floodway areas, b) permit development that will result in significant flood impacts to other properties, c) permit a significant increase in the development of that land, d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.	a) Existing floodways are either not affected by this proposal (i.e. drainage channel near Smith Street) or within public road reserves not affected by the Planning Proposal. b) Precinct 47 is already developed and it is not expected that new development would impact on flooding of other properties. Clause 6.3 requires detailed flood studies to accompany future development of any flood affected land. c) Increases in the development potential of land are predominately limited to areas that are not flood affected or have only minor flood affectation. d) The Planning Proposal will increase the amount of private soft landscaped areas and on-site stormwater detention within the precinct, thereby reducing the cost to government for flood mitigation, whilst also contributing additional development contributions that can be used for this purpose. e) The Planning Proposal does not permit any development to be undertaken without development consent except as per the existing land use zones under the Marrickville LEP.	Partial
7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	Section 6.6 identifies appropriate flood planning controls for the land proposed for mixed use or residential development to inform future development.	Yes
8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	The Planning Proposal is not inconsistent with the Floodplain Development Manual.	Yes

Provision	Comment	Consistent?
A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:		
a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or	Marrickville Council (now Inner West Council) has commenced the preparation of the Marrickville Valley Floodplain Risk Management Study and Plan which includes the Precinct 47 area.	N/A
b) the provisions of the planning proposal that are inconsistent are of minor significance.	The Planning Proposal would permit some additional intensification of development on land that is flood affected or in the vicinity of flooding. However, these areas are small in size (generally toward the west of the precinct near Faversham Street), and suitable access and design solutions are readily available as part of future development in accordance with the master plan. Flood planning levels have been specified by WMA Water to ensure that all future development appropriately mitigates the potential impacts of flooding within the precinct. Moreover, the Planning Proposal supports positive flood mitigation measures by supporting a reduction in hardstand area throughout the precinct and new on-site measures to reduce runoff. The existing provisions of the Marrickville LEP and DCP, as well as the Flood Report and Draft DCP accompanying this Planning Proposal, will ensure that there are no adverse flood-related impacts as a result of the Planning Proposal.	Yes

Section 117 Direction 7.1 – Implementation of A Plan for Growing Sydney

A new S117 Direction was issued by the Minister on 14 January 2015 in relation to the implementation of A Plan for Growing Sydney, and requires that:

“Planning proposals shall be consistent with the NSW Government’s A Plan for Growing Sydney published in December 2014.”

The Planning Proposal is consistent with A Plan for Growing Sydney, as discussed in **Section 7.2.1** and elsewhere in this report.

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 16** below.

Table 16 – 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 B5 Business Development and B4 Mixed Use zones 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 LEP 2011

When adopting the incumbent Marrickville LEP 2011 on 1 May 2012, Marrickville Council resolved 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.*

This Planning Proposal provides an outcome that is consistent with that Council resolution.

Gateway Proposal

On 3 November 2015, Marrickville Council considered the updated Planning Proposal and resolved that Council:

1. *advises the Department of Planning and Environment that it supports the Revised Victoria Road Planning Proposal as originally submitted by JBA Urban Planning Consultants on the 7th of August 2015 and that it be submitted along with the Planning Officers Report to the Department for Gateway determination;*

2. notes that Council does not support the following changes by Planning Officers to modify the proposed Masterplan for the rezoning of the Victoria Rd Precinct to:

- change the proposed residential zonings in Sub Precinct 1 to B7 Business Park and Sub Precinct 2 Wicks Park back to the General Industrial zoning IN1;
- change the proposed B5 business zoning changes of Blocks F, I, J, & H and the Special use zoning of Block G in Sub Precinct 3 by retaining the General Industrial zoning IN1;
- change the proposed B5 zoning on the south eastern side of Victoria Road by retaining the IN1 Industrial zoning despite recommending the rezoning of the street frontages on the north east side to B4 in Sub Precinct 1 and B5 in Sub Precinct 3;
- change the proposed “Special Transitional Industrial” Zone to blocks O, Q, S, & U by retaining the General Industrial Zoning in Sub Precinct 4.

The Planning Proposal is also consistent with this latest resolution of Council.

Marrickville Employment Lands Study 2014

Marrickville Council engaged a consultant to undertake a review and update to the earlier Marrickville Employment Lands Study over the course of 2014. The MELS was exhibited by Council from December 2014 to February 2015, and Council has directed the consultant to revise the MELS in light of the release of A Plan for Growing Sydney and the detailed Victoria Road Precinct Employment Strategy. As the MELS has not been revised or subsequently adopted by Council, it does not have weight as a Council policy. This fact is acknowledged in the minutes from the Design Workshop held in March 2015 attended by the Project Team, officers of Marrickville Council and key officers from the NSW Department of Planning and Environment.

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 nine 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 17** below.

Table 17 – 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 public exhibition of the Planning Proposal will be accompanied by a Development Control Plan and Draft Contributions Plan which facilitate improvements to the public domain.	Yes

Direction	Comment	Consistent?
7) Investigate opportunities to increase community facilities; and	The 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 will accompany the exhibition of the 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 Draft DCP prepared for exhibition with the Planning Proposal will include 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 Planning Proposal. Importantly, the 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 18** below.

Table 18 – 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 Section 6.1. 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 Section 2.4. 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 Section 2.4. 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.
Development can occur in a way that responds to aircraft, road or rail noise.	As discussed in Section 6.4.2, 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 (provided under separate cover), 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.	The proposed configuration of land uses detailed within the 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 public exhibition of the Planning Proposal. 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.

In light of the above it is considered that urban renewal of Precinct 47 as envisaged in the 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 exhibition of the 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.

7.2.5 Is the Planning Proposal consistent with Sydenham to Bankstown Urban Renewal Corridor Strategy?

The Draft Sydenham to Bankstown Urban Renewal Corridor Strategy was published in October 2015 to provide a strategic planning framework to guide future development and infrastructure delivery throughout the corridor over the next 20 years. The Draft Strategy includes detailed land use and infrastructure analysis for each of the station precincts along the Bankstown Rail Line, including both Marrickville and Sydenham. It outlines the future vision and character for each area, the number of new homes and jobs that could be delivered, and the improvements to community facilities, public spaces, the transport network and other infrastructure needed to support growth.

As shown in **Figure 34** the western side of Precinct 47 overlaps with the Sydenham Precinct as identified within the Draft Strategy. The draft strategy currently envisages the western part of Precinct 47, land that is currently the subject of this Planning Proposal, to maintain its Industrial Zoning and use into the future.

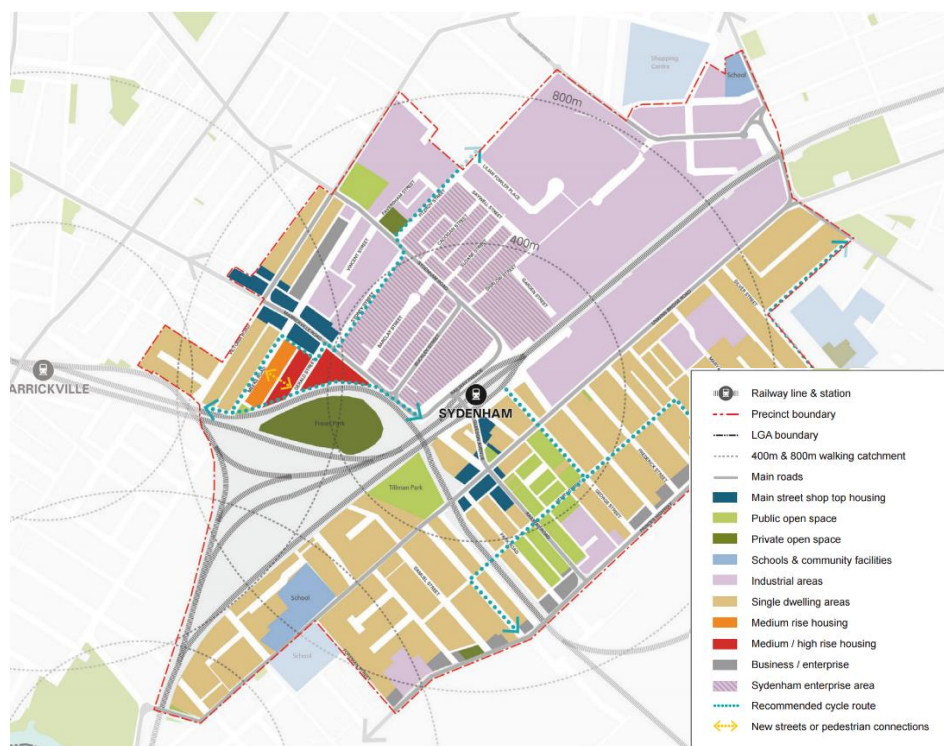


Figure 34 – Sydenham Precinct

Source: Draft Sydenham to Bankstown Urban Renewal Corridor Strategy

The planning proposal will deliver a number of outcomes that will significantly contribute to achieving the intended vision, aims and objectives of the Draft Strategy, including but not limited to:

- It will provide for a mix of low, medium and high rise residential and mixed use developments located within walking distance of Sydenham railway station, thus allowing more people to live close to high quality rapid transport services.
- It will result in upgrades to Wicks Park, improved leisure and recreational facilities, enhanced landscaping of streets, and will facilitate the delivery of new pocket parks.
- It will diversify, broaden and enhance the range of business activities and increase the quality and capacity of employment lands around Sydenham.
- It will support and attract new creative industries that complement the Sydenham Creative Precinct and provide housing to enable people to live near the precinct.
- It will provide new housing that will accommodate local population growth and support the growth of Marrickville town centre as destinations for retail, local business and community functions.
- It will improve the overall supply of new housing within the corridor, as well as ensuring a choice of housing to meet the needs of diverse communities.

The project team have made representations in response to public exhibition of the Draft Strategy and continue to play an active role as a key stakeholder in the preparation of the Draft Strategy. In particular, the Project Team participated in the Department's latest Community Design Workshop on the Corridor Strategy.

While it is acknowledged that there is presently some points of difference between the Planning Proposal to the Draft Strategy it is important to note that:

- a) The Planning Proposal will assist in achieving many of the stated aims and objectives of the Draft Strategy as discussed earlier.
- b) Both the Draft Strategy and the Planning Proposal were prepared in parallel and in isolation of one another, as a result the team responsible for preparing the Draft Strategy was not aware of the Planning Proposal at the time of its preparation and subsequent publication.
- c) At the time when the most recent iteration of the Sydenham Precinct Plan was published (i.e. April 2016), the Planning Proposal had just received Gateway Determination was yet to be formally exhibited.
- d) The Planning Proposal will carry greater weight as it progresses through the LEP Amendment Process. Once it progresses past the point of public exhibition the proposed controls will have greater certainty and should be able to be reflected in the Draft Strategy.

In light of the above the inconsistencies between the Planning Proposal and the Draft Strategy are largely due to the relative timing of both documents. As the Planning Proposal progresses and becomes more certain and imminent it is considered that Draft Strategy will be able to be updated to reflect the revised controls.

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**.

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**. The Planning Proposal will contribute to a number of positive social and economic effects, including:

- contribution to the supply of affordable housing;
- increase in the diversity and supply of housing stock in a location that is well-served by existing and proposed public transport infrastructure;
- improving local employment opportunities by providing opportunities for business development in areas that align with the professional skills of Marrickville's resident labour force; and
- ensuring the proper utilisation of existing and proposed infrastructure.

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 future development activity.

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. There are a number of private schools also located nearby, including Newington College.

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?

The project team has consulted extensively with stakeholders within an interest in the precinct as detailed in **Section 3.0**. This has included consultation with:

- Marrickville Council;
- NSW Department of Planning and Environment;
- NSW Department of Education and Training (Marrickville Public School);
- Sydney Airport Corporation Limited;
- Commonwealth Department of Infrastructure & Regional Development;
- Landholders and businesses within Precinct 47; and
- Local community organisations.

In addition, the project team has worked to disseminate information about the proposal through public avenues such as the project website (www.victoriaroadprecinct.com) and the media.

8.0 Conclusion

The purpose of this 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 Department of Planning and Environment. The Planning Proposal was initially 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. After lodgement of the Planning Proposal in August 2015 a Gateway Approval was issued by the Deputy Secretary of the Department of Planning and Environment, on behalf of the Greater Sydney Commission.

Since the issue of the Gateway Approval Danias Holdings, together with their project team, have carried out further detailed investigations, design and assessment to respond to a number of conditions that were set out in the Gateway Determination. This further analysis and assessment has resulted in a number of amendments to the Planning Proposal, including changes to the proposed planning controls; the preparation of a detailed Precinct Specific DCP, the update of the Indicative Masterplan, and further technical analysis including but not limited to flooding, heritage, traffic and employment lands. As a result of this additional assessment and refinement, the Planning Proposal now addresses all matters raised in the Gateway Determination of March 2016, and represents a well-considered and robust proposal that is ready to be publicly exhibited for community and key stakeholder input.

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.

A Plan for Growing Sydney seeks to facilitate new employment and housing opportunities in locations that leverage off existing and new infrastructure provision. The Victoria Road Precinct within Precinct 47 is centred around a strategic bus corridor and within walking distance of Sydenham Station, which will become a major interchange between the new CBD & South West Metro and the existing Sydney Trains Network. This new infrastructure will directly link the precinct into Sydney's Global Economic Corridor by providing same-seat-service to major knowledge employment hubs in the Sydney CBD, Barangaroo, North Sydney, St Leonards, Macquarie Park and Macquarie University. This creates new opportunities for employment in the local area, particularly given the highly skilled and educated local workforce present in Marrickville. At the same time, other significant investment by the NSW Government in freight rail and the WestConnex motorway aims to improve connectivity between Western Sydney's employment lands and Port Botany/Sydney Airport, with the aim of removing heavy vehicles from local inner city roads. Transitioning the land uses in the Victoria Road Precinct is appropriate in this context of investment and changing land use patterns, and accordingly this Planning Proposal is entirely consistent with A Plan for Growing Sydney.

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 organically and gradually into a modern mixed employment precinct that better takes advantage of 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.

This Planning Report and accompanying specialist reports documents and assesses 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 planning, design and land use merit for the proposed LEP Amendments.

9.0 Timeline

As noted in 'A Guide to Preparing Planning Proposals' prepared by the then Department of Planning and Infrastructure, 'a primary goal of the plan making process is to reduce the overall time taken to produce LEP's.' The guide notes that the inclusion of a project timeline with the planning proposal will provide a mechanism to monitor the progress of the planning proposal through the plan making process. A forecast timeframe for the Planning Proposal is provided in **Table 19** below.

Table 19 – Timeline

Document	Date / Timeframe
Commencement date (date of Gateway determination)	14 March 2016
Completion of required technical information	July 2016
Timeframe for government agency consultation	August-mid September 2016
Commencement and completion dates for public exhibition period	August – mid September 2016
Consideration of submissions	September - October 2016
Timeframe for the consideration of a proposal post exhibition	November 2016
Date of submission to the Department to finalise the LEP	Late November – early December 2016
Anticipated date for Department to make the Plan	December 2016 – January 2017