



New South Wales

Marrickville Local Environmental Plan 2011 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**DANIEL EAST, STRATEGIC PLANNING MANAGER
INNER WEST COUNCIL**
As delegate for the local plan-making authority

Marrickville Local Environmental Plan 2011 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Marrickville Local Environmental Plan 2011 (Amendment No 4)*.

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 land under *Marrickville Local Environmental Plan 2011*.

4 Maps

The maps adopted by *Marrickville Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Marrickville Local Environmental Plan 2011

- [1] **Land Use Table**
Omit the fourth and fifth bullet points from item 1 of Zone R1 General Residential.
- [2] **Land Use Table, Zone R1 General Residential, item 3**
Insert “Home industries;” in alphabetical order.
- [3] **Land Use Table, Zone R1 General Residential, item 4**
Insert in alphabetical order—
 Office premises;
 Retail premises;
- [4] **Land Use Table, Zone R2 Low Density Residential, item 1**
Omit the third, fourth and fifth bullet points.
- [5] **Land Use Table, Zone R2 Low Density Residential, item 3**
Insert “Home industries;” in alphabetical order.
- [6] **Land Use Table, Zone R2 Low Density Residential, item 4**
Insert in alphabetical order—
 Multi dwelling housing;
 Office premises;
 Residential flat buildings;
 Retail premises;
- [7] **Land Use Table, Zone R2 Low Density Residential, item 4**
Omit “Neighbourhood shops;”.
- [8] **Land Use Table, Zone R3 Medium Density Residential, item 1**
Omit the fourth and fifth bullet points.
- [9] **Land Use Table, Zone R3 Medium Density Residential, item 3**
Insert “Home industries;” in alphabetical order.
- [10] **Land Use Table, Zone R3 Medium Density Residential, item 4**
Insert in alphabetical order—
 Office premises;
 Residential flat buildings;
 Retail premises;
- [11] **Land Use Table, Zone R4 High Density Residential, item 1**
Omit the fourth and fifth bullet points.

- [12] Land Use Table, Zone R4 High Density Residential, item 3**
Insert “Home industries;” in alphabetical order.
- [13] Land Use Table, Zone R4 High Density Residential, item 4**
Insert in alphabetical order—
Office premises;
Retail premises;
- [14] Land Use Table, Zone B4 Mixed Use, item 1**
Omit the fifth bullet point.
- [15] Land Use Table, Zone B4 Mixed Use, item 3**
Omit “Dwelling houses;”.
- [16] Land Use Table, Zone B5 Business Development, item 1**
Omit the second bullet point.
- [17] Land Use Table, Zone B5, item 3**
Omit “Dwelling houses;”.
- [18] Land Use Table, Zone B6 Enterprise Corridor, item 1**
Omit the fourth and fifth bullet points.
- [19] Land Use Table, Zone B6 Enterprise Corridor, item 3**
Omit “Dwelling houses;”.
- [20] Land Use Table, Zone B6 Enterprise Corridor, item 4**
Omit “Commercial premises;”.
- [21] Land Use Table, Zone B6 Enterprise Corridor, item 4**
Insert “Retail premises;” in alphabetical order.
- [22] Land Use Table, Zone B7 Business Park, item 1**
Omit the sixth bullet point.
- [23] Land Use Table, Zone B7 Business Park, item 3**
Omit “Dwelling houses;”.
- [24] Land Use Table, Zone B7 Business Park, item 4**
Omit “Respite day care centres;”.
- [25] Land Use Table, Zone IN1 General Industrial, item 1**
Omit the sixth bullet point.
- [26] Land Use Table, Zone IN1 General Industrial, item 3**
Omit “Dwelling houses;”.
- [27] Land Use Table, Zone IN1 General Industrial, item 4**
Omit “Transport depots;”.

[28] Land Use Table, Zone IN2 Light Industrial, item 1

Omit the seventh bullet point.

[29] Land Use Table, Zone IN2 Light Industrial, item 3

Omit “Dwelling houses;”.

[30] Land Use Table, Zone SP1 Special Activities, item 2

Omit “Home occupations” from item 2. Insert instead “Nil”.

[31] Land Use Table, Zone SP2 Infrastructure, item 2

Omit “Home occupations”. Insert instead “Nil”.

[32] Clause 4.4 Floor space ratio

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

> 350 ≤ 400 square metres	0.6:1
> 400 square metres	0.5:1

Insert instead—

> 350 square metres	0.6:1
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[33] Clause 4.4 (2C)

Insert after clause 4.4(2B)—

- (2C) Despite subclause (2), in calculating the floor space ratio in respect of land dedicated to the Council for the purpose of a proposed road on the Land Reservation Acquisition Map, land marked “Local Road (SP2)” is to be included in the site area.

[34] Clause 4.6 Exceptions to development standards

Omit clause 4.6(8)(ca). Insert instead—

- (ca) clause 6.9, 6.17 or 6.18.

[35] Clause 5.1A

Insert after clause 5.1—

5.1A Development on land intended to be acquired for public purposes

- (1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.
- (2) This clause applies to land shown on the Land Reservation Acquisition Map and specified in Column 1 of the table to this clause that has not been acquired by the relevant authority of the State specified for the land in clause 5.1.
- (3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that table.

Column 1	Column 2
Land	Development
Zone RE1 Public Recreation and marked “Local open space”	Recreation areas
Zone SP2 Infrastructure and marked “Classified road”	Roads
Zone SP2 Infrastructure and marked “Local Road”	Roads
Zone SP2 Infrastructure and marked “Car park”	Car park
Zone SP2 Infrastructure and marked “Drainage”	Drainage

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

Omit “constructed” from clause 6.9(3) and (3A) wherever occurring.

Insert instead “lawfully erected”.

[37] Clause 6.13 Dwellings and residential flat buildings in Zone B7 Business Park

Insert “, including a dwelling in a residential flat building” after “the purpose of a dwelling” in clause 6.13(3)(d).

[38] Clause 6.15 Location of boarding houses in business zones

Insert after clause 6.15(2)—

- (2A) This clause also applies to the following land—
- (a) certain land at Old Canterbury Road, Lewisham shown coloured blue and identified as “A” on the Key Sites Map,
 - (b) land at 776–798 Parramatta Road, Lewisham, being Lots 16 and 17, DP 2357, part of Lot 1, DP 1010446, Lot 1, DP 983757 and Lot 1, DP 7419 in Zone B6 Enterprise Corridor,
 - (c) certain land at Addison Road, Marrickville shown coloured blue and identified as “B” on the Key Sites Map,
 - (d) certain land in St Peters shown coloured blue and identified as “G” and “H” on the Key Sites Map,
 - (d) certain land in St Peters identified as “E” and “F” on the Key Sites Map,
 - (e) land at 76 Wilford Street, Newtown, being Lot 1, DP 617685.

[39] Clause 6.20

Insert after clause 6.19—

6.20 Design excellence

- (1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Marrickville.
- (2) This clause applies to development involving the construction of a new building, or external alterations to an existing building that will result in a building that is equal to, or greater than, 14 metres in height on land identified as “Design excellence” on the Design Excellence Map.
- (3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.

- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—
- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) whether the development detrimentally impacts on view corridors,
 - (d) whether the development detrimentally impacts on any land protected by solar access controls established in the Marrickville Development Control Plan,
 - (e) the requirements of the Marrickville Development Control Plan,
 - (f) how the development addresses the following matters—
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access and circulation requirements,
 - (x) the impact on, and any proposed improvements to, the public domain.
- (5) In this clause—
Marrickville Development Control Plan means the *Marrickville Development Control Plan 2011*, as in force on the commencement of this Plan.

[40] Schedule 1 Additional permitted uses

Omit clause 6.

[41] Schedule 5 Environmental Heritage

Insert “warehouse” after “Federation” in the matter relating to item I6 in Part 1.

[42] Schedule 5, Part 1, item no I97

Omit “, including interiors” and “Lot 2, DP 338141”.

[43] Schedule 5, Part 1, item no I159

Omit “St Peters Hotel, including interiors”.

Insert instead “Sydney Park Hotel, including interiors”.

[44] Schedule 5, Part 1, item no I212

Insert “and “Glenrock” ” after “ “Glenthorn” ”.

[45] Schedule 5, Part 1, item no I212

Omit “2 and 4 Railway Street”. Insert instead “2–4 Railway Street”.

[46] Schedule 5, Part 1, item I241

Insert “Aboriginal Education Consultative Group Office and Records,” before “Victorian italianate style villa”.

[47] Schedule 5, Part 1, item I241

Omit “Local”. Insert instead “State”.

[48] Schedule 5, Part 1, item I230

Omit the matter relating to the item. Insert in appropriate order—

Petersham Petersham Girls School 2 Gordon Street Lot 1, DP 835049 Local I230
 (former), including interiors

[49] Schedule 5, Part 1, item no I275

Insert “and cemetery” after “including interiors”.

[50] Schedule 5, Part 1, item no I350

Omit “Sheperd”. Insert instead “Shepherd”.

[51] Schedule 5, Part 1

Insert in appropriate order—

Dulwich Turpentine— Dulwich Hill Railway Lot 1, DP 1065311 Local I389
 Hill Ironbark Forest cutting, northern side of
 Understory Dudley Street east of
 Wardell Road and
 southeast of Dulwich
 Hill Station

Newtown The Hub 7–13 Bedford Street Lot 19, DP 74761; Lot 2, Local I390
 Theatre, including
 interiors DP 85819

[52] Schedule 5, Part 2

Omit the Part. Insert instead—

Part 2 Heritage conservation areas

Note. Heritage conservation areas are shown on the Heritage Map by a red outline with red hatching and labelled with the relevant map reference number.

Locality	Name of heritage conservation area	Significance	Map reference
Camperdown	Camperdown Park	Local	C10
Camperdown	Hopetoun-Roberts-Federation Streets	Local	C9

Locality	Name of heritage conservation area	Significance	Map reference
Camperdown/ Newtown	North Kingston Estate	Local	C11
Camperdown/ Stanmore/Petersham	Parramatta Road Commercial Precinct	Local	C5
Dulwich Hill	Dulwich Hill Commercial Precinct	Local	C28
Dulwich Hill	Hoskins Park & Environs	Local	C36
Dulwich Hill	The Abergeldie Estate	Local	C1
Enmore	Camden Street and James Street	Local	C38
Enmore	Enmore-House	Local	C13
Lewisham	Lewisham Estate	Local	C26
Marrickville	Civic Precinct	Local	C30
Marrickville	David Street	Local	C31
Marrickville	Inter-War Group—Hollands Avenue; Jocelyn Avenue and Woodbury Street	Local	C35
Marrickville	Llewellyn Estate	Local	C14
Marrickville	Norwood Park Estate	Local	C19
Marrickville	Porter's Brickworks Estate	Local	C24
Newtown	Enmore-Newtown	Local	C12
Newtown	Holmwood Estate	Local	C15
Newtown	King Street and Enmore Road	Local	C2
Petersham	Audley Street South (Bayswater Estate)	Local	C20
Petersham	Hordern Avenue	Local	C27
Petersham	Jarvie Avenue	Local	C23
Petersham	Morgan Street	Local	C22
Petersham	Petersham Commercial Precinct	Local	C25
Petersham	Petersham North	Local	C3
Petersham	Petersham South (Norwood Estate)	Local	C18
Petersham	Railway Street (Petersham)	Local	C4
Petersham	Rathlin Estate	Local	C21
St Peters	Goodsell Estate	Local	C16
St Peters	Lackey Street and Simpson Park	Local	C37
Stanmore	Annandale Farm	Local	C6
Stanmore	Cardigan Street	Local	C8
Stanmore	Kingston South	Local	C17
Stanmore	Kingston West	Local	C7
Tempe	Collins Street	Local	C32
Tempe	Wells Avenue	Local	C33

Locality	Name of heritage conservation area	Significance	Map reference
Tempe	Stanley Street	Local	C34

Part 3 Archaeological sites

Locality	Item	Address	Property description	Significance	Item no
Camperdown	Kingston Fowler's Pottery Archaeological site	139-143 Parramatta Road, 43 Australia Street, Derby Place, 32-36 and 27-35 Denison Street, Part of Denison Street, part of Australia Street	Lot 2, DP 1183831; Lots 1-8, DP 1078125; Lot 1, DP 818033; Derby Place; Part of Denison Street; Part of Australia Street	Local	A-07-1
Enmore	Enmore House Archaeological site	23-47 Metropolitan Road and part of Metropolitan Road	Lot 1, DP 909931; Lot 1, DP 909251; Lot 1, DP 910380; Lots 88, 89, 92-96, Section 2, DP 1166; Lot A, DP 188568; Lots X and Y, DP 438282	Local	A-11-2
Lewisham	Former Petersham Cemetery Archaeological site	Part of 2B West Street, part of 3 Thomas Street, part of pedestrian walkway between Thomas Street and West Street on the northern side of the railway line and part of West Street	Lot 1, DP 1116995; Lot 22, DP 827632; part of pedestrian walkway between Thomas Street and West Street and part of West Street	Local	A-15-3
Marrickville	Harnleigh Archaeological site	6A and 7A Harnett Avenue, 2-6 Roach Street and part of Roach Street	Lots 13-15, DP 1733; Part of Roach Street; Lot A, DP 373318; Lots 1-3, DP 309439; Lot 1, DP 920687; Lot 1, DP 923334	Local	A-17-4

Locality	Item	Address	Property description	Significance	Item no
Marrickville	The Warren Archaeological site	54–68 Premier Street, 2–22 Mansion Street, 1–18 Richards Avenue, Richards Avenue, 1–3 Holts Crescent, Holts Crescent, 1–21 McGowan Avenue, McGowan Avenue, and 47A Thornley Street (Richardsons Lookout)	Lots 1–22, Sec A, DP 10854; Lots 1–7 and 10–24, Section B, DP 10854; Lots 1 and 2, DP 1116566; Lots 1, 3, 4 and 5, DP 582062; Richards Avenue; Holts Crescent and McGowan Avenue	Local	A-17-5
Newtown	Brady’s House and Enmore Town Houses Archaeological site	59-81 Enmore Road and part of Wilford Lane	Lot 11, DP 1152825; Lots 1-34 and CP/ SP 83565; Lot F, DP 443979; Lots 1, 2 and 4, DP 571460; Lot 31, DP 808310	Local	A-18-6
Newtown	Stanmore House Archaeological site	88–92 Enmore Road	Lots 50–52, DP 3605	State	A-18-7
Newtown	Thurnbey Archaeological site	1–13 Phillip Street	Lots A and B, DP 437310; Lots 1 and 2, DP 1207441 Lots 4–7, Section 2, DP 6051	Local	A-18-8
Newtown	St Stephen’s Cemetery Archaeological site	187 Church Street	Lot 1, DP 137465; Lot 596, DP 752049	Local	A-18-9
Newtown	Bello Retiro Archaeological site	1–15 Darley Street, part of Darley Lane, Maria Lane and 2A–8 Wells Street	Lot 91, DP 703535; Lots 1–18 and CP/SP 16402; Lot D, DP 333571; Lots 1 and 2, DP 608046; Lots 1 and 2, DP 222322; Lot 1, DP 912464; Lot 1, DP 921768	Local	A-18-10
Newtown	Holmwood Archaeological site	13, 13A, 15A and 15 Dickson Street	Lots 30–35, Section B, DP 2569	Local	A-18-11
Newtown	Reibey House Archaeological site	31–35 Station Street	Lots 1–64 and CP/SP 13845	Local	A-18-12

Locality	Item	Address	Property description	Significance	Item no
Newtown	Camden Villa Archaeological site	95–141 Station Street, 118–158 Station Street and part of Station Street	Lots 1–9, DP 710339; Lot 1, DP 1204809; Lots 1 and 2, DP 524203; Lots 21, 26–36, 40–49, DP 2257; Lots 1–3, DP 107405; Lot 2, DP 318357; Lot 1, DP 1130043; Lot 2, DP 340460; Lots 1 and 2, DP 597665; Lots 1–5, DP 108211; Lot 1, DP 908073; Lot 29, DP 660892; Lots 1 and 2 and CP/SP 85515; and part of Station Street	Local	A-18-13
Petersham	Sydenham House Archaeological site	67–77 New Canterbury Road and 31 Gordon Street	Lots A, B, C, D, E and F, DP 27818; Lot 10, DP 717391	Local	A-19-14
Petersham	Sara Dell Archaeological site	620 Parramatta Road	Lot 3, DP 826604	Local	A-19-15
Petersham/Le wisham	Petersham House Archaeological site	5A Railway Terrace and Part 29 West Street	Lots 1 and 3, DP 1031741; Lot 3, Section 1, DP 240; Lot 1, DP 929435	Local	A-19-16
Petersham	Terminus Cottage Archaeological site	21–27 Searl Street and part of Searl Street	Lot 1, DP 186558; Lot 1, DP 190030; Lots A and B, DP 370545	Local	A-19-17

Locality	Item	Address	Property description	Significance	Item no
Stanmore	Annandale House Archaeological site	68–116 Albany Road, part of Percival Avenue, part of Albany Lane, 79–117 Macaulay Road, part of Macaulay Road and part of 40–66 Northumberland Avenue	Part of Percival Avenue; Part of Macaulay Lane; Part of Macaulay Road; Part of Northumberland Lane West; Lots 11–35, 49–61, 65 and 66 and 71–73, Section Z, DP 4705 Lot 1, DP 608994 Lots 1 and 2, DP 531394 Lots 1 and 2, DP 703401 Lots 1 and 2, DP 703402 Lots 1 and 2, DP 364590 Lot X and Y, DP 107183 Lot L and M, DP 1417781 Lot X and Y, DP 442725 Lots 1 and 2, DP 106639	Local	A-21-18
Stanmore	Woerden Archaeological site	80 Cambridge Street	Lot 41, DP 739919; Lot 3, DP 554452	Local	A-21-19
Stanmore	Newington Archaeological site	244 Stanmore Road	Lot 8, DP 710369	Local	A-21-20
St Peters	Finningham Archaeological site	176 Princes Highway	Lot 6, DP 818380	Local	A-22-21
St Peters	St Peters Church of England and Cemetery	187 Princes Highway	Part Lot 1, DP 233214	Local	A-22-22
St Peters	Petersleigh Archaeological site	310 Princes Highway	Lot 1, DP 788037	Local	A-22-23
St Peters	Heathcote Archaeological site	340 Princes Highway	Lots 4–8, DP 1224273	Local	A-22-24
St Peters	Nun-Cotnook Archaeological site	364–370 Princes Highway	Lots 75–77, DP 1224416	Local	A-22-25
St Peters	Silverleigh Archaeological site	9 Unwins Bridge Road	Lot 1, DP 1002775	Local	A-22-26

Locality	Item	Address	Property description	Significance	Item no
Sydenham	The Grove Archaeological site	1–45 George Street and 2–52 Yelverton Street	Lot 1, DP 430105; Lots 1–4, DP 33496; Lots E, F, G and H, DP 441008; Lots A, B, C and D, DP 34202; Lots 1–12, DP 438533; Lot 1, DP 971187; Lot 1, DP 971075; Lot 1, DP 970798; Lots 20–39, DP 1224689	Local	A-24-27
Sydenham	Tivoli Archaeological site	42 Reilly Lane, Land in and around Hilton Avenue and Railway Lane	Lots 1–7, DP 16124; Closed Road (Lot 1, DP 129216); Hilton Avenue; Lot 3, DP 841307; Part of Railway Lane	Local	A-24-28
Tempe	Bellevue Archaeological site	5–7 Bellevue Street	Lots 101 and 102, DP 1149125	Local	A-25-29
Tempe	Marionette Archaeological site	1–15 Lymerston Street and 2A–26 Samuel Street	Lots 13, 14, 17–25 and 27–31, DP 3906; Lot 1, DP 972373; Lot 16, DP 658553; Lot 1, DP 1031603; Lot 26, DP 667388	Local	A-25-30
Tempe	The Poffle Archaeological site	750 Princes Highway	Lot 2, DP 803493	Local	A-22-29
Tempe	Gannon’s Inn Archaeological site	765–773 Princes Highway, 8 Gannon Lane and Gannon Lane	Lots A, B and C, DP 173539; Lots A and B, DP 322409; and Gannon Lane	Local	A-25-32