



New South Wales

Marrickville Local Environmental Plan 2011 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

DANIEL KEARY

As delegate for the Minister for Planning and Infrastructure

Marrickville Local Environmental Plan 2011 (Amendment No 1)

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1 Name of Plan

This Plan is *Marrickville Local Environmental Plan 2011 (Amendment No 1)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the land to which *Marrickville Local Environmental Plan 2011* applies and, in particular, to the following land:

- (a) 1–15 West Street and 96–98 Brighton Street, Petersham,
- (b) 48–68 Hutchinson Street, St Peters,
- (c) 31, 41–45 and 129 Princes Highway, St Peters,
- (d) 396–576 Princes Highway, St Peters,
- (e) 221–235 Stanmore Road, Stanmore,
- (f) 55–61 Unwins Bridge Road, Sydenham,
- (g) 728–750 Princes Highway, Tempe.

4 Maps

Each map adopted by *Marrickville Local Environmental Plan 2011* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Marrickville Local Environmental Plan 2011 Floor Space Ratio Map (5200_COM_FSR_003_010_20111128)	Marrickville Local Environmental Plan 2011 Floor Space Ratio Map (5200_COM_FSR_003_010_20131011)
Marrickville Local Environmental Plan 2011 Floor Space Ratio Map (5200_COM_FSR_004_010_20111128)	Marrickville Local Environmental Plan 2011 Floor Space Ratio Map (5200_COM_FSR_004_010_20131016)
Marrickville Local Environmental Plan 2011 Height of Buildings Map (5200_COM_HOB_003_010_20111121)	Marrickville Local Environmental Plan 2011 Height of Buildings Map (5200_COM_HOB_003_010_20131015)

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Marrickville Local Environmental Plan 2011 Height of Buildings Map (5200_COM_HOB_004_010_20111128)	Marrickville Local Environmental Plan 2011 Height of Buildings Map (5200_COM_HOB_004_010_20131015)
Marrickville Local Environmental Plan 2011 Heritage Map (5200_COM_HER_003_010_20111121)	Marrickville Local Environmental Plan 2011 Heritage Map (5200_COM_HER_003_010_20131016)
Marrickville Local Environmental Plan 2011 Heritage Map (5200_COM_HER_004_010_20111121)	Marrickville Local Environmental Plan 2011 Heritage Map (5200_COM_HER_004_010_20130910)
Marrickville Local Environmental Plan 2011 Key Sites Map (5200_COM_KYS_004_010_20111128)	Marrickville Local Environmental Plan 2011 Key Sites Map (5200_COM_KYS_004_010_20130910)
Marrickville Local Environmental Plan 2011 Land Zoning Map (5200_COM_LZN_001_010_20111123)	Marrickville Local Environmental Plan 2011 Land Zoning Map (5200_COM_LZN_001_010_20131016)
Marrickville Local Environmental Plan 2011 Land Zoning Map (5200_COM_LZN_002_010_20110712)	Marrickville Local Environmental Plan 2011 Land Zoning Map (5200_COM_LZN_002_010_20131015)
Marrickville Local Environmental Plan 2011 Land Zoning Map (5200_COM_LZN_003_010_20111123)	Marrickville Local Environmental Plan 2011 Land Zoning Map (5200_COM_LZN_003_010_20131016)
Marrickville Local Environmental Plan 2011 Land Zoning Map (5200_COM_LZN_004_010_20111128)	Marrickville Local Environmental Plan 2011 Land Zoning Map (5200_COM_LZN_004_010_20131016)
Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_001_010_20110912)	Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_001_010_20130911)
Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_002_010_20110912)	Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_002_010_20130911)
Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_003_010_20110912)	Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_003_010_20130911)
Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_004_010_20110912)	Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_004_010_20130911)
Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_005_010_20110912)	Marrickville Local Environmental Plan 2011 Natural Resource—Biodiversity Map (5200_COM_NRB_005_010_20130911)

Schedule 1 Amendment of Marrickville Local Environmental Plan 2011

[1] Land Use Table

Omit “office premises and” from the 4th objective in item 1 of the matter relating to Zone R1 General Residential.

[2] Land Use Table, Zone R1 General Residential

Insert at the end of item 1:

- To provide for office premises in existing buildings designed and constructed for commercial purposes or as part of the conversion of existing industrial or warehouse buildings.

[3] Clause 4.4 Floor space ratio

Omit the following from the Table to clause 4.4 (2A):

≤ 300 square metres	0.85:1
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Insert instead:

≤ 150 square metres	1.1:1
> 150 ≤ 200 square metres	1:1
> 200 ≤ 250 square metres	0.9:1
> 250 ≤ 300 square metres	0.8:1

[4] Clause 6.9 Converting industrial or warehouse buildings to multi dwelling housing, office premises or residential flat buildings in residential zones

Omit clause 6.9 (1). Insert instead:

- (1) The objective of this clause is to permit multi dwelling housing, office premises and residential flat buildings in residential zones where they are part of an adaptive reuse of existing industrial buildings or warehouse buildings.

[5] Clause 6.9 (3)

Omit the subclause. Insert instead:

- (3) Development consent must not be granted to development for the purpose of office premises on land to which this clause applies unless the development relates to a building that was designed and constructed for an industrial or warehouse purpose, and was erected before the commencement of this Plan.
- (3A) Development consent must not be granted to development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential for the following purposes unless the development relates to a building that was designed and constructed for an industrial or warehouse purpose, and was erected before the commencement of this Plan:
 - (a) if the building is on land in Zone R2 Low Density Residential—multi dwelling housing,
 - (b) if the building is on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—a residential flat building.

- (3B) In determining whether to grant development consent under this clause, the consent authority must consider the following:
- (a) the impact of the development on the scale and streetscape of the surrounding locality,
 - (b) the suitability of the building for adaptive reuse,
 - (c) the degree of modification of the footprint and facade of the building.

[6] Clause 6.11 Use of dwelling houses in business and industrial zones

Omit clause 6.11 (3). Insert instead:

- (3) Development consent must not be granted to development for the purpose of a dwelling house on land to which this clause applies unless:
- (a) the development relates to a building that was designed and constructed for the purpose of a dwelling house and was erected before the commencement of this Plan, and
 - (b) the building will offer satisfactory residential amenity.

[7] Schedule 5 Environmental heritage

Insert “, including interiors” at the end of the Item name in the matter relating to I2, I3, I5–I11, I13–I21, I23–I27, I29, I31–I42, I44–I53, I55, I56, I58–I67, I69, I72–I74, I76–I80, I82–I84, I87–I94, I96, I97, I99–I105, I107–I116, I118, I119, I122, I124–I126, I128, I130–I162, I164–I169, I171–I176, I178–I193, I195–I208, I209 (where firstly occurring), I210–I213, I215, I216, I218, I219, I221–I224, I226, I227, I230, I232–I253, I255–I268, I271–I275, I277–I282, I285, I286, I288–I292, I294–I296, I298–I302, I304–I307 and I309 in Part 1.

[8] Schedule 5, Part 1, I30, I43 and I231

Omit all matter relating to the items.

[9] Schedule 5, Part 1, I84

Omit all matter relating to the item. Insert instead:

Marrickville	Former Globe Worsted Mills, including interiors and former Globe Worsted Mills substation	11–23 Gordon Street and 42 Philpott Street	SP 77403; Lot 1, DP 1161225	Local	I84
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[10] Schedule 5, Part 1, I209

Insert “and 1–5 Phillip Street” after “Parramatta Road”.

[11] Schedule 5, Part 1, I209

Insert “; Lots 1 and 2, DP 67607” after “DP 67608”.

[12] Schedule 5, Part 1, I209 (where secondly occurring)

Omit all matter relating to the item.

[13] Schedule 5, Part 1, I280

Omit “, workshop, and site”.

Insert instead “and workshop”.

[14] Schedule 5, Part 1, I111

Omit “Church of England”. Insert instead “Church,”.

[15] Schedule 5, Part 1, I264

Insert “and Founder’s Building” after “Grounds”.

[16] Schedule 5, Part 1, I101

Omit “site—Victorian”. Insert instead “site and Victorian”.

[17] Schedule 5, Part 1, I312

Insert after the matter relating to I275:

St Peters	Service garage	316 Princes Highway	Lot A, DP 335583	Local	I312
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[18] Schedule 5, Part 1, I287

Omit all matter relating to the item. Insert after the matter relating to I105:

Marrickville	Brick retaining walls	Marrickville Road (eastern end) and Railway Parade	Local	I287
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