

Item No: IP1115 Item 2
Subject: REVISED PLANNING PROPOSAL FOR THE VICTORIA ROAD PRECINCT
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SUMMARY

Council is well acquainted with the proposed strategic land use changes within the Victoria Road precinct, having considered a previous proposal and made a number of resolutions in recent years.

This report presents an assessment of the strategic merit of a revised planning proposal for changes to land use zones, floor space ratio (FSR) and height of building (HoB) controls within the precinct. The key differences between this version and the 2014 preliminary version are a reduction in number of dwellings from approx. 3,100 to approx. 1,300. All residential uses proposed are within the 25 to 30 Australian Noise Exposure Forecast (ANEF) contour and there are no residential uses proposed above the 30 ANEF contour. Three percent of all housing is proposed as affordable housing.

The revised planning proposal presents a vision for significant strategic changes and includes a precinct masterplan, employment strategy, an aircraft noise strategy and acoustic studies. Key aspects of the changes, particularly as they relate to the introduction of residential land uses and a wholesale move away from the industrial zones are not supported by the independent employment lands research. Balancing this with all other considerations this report recommends that a modified proposal be forwarded for Gateway determination with some matters (principally relating to the amount and type of housing within the B7 – Business Park zone) the subject of further investigation post any Gateway determination.

The parts of the planning proposal that are supported include:

- The mixed use zones and built form controls fronting the western side of Victoria Road and the residential zone fronting the western side of Farr Street.
- The B5 Business Development zone for land parcels that have a frontage to the northern/western side of Victoria Road and all land between Chalder and Chapel Streets, west of Victoria Road.

The report recommends changes to the planning proposal to include:

- B4 mixed use zone fronting Sydenham Road west of Victoria Road.
- B7 Business Park for the balance of the block bounded by Farr Street, Sydenham Road, Victoria Road and the public school.
- All other land to remain as IN 1 – General Industrial.

There are no independent guiding strategic planning documents that identify the Victoria Road precinct as land for high density housing, nor that encourage its move away from industrial zonings, because it is viable and valuable employment land, and because of the heavy aircraft noise affectation.

This assessment disagrees with a central premise of the submitted proposal which is that the observed shift away from traditional industry means that local industries and services are better suited to a business zone and that unless this occurs the area will continue to fall into disrepair at the expense of the broader community. In recent times the area has seen an upturn in newer and local industries such as breweries, coffee and food production as well as textile, music and independent design or 'maker' studio. The industrial zone, the mix of building types and the related pricing accommodates this. Because it is highly unlikely that land would ever be reversed, a move away from an industrial zone should be made cautiously.

Notwithstanding, there is considered to be merit in allowing residential development and a partial move to a business zone in some parts of the precinct. Furthermore larger parts of the Industrial zone may be suited to conversion to B5 or B7 at a later stage, subject to the release of a sub-regional strategy and further subject assessment of supply and demand impacts.

The intent behind the objectives and provisions of the B7 zone in the Marrickville LEP are two pronged – to specifically promote creative industries and to provide for **limited** residential development for **small scale** live-work enterprises, to help revitalise employment areas. Consistent with this, related controls seek to constrain the proportion of residential to business floorspace. In this context, the report recommends further investigation (in a post Gateway phase) of possible ways to relax the existing limitation on residential development but only where it can be demonstrated that other Council objectives and broader planning objectives can be addressed to deliver a greater amount of housing for key workers, particularly those seeking employment in the expanding sectors that the B7 zone provides for. There is recent precedence from the City of Sydney's Southern Employment Lands on how this can be achieved to provide developable land for community housing providers.

Throughout the precinct the maintenance of the fine grain subdivision pattern and the creation of new laneways and a precinct-wide approach to the management and accommodation of car parking are identified as priorities for related development controls.

It is recommended that Council supports the planning proposal in the amended form outlined in this report and refers it for Gateway determination.

RECOMMENDATION

THAT:

- 1) the report be received and noted;
- 2) Council supports the revised Victoria Road planning proposal being submitted to the Department of Planning & Environment for Gateway determination subject to the following recommendations:
 - a) recommendation for Sub-precinct 1:
 - i) that Block A (north-west side of Farr Street) be rezoned from IN2 Light Industrial to R3 Medium Density Residential with a HoB of 12m and FSR of 1.2:1, as is recommended by the planning proposal;
 - ii) that Blocks B, C & D be rezoned from IN1 General Industrial to B7 Business Park, with HoBs and FSRs as recommended by the planning proposal, the exception being the eastern frontages of Blocks B, C & D to Farr Street where a HoB of up to 23m and FSR of 3:1 apply;
 - iii) that frontages to Sydenham Road (to a depth of the existing lots) and Victoria Road be rezoned from IN1 General Industrial to B4 Mixed Use, with HoBs and FSRs as recommended by the planning proposal;
 - iv) that the provisions related to residential development within the B7 Business Park zone, and the related height and FSR controls, be the subject of further investigation following a Gateway determination and prior to any formal exhibition to provide certainty on the limited amount of residential (live/work) and beyond that to enable a further increment of affordable housing to be managed by a community housing provider;

- b) recommendation for Sub-precinct 2: Blocks V, W1, W2 & Z - north-east and south-east sides of Wicks Park: That there be no change to the existing zoning (IN1 General Industrial), HoB and FSR controls for this sub-precinct;
 - c) recommendation for Sub-precinct 3: Blocks E, F, G H, I & J & N – north-west side of Victoria Road bounded by Chalder, Brompton & Shepherd Streets and Enmore Road: That the whole area of Block E and frontage (to a depth corresponding to Block F lots) to Victoria Road from Chalder Street to the intersection of Victoria and Enmore Roads be rezoned from IN1 General Industrial to B5 Business Development, with no HoB or FSR limit. That there be no change to the zoning (IN1 General Industrial), HoB and FSR for the remainder of this sub-precinct. That laneways be created to service the B5 Business Development zone;
 - d) recommendation for Sub-precinct 4: Blocks O, P, Q, S & U – south-eastern side of Victoria Road from Chalder Street to Edinburgh Road: That there be no change to the existing zoning (IN1 General Industrial), HoB and FSR controls for this sub-precinct;
 - e) that all proposed FSR controls be reviewed to ensure they are accurate and responsive to HoB controls post Gateway determination;
 - f) that development controls be applied requiring the existing subdivision pattern of the sub-precinct to be retained, that laneways be created generally in accordance with the planning proposal masterplan; and
- 3) Council requires that, as a condition of proceeding with the planning proposal post Gateway determination, the proponent make arrangements to ensure that public infrastructure and benefits (generally identified in this report) will be delivered as part of the urban renewal contemplated by the planning proposal.

Our Place, Our Vision – Marrickville Community Strategic Plan 2023

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| 1.5 | Marrickville provides affordable housing options to meet the needs of the community |
| 2.2 | Marrickville is a leading independent arts centre that supports the creative industries |
| 3.3 | The community walks, rides bikes and uses public transport |
| 3.4 | Marrickville's roads are safer and less congested |
| 3.5 | Marrickville's streets, lanes and public spaces are sustainable, welcoming, accessible and clean |
| 3.6 | Marrickville's parks, grounds and open spaces provide diverse opportunities for recreation and enjoyment and are designed with community input |
| 3.7 | Marrickville is a water sensitive community that: supplies water from within its catchment; provides green infrastructure to support ecosystem services; and collaborates to make plans, designs and decisions that are water sensitive |
| 3.9 | Marrickville's built environment demonstrates good urban design and the conservation of heritage, as well as social and environmental sustainability |
| 3.11 | Marrickville's economy supports local employment and provides business opportunities |
| 3.12 | Marrickville's industrial areas remain an important and viable part of the local economy |
| 3.13 | Marrickville is well connected to the economy of greater Sydney and to the network of global cities |

BACKGROUND

Summary of Revised Planning Proposal

This revised planning proposal is the second planning proposal that has been submitted to Council for changes to zoning and other planning controls for the Victoria Road precinct. The first (preliminary) planning proposal was submitted in May 2014, but was withdrawn in April 2015 to allow for modifications and additional information to be included, as requested by the Department of Planning & Environment (DP&E).

The key differences between the 2014 preliminary planning proposal and the current revised planning proposal are:

- a reduction in number of apartments proposed from approximately 3,100 to approximately 1,300;
- land use zones that permit residential uses have been restricted to the area between 25-30 ANEF contour, which is in the southern part of the precinct only (previously, residential uses were proposed in areas above the 30 ANEF contour);
- minor amendments to street and block layouts;
- an employment strategy has been included;
- acoustic studies and an aircraft noise strategy have been included;
- an affordable housing contribution is proposed, which is 3% of developable residential floor area; and
- specific LEP provisions for which amendment is sought have been identified.

Further information on the revised planning proposal is in the following attachments to this report:

- **ATTACHMENT 1** - Contents, Executive Summary and Introduction from *Planning Report for Planning Proposal, Victoria Road Precinct, Marrickville* by JBA Urban Planning Consultants for Danias Holdings, August 2015; and
- **ATTACHMENT 2** - Contents, Introduction, Design Principles and Masterplan from *Planning Proposal + Masterplan* by Turner Architecture & Design for Danias Holdings, July 2015.

Full versions of all documents associated with the planning proposal are available on Council's website.

Chronology of Events

A chronology of the main events relevant to the Victoria Road precinct and *Marrickville Employment Lands Study* (MELS) is as follows. A more detailed chronology that includes Council resolutions in full is at **ATTACHMENT 3**.

- *early 2012* - in the lead up to Council's consideration of draft Marrickville Local Environmental Plan (MLEP) 2011 and draft Marrickville Development Control Plan (MDCP) 2011 Amendment No. 1, Danias Holdings and a number of other landowners within the Victoria Road precinct make representations to Council seeking changes to planning controls to allow a broader range of uses;
- *17 April 2012* - Council considers a report on draft Amendment 1, which includes consideration of the representations by Victoria Road precinct landowners, and resolves to defer the Victoria Road item to its 1 May 2012 meeting;

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- *24 April 2012* - representatives of the Victoria Road landowners and Council staff meet with Department of Planning & Environment (DP&E) staff to discuss the future of the precinct;
- *27 April 2012* - DP&E writes to Council to advise that a review of planning controls for the precinct is supported;
- *1 May 2012* - Council resolves to request the proponent to submit a planning proposal for the precinct;
- *5 February 2013* – Council considers a report on a planning proposal to allow a Masters homemaker store within the central industrial area and resolved that its support for this was contingent upon a reviewed MELS that would guide this proposal and any future planning proposals for the Victoria Road and Carrington Road precincts;
- *February 2013* – Council applied to the DP&E for funding under Planning Reform Fund for a review of the 2008 MELS;
- *December 2013* – the DP&E advises Council that its funding application for the MELS review is successful;
- *4 March 2014* – a consultant's brief for the review of the 2008 MELS is reported to Council – Council resolves to receive and note the report;
- *21 May 2014* – the proponent submits a preliminary planning proposal to Council;
- *27 June 2014* - SGS Economics & Planning commences the MELS review;
- *15 July 2014* - Council considers the preliminary planning proposal and resolves to write to the DP&E seeking advice on macro strategic planning issues;
- *2 September 2014* - Council resolves to forward the preliminary planning proposal to the DP&E for Gateway determination;
- *16 September 2014* - Council resolves to undertake non-statutory community consultation concerning the Victoria Road precinct;
- *2 December 2014* - Council considers SGS's MELS review report and resolves to place it on public exhibition;
- *14 December 2014* - the NSW Government releases its new metropolitan strategy – *A Plan for Growing Sydney*;
- *16 December 2014* - the DP&E writes to Council to provide the advice on key planning issues that had been requested by Council and requests additional information be provided, additional consultation be undertaken and the planning proposal be withdrawn;
- *17 December 2014 to 27 February 2015* – Council calls for community comments on the Victoria Road precinct and MELS report;
- *16 January 2015* - the Victoria Road project team meets with DP&E staff to discuss further assessments required and a way forward;
- *3 February 2015* - Council resolves to reaffirm its support for the review of planning controls for the precinct and to convene a workshop involving Council and DP&E staff and the Victoria Road project team;
- *2 March 2015* - the abovementioned workshop is held - a key agreed action is that the proponent withdraws the preliminary planning proposal to allow for additional consultation and information to be prepared, including an aircraft noise strategy;
- *29 March 2015* - the proponent writes to Council to request the preliminary planning proposal be withdrawn, consistent with the agreed action from the 2 March 2015 workshop;

- 7 April 2015 - Council considers a post public exhibition report on the MELS report and the Victoria Road precinct and resolves to request SGS to review the MELS in light of *A Plan for Growing Sydney* and the proponent's employment strategy, and to request the DP&E to withdraw the planning proposal;
- 13 April 2015 - Council writes to the DP&E to request the planning proposal be withdrawn;
- 3 June 2015 - the DP&E advises Council in writing that the planning proposal has been formally withdrawn;
- June 2015 - the Victoria Road project team meets with the representatives from the Australian Department of Transport & Regional Development and Sydney Airport Corporation (SACL) to discuss the aircraft noise strategy for the precinct;
- 7 August 2015 – the proponent submits a revised planning proposal (which includes an aircraft noise strategy) to Council;
- 17 August 2015 – the Victoria Road project team briefs Council staff on the key elements of the revised planning proposal;
- 25 August 2015 – a Councillor conference is held, where the Victoria Road project team briefs Councillors on the revised planning proposal and SGS presents the findings of its review of the 2014 MELS in light of *A Plan for Growing Sydney* and the proponent's employment strategy; and
- 14 October 2015 – a meeting is held between Roderick Simpson (commissioned by Council to undertake an independent strategic urban design assessment), the proponent's planning team and Council staff to discuss the position based on the assessment to date.

Initial 2012 Assessment of Proposal

Council's first formal assessment of a rezoning proposal for the Victoria Road precinct was part of the report to Council's 17 April 2012 meeting on draft MLEP 2011 and draft MDCP Amendment No. 1. At that stage, Council had received representations from a group of landowners and other interested parties seeking the rezoning of an area within the precinct from IN1 General Industrial to a zone suitable for a mix of medium/high-density residential, retail, commercial and industrial uses. Two areas were identified - a smaller Stage 1 area similar to the area currently under investigation and proposed to be redeveloped in the shorter term - and a larger study area.

The assessment stated that the main strength of this proposal was the precinct's reasonable access to public transport and commercial centres. It was noted that Council's 2008 MELS had acknowledged that this precinct could be suitable for a more diverse range of uses, including some retail and residential uses.

Notwithstanding those strengths, the assessment recommended that this precinct be given lower priority than the Carrington Road site for rezoning, largely because a change of land use within the precinct was not supported by the 2007 *Marrickville Urban Strategy* (MUS) or the 2008 *draft South Subregional Strategy* (dSSS). It was noted that compared to the Carrington Road site, this precinct is affected by higher levels of aircraft noise and is part of a larger core Marrickville-Sydenham industrial precinct.

The submitter's suggested process of a staged rezoning process was not supported and it was recommended in the report that the precinct only be further considered for rezoning subject to support from a revised dSSS and revised MUS.

At the 17 April 2012 meeting, Council resolved to defer this item to its 1 May 2012 meeting, where it resolved to request the proponent to submit a planning proposal for the rezoning of this precinct.

The 2008 & 2014 Marrickville Employment Lands Studies (MELS)

To support the development of MLEP 2011, Council commissioned SGS to prepare the initial 2008 MELS. This study includes an analysis of the Victoria Road precinct. In this analysis, SGS recognised the need to turn over fragmented employment lands to lower impact and/or mixed uses with additional floor space, particularly if higher employment growth than projected occurs in the future.

The 2008 MELS considered this precinct as suitable for intensification of employment uses in the long term due to its location along a strategic bus corridor, its ability to connect to the Marrickville Road town centre and the opportunity to create public domain improvements along this main road, which already has significant public domain assets, e.g. Enmore Park, Wicks Park and the Enmore / Addison Road shops. It was thought the strip had the potential to become a southern extension of King Street / Enmore Road spine, drawing activity along this critical route towards the Marrickville commercial centre.

The 2008 MELS noted that rezoning of existing industrial land along portions of this strip should be pursued to support a variety of employment activities. A range of zoning should be applied to encourage desirable forms of development in appropriate locations. For example, finer grain of retail and commercial development (with potential for shop top housing) should be encouraged at the edges of the existing centre to provide for their expansion.

Alternately, locations in the corridor further from centres would ideally encourage larger footprint buildings that would accommodate more space-hungry activities such as creative industries and bulky goods retail. Some locations in the corridor, both in and out of centres, may even be appropriate for a limited amount of mixed residential development, particularly those near good quality public open space.

2008 MELS Figure 17 *Victoria Road Corridor – Potential LEP template zoning*, at **ATTACHMENT 4**, shows broad areas considered suitable for:

- intensification and diversification of employment uses - residential uses may be desirable in locations with good amenity and near interfaces with existing residential development;
- focal points for retail uses and public spaces; and
- special transitional industrial zones between new employment uses and the existing traditional industrial core.

In 2014, Council commissioned SGS to undertake a review of the 2008 MELS, funded by the DP&E through its Planning Reform Fund grants program. The review was prompted by Council's consideration at its 5 February 2013 meeting of the Masters homemaker store planning proposal on the northern edge of the Marrickville-Sydenham industrial area. In assessing that proposal, Council noted the apparent change in direction by the NSW Government toward greater flexibility when considering land use changes in industrial areas, even though this was not supported by applicable NSW Government and Council planning policies, including the dSSS and MUS. Council's position was that whilst it was receptive to change, this should not occur on an ad-hoc basis, but be guided by supportive strategic planning.

Council resolved that its support for the Masters proposal was contingent upon a reviewed MELS to be exhibited concurrently with any exhibition of the Masters planning proposal. It also resolved that the reviewed MELS should inform any future planning proposals for the rezoning of other industrial precincts, including the Victoria Road and Carrington Road precincts.

The Masters proposal was subsequently approved by the NSW Government without a reviewed MELS. Later in February 2013 Council applied for funding for the MELS review through the DP&E's Planning Reform Fund grants program. At the end of 2013, Council was informed that its grant application was successful, and the MELS review was undertaken in the second half of 2014. It is noted in the MELS that approval of the Masters development is not consistent with MELS Action 5.1 "*Prohibit large format retail from locating in the Marrickville-Sydenham precinct*". The development of the 2014 MELS is included in the above chronology of events, and its contents and summary are at **ATTACHMENT 5**.

The 2014 MELS explains that within the Marrickville LGA, demand for traditional industrial land is declining, but Marrickville is well positioned to accommodate increasing demand from newer industries. These can be broadly classified as population-serving industry, urban manufacturers, CBD backroom operations and creative industries. With diminishing industrial stocks in the City of Sydney and City of Botany Bay, Marrickville's industrial areas may also experience greater demand from industries that have been displaced from those areas.

Those activities can be mostly accommodated within existing industrial precincts under current planning controls. A key challenge for Council is to allow its employment locations to respond to industry trends and meet the ever-changing requirements of business operators. To achieve this, a fair degree of flexibility is needed – in the design of buildings and the planning policy framework. This is likely to involve increasing the flexibility of industrial zones by increasing the range of permissible uses in designated locations.

The 2014 MELS examined most of Marrickville's industrial precincts, noting the main physical constraints to development are aircraft noise, flooding and acid sulphate soils. Those constraints do not necessarily preclude development, but alter the intensity, height and form of development and the range of uses permissible.

Strategies and actions within the 2014 MELS relevant to the Victoria Road precinct include:

Strategy 1 – Protect subregionally significant industrial lands:

- Action 1.1 – designate the Marrickville-Sydenham industrial precinct as a subregionally significant industrial precinct and zone accordingly;
- Action 1.2 – Restrict further subdivision and/or strata titling of larger lots in the – Marrickville/Sydenham industrial precinct to prevent fragmentation;
- Action 1.3 – Prevent the spread of retailing and services into the Marrickville-Sydenham precinct;
- Action 1.4 - Lobby the NSW Government to consider the provision and protection of strategic industrial and employment lands at a subregional level; and
- Action 1.5 – Consolidate planning and urban design guidance in a Marrickville-Sydenham industrial precinct plan.

Strategy 2 – Ensure sufficient stocks of industrial land to meet requirements of the local population:

- Action 2.1 – Protect population-serving industrial land.

Strategy 3 – Explore economic development opportunities in some industrial precincts:

- Action 3.1 – consider rezoning of selected lots to B7 Business Park as live-work space; and
- Action 3.2 – continue to plan for a traditional & creative industries hub.

Strategy 4 – Consider residential conversion opportunities:

- Action 4.1 – Consider the Carrington Road precinct as an opportunity for urban renewal; and
- Action 4.3 – Consider rezoning of selected residential interface sites to B4 Mixed Use.

Employment forecasts in the 2014 MELS show that future demand is modest compared to existing supply, so some change from traditional industrial is warranted. However, this must be balanced against the strategic value of Marrickville's industrial lands, particularly the Marrickville-Sydenham precinct. The report includes three future land use scenarios for Marrickville-Sydenham, Carrington Road and Lewisham precincts, which aim to strike this balance, consistent with the above strategies and actions.

For the purposes of the assessment of this planning proposal, the least restrictive scenario (Scenario 3) has been used. Scenario 3 adopts a less constrained approach to the retention of employment land to maximise renewal, where industrial land supply under medium-capacity scenarios is likely to meet demand, but there is some possibility of a shortfall. It allows some new residential use between 25 and 30 ANEF noise contours in B7 Business Park zones, using the St Peters triangle live-work precinct and similar areas as a precedent.

For the Victoria Road precinct, this scenario proposes the area between Sydenham Road, Victoria Road, Marrickville Primary School and Farr Street be rezoned to B7 Business Park and B4 Mixed Use; that both sides of Gerald Street be rezoned to B7 Business Park to expand the existing Meeks Road live-work zone; and that the western side of Fitzroy Street between Smith Street and Edinburgh Road be rezoned to B7 Business Park to expand the Edinburgh Road live-work zone. Further changes for the Victoria Road precinct are not recommended on the basis that it would threaten the integrity of the larger Marrickville-Sydenham industrial precinct by isolating the larger industrial lots in the northern part of this precinct.

JBA Employment Strategy

In response to the 2014-15 public exhibitions of components of the Victoria Road proposal and MELS, JBA made a submission that included a critique of the MELS and an alternative employment strategy for the precinct. Selected sections of the JBA strategy are at **ATTACHMENT 6** and the full document is available on Council's website.

A stated objective of the JBA strategy is to address perceived weaknesses in the methodology and conclusions of the MELS. It purports to present an accurate assessment of the current and future trajectory of employment and business in the Victoria Road precinct, based on latest strategic planning policy and government initiatives. In particular, it is based on *A Plan for Growing Sydney*, which was released after the MELS was completed. Its stated aim is to boost employment and economic productivity, improve the urban environment and achieve key overarching strategic planning objectives.

The JBA strategy's key findings are:

- there has been a dramatic decline in traditional industrial activities within the Marrickville area in recent decades, along with a substantial shift in the demographic and employment characteristics of Marrickville residents;
- Marrickville's residents are increasingly forced to leave the LGA for employment in professional and service-sector jobs, whilst employers in Marrickville's industrial precincts are increasingly having to look further afield to find suitably-skilled employees;;
- the disconnect between the local workforce and local employment opportunities has significant social, economic and environmental impacts;
- Marrickville's industrial areas are under-utilised, run-down and provide fewer jobs each year, as competition from purpose-built industrial precincts (served by purpose-designed infrastructure) in Sydney's west has seen many businesses leaving Marrickville;
- economic weaknesses have resulted in non-industrial businesses infiltrating the edges of the Marrickville-Sydenham industrial area in recent years, and a number of traditional industries have left the area;

- this has resulted in increased land-use conflict and has compromised the viability of these fringe areas for industrial use. This is particularly the case for the Victoria Road precinct, which is at the transition point from broader industrial lands to residential areas;
- NSW Government investments in freight rail and motorway infrastructure are specifically designed to help industrial businesses with connections to Port Botany and Sydney Airport bypass the inner-city LGAs and boost employment precincts in Western Sydney;
- along with broader economic pressures on industrial activity in Australia, this will further compound the industrial decline that Marrickville has experienced in recent decades; and
- without changes to the planning controls for the Victoria Road precinct, employment and economic productivity will continue to decline, urban amenity will worsen and the infiltration of non-industrial uses will begin to affect the viability of the core industrial lands around Fitzroy Street.

The JBA strategy's key recommendations are:

- recognise the Victoria Road precinct presents an opportunity to re-connect Marrickville's residents with local employment opportunities and facilitate urban renewal;
- consider land predominantly to the west of Victoria Road for a broader mix of business uses - to meet the employment, lifestyle and service needs of Marrickville's local community - these uses have the potential to create a vibrant precinct that will boost employment and economic productivity;
- consider that these uses will also ensure that appropriate interfaces are put in place to resolve land-use conflicts between residential, industrial and community uses - to improve local amenity and safety;
- consider a range of new uses be permitted in specific parts of the precinct, including: creative industries; art studios and galleries; recreation and leisure uses; home improvement showrooms; wholesale food retail with some limited ancillary direct-to-public sales; and professional offices and local services;
- recognise that this strategy provides opportunities to deliver these new employment uses as part of a mixed-use residential development;
- recognise that this type of development is appropriate given the high accessibility of the area by public transport and proximity to local retail services, town centres, recreation and leisure facilities and open space;
- recognise that opportunities to deliver new housing to support population growth have been investigated with regard to the key underlying constraints affecting the precinct;
- recognise that the assessment of housing opportunities in the strategy have also been informed by the workshop held with Marrickville Council, the DP&E and the Victoria Road project team in March 2015;
- consider adopting this strategy in lieu of the MELS for the Victoria Road precinct;
- recognise that this strategy will ensure there is a positive vision for employment in Marrickville, and will form the basis for more detailed strategic planning investigations for this precinct; and
- recognise that although this strategy applies to the Victoria Road precinct it has implications for other industrial precincts in the Marrickville LGA.

SGS peer review of JBA Employment Strategy

When Council considered the post public exhibition report on the MELS report and the Victoria Road precinct at its 7 April 2015 meeting, it resolved amongst other things to request SGS to review the 2014 MELS in light of *A Plan for Growing Sydney* and the JBA employment strategy for the precinct. SGS undertook that review and presented its findings at the 25 August 2015 Councillor conference, as described in the above chronology of events. The 'summary' section of SGS peer review report is at **ATTACHMENT 7**, and the full report is available on Council's Your Say Marrickville website.

SGS discusses the following 'key points' in the peer review report:

- *JBA has a conflict of interest*, as it has prepared its employment strategy on behalf of a major landowner who would directly benefit from the proposed rezoning;
- *The JBA employment strategy includes weak or misleading elements*, including an incomplete strategic framework, lack of quantitative rigour, no quantitative assessment of the scope for rezoning, flawed focus on self-containment and poor understanding of role and function of industrial lands;
- *The final JBA vision and MELS still have some common elements*, including agreement on some industrial rezoning, agreement on some flexibility in the Victoria Road area, agreement that greater street activation is desirable and that future use along Victoria Road should not compete with the retail main streets in Marrickville and Newtown; and
- *The most significant differences relate to rezoning for residential development*. The JBA Strategy proposes residential apartments between ANEF 25 and 30. The DP&E has previously accepted residential above the 25 ANEF contour as it was consistent with an MUS strategy of encouraging creative industries through live-work zones. This precedent enables opportunities for a similar land use outcome in the Victoria Road precinct, and in this regard the MELS suggests similarly limited residential rezoning prospects.

With regard the final point, SGS states in its peer review report that the MELS scenarios suggest some opportunity for residential in the south-west corner of the Victoria Road precinct but as part of live-work space rather than high rise apartments. The Wicks Park site identified by JBA is also above ANEF 25, but site is within the main industrial precinct and adjoins the IN1 industrial area, so residential apartment development in this area has the potential to further break up the industrial precinct and create land-use conflicts that threaten the function of the IN1 area.

SGS states that any rezoning to land uses other than industrial in the north-western part of the precinct (excluding the land at the corner of Victoria and Sydenham Roads) should be supply-demand tested to determine the scope for rezoning. Rezoning would take up some large of IN1 industry lots and adjoin others, which would likely to give rise to land use conflicts and may threaten the main industrial function in this area. Residential in any form (including live-work) is not supported in this area.

SGS concludes that its consideration of the JBA employment strategy and *A Plan for Growing Sydney* does not prompt any changes to the 2014 MELS. However, there are some areas where additional supply-demand testing may be useful in order to assess the JBA proposal:

- *Use of the latest BTW employment data*. The BTS released employment data after the preparation of the 2014 MELS. It would be useful to feed this into the demand forecasts and re-run the supply-demand analysis so that rezoning prospects can be assessed in light of the most recent data.
- *Exploration of B7 Business Park around Wicks Park*. If supply-demand testing demonstrates that rezoning away from industrial can be supported, the advantage of B7 Business Park zoning in this location is that it provides an opportunity to consolidate the proposed B7 Business Park zoning for the block at the corner of Sydenham Road and Victoria Road into a small B7 Business Park precinct. This would make good use of the park's amenity, however, some larger IN1 General Industrial lots exist in this location and the potential B7 Business Park area backs onto the main industrial precinct. These issues would need to be carefully weighed up after completing a supply-demand assessment for the loss of this industrial land.
- *Exploration of B7 Business Park or IN2 Light Industrial along Chalder St*. The advantage of IN2 Light Industrial or B7 Business Park in this location is that it offers a buffer between the IN1 General Industrial land to the north of Victoria Road and the school without pushing into the larger lots and the core of the industrial area in this location. Again, potential would need to be carefully weighed against the results of the supply-demand assessment.

JBA response to SGS peer review

Shortly after its finalisation in October 2015, the SGS peer review was forwarded to JBA. JBA provided a response on 23 October 2015, as this report was being finalised. The response is at **ATTACHMENT 8** and a summary of points raised is as follows:

- *As SGS has declined to review the MELS in light of A Plan for Growing Sydney, it cannot be relied upon by Council. Additionally, the MELS should not form part of Council's strategic planning policies and should not be a relevant consideration in the assessment of the Victoria Road planning proposal.*
- *Although SGS argues that Marrickville LGA needs to accommodate industrial uses leaving surrounding LGAs, there is no evidence to support this, and it is a matter for Marrickville Council to determine if Marrickville should accommodate more industrial uses to support this;*
- *JBA agrees with SGS that as the Marrickville-Sydenham precinct should transition away from traditional industrial/manufacturing uses, it should facilitate a range of local industries and services – but considers these uses are better suited to a business rather than industrial zoning; and*
- *JBA agrees with SGS that there is a strong industrial precinct centred on Fitzroy Street that services both local and subregional business needs, but the planning proposal seeks to rezone only the fringe of the precinct. This area is not suitable for industrial uses for a range of reasons, and the rezoning is to predominantly business use with some housing (housing on less than 3% of Marrickville's existing industrial land). The planning proposal simply reflects the outcome of further detailed planning that adds detail to the high-level conclusions of the MELS.*

The following comments are made in response to these issues:

- Council resolved in early 2013 to review the 2008 MELS after consideration of the Masters planning proposal and resolved that any future proposals to rezone industrial land, including land within the Victoria Road and Carrington Road precincts, be assessed against the reviewed MELS. In the absence of any other precinct specific employment lands research the MELS is a relevant consideration. It should also be noted that the DP&E had funded the 2014 MELS and has previously required that it be a consideration in the assessment of this planning proposal.
- One of the aims of the 2014 MELS was to ensure a regional perspective was applied to proposals for change to Marrickville's industrial areas. Consideration of these regional factors is appropriate.
- It is agreed that Marrickville's industrial areas should transition away from traditional industrial/manufacturing uses and facilitate a range of local industries and services. However, a cautious approach is appropriate given the rezoning of industrial land is highly unlikely to ever be reversed. Moreover, the industrial zone caters precisely to the array of uses that JBA's own data confirms are located in the precinct, such as food industries, textiles, automotive, creative arts and industries. It is thus appropriate that change occur incrementally over time and based on informed planning strategies as is recommended in this report.
- It is agreed that most of the changes will occur only on the fringe of the precinct, and this report recommends most of this occur within the south-western corner.

Ministerial Direction 3.5: Development near Licensed Aerodromes

The Victoria Road precinct is located directly to the north of the main north-south runway of Sydney Airport and the flight paths of aircraft accessing this runway pass above the precinct. As a result, the Victoria Road precinct is affected by aircraft noise and Part 5(a) of Ministerial Direction 3.5: *Development Near Licensed Aerodromes*, made under Section 117(2) of the Environmental Planning and Assessment Act 1979, is relevant. Clauses 5, 6 & 7 of this Direction state:

- (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*
 - (b) *for schools, hospitals, churches and theatres where the ANEF exceeds 20, or*
 - (c) *for hotels, motels, offices or public buildings where the ANEF exceeds 30.*
- (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.
- (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*
 - (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."*

The Victoria Road planning proposal is generally consistent with this Direction as it is accompanied by an aircraft noise strategy which is in accordance with Clause 7(b) above. The cover, content and strategy sections of this report, entitled *Victoria Road Precinct, Marrickville Aircraft Noise Strategy* by JBA, are at **ATTACHMENT 9**. The full strategy report is available on Council's website.

The strategy section of the report outlines the objectives, design principles and design solutions relating to noise impacts on new developments in the precinct. Development applications would need to be supported by adequate technical information that demonstrates how the proposed development has been designed to meet the requirements of the strategy.

The stated objectives of the strategy are:

- To ensure that all new development in 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; and
- To protect the ongoing operation of Sydney Airport and minimise the potential for reverse impacts from new development within the Victoria Road Precinct.

The strategy report explains that effective mitigation against aircraft noise begins with the fundamentals of design. Effective and thoughtful use of site layout, orientation, internal building configuration and apartment design can significantly assist with laying the foundations to ensuring high quality amenity is achieved for future occupants of buildings. A table within the strategy sets out the design principles and solutions for achieving effective design for new development within the Victoria Road Precinct.

While the strategy is supported, it does not adequately deal with the fundamental issue with aircraft noise exposure being longer term exposure by future residential occupants. The recommendation of this report seeks to address this issue by limiting the extent of residential to the least noise affected areas and elsewhere by permitting small scale live/work accommodation. A further mechanism for additional housing over and above this to shorter stay affordable housing is proposed for further investigation. Past rezonings of industrial land subject to the Direction within the LGA have only been for low density and live work housing and therefore the current proposal is without precedent in the LGA.

Sydenham Station Creative Hub Concept

Part of Council's consideration of the future of the Marrickville-Sydenham industrial precinct has been the Sydenham Station creative hub concept. That precinct is not immediately adjacent to the Victoria Road precinct, but is nearby and part of the larger Marrickville-Sydenham industrial precinct. It is therefore appropriate to consider this concept in the assessment of the Victoria Road planning proposal.

The vision is that the precinct will become a more accessible destination with an improved pedestrian experience focused on tactical interventions within the public realm. It would over time transition from a 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. This would support the existing entertainment and music opportunities that are currently permitted, in a location with exceptionally good access to rail transport.

Significant 'city shaping' government initiatives that influence the approach include WestConnex, early planning for the Sydenham-Bankstown corridor (based on the conversion of the Bankstown line to a high-frequency metro service) and a fresh look at the 2008 dSSS, now seven years old. Regarding the Sydenham-Bankstown corridor, the DP&E has indicated that intensification of employment uses around Sydenham Railway Station may be appropriate as part of this plan. This is consistent with the Sydenham creative hub vision.

Council considered a report on this concept at its 2 September 2014 meeting and resolved to give in-principle support. Council considered an update report at its 18 August 2015 meeting and resolved to adopt a project plan and allocate funding for preliminary work, including stakeholder consultation, to develop a planning proposal to progress this concept.

The 2014 MELS broadly supports this concept. It includes a relevant action - *Action 3.2 - Continue to plan for a Sydenham music/entertainment precinct* (see action in full at **ATTACHMENT 5**). Accordingly, it recommends that a section of the Marrickville-Sydenham industrial area to the north-west of Sydenham Railway Station be rezoned from IN1 General Industrial to IN2 Light Industrial, with some additional permitted uses.

A Plan for Growing Sydney & Subregional Strategies

Since 2012, when Council first formally considered the future of the Victoria Road precinct, *A Plan for Growing Sydney* was released in December 2014 and the DP&E commenced developing subregional strategies to support this Plan. Whilst *A Plan for Growing Sydney* includes a number of broad policy statements about the future of industrial and other employment lands in Sydney, it does not provide sufficient detail to guide the assessment of this planning proposal.

The main actions within this plan that are applicable to the Victoria Road planning proposal are:

- *Action 1.5.1: 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 road transport investments* – the Victoria Road precinct is not within the airport or port precincts;
- *Action 1.6.1: Grow high-skilled jobs in the global economic corridor by expanding employment opportunities and mixed-use activities* – the Victoria Road precinct is on the western edge of the global economic corridor;
- *Action 1.9.1: Support the growth of priority industries with appropriate planning controls* – although no priority industries have been identified for the Victoria Road precinct or other industrial lands in the Marrickville LGA, the term is defined as: “visitor economy (tourism); creative industries; digital economy (such as information and communications technology); professional services; manufacturing; minerals; international education and research; and agriculture.”
- *Action 1.6.2: Invest to improve infrastructure and remove bottlenecks to grow economic activity* – it is anticipated that WestConnex will ease freight traffic congestion within an around the Victoria Road precinct, particularly along Sydenham Road;
- *Action 1.9.2: Support key industrial precincts with appropriate planning controls* – it is proposed that the NSW Government’s *Industrial Lands Strategic Assessment Checklist* be revised, and will guide the assessment of proposed rezonings of industrial lands. It will pose questions about whether the site is near or within direct access to key economic infrastructure, how it contributes to a significant industry cluster, and how the proposed rezoning would impact on industrial land stocks and employment objectives in each subregion.

It is important to note that *A Plan for Growing Sydney* is based on population projections that have been revised upward since previous metropolitan strategies were released, with Sydney’s population now expected to grow by 1.6 million people over the next 20 years. This means there is a greater imperative for the NSW Government to further rezone land to create additional dwellings. It also has implications for retention of industrial land in strategic locations. Information on *A Plan for Growing Sydney* and development of the subregional strategies is available at: www.strategy.planning.nsw.gov.au/sydney/the-plan/

Throughout 2014 and 2015, The DP&E has been drafting new subregional strategies to support *A Plan for Growing Sydney*, and it is anticipated that draft strategies will be publicly exhibited in the first half of 2016. The Central Subregional Strategy is expected to provide sufficient detail to guide the assessment of the Victoria Road planning proposal. As well as providing direction on the future of Marrickville’s industrial lands, it is anticipated that the Central Subregional Strategy will provide direction on other elements that have the potential to influence planning of the Victoria Road precinct, such as identification of priority areas within the LGA for new dwellings.

Relevant to the Marrickville LGA are plans in progress for new dwellings along the Parramatta Road and Sydenham-Bankstown (rail) corridors. The former is partly based on the proposed WestConnex motorway, whilst the latter is directly related to Sydney Metro - the proposed upgrade of the existing Bankstown line to high-frequency metro service as part of the Metro City & South-West rail project. Information on those investigations is available from websites indicated below.

Draft Sydenham-Bankstown Corridor Strategy

The draft Sydenham-Bankstown corridor strategy was released for public comment on 14 October 2015. The *Sydenham Precinct Land Use & Infrastructure Analysis* associated with the strategy includes vision statements for built form, movement networks, community infrastructure, open space and public domain, jobs and housing.

For jobs, it states: *"Increase the range of permissible business activities within the Sydenham enterprise area including creative industries and start-up businesses."* Consistent with this vision statement, an area from Sydenham Station to Wicks Park is identified as 'Sydenham enterprise area'. In this area, the intensity and variety of employment uses would be increased. This is consistent with Council's vision for the Sydenham Station creative hub precinct. The investigation area within the Strategy stops at Victoria Road and the enterprise area cover only the south-eastern corner of the Victoria Road precinct (approximately Blocks X, Z & ZZ). Residential uses are not supported in the blocks around Wicks Park based on aircraft noise and the need to protect employment lands. Industrial areas outside of the enterprise area are identified as remaining in industrial use which is consistent with the 2014 MELS.

The vision statements for housing are: *"Continue to limit standard housing development in the Sydenham enterprise area"* and *"Investigate new housing opportunities around Meeks Road that are transition areas with existing housing."* Although Sub-block 1 is just outside the strategy's investigation area, the former statement supports this report's recommendation that new housing in the Victoria Road precinct be limited in extent and not be of standard form (i.e. live/work, affordable rental housing). The latter statement about substantially increasing dwelling densities in the Meeks Road / Gerald Street industrial precinct is not supported as at least 50% of these dwellings would be within the 25-30ANEF area. Note that MLEP 2011 currently treats this area as a transition between residential uses on the west side of Meeks Road and the core industrial area by applying B7 Business Park and IN2 Light Industrial zonings. Note also that the Carrington Road precinct is within the investigation for the *Marrickville Precinct Land Use & Infrastructure Analysis*. The strategy is available at: www.planning.nsw.gov.au/sydenhamtobankstown

The draft *Parramatta Road Urban Transformation Strategy* was released for public comment on 17 September 2015. It proposes increased dwelling and employment densities in a set of redevelopment precincts along Parramatta Road from Granville to Camperdown. Relevant to Marrickville are the Taverners Hill, Leichhardt and Camperdown precincts, which extend into the Marrickville, Leichhardt and City of Sydney LGAs. Further information is available at: www.newparramattard.com.au

In addition to these corridors, it is expected that a number of new dwellings will be created by the rezoning of some smaller 'peripheral' industrial precincts across the Marrickville LGA, such as Mary Street, St Peters, the Cyprus Club and the corner of Wardell Road and New Canterbury Road, Lewisham.

Whilst it is recognised that additional dwellings are needed beyond those planned under MLEP 2011, it is apparent from the above that there are opportunities to create a substantial number of new dwellings within the Marrickville LGA, mainly within the Sydenham-Bankstown and Parramatta Road corridors.

Although precise numbers are not known at this stage, this must be a consideration when assessing the need to convert industrial land within the Victoria Road precinct to residential use. The way in which an increased residential population may affect demand for services offered within these industrial lands, particularly population-serving industries is a further consideration. The DP&E is currently undertaking research into these kinds of issues with a view to developing a strategy and policy position on industrial and other employment lands for inclusion in the subregional strategies.

Marrickville Community Strategic Plan

The recommendations of this report have been drafted with the intention of progressing the Key Result Areas (KRAs) of the 2012/13 *Marrickville Community Strategic Plan – Our Place, Our Vision*. Following are relevant KRAs, followed by a commentary on how this planning proposal, amended by the recommendations of this report, can progress each of these.

- *KRA 1.5: Marrickville provides affordable housing options to meet the needs of the community.* It is recommended in this report that an affordable housing (3% contribution as proposed in the planning proposal) with potential affordable housing, beyond the limited small scale live/work housing in the B7 zone and that limited private open space and car parking be required in the south-western part of the precinct (Sub-precinct 1).
- *KRA 2.2: Marrickville is a leading independent arts centre that supports the creative industries.* The new mixed use zone in the south-western part of the precinct and new business zone along the north-western side of Victoria Road is intended to increase opportunities for a broader range of businesses including creative industries. Non market based housing for key and low income essential workers will further this aim by allowing workers in these industries to live near their place of employment.
- *KRA 3.3: The community walks, rides bikes and uses public transport.* As is outlined in the planning proposal, the precinct has good access to public transport in the form of buses and trains; this will be further improved in the future when the Bankstown line is upgraded to a metro service. Walking/cycling conditions are also good and shops and other services are within walking distance. The proposal aims to build on these attributes and further promote walking, cycling and use of public transport.
- *KRA 3.4: Marrickville's roads are safer and less congested.* Reduced parking, in combination with further improvements to walking and cycling conditions and public transport (as described immediately above and below), will assist the aim to limit traffic growth and improve road safety.
- *KRA 3.5: Marrickville's streets, lanes and public spaces are sustainable, welcoming, accessible and clean.* The proposed changes provide an opportunity to implement improvements to existing streets and public spaces, create new roads, laneways and public spaces, and to improve maintenance of those facilities.
- *KRA 3.6: Marrickville's parks, grounds and open spaces provide diverse opportunities for recreation and enjoyment and are designed with community input.* The proposal presents an opportunity to improve the quality of public open space in the area, with this report recommending new open space be provided as part of the planning proposal process.
- *KRA 3.7: Marrickville is a water sensitive community that: supplies water from within its catchment; provides green infrastructure to support ecosystem services; and collaborates to make plans, designs and decisions that are water sensitive.* There are opportunities to integrate water-sensitive design and green infrastructure into this proposal as planning progresses. This will need to be considered as part of managing flooding in the area.

- *KRA 3.9: Marrickville's built environment demonstrates good urban design and the conservation of heritage, as well as social and environmental sustainability.* The recommendations of this report aim to improve the quality of the design of this planning proposal through an appropriate mix of land uses, measures such as the retention of the fine grain and historic interest that the existing subdivision pattern provides, encouragement of the adaptive reuse of existing industrial buildings, reduced parking and an adequate and well-designed network of laneways and other connections. These attributes can be further refined and improved as the planning proposal progresses. There is currently a minimum level of heritage protection provided by MLEP 2011, and heritage matters will be further assessed as the planning proposal progresses.
- *KRA 3.11: Marrickville's economy supports local employment and provides business opportunities.* This report recommends the creation of new mixed-use and business areas in part of the precinct and retention of industrial land in the rest of the north-west of the precinct and the south-eastern side of Victoria Road. The aim is to retain sufficient stocks of industrial land, particularly on large lots, whilst enabling new businesses to ensure the area continues to provide employment and business opportunities within the region.
- *KRA 3.12: Marrickville's industrial areas remain an important and viable part of the local economy.* The recommendations of this report aim to further this KRA for reasons stated above.
- *KRA 3.13: Marrickville is well connected to the economy of greater Sydney and to the network of global cities.* The recommendations of this report aim to further this KRA for reasons stated above.

New Public Infrastructure

As noted above, there are opportunities to secure public benefits identified within the Marrickville Community Strategic Plan as part of any renewal of the Victoria Road precinct. Given the scale of the development proposed and that agreed to in the recommendations of this report it is appropriate that a reasonable quantum of the uplift in value that will occur from the rezoning are reflecting in the provision of new community infrastructure. The extent of value uplift will be able to be quantified with the proponent through a valuation process once a Gateway determination has occurred and the extent of development for residential purposes established. This report identifies several specific contributions and amounts however these should serve as a guide only. The report recommends that the proposal does not proceed to formal exhibition (post Gateway determination) until there is certainty over the type and quantum of public infrastructure (and the associated process) to be delivered by the proposal.

Independent Strategic Urban Design Assessment

As part of its assessment of the revised planning proposal, Council commissioned an independent strategic urban design assessment. This was undertaken by Roderick Simpson of Simpson+Wilson Architecture+Urban design and Associate Professor of Urban Design, Faculty of Architecture, Design and Planning, University of Sydney. The full assessment is at **ATTACHMENT 10**. Several of the matters in a draft version of this submission were discussed at a meeting between Roderick Simpson, the proponent's planning team and Council staff on 14 October 2015 prior to this finalisation of the urban design assessment and this report.

A summary of matters raised in the strategic urban design assessment are:

- Council's brief was, in summary, to provide comment on all elements of the proposal with a focus on Turner Masterplan sections 4 & 5 – Design Principles & Masterplan;

- Although the brief is largely concerned with design aspects of this planning proposal, land use and design are inter-dependent, so it has been necessary to comment on land use;
- MELS Action 1.5 *“Consolidate planning and urban design guidance in a Marrickville-Sydenham industrial precinct plan”* is noted, but this has not yet commenced;
- Given there is no relevant strategic plan for this precinct and the draft Central subregional strategy has yet to be released, there is a need to articulate a vision for the future of this precinct;
- Development of a vision is important, as this will allow the various actions and proposals to be evaluated in relation to their consistency and contribution to the achievement of the vision;
- The vision can be synthesised by reference to a number of statements in relevant documents, such as the Sydenham-Bankstown strategy, Sydney LEP 2012, the Marrickville Community Strategic Plan and MELS;
- Key elements of the visions of these documents are: increasing the density/variety of business uses, increasing provision of affordable housing, increasing or rationalising open space, renewing ageing infrastructure and dealing with climate change;
- Positive change in the precinct consistent with the visions outlined above will be supported and enabled by increasing density and diversity of development, providing of affordable housing, creating a finer-grained network of roads, lanes and walk/cycle connections, retaining character buildings, retaining the existing subdivision pattern, reducing provision of car parking and relocating and/or reconfiguring open space;
- FSRs shown in the planning proposal for Sub-precinct 1 appear to be excessive relative to building heights proposed, perhaps due to road/laneway area being underestimated – hence there is a need to check FSRs to ensure they are accurate and coordinated with HoB controls;
- It is noted that MLEP 2011 protects certain heritage items within the precinct, but such protection should extend to character buildings;
- The planning proposal’s recommended holistic approach to management of flooding and stormwater is supported;
- Agree with planning proposal that careful co-ordination between land owners will be required to facilitate development, although this should occur without lot consolidations; and
- The urban design assessment has been relied on as one of the documents guiding the assessment of the planning proposal, as set out in the discussion section below.

DISCUSSION

Following is an assessment of the revised planning proposal, undertaken at strategic and local levels.

Strategic Assessment

Key guiding plans, policies and projects

In the background section above, the main existing strategic planning policies, processes and project relevant to this planning proposal have been mentioned and/or described. Those include:

- 2007 MUS;
- 2008 dSSS;
- MLEP 2011 and MDCP 2011;
- Sydney LEP 2012;

- *A Plan for Growing Sydney* 2014;
- 2008 MELS;
- 2014 MELS;
- Strategic independent urban design assessment;
- 2012/13 Marrickville Community Strategic Plan – *Our Place, Our Vision*;
- Ministerial Direction 3.5: *Development Near Licensed Aerodromes*;
- the JBA Employment Strategy for the Victoria Road precinct 2015; and
- the SGS peer review of the JBA employment strategy 2015.

The main strategic planning policies, processes and projects relevant to this planning proposal that are in the process of being developed have also been mentioned or described above. They include:

- Central subregional strategy;
- Draft Parramatta Road Urban Transformation Strategy;
- Sydenham-Bankstown corridor strategy – Sydenham Precinct Land Use & Infrastructure Analysis
- Sydenham Station creative hub;
- Metro (rail) City & South-West; and
- WestConnex.

The planning proposal is not consistent with the 2007 MUS, MLEP 2011 and MDCP 2011 (all based on the 2008 dSSS), as these plans require retention of the primarily industrial use for the Victoria Road precinct – hence the need for a planning proposal to change land use zones in the precinct. The dSSS can be considered to be out of date given the release of *A Plan for Growing Sydney* and the imminent release of a new Central subregional strategy. Currently there is no formal strategic plan to guide the rezoning of industrial lands in the Marrickville LGA and across Sydney. Whilst *A Plan for Growing Sydney* includes broad statements about the future of industrial areas in Sydney, there is not sufficient detail to guide the assessment of this planning proposal.

It is the absence of a clear strategic direction on the rezoning of industrial lands and pressures to rezone sites within the Marrickville-Sydenham industrial area (in particular, the Masters homemaker store) that had prompted Council to apply for funding to review the 2008 MELS. Until a new subregional strategy is released, it is appropriate to rely on the 2014 MELS as the guiding document for the officer's assessment of the revised Victoria Road planning proposal.

Further relevant strategic documents, including the JBA Employment Strategy and *Marrickville Community Strategic Plan* have also guided this assessment, as has the independent urban design advice. In the near future, the Central subregional strategy will become the main planning document to guide the strategic assessment of this planning proposal. This strategy has been under development in 2014 and 2015, and its release for exhibition is expected in the first half of 2016.

Key strategic issues associated with the planning proposal

The assessment has identified the main strategic issues which the planning proposal raises. A commentary on each and how they are addressed in the recommendation of this report is as follows:

- *Loss of industrial land considered by the MELS to be regionally-significant.* The recommendations of this report strike a balance between the introduction of housing, and an expansion of employment uses to maintain or increase total employment while minimising loss of industrial land.

- *Threats to the integrity of the core industrial area on the south-eastern side of Victoria Road.* The recommendations of this report do not support zoning changes to land on the south-eastern side of Victoria Road. The main aim is to maintain the integrity of the core industrial precinct. Other aims are to maintain industrial use of large lots, maintain stocks of industrial land supported by quantitative research and reduce dwelling numbers in areas where they are not supported by a strategic rationale.
- *Loss of large-lot industrial sites in the north-western part of the precinct.* The recommendations of this report do not allow zoning changes to the north-western part of the precinct beyond the B5 Business Development zone for Block E and frontage to the north-western side of Victoria Road. The main aim is to retain the industrial use of the large lots in that part of the precinct, until further supply/demand testing and subregional planning is complete.
- *Introducing a substantial number of new dwellings into an area affected by aircraft noise (25-30 ANEF).* The recommendations of this report reduce the number of new dwellings so there will be fewer residents affected. They also look to solutions to provide an increment of key worker housing in the B7 zone. Such housing can be considered more appropriate than market housing on flight affected land, because residential turnover rates would likely be higher and therefore the long term impacts of aircraft noise are lesser.
- *Reduce the vitality and visual interest of the mixed-use area in the south-western part of the precinct due to lot consolidation.* The recommendations of this report aim to maintain (or increase) the fine-grained subdivision pattern, creating multiple and varied developments (including adaptive reuse of period buildings through warehouse conversions where they contribute to the character of the precinct), each with a frontage to existing roads or new roads/laneways.
- *The FSRs proposed appear to be excessive compared to building heights proposed.* A possible reason for this may be that the land area to be taken up by new roads, laneways and walk/cycle connections has not been fully accounted for in the calculations. It is thus recommended in this report that the FSR calculations be reviewed post-Gateway to ensure they match the built form proposed.
- *There is need for innovation in the configuration of car parking and open space.* As is outlined in the strategic urban design advice, reduced car parking and innovative allocation of open space is critical to the success of the new mixed use and business zones in the precinct. A precinct wide approach to car parking in the form of multi-level stand-alone car parking stations at the street block or sub-precinct level should be considered instead of basement car parks below each development. Quality, accessible public open space can reduce the private open space requirements for dwellings and consideration should be given to potential future relocation and/or reconfiguration of Wicks Park and Marrickville Primary School.
- *There may be a need for additional roads, laneways and walk/cycle connections to facilitate new development.* Proposed new roads, laneways and walk/cycle connections proposed in the planning proposal masterplan are supported. As these are critical to the success of new development within the precinct, this report recommends the layout and number of these connection be revised as the development proceeds to ensure the layout is proposed is appropriate to the built form proposed.

Local planning assessment

Whilst all of the plans, policies and processes listed above have been used as background to guide the local assessment of the planning proposal, the following three documents have informed the local planning assessment:

- the planning proposal report, i.e. Planning Report by JBA and Masterplan by Turner and Associates;

- the 2014 MELS by SGS;
- the independent strategic urban design assessment.

Whilst the planning proposal provides detail to the masterplan level the local planning assessment predominantly seeks to resolve the macro level strategic framework for the precinct to establish supportable land use, FSR and HoB parameters. Once these are resolved and have Gateway endorsement the more detailed design, masterplanning and public infrastructure issues can be considered.

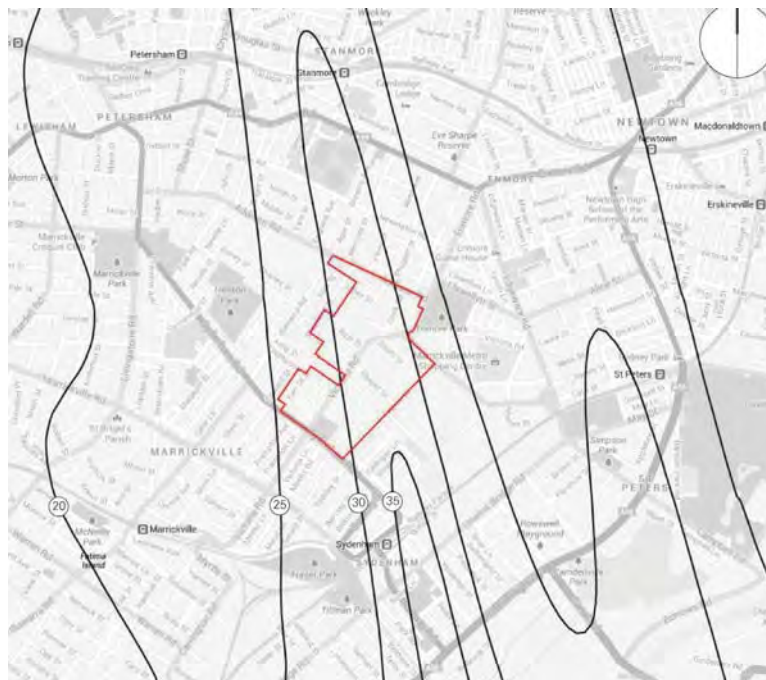
As the main issues involved in the local assessment of the planning proposal are aircraft noise and land use zones, relevant maps are presented below. Maps for other parameters such as land ownership, FSR and HoB are in the extracts from the JBA Planning Report for this planning proposal at **ATTACHMENT 1**.

For the purposes of this assessment, four sub-precincts have been defined. These are made up of blocks that have been defined in the planning proposal and are shown a map immediately below. The four sub-precincts are:

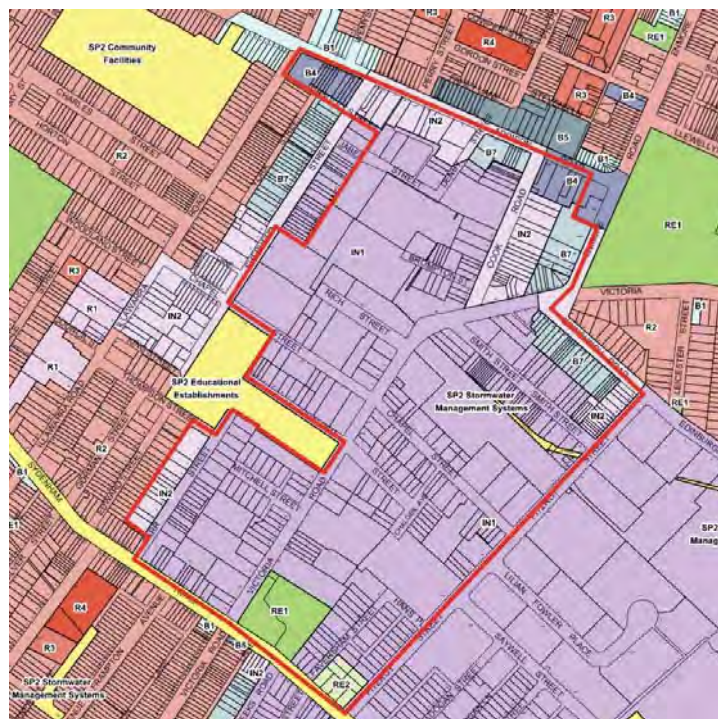
- *Sub-precinct 1* – Blocks A, B, C & D - southern end of the precinct on NW side of Victoria Road;
- *Sub-precinct 2* – Blocks V, W1, W2, X & Z - north-east and south-east sides of Wicks Park;
- *Sub-precinct 3* – Blocks E, F, G H, I, J, K, L, M & N – north-west side of Victoria Road & Enmore Road from Chalder Street to Addison Road; and
- *Sub-precinct 4* – Blocks O, P, Q, S, & U - south-eastern side of Victoria Road from Chalder Street to Edinburgh Road.



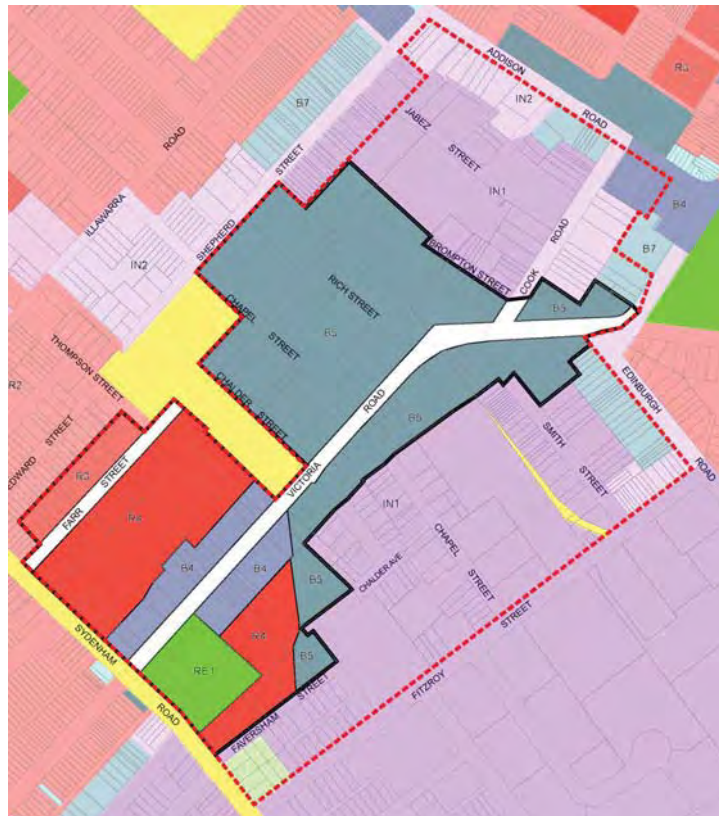
Block numbers, based on maps in JBA planning proposal report



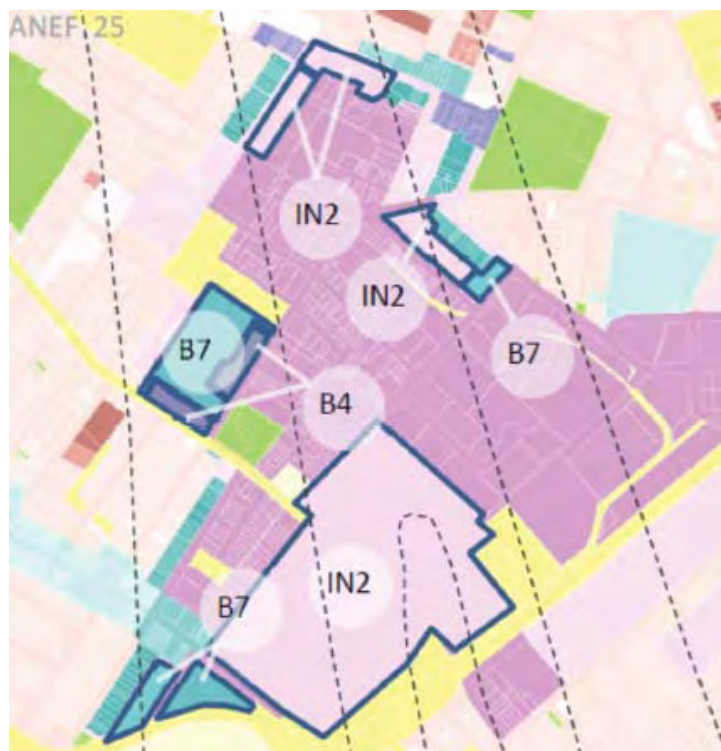
2033 ANEF contours and Precinct 47 boundary
(from JBA planning proposal report)



Current land use zoning, MLEP 2011 (from JBA planning proposal report)



Proposed land use zones (from JBA planning proposal report)



Land use zones proposed by SGS in 2014 MELs
(Scenario 3: renewal/residential focused)

Assessment of zoning, FSR & HoB controls proposed

Sub-precinct 1 - Blocks A, B, C & D – southern end of the precinct on NW side of Victoria Road

Aircraft noise status: The entire sub-precinct is within the 25-30 ANEF area.

Current zoning, FSR & HoB – IN1 General Industrial for most of the sub-precinct (Blocks B, C & D), with Block A (north-west side of Farr Street) IN2 Light Industrial. FSR 0.95:1 and no HoB limit.

Planning proposal recommendation: Blocks B, C & D (most of the sub-precinct) is recommended to be rezoned to R4 High Density Residential with B4 Mixed Use along the Victoria Road frontage. In these blocks, a HoB limit of 18m or approx. 5 storeys (noting the indicative masterplan shows 3 and 4 storeys) is recommended for the Farr Street and Sydenham Road frontages and a block adjacent to Marrickville Primary School (Block D). In the centre of Blocks B, C & D, a 48m (14 storeys) HoB limit is proposed, whilst a 23m (6 + 1 storeys) HoB limit is proposed for the business frontage to Victoria Road. For Blocks B & C, a FSR of 3:1 is proposed, whilst for Block C a FSR of 2:1 is proposed. Block A (north-west side of Farr Street) is recommended to be rezoned to R3 Medium Density Residential, with a HoB limit of 12m (3 storeys) and FSR of 1.2:1.

MELS recommendation: Most of the sub-precinct (Blocks B, C & D) is recommended to be rezoned to B7 Business Park zoning with B4 Mixed Use along most of the Sydenham Road and Victoria Road frontage. There is no recommendation for Block A (north-west side of Farr Street) as it is outside the area assessed by the MELS. There are no recommendations in the MELS for FSR & HoB controls.

Strategic design assessment: For most of the sub-precinct (Blocks B, C & D), HoB limits for the Sydenham Road frontage could be higher than the 3 storeys proposed. Rezoning Block A to a live-work zone and retention of the existing subdivision pattern is appropriate as part of creating an interface between the new mixed-use zone and established low density residential areas. The assessment also recommends that the eastern side of Farr Street could accommodate a built form of 6 + 2 storeys given its west-north-west orientation.

Council officer's assessment: It is appropriate that Block A (north-west side of Farr Street) be rezoned to R3 Medium Density Residential, consistent with the recommendations of the planning proposal and independent urban designer. This would provide a suitable interface between the existing R2 Low Density Residential area to the north-west and the proposed B7 Business Park area opposite. The design assessment recommendation for 6 + 2 storey built form on the eastern frontage of Farr Street is supported.

Mixed use and live/work zones are considered more appropriate than R4 High Density Residential in this sub-precinct because they retain employment uses as the focus of the area and they limit the amount of housing in the 25-30 ANEF area.

A B4 Mixed Use strip along the entire Sydenham Road and Victoria Road frontage is appropriate. This would allow shoptop housing (ground floor retail or other business with apartments above), activating areas around the intersection of these main roads.

The proposed 48m height limit is considered to generally have merit where proposed, subject to increased setback from Sydenham Road to align with the recommended mixed use zone.

For the balance of this precinct the B7 zone is recommended. In addition to promoting light and creative industries, the B7 Business Park zone permits a limited amount of small scale live/work housing. Related controls exist in the Marrickville DCP. To provide certainty around the proportional mix of business to residential and ensure the primacy of employment uses, additional planning controls are needed and these are recommended to be determined post-Gateway.

There is an identified need at all levels of Government and specific references in the Marrickville Community Strategic Plan 2023 of the need to address the issue of affordable housing. The Community Strategic Plan specifically looks to build partnerships to increase affordable housing and pursue planning that support new supplies of affordable housing.

Land within the Victoria Road precinct is not identified in any strategic planning documents for conversion to residential development so the proposal presents a strategic opportunity to provide an increased amount of key worker or affordable housing. The increment of development yield between the limited amount of small scale live-work housing permitted in B7 zone and the overall 48m height proposed is the opportunity for this.

Such housing can be justified in this location for the usual reasons of proximity and access to transport and because the length of stay, especially if linked to employment, would generally change-over more regularly. Providing such housing is in itself an effective strategy response to the aircraft noise affected land. It also delivers against the Community Strategic Plan.

A model for the provision of key worker housing in the B7 zone would include a requirement that all housing be priced to meet the definition of affordable rental housing and require the central management of the housing, a role usually taken-on by a community housing provider. There may be other models which establish a linkage between housing and employment that could be looked at. Council's involvement with community housing providers through our affordable housing team indicates a strong interest for projects in the Marrickville LGA, with reported difficulty in competing with market housing developers for sites. Restrictions on the future tenure of any residential development on B7 land, beyond the small scale live/work, is a means to address this issue.

An approach similar to this on B7 zoned land has recent precedence as per Clause 7.13A Affordable Housing in Zone B7 in Sydney Local Environmental Plan (LEP) 2012 and associated 2015 Employment Lands Affordable Housing Program. The City of Sydney's provisions have been developed in response to similar demand pressures for residential conversion of industrial land and require that, in identified locations, the only type of residential development permitted is Affordable Housing, as defined by State Environmental Planning Policy (Affordable Rental Housing) 2009. This housing is to be provided by, or on behalf of, a public authority or social housing provider. Further details on the quantity of housing and how it is to be provided are within Clause 7.13 of Sydney LEP 2012 and the City's 2015 Employment Lands Affordable Housing Program.

The final provisions that provide certainty concerning the amount of small scale live-work housing within the B7 zone, and additional key worker/affordable housing in the development increment above this will need to be determined post-Gateway and before exhibition, based on market considerations, refinement of built form controls and in consultation with community housing providers.

Recommendation for Sub-precinct 1:

- *That Block A (north-west side of Farr Street) be rezoned from IN2 Light Industrial to R3 Medium Density Residential with a HoB of 12m and FSR of 1.2:1.*
- *That Blocks B, C & D be rezoned from IN1 General Industrial to B7 Business Park with HoBs and FSRs as recommended by the planning proposal, i.e. HoB of 18m on the interior of Block D and the Farr Street & Sydenham Road frontages of Blocks B & C and 48m in the interior of Blocks B & C, and FSR of 3:1 on Blocks B & C and FSR of 2:1 on Block D. That the 48m HoB control within the new B7 Business Park zone be evaluated post-Gateway, in conjunction with provisions relating to live/work and affordable housing.*

- That frontages to Sydenham Road (to a depth of the existing lots) and Victoria Road (as recommended by the planning proposal) be rezoned from IN1 General Industrial to B4 Mixed Use, with a HoBs and FSRs as recommended by the planning proposal.
- That development controls be applied requiring the existing subdivision pattern of the sub-precinct be retained, that laneways be created generally in accordance with the planning proposal masterplan and there be no strata titling of dwellings permitted within the new B7 Business Development zone.
- That the dedication of 3% of the market housing (as proposed in the planning proposal) and the dedication of a functional quantum of public open space be resolved post-Gateway.

Sub-precinct 2 – Blocks V, W1, W2 & Z - north-east and south-east sides of Wicks Park

Aircraft noise status: Most of the sub-precinct (western side, around Wicks Park) is in the 25-30 ANEF area, with a smaller area on the eastern side in the 30-35 ANEF area.

Current zoning, FSR & HoB controls: IN1 General Industrial for the entire sub-precinct, with an FSR of 0.95:1 and no HoB limit.

Planning proposal recommendation: R4 High Density Residential is proposed on land below the 30 ANEF contour on the north-east and south-eastern side of Wicks Park. In this area, HoB limits of 46m (14 storeys), 38m (12 storeys) and 18m (4 + 2storeys) are proposed and FSRs of 3.5 and 2.6 are proposed. B4 Mixed Use is proposed on the Victoria Road frontage between Wicks Park to the 30 ANEF contour, with a HoB limit of 23m (6 + 1 storeys) FSR of 3.5:1. B5 Business Development is proposed on all land above the 30 ANEF contour fronting Victoria Road, Faversham Street and Chalder Avenue, with a HoB of 23m (6 + 1 storeys) and FSR of 2:1.

MELS recommendation: No change to current IN1 General Industrial zoning. Note that SGS's peer review of the JBA Employment Strategy for the precinct suggests a B7 Business Park zoning could be considered around Wicks Park in the future subject to an assessment of the loss of industrial land and the impact of residential use encroaching into an area that is predominantly IN1 General Industrial. There are no recommendations in the MELS for FSR & HoB controls.

Strategic design assessment: The rationale for the proposed residential development around Wicks Park is not clear.

Council officer's assessment: The proposed R4 High Density Residential area around Wicks Park, the B4 Mixed Use and B5 Business Development frontage to Victoria Road and the B5 Business Development frontages to Faversham Street and Chalder Avenue are not considered appropriate. Consistent with the abovementioned SGS suggestion, a B7 Business Park zoning could be considered around Wicks Park in the future subject to an assessment of the loss of industrial land and the impact of residential use encroaching into an area that is predominantly IN1 General Industrial. At that time, appropriate HoB and FSR controls would be considered.

A scenario which involved the possible relocation of Wicks Park to the northern side of Victoria Road, where it is more closely linked to the mixed use zones and existing established residential areas beyond may be further reason to consider changes that introduce zones that allow a mix of uses on this side of Victoria Road. Such matters could be the subject of further investigation and consultation post-Gateway and prior to any formal exhibition should the additional investigations recommended by the MELS review be undertaken and support a land use change.

Recommendation for Sub-precinct 2:

- That there be no change to the existing zoning (IN1 General Industrial), HoB and FSR controls for this sub-precinct.

Sub-precinct 3: - Blocks E, F, G, H, I & J & N – north-western side of Victoria Road bounded by Chalder, Brompton & Shepherd Streets and Enmore Road

Aircraft noise status: Most of this sub-precinct on the eastern side is within the 30-35 ANEF area, with a small area on the western side within the 25-30 ANEF area.

Current zoning, FSR & HoB controls: IN1 General Industrial for the entire sub-precinct, with an FSR of 0.95:1 and no HoB limit.

Planning proposal recommendation: The entire sub-precinct is proposed to be rezoned from IN1 General Industrial to B5 Business Development. This would allow a mix of uses of a predominantly business nature, including warehouses and bulky goods premises that generally require larger floor areas. Traditional industries would be permitted to continue in the short term, but in the long term would be replaced by these business uses. Most of this sub-precinct away from Victoria Road is proposed to have a HoB limit of 18m (3 storeys) and an FSR of 1:1, while the Victoria Road frontage is proposed to have a HoB limit of 23m (6 + 1 storeys) and an FSR of 2:1.

MELS recommendation: The MELS recommends there be no change to the existing IN1 General Industrial zoning of this sub-precinct. The rationale for retaining the existing zoning is that it is mostly within the 30-35 ANEF area, there is a need to retain sufficient stocks of industrial land in the subregion and that large lots within this precinct should be retained for industrial use. Within this sub-precinct, the MELS does not support the B5 Business Development frontage to Victoria Road as it would isolate the remaining IN1 General Industrial part of the precinct from the larger core industrial area on the south-eastern side of Victoria Road. There are no recommendations in the MELS for FSR & HoB controls.

Strategic design assessment: There is no comment on zoning or other changes for this sub-precinct.

Council officer's assessment: The MELS recommendation concerning the sub-precinct remaining as IN1 General Industrial is supported for the reasons outlined in the MELS report. However, a B5 Business Development frontage to Victoria Road and on Blocks E, F, I J & N within this sub-precinct is considered appropriate as part of creating a continuous business frontage along Victoria Road on the north-western side through Sub-precincts 1 and 2. It is also recognised that most of the larger blocks within this sub-precinct are away from Victoria Road toward the north-west. It is envisaged the commercial nature of the B5 Business Development strip (without residential use) would allow the IN1 General Industrial area in the remainder of the sub-precinct to continue to operate without interference or a sense that it is isolated from the core industrial precinct on the other side (south-eastern side) of Victoria Road. Further evaluation of the potential rezoning of the IN1 Zoned lands north of Victoria Road should be undertaken when the DP&E releases the Central Subregional Strategy.

Recommendation for Sub-precinct 3:

- That the whole area of Block E and frontage (to a depth equivalent to Block F lots) to Victoria Road from Chalder Street to the northern extent of the planning proposal boundary near the intersection of Victoria and Enmore Roads be rezoned from IN1 General Industrial to B5 Business Development, with no HoB or FSR limit.
- That there be no change to the zoning (IN1 General Industrial), HoB and FSR for the remainder of this sub-precinct.
- That laneways be created to service the B5 Business Development zone.

Sub-precinct 4: - Blocks O, P, Q, S & U – south-eastern side of Victoria Road from Chalder Street to Edinburgh Road

Aircraft noise status: Most of the sub-precinct is within the 30-35 ANEF area, with a small portion of the eastern corner of (Block P) within the 25-30 ANEF area.

Current zoning, FSR & HoB controls: The entire sub-precinct is zoned IN1 General Industrial, with a FSR of 0.95:1 and no HoB limit.

Planning proposal recommendation: The frontage to Victoria Road through this precinct (from the 30 ANEF contour to Edinburgh Road) is proposed to be rezoned from IN1 General Industrial to B5 Business Development, with a HoB limit of 23m (6 + 1 storeys) and FSR of 2:1. The intention is to create a business frontage along the full length of Victoria Road through this sub-precinct that mirrors the business frontage on the other (north-western) side of Victoria Road.

MELS recommendation: The MELS recommends there be no change to the IN1 General Industrial zoning of this sub-precinct. The rationale for this recommendation is that it is largely within the 30-35 ANEF area, there are several large lots and all land on this side (south-east side) of Victoria Road, and the sub-precinct could be considered to be part of the core industrial precinct. Retention of the IN1 General Industrial zoning will allow industrial activities to continue to operate in this sub-precinct without land-use conflicts and an adequate supply of industrial land will be maintained in the subregion.

Strategic design assessment: There is no comment on zoning or other changes for this sub-precinct.

Council officer's assessment: The MELS recommendation is supported - that this sub-precinct remain IN1 General Industrial because it is largely within the 30-35 ANEF area and all land on this side (south-east side) of Victoria Road should be considered to be part of the core industrial precinct and so remain industrial. This will allow core industrial activities to continue to operate without land-use conflicts and an adequate supply of industrial land will be maintained.

Recommendation for Sub-precinct 4:

- That there is no change to the existing zoning (IN1 General Industrial), HoB and FSR controls for this sub-precinct.

FINANCIAL IMPLICATIONS

Nil. This proposal is at an early stage of planning and there are no direct financial implications from Council's consideration of this report.

PUBLIC PARTICIPATION

Nil. As the revised planning proposal is at an early (pre-Gateway) stage of planning process, there is no statutory requirement for formal public exhibition. A full statutory public exhibition will be required if/when the planning proposal receives Gateway approval. Extracts from documents associated with this revised planning proposal are attached to this report and all of these documents are available in full on Council's website.

It is noted that Council undertook an informal exhibition of the *preliminary* planning proposal from December 2014 to February 2015. During this exhibition, all documents associated with the preliminary planning proposal were available on Council's and DP&E's websites.

CONCLUSION

The strategic assessment in this report demonstrates that land-use changes within the Victoria Road precinct are appropriate, but not to the extent proposed in the revised planning proposal.

The assessment raises concerns about the number of dwellings that would be affected by aircraft noise, loss of employment land (particularly in areas with large lots) and the need to take a cautious approach when rezoning industrial land.

On Farr Street, Victoria Road and Sydenham Road, multi storey market housing is supported. Beyond that limited and low scale live/work accommodation is recommended to contain housing numbers within the noise affected land and keep a focus on employment. There is potential for additional dwellings in the recommended Business Park zone where they are exclusively affordable housing for key workers.

A cautious approach is recommended with any shift from industrial to business zones with these limited to the Victoria Road frontage on the north-western side only at this stage. The core industrial area on the south-eastern side of Victoria Road is recommended to remain in its current IN1 General Industrial zoning.

This rezoning scenario, supported by appropriate affordable housing, subdivision pattern, parking and open space provisions, would commence an incremental process for positive change in the precinct. In the future, planning proposals for further changes could be considered, such as expansion of the business area in the north-western part of the precinct and the potential introduction of live/work residential uses around Wicks Park.

ATTACHMENTS

1. JBA Planning Report for the Victoria Road Precinct Planning Proposal - Cover, Contents, Summary & Introduction
2. Turner Masterplan for the Victoria Road Precinct Planning Proposal - Cover, Contents, Introduction & Principles
3. Detailed Chronology of Planning Events Relevant to Victoria Road Planning Proposal
4. Victoria Road Precinct Map from 2008 Marrickville Employment Lands Study
5. 2014 Marrickville Employment Lands Study - Cover, Contents & Summary
6. 2015 JBA Employment Strategy for the Victoria Road precinct - Cover, Contents, Summary, Introduction & Selected Sections
7. 2015 SGS Peer Review of JBA Employment Strategy for the Victoria Road Precinct - Cover, Contents, Introduction & Key Points
8. October 2015 JBA Response to SGS Peer Review Report
9. 2015 JBA Aircraft Noise Strategy for Victoria Road Planning Proposal - Cover, Contents & Strategy
10. October 2015 Strategic Urban Design Review of Victoria Road Planning Proposal by Roderick Simpson

**KEY DATES & COUNCIL RESOLUTIONS
REGARDING THE
REVISED PLANNING PROPOSAL FOR THE VICTORIA ROAD PRECINCT
& 2014 MARRICKVILLE EMPLOYMENT LANDS STUDY
OCTOBER 2015**

- **early 2012** - in the leadup to Council's consideration of MLEP 2011 and MDCP 2011 Amendment No. 1, Danias Holdings and a number of other landowners within the Victoria Road precinct make representations to Council seeking changes to planning controls to allow a broader range of uses;
- **17 April 2012** - Council considers a report on draft Amendment No. 1, which includes consideration of the representations by Victoria Road precinct landowners, and resolves to defer the Victoria Road item to its 1 May 2012 meeting;
- **24 April 2012** - representatives of the Victoria Road landowners and Council staff meet with the DP&E staff to discuss the future of the precinct;
- **27 April 2012** - DP&E writes to Council to advise that a review of planning controls for the precinct is supported;

1 May 2012 resolution

Council considers the Victoria Road proposal as part of its consideration of LEP/DCP Amendment No.1 and resolves to:

1. *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*
2. *supports pursuing the Victoria Road Precinct proposal jointly and cooperatively with the Department of Planning through the Gateway process.*

In 2013 Council received a \$55,000 grant from the Department of Planning & Environment (DP&E) to review its 2008 *Marrickville Employment Lands Study* (MELS). The primary aim of the review was to provide an updated strategic planning context for assessing proposals to rezone industrial lands in the Marrickville Local Government Area (LGA).

5 February 2013 resolution

Council considers a report on a planning proposal for a Masters homemaker store in the northern part of the Marrickville-Sydneyham industrial area and resolves as follows:

That Council:

1. *receives and notes this report; and*
 2. *writes to the Department of Planning & Infrastructure (DP&I) by 8 February 2013 to inform the Department that:*
 - (a) *Council endorses the Masters Planning Proposal proceeding to Gateway determination and accepts the role of Relevant Planning Authority (RPA);*
 - (b) *Council's acceptance of the RPA role is subject to the Gateway determination requiring the preparation of an employment lands review for the Marrickville Local Government Area (LGA) to be exhibited concurrently with any public exhibition of the Masters Planning Proposal;*
 - (c) *the employment lands review also informs the Planning Proposals for the rezoning of other industrial precincts, including the Victoria Road and Carrington Road precincts;*
 - (d) *Council requests the findings of the employment lands review be considered in the next review of the Draft South Subregion Strategy (dSSS) and Marrickville Urban Strategy (MUS); and*
 - (e) *Council requests the employment lands review be funded by the DP&I.*
-
- **February 2013** – Council applied to the DP&E for funding under Planning Reform Fund for a review of the 2008 Marrickville Employment Lands Study (MELS)
 - **December 2013** – the DP&E advised Council that its funding application for the MELS review was successful
 - **4 March 2014** – a consultant's brief for the review of the 2008 Marrickville Employments Lands Study (MELS) was reported to Council – the resolution was that Council 'receive and note' the report and brief;
 - **27 June 2014** - SGS Economics & Planning commenced the MELS review project;

15 July 2014 resolution

A preliminary planning proposal for the Victoria Road precinct, prepared by proponent JBA Urban Planning Consultants, was submitted to Council on 21 May 2014. Council considered a report on this proposal at its 15 July 2014 meeting and resolved to:

1. *defer further consideration of the report until the next Ordinary Council Meeting;*
2. *seek advice from the Department of Planning and Environment on the following key macro level planning issues:*
 - i. *whether it considers that the aircraft noise strategy within the Preliminary Planning Proposal satisfactorily addresses the requirements of Section 117 Direction "3.5 - Development near Licensed Aerodromes"; and if not, the range of matters that the strategy should address having regard to the extent of residential development proposed in heavily noise affected areas;*

- ii. *whether it supports the range of land uses proposed for the precinct given its current land use strategies and having regard to the draft Metropolitan Strategy strategic assessment checklist evaluation undertaken in this report;*
- iii. *the status of the Sub Regional Strategies and whether the relevant Strategy will provide direction on the agreed future land use direction of the Marrickville/Sydenham Industrial Area;*
- iv. ***the role of the Marrickville Employment Lands Study Review in resolving the appropriate range of land uses having regard to the above matters; and***
3. *a Councillor Conference be undertaken prior to Council reconsidering the matter.*

2 September 2014 resolution

Council considered a report on the preliminary planning proposal at its 2 September 2014 meeting and resolved to:

1. *receive and note the report;*
2. *advises the Department of Planning and Environment (DP&E) that it approved the Preliminary Proposal for part of the Marrickville/Sydenham Industrial Area (Victoria Road Precinct 47) submitted by JBA Urban Planning Consultants, proceeding through the Gateway planning process;*
3. *in submitting the proposal to the Gateway process, requests DP&E to provide direction on the following macro strategic planning issues during their assessment of the Gateway application:*
 - *the DP&E's policy for Rezoning Industrial Land under the Draft Metropolitan Strategy;*
 - *the status of the Subregional Strategies;*
 - *DP&E's view of rezoning land for residential or mixed use purposes where the ANEF exceeds 25;*
 - *the height limits of any development within flight paths to ensure they are compliant with the Obstacle Limitation Surface (OLS) restrictions;*
4. *that if DP&E approve the proposal being assessed through the Gateway process that DP&E and the proponent be advised, that along with addressing the macro planning issues contained in this report, the Council would like the final proposal to:*
 - *be subject to a review by members of the Council's Architectural Excellence Panel;*
 - ***note the findings of the current review of the Marrickville Employment Study;***
 - *be subject to a comprehensive Community Engagement Program in the formulation of the Masterplan; and*
5. *notes that this resolution is consistent with Council's previous resolution of 1 May 2012 in that Council will consider revised planning controls for the precinct and that possible land use changes do have merit."*

16 September 2014 resolution

At the Council meeting on 16 September 2014, Council considered a Mayoral Minute entitled *Community Consultation – Victoria Road Precinct* and resolved as follows:

1. *Council resolve to commence a community engagement process concerning the Victoria Road precinct prior to receiving Gateway determination from the Department of Planning and Environment to inform its future decision making; and*
2. *consultation be targeted towards residents and businesses within the precinct and environs with a focus on the issues of services and transport; urban density and design; and the nature and extent of employment lands."*

- **14 December 2014** - the NSW Government released its new metropolitan strategy – *A Plan for Growing Sydney*;
- **16 December 2014** - the DP&E writes to Council to provide the advice on key planning issues that had been requested by Council and requests additional information be provided, additional consultation be undertaken and the planning proposal be withdrawn;

2 December 2014 resolution

Council considered an officer's report on the MELS at its 2 December 2014 meeting, and resolved as follows:

That Council:

1. *receives and notes the Study;*
2. *resolves that the Study be placed on public exhibition to allow the community, local business and landowners who were not consulted during the drafting of the Study and who may be impacted by the Study's findings to comment on the Study's findings;*
3. *that the public exhibition period be open until February 27 2015 to allow an adequate period of consultation over the Christmas/New Year period and that Council Officers report back to Council on the community feedback at a future meeting;*
4. *writes to the Department of Planning and Environment who funded the study to advise them that:*
 - *the Council has received the MELS and is reviewing its findings;*
 - *is placing the MELS on public exhibition to allow adequate community, business and landowner consultation on its findings; and*
 - *that it will provide the Department with a report on those findings.*

In accordance with Resolutions 2 and 3 above, the MELS report was placed on public exhibition from 17 December 2014 to 27 February 2015. Council wrote to the DP&E in December 2015 in accordance with Resolution 4.

- **17 December 2014 to 27 February 2015** – Council calls for community comments on the planning proposal and MELS report;

- **16 January 2015** - the Victoria Road project team meet with DP&E staff to discuss further assessments required and way forward;

3 February 2015 resolution

At its 3 February 2015 meeting, Council considered a report on the DP&E's response to Council's decision to approve the preliminary planning proposal proceeding through the Gateway to seek direction from DP&E on a number of macro strategic planning issues affecting the precinct. At the meeting, Council resolved to:

1. *note that Council has engaged the community for feedback on the Draft Planning Proposal and that it would be pre-emptive of the community consultation process for Council to withdraw the Planning Proposal at this time;*
2. *reaffirm its support for a review of the planning controls for the Victoria Road Precinct/Precinct 47;*
3. *write to the Department to advise of Council's resolution, and to invite the NSW Department of Planning and Environment and the proponent of the Victoria Road Planning Proposal to a workshop facilitated by Council staff to discuss future planning for the Victoria Road Precinct, the Draft MELS and how these strategic planning exercises can be better aligned with current and future State planning policies; and*
4. *write to the proponent of the Victoria Road Precinct advising them of Council's resolution and its support for the future review of planning controls in this precinct."*

With regard to Council's 2 September 2015 resolution to request the DP&E to provide direction on macro strategic planning issues, the DP&E wrote to Council in a letter dated 16 December 2015 to provide such direction. The letter requested that Council withdraw the planning proposal to allow it to be assessed against *A Plan for Growing Sydney* and associated subregional strategies, and to allow for adequate consideration of the macro strategic planning issues raised by Council. The DP&E also noted the planning proposal's inconsistency with the 2014 MELS and requested the MELS be considered in further developing the planning proposal

December 2014 – February 2015 community engagement

The community engagement process for the Victoria Road precinct was undertaken concurrently with the public exhibition of the MELS Review. This included a non-statutory public exhibition and call for submissions from 17 December 2014 to 27 February 2015. A total of 82 written submissions were received, including submissions from consultants on behalf of major landholders in the Victoria Road and Carrington Road precincts.

The JBA submission on behalf of Victoria Road landowners was critical of the 2014 MELS for being inconsistent with *A Plan for Growing Sydney* and failing to translate broad economic trends and assumptions with the reality of business activity on the ground in the Victoria Road precinct. JBA submitted an alternative employment strategy for the precinct that set out a more positive vision to reconnect land use and business activity with the employment needs of the local community. The JBA submission recommended that this strategy form the basis for future strategic planning in the Victoria Road precinct, not the MELS.

The submission by Mecone on behalf of Carrington Road precinct landowners supported the 2014 MELS recommendations. Mecone thought isolated peripheral industrial sites in the LGA (including Carrington Road) could support rezoning for additional uses without placing undue pressure on the remaining industrial economy in inner-Sydney. It felt that Carrington Road was ideally located in this regard. The submission included a table to illustrate the comparative advantages of the Carrington Road Precinct in supporting residential land uses compared to other precincts, including the Victoria Road precinct.

Consistent with the agreed actions from the 2 March 2015 staff workshop, the proponent wrote to Council just prior to the 16 April 2015 to request Council to withdraw the planning proposal and notify the DP&E accordingly. Council's has actioned this request in Resolution 7 below.

2 March 2015 staff workshop

A workshop involving Council, DP&E and JBA staff was held on 2 March 2015 in accordance with 3 February 2015 Resolution 3 above. Key agreed actions from the workshop were:

- proponent to draft a strategy for residential development in high aircraft noise areas;
 - drafting of strategy to involve Council, the DP&E, and to include the views of Sydney Airport Corporation Limited (SACL) and Federal Government;
 - proponent may submit a letter to withdraw the current planning proposal and later submit a revised proposal that includes the above strategy; and
 - the letter to be submitted so that it can be incorporated into the report to Council's 7 April 2015 meeting on the results of consultation for the Marrickville Employment Lands Study (MELS) and Victoria Road precinct.
- **29 March 2015** - the proponent writes to Council to request the preliminary planning proposal be withdrawn, consistent with the agreed action from the 2 March 2015 workshop;

7 April 2015 post public exhibition report

A post public exhibition report was considered by Council at its 7 April 2015 meeting, and Council resolved as follows:

1. *Council receives and notes the report;*
2. *Council requests SGS to review the findings of the Marrickville Employment Lands Study to:*
 - i. *ensure that any future land use options recommended are consistent with the Department of Planning and Environment's A Plan for Growing Sydney;*
 - ii. *respond to the alternate employment strategy for the Victoria Road Precinct put forward in JBA's Employment Strategy;*
3. *Council seeks funding from the Department of Planning and Environment for the review referred to in Point 2 above;*

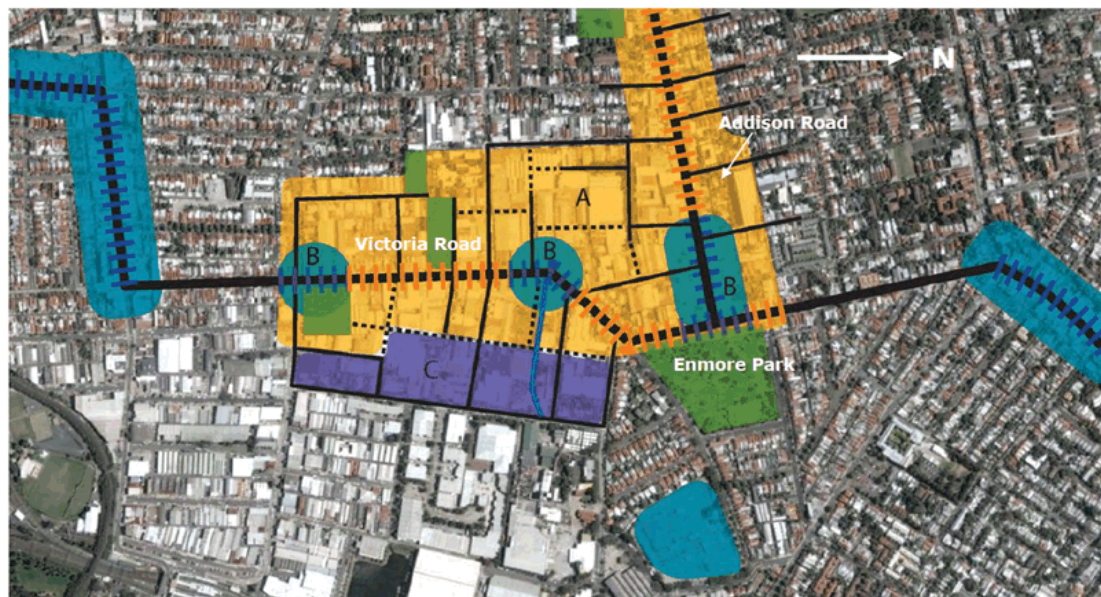
4. *after the completion of reviews referred to in Point 2, SGS be requested to brief Councillors on the findings of the Marrickville Employment Lands Study Review and any conflicts between the 2 strategies;*
5. *the Department of Planning and Environment be forwarded:*
 - i. *a copy of this report along with any additional comments raised by Council;*
 - ii. *a copy of SGS's final reviewed Marrickville Employment Lands Study;*
 - iii. *a copy of JBA's Victoria Road Precinct Employment Strategy for the Victoria Road Precinct;*
6. *those persons who lodged submissions in relation to Marrickville Employment Lands Study and/or the Victoria Road Precinct be advised of the Council's decision; and*
7. *resolve to withdraw the Planning Proposal for part of the Marrickville/Sydenham Industrial Area (Victoria Road Precinct 47), submitted by JBA Urban Planning Consultants, and advise the Department of Planning and Environment accordingly."*

- **13 April 2015** – Council writes to the DP&E to request the planning proposal be withdrawn;
- **3 June 2015** - the DP&E advises Council in writing that the planning proposal has been withdrawn;
- **June 2015** - the Victoria Road project team meets with the representatives from the Australian Department of Transport & Regional Development and Sydney Airport Corporation (SACL) to discuss the aircraft noise strategy for the precinct;
- **7 August 2015** – the proponent submits a revised planning proposal (which includes an aircraft noise strategy) to Council;
- **17 August 2015** – the Victoria Road project team briefs Council staff on the key elements of the revised planning proposal;
- **25 August 2015** – a Councillor conference is held, where the Victoria Road project team briefs councillors on the revised planning proposal and SGS presents the findings of its review of the 2014 MELS in light of *A Plan for Growing Sydney* and the proponent's employment strategy;
- **6 October 2015** – Council considers a report on the revised planning proposal.

EXTRACT FROM 2008 MARRICKVILLE EMPLOYMENT LANDS STUDY

BY SGS ECONOMICS & PLANNING

Figure 17. Victoria Road Corridor – Potential LEP template Zoning



Source: SGS 2008

Key:

- **Area A (orange)** - intensification and diversification of employment uses - residential uses may be desirable in locations with good amenity and near interfaces with existing residential development;
- **Area B (blue)** - focal points for retail uses and public spaces; and
- **Area C (purple)** - special transitional industrial zone between new employment uses and the existing traditional industrial core.