

Development Control Plan No

40



Warne Place South Marrickville



Administrative Centre 2-14 Fisher Street, Petersham
PO Box 14 PETERSHAM NSW 2049 | Phone: 9335 2222
council@marrickville.nsw.gov.au | www.marrickville.nsw.gov.au

Contents

Part 1	Introduction	1
1.1	Introduction.....	1
1.2	Site History.....	3
1.3	Urban Design Analysis.....	4
1.4	Vision for the Site.....	7
1.5	Achieving the Vision.....	7
1.6	Applying this DCP.....	8
Part 2	Development Context	11
2.1	General Aims & Objectives.....	11
2.2	Specific Objectives.....	11
2.3	General Design Elements.....	12
2.4	Design Principles for Warne Place.....	12
2.5	Site Analysis.....	13
2.6	Development Master Plan.....	14
2.7	Solar Access, Ventilation, Energy & Water Efficiency.....	15
2.8	Stormwater Detention & Sediment Control.....	15
2.9	Flooding & the Cooks River Flood Plain.....	16
2.10	Site Contamination.....	16
2.11	Geotechnical Aspects.....	16
Part 3	Design Controls	17
3.1	General.....	17
3.2	Floor Space Ratio & Site Coverage.....	18
3.3	Building Height.....	20
3.4	Building Setbacks.....	23
3.5	Landscaping & Open Space.....	25
3.6	Streetscape, General Appearance & Materials.....	25
3.7	Heritage Conservation.....	26
3.8	Parking & Access.....	26
3.9	Visual & Acoustic Privacy.....	28
3.10	Site Facilities & Waste Management.....	28
3.11	Safety & Security.....	29
3.12	Front Fencing.....	29

Part 1 Introduction

1.1 Introduction

Warne Place

The Site is the same as in Marrickville Local Environmental Plan (Amendment No 12) that amended the parent instrument Marrickville Local Environmental Plan 2001 (MLEP 2001) and rezoned the land of the Site to Residential 2(C) permitting urban housing and limited business retail and commercial uses on the land.

1.1.1 General

The specific development control plan cited below, has been prepared to guide preparation of a development application by the applicant (referred to as 'you', herein) for the redevelopment of the area known as Warne Place, South Marrickville.

1.1.2 Legal Citation

This Development Control Plan is called the Marrickville Development Control Plan No 40—Warne Place, South Marrickville, (called 'this DCP', herein) and applies to all of the land in Warne Place, described in Section 1.1.3, below.

1.1.3 Warne Place – the site

Warne Place site, referred to as 'Warne Place' in the text of this DCP, comprises all the land bounded by Roseby and Thornley Streets, Hampden Avenue and Illawarra Road, being Lots 549 and 550 DP 752049, Lots X and Y DP 421648, Lot 2 DP 388798, Lot 2 DP 187772, Lot 1 DP 329692, Lot 2 DP 185590, Lots 21, 22 and 23 DP 609856, Lot 1 DP 186932 and all of Roseby Street (also known as Warne Place), as shown in **Figure 1**. Warne Place may also be referred to as 'the Site' in this DCP.

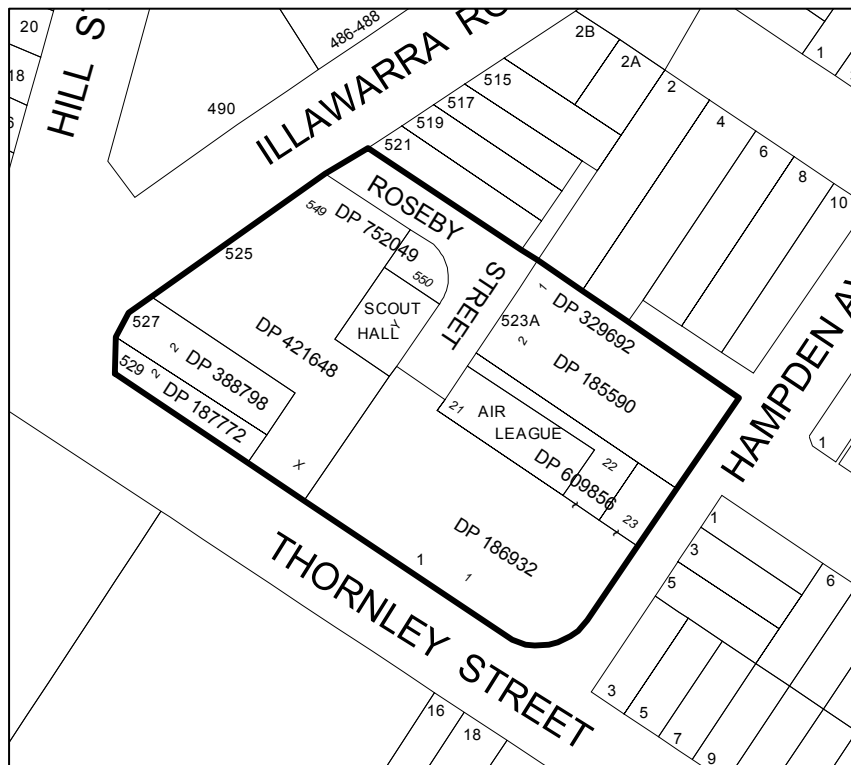


Figure 1: Warne Place: map showing real property description

1.1.4 Lot ownership & use

Table 1 indicates the street address, ownership, area, zoning and recent or current use of each allotment.

Table 1: current ownership, zoning and use of Site

LOT DESCRIPTION	ADDRESS	CURRENT OWNER	SITE AREA (m ²)	ZONING	USE Recent or current
Lot Y DP 421648	Warne Place	Marrickville Council	306	Private Open Space 6(B)	Former Scout Assoc.
Lot 550 DP 752049	Warne Place	Marrickville Council	121	As above	Vacant
Lot 21 DP 609856	Warne Place	Marrickville Council	415	As above	Former Aust. Air League
Lot 22 DP 609856	Warne Place	Marrickville Council	269	As above	Vacant
Lot 23 DP 609856	Warne Place	Marrickville Council	171	As above	Vacant
Lot 1 DP 329692	523A Illawarra Road	D. H. Callaghan (Owner A—Figure 2)	1360 (approx.)	As above	Factory - Concrete Products
Lot 2 DP 185590					
Lot 1 DP 186932	1 Thornley Street	Cover it with Plaster P/L, JCCG P/L + 4 others (Owner B—Figure 2)	2273 (approx.)	As above	Former Tennis Courts
Lot 2 DP 388798	527 Illawarra Road	SPC Whole Spares P/L (Owner C—Figure 2)	427	Residential 2(A)	Former auto spares shop
Lot 2 DP 187772	529 Illawarra Road	Mrs V V Annas (Owner D—Figure 2)	279	As above	Corner Shop
Lot X DP 421648	525 Illawarra Road	JCCG P/L, Panzhua P/L, Classy Paint P/L + 3 others (Owner E—Figure 2)	1929 (approx.)	As above	Former Service Station (demolished)
Area sub-total			7550 (approx.)		
Warne Place		Marrickville Council	502.5	Un-zoned	Public Road (proposed closed road) As above
Roseby Street (part)		Marrickville Council	101	Un-zoned	
Total Site Area			8432.5 (approx.)		

Source: Marrickville Council Records & Wallis & Moore Pty Ltd survey, Jan 2002

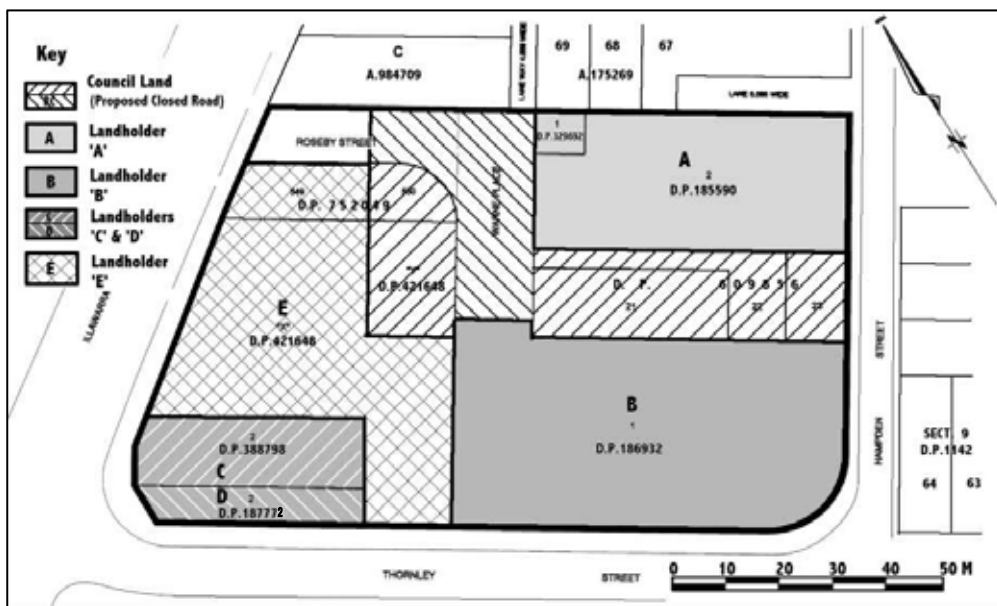


Figure 2: Land ownership (indicative only)

1.2 Site History

Warne Place is dominated by the remains of a large quarry cut into the hillside. This was called the Thornley Street quarry owned by the Webster Brothers and worked between 1886 and 1890.

The area immediately to the north of the quarry was developed for housing in the early 20th century. The streets above the quarry were subsequently improved by the erection of a sandstone wall along the quarry top. This project was a mid-1930s depression relief work. The wall together with the quarry cliff face is now a heritage item (Inventory Item No. 3.27).

Aerial photos and Council documents record significant changes between 1930 and 1999. (See Preliminary Geotechnical Assessment and Site History Review, Warne Place, Marrickville NSW, Coffey Geosciences Pty Ltd, Dec 2001.)

The 1930 photo shows an access road to the quarry face off Illawarra Road and show the surrounding residential land uses to the north, as presently, with market gardens to the south along the Cooks River floodplain, which is now Steel Park. Otherwise the site appears to be unoccupied at that time.

Most development of the site must have occurred in the immediate post World War II period, although the buildings on the corner of Thornley and Illawarra Road may be pre-war buildings.

The 1951 photo shows the tennis courts occupying the southern area of the former quarry pit. The Air Services League building is evident to the north of the tennis courts. The 1961 photo shows the presence of the service station along Illawarra Road approved in 1959. In 1975 the Scout Hall building was approved by the Council, with the 1978 photo showing that building and an L shaped shed building occupying land on either side of Warne Place. The latter building located near the northern quarry face (on Lot 2 DP 185590) was possibly used by a scrap metal merchant and replaced sometime after 1986 by a much larger rectangular factory building with a concrete paved area to the rear.

During the 1990s the above recreational and community uses ceased, including the Bowling Club formerly located in Steel Park, just south of the Site.

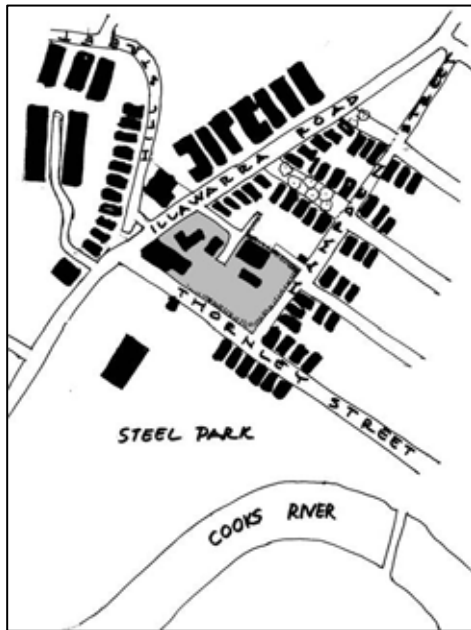


Figure 3: Existing urbanisation pattern

1.3 Urban Design Analysis

1.3.1 Neighbourhood

The residential neighbourhood is a relatively compact one, physically defined to the west, north and east by ridge lines and to the south by the flood plain of the Cooks River

The neighbourhood is characterized by a mixture of residential uses, some small scale industrial uses and recreational uses, the latter including extensive parkland along the Cooks River. (See Figure 3 and Figure 4)

Residential uses are currently primarily single family dwellings, with a significant number of residential flat buildings to the west across Illawarra Road.

1.3.2 Natural setting and vegetation

The site was originally part of a sandstone escarpment falling generally from north-east to south-west into the floodplain. Excavation and filling has left the floor of the former quarry virtually flat, defined by a near vertical wall ranging from about 15 metres high in the N-E corner to 1 metre near the south-west corner. There are no other natural features.

Vegetation on the site and in streets immediately adjoining it is very sparse, the only stands of mature street trees occurring in the road reserves of Day and Premier Streets to the north.

There are scattered stands of mature trees within the park system along the river, and a prominent avenue type row immediately to the east of the former bowling club buildings.

1.3.3 Street layout and hierarchy

The street layout to the east and north is essentially an orthogonal one, but is laid out at an angle of approximately 35 degrees east of north. Illawarra Road is at about 45 degrees east of north at this point, and the street and block layout to the west is irregular. Thornley Street carries some through traffic and Hampden Avenue is a local street.

1.3.4 Subdivision pattern

Traditional rectilinear allotments with a single frontage to a street dominate the residential subdivision pattern. The allotments are up to 18 metres in width, depth varying from 45 metres up to 70 metres.

1.3.5 Streetscape and built environment

The general quality of the streetscape in the immediate neighbourhood is very consistent: the mixture of residential and small retail/commercial uses generally sitting together quite comfortably in terms of scale.

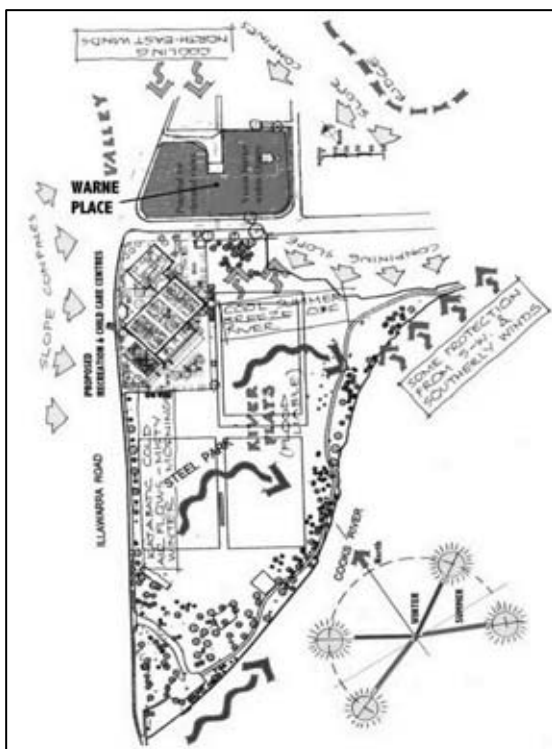


Figure 4: Environment map

Front and side setbacks are not large. A 4 metre building line in Illawarra Road, Thornley Street and Hampden Avenue is typical, but the resultant streetscape does not appear over-developed. This is due in part to the generous widths of some streets, and in part to the nature of the natural and modified terrain, including the parklands.

1.3.6 Urban form

The residential component of the immediate building stock consists of houses of various ages, materials and styles, predominately of one story. Some of the houses in the area have been enlarged, usually by first floor additions. In most cases traditional materials, roof forms and colours are used.

The industrial buildings on the site are naturally considerably larger both in terms of bulk and scale, and up to an equivalent of three storeys in height. Their construction generally consists of cement block walls and metal deck roofs, and of very utilitarian design.

1.3.7 Heritage

Items of heritage in the immediate neighbourhood consist of stone retaining walls and parapets, often with their natural stone bases visible.

1.3.8 Views

Views from the site are limited, due to the nature of the natural and modified landforms and the street pattern. There will be some views from some site development areas to the south across Steel Park to the Cooks River and to the west across Illawarra Road.

1.3.9 Vistas

There are no major vistas from or into the site but there is the potential to develop a gateway marker on the Illawarra Road/Thornley Street corner. A view corridor could also be established south across Steel Park.

Presently, houses along Thornley Street and Hampden Avenue enjoy views to the south to the Cooks River, veiled by large trees and across the quarry to the western ridge above the Illawarra Road valley.

1.3.10 Public open space and community amenities

There are several interesting public open spaces in the neighbourhood. These include Steel Park immediately to the south, part of an extensive open space system along the Cooks River.

The Plan of Management for Steel Park proposes a significant increase in community facilities, including a sports centre and kindergarten.

Community amenities existing on the site include a Scout Hall, an Air League building and tennis courts (although in private ownership). The tennis court use has ceased and the Scout Hall and Air League buildings (currently owned by Council), are under-utilised. The Scouts and Air League have been offered alternative accommodation within the Steel Park Recreational Facility. There are currently no other amenities in the immediate area.

To the north approximately 500 metres away along Illawarra Road a neighbourhood shopping centre provides retail facilities including a supermarket, convenience stores and medical and other amenities.

Conclusion of Urban Design Analysis

The Warne Place site is well placed for denser development of an appropriate urban design and architectural character, by virtue of its location, transport infrastructure, existing streetscape, access to major public open spaces and scale of existing surrounding development.

1.3.11 Transport

The site is serviced by the No. L 23 and No. 423 bus routes passing between Kingsgrove Depot and Circular Quay along Illawarra Road. Rail access is at Marrickville Station to the north or Tempe Station to the east. Road access to the site is currently available from Illawarra Road.

1.3.12 Potential roles and functions of the Site

From the conclusions reached by the Urban Design Analysis undertaken for the area (see text box adjacent), the following potential roles and functions may be derived:

a) Roles

- Incorporation in the urban consolidation objectives of Council and the State Government.
- Demonstrate physical and visual remediation of the site.
- Demonstrate the application of sustainable development principles to major sites.
- Enhance the amenity of the neighbourhood.

b) Functions

- Supply further housing choice in the area
- Provide appropriate convenience shopping
- Provide improved pedestrian and vehicular access to and through the site to amenities, including those proposed for Steel Park.
- Establish a southern 'gateway' to South Marrickville in Illawarra Road.

1.4 Vision for the Site

Council's vision for the site is one for its holistic development, by consolidating its present fragmented subdivision pattern in such a way as to enable a comprehensive Masterplan for the entire site to be prepared and implemented.

The Masterplan will be urban design based. It will produce strong physical and visual links with the surrounding urban context, including open spaces.

The vision is for a well integrated but distinctive development, avoiding in its design and subsequent management any suggestion of a 'gated' or enclave type intrusion into the urban fabric.

Within this overall vision individual examples of contemporary design will be encouraged, provided they can be seen as 'good neighbours' with each other and the adjoining environment.

1.5 Achieving the Vision

1.5.1 *Relevant Initiatives and Plans*

The vision for Warne Place is to be achieved through the provisions of this DCP, the set of initiatives referred to in Sections 1.5.2 and 1.5.3 and through the planning documents referred to in Section 1.6.2, below, being satisfied by you.

Landpooling Scheme

Such scheme of arrangements are common in many countries.

This is where landowners pool their land for its planning and project design stages prior to sale of the Site for development.

In some schemes, for example Switzerland where more than half of development projects proceed this way, most landowners including the local council retain equity beyond the planning and approval stages. That is, they are prepared to share some risk for future profit or for social reasons, such as a council retaining some dwellings for low-cost housing.

The basic arrangements are for land that is pooled, that the participating landowners (this may include a landholding developer) share all the obligations (costs and other time commitments) and the benefits (enhanced land values etc) in direct proportion to the holding held in the landpooling scheme.

1.5.2 *Land Consolidation*

To ensure that optimal use and development solutions are found for the Site by you, this DCP intends that allotments be consolidated, together with the partial closure of the road reserve of part of Roseby Street (also known as Warne Place). The Council will take separate action to close part of the public road.

Consolidation may be achieved by you either by:

- way of amalgamation of all the land of the Site
- through a landpooling agreement between you and/or any other parties to that agreement.

Consolidation is achieved where:

- you have amalgamated the Site sufficiently to gain control over greater than 7,500m² of the land. This is through direct ownership, options to purchase, or some other legal agreement satisfying the Council of prospective consolidation, or with any owners of land not yet consolidated agreeing to the lodgment of a development application by you applying to their part of the Site, or a combination of the above, or
- a landpooling agreement has been arrived at between you and all relevant land owners and that is supported

by a Draft Neighbourhood Plan that may be made under the Community Land Development Act, 1989. The re-subdivision and making of the Neighbourhood Plan will be a condition of any development consent under a consolidation based on a land-pooling agreement.

The Council may agree to partial consolidation, where it is clear that amalgamation or a land-pooling agreement over all of the Site is made impossible by one or other landowner holding out against such a scheme of arrangements, or is, in the opinion of the Council, withholding owners' consent unreasonably.

In exercising such discretion, Council:

- must decide whether a floor space ratio less than that maximum permitted shall apply to part or all of the Site
- shall consider and then direct the way development may be suitably staged
- shall be satisfied that all other provisions of this DCP are still achievable as intended.

The Council will require that the lands it owns at Warne Place, including roads proposed to be closed, are to be purchased by you or by a participant in a land-pooling scheme, before a development application is lodged. This minimises possible conflicts of interest.

1.5.3 Section 94 Contributions Plans

The Marrickville Section 94 Contributions Plan, 1996 (S94 Plan), indexed to 30 June 2000, generally applies to the Site. This S94 Plan sets out contributions both financial and/or in kind that are to be paid/given or dedicated to the Council to help fund the provisions of services and facilities which will benefit employees and residents of the Warne Place development.

1.6 Applying this DCP

1.6.1 Preparation of the Plan

This DCP has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. Council is required by Section 79C of the Act to take this DCP into consideration when determining development applications on land to which this DCP applies. This DCP was adopted by Council on 4 March 2003 and came into force on 29 October 2003 following gazettal of Marrickville Local Environmental Plan (Amendment No. 12) (referred to as Amendment No. 12, herein) on 12 September 2003. See Figure 5 for the zoning of the Site under Amendment No. 12.

1.6.2 Relationship to other plans

This DCP forms part of an integrated hierarchy of planning controls. The primary statutory document is the Marrickville Local Environmental Plan 2001 (referred to as MLEP 2001



Figure 5: Zoning map

herein), as amended by Amendment No. 12, both referred to above, and Volumes I & II of the Marrickville Development Control Plan No 35—Urban Housing (referred to as DCP 35 herein).

The following DCPs should also be referred to:

- **DCP No. 19**—Parking Strategy
- **DCP No. 27**—Waste Management and Minimisation
- **DCP No. 29**—Contaminated Land Policy & Development Controls
- **DCP No. 30**—Cooks River Floodplain
- **DCP No. 31**—Access and Mobility
- **DCP No. 32**—Energy Smart Water Wise
- Marrickville Council Stormwater and On-Site Detention Code.

DCP 35 and this DCP are generally consistent with MLEP 2001. However, in the event of an inconsistency, the provisions of the MLEP 2001 prevails. If there are any inconsistencies between DCP 35 and this DCP, this DCP prevails.

The MLEP 2001 also establishes the statutory link with Council's DCP No. 36—Exempt and Complying Development. Only specified minor works can be considered under this DCP and where you may find that it does not require formal approval. This may be established by consulting with Council's staff.

A number of issue-based DCPs also apply and must be separately referred to. These are listed in the text box adjacent. Cross-references to the adjacent relevant DCPs have been made throughout DCP 35.

1.6.3 Marrickville Local Environmental Plan (Amendment No. 12)

Amendment No. 12, referred to above, applies to all land of the Warne Place Site, and does the following for the Site:

- rezones all the land (including the existing road reserves) to permit development for Residential 2(C) purposes
- permits a number of commercial/retail purposes normally permitted only in Business zones, being commercial premises, refreshment rooms and shops within a landmark building up to a maximum building floor space of 750 m²
- sets a range of building floor space ratios (FSR) for development, ranging from a maximum of:
 - 0.75:1 FSR for any single allotment or any parcel of land with a total area of up to 1,500m²
 - 1.0:1 FSR for a parcel of land over 1,500m² and up to 6,000m² in size
 - 1.2:1 FSR for a parcel of land greater than 6,000m² but does not fully consolidate the Site
 - 1.5:1 FSR for a fully consolidated Site and if a development relates to the whole site.

1.6.4 Making an application

Before commencing detailed design work for a proposal, you are advised to make yourself familiar with the relevant LEP and DCP controls and refer to Council's standard forms.

Copies of the above mentioned LEPs, DCP 35, issue based DCPs, and any other specified standard information mentioned below, may be obtained from Council's Citizens' Service Centre or on Council's web site at www.marrickville.nsw.gov.au.

It is very important that you discuss your proposals with Council staff prior to preparing detailed designs and a Statement of Environmental Effects (SEE) report for lodging your development application. This can save you time and money and enable Council officers to explain the contents of this DCP, advise you on addressing potential conflicting issues, in considering solutions to achieve the best outcome for the area, the Site and in your own interest.

Statement of Environmental Effects (SEE)

Matters to address and explain are to focus on answering: How this DCP's provisions have been achieved. The headings are:

GENERAL & TECHNICAL

- General & Specific Objectives
- General Design Elements
- Design Principles for Warne Place
- Site Analysis – summarise and refer to the map
- Development Master Plan – summarise and refer to the map and relate to the Design Controls
- Solar Access, Ventilation, Energy & Water Efficiency
- Stormwater Detention & Sediment Control
- Flooding & The Cooks River Flood Plain
- Site Contamination & Geotechnical Issues

DESIGN CONTROLS

- Design Element A – Sustainable Development Design
- Floor Space Ratio & Site Coverage
- Building Height
- Building Setback
- Landscaping & Open Space
- Streetscape, General Appearance & Materials
- Heritage Conservation
- Parking & Access
- Visual & Acoustic Privacy
- Site Facilities & Waste Management
- Safety & Security

Also address all other relevant DCPs sequentially.

1.6.5 Submission of a Statement of Environmental Effects (SEE)

In order for the Council to assess how your application has addressed the provisions of the LEP, this DCP and all other relevant DCPs, you will need to prepare a Statement of Environmental Effects (SEE) which must be submitted together with your development application. The standard Statement of Environmental Effects form covers the main requirements. However, this form may not be suitable for a major development proposal for all or part of the Site.

Establish with Council's staff whether use of the standard form is appropriate for your proposal.

The SEE requirements for a major development are as listed in the adjacent text box. The comprehensive SEE Report submitted with the application, including maps, architectural, survey and engineering drawings, and a heritage report must assess and address all the matters listed.

1.6.6 Variations to Controls in this DCP

Where any measurable controls within this DCP or any other applicable DCP have not been satisfied, you must demonstrate that the intent of the controls have been satisfied in the SEE by referring to the relevant objectives of each design element.

1.6.7 Can an application or approval be changed or modified?

Yes, an application can be changed prior to its determination by the Council. However, if the changes are considered significant, it may be re-advertised and additional fees become payable. An approval can be modified, but only if the Council accepts the development remains substantially the same. It is recommended that you consult with Council officers when changes are contemplated.

1.6.8 Further information about the Development Application Process

For other enquiries on the lodgment of applications, such as the necessary forms and fee assessment procedures, please contact Council's Citizens' Service Centre on (02) 9335-2222.

1.6.9 Consult Council staff

It is very important that you discuss your proposals with Council staff prior to preparing detailed designs and an SEE report for lodging your development application.

Part 2 Development Context

2.1 General Aims & Objectives

The general objectives applying to development of urban housing are:

- To provide more details on the residential controls contained in the Marrickville Local Environmental Plan, 2001 (MLEP 2001).
- To provide detailed design objectives, and controls that encourage innovative design that enhances the character and context of the locality.
- To encourage high quality urban design and housing outcomes.
- To promote development that responds, enhances and contributes to Marrickville's heritage.
- To enhance the quality of life and promote the well being of the local community.
- To encourage residential development which is sensitive to the local environment, socially responsive, promotes a safe living environment and makes better use of existing infrastructure.
- To ensure that new development considers the principles of ecologically sustainable development, in particular energy, water and stormwater efficiency, solar access, natural ventilation, waste reduction and local bio-diversity.

2.2 Specific Objectives

The specific objectives for the development of Warne Place are:

- To establish new (and rationalise existing) planning controls to provide for an overall increase in housing stock and provide for the development of a wider choice of housing forms.
- To ensure land consolidation of allotments occurs.
- To achieve integrated and possibly staged development and an appropriate mix of uses.
- To ensure that good urban design is a feature of all development on the site, and such design is commensurate with the overall character of South Marrickville.
- To permit mixed development within the site.
- To optimise outcomes, including by the provision:
 - of a variety of housing types
 - of common open spaces, and access and links to Steel Park
 - for road closure and limiting vehicle access and surface car-parking

- of flood prevention measures.
- To preserve existing views and vistas in and around the site by including site specific height limits and planes.
- To ensure the preservation of, access to, and display of the heritage item on the site.

2.3 General Design Elements

References

Other general design reference documents include:

- **Achieving Better Design:** Residential Flat development in NSW, PlanningNSW
- **Better Urban Living:** Guidelines for Urban Housing in NSW, PlanningNSW 2000
- **Design Quality of Residential Flat Development** (Draft SEPP 65), PlanningNSW 2001

2.3.1 General

Volume II of DCP 35 provides you with a series of design elements to consider when proposing new development. The design elements require designers to look at both the context and streetscape as well as specific site conditions in order to achieve a harmonious and well-presented development. The design elements are grouped together under four broad areas of consideration, and include:

- Design Element A Sustainable Development Design
- Design Element B Building Form & Character
- Design Element C Environmental Amenity
- Design Element D Heritage Management.

Part 2—General Design Elements in DCP 35 (pages 9 - 24, inclusive), apply except for any additional provisions in Part 3 of this DCP.

2.3.2 Design Element A: Sustainable Development Design

Design Element A addresses sustainable development design. The objectives and design controls of DCP 35, *Element 2A—Sustainable Development Design*, apply to this DCP.

2.3.3 Design Elements B, C & D

These design elements are further addressed in Part 3—Design Controls of this DCP.

2.4 Design Principles for Warne Place

- Provide a strong, recognisable entry to South Marrickville at the Illawarra Road 'gateway'.
- Ensure all development within the Warne Place precinct is of a high design standard, consistent with the principles in the references.
- Provide higher density residential development within the precinct.
- Define the Illawarra Road and Thornley Street (to the start of the heritage stonework) edges with a strong wall of buildings, as part of a high quality public domain.
- Provide a focus for a north–south vista from Steel Park.

- Create street addresses for the maximum number of dwellings.
- No vehicular entry to or egress from the precinct to Thornley Street.
- Ensure retention of the heritage item and preserve a proper curtilage for it.
- Provide opportunities for deep soil planting within the precinct.

Site Context Analysis Plan

A Site Analysis Plan should be to a scale of either 1:100 or 1:200 and must indicate:

- The legal description of the land including lot and deposited plan (DP) number.
 - A north point and bar scale - to understand the land's orientation and size.
 - Contours or spot levels to Australian Height Datum (AHD) to understand levels and the slope of the land.
 - The location, canopy spread, name (common and botanical) and spot level of existing trees and vegetation, including those on adjoining property boundaries. Council consent is required for the removal or pruning of all trees protected by Council's Tree Preservation Order and clause 56 of MLEP 2001.
 - Existing buildings - how will they fit with new development and which buildings are to be demolished?
 - Views to and from the land - these may offer benefits to future residents.
 - Existing pedestrian and vehicle access points - access may need to be improved.
 - Drainage and services - this will have implications for new development and neighbours.
 - Sun and shade characteristics and prevailing air movements - new development should respond to the local climate, including beneficial breezes or adverse winds.
 - Noise sources - can the effects be reduced?
 - Contaminated soil and fill areas - to what extent and will these pose problems?
 - Fences, boundaries and easements - important ownership details.
 - The location, height, footprint and use of surrounding buildings - how will your plans impact on neighbours?
 - Abutting private open spaces and windows, particularly those within 9m of the Site's neighbours' privacy needs to be maintained.
- (continued next page)

2.5 Site Analysis

2.5.1 Existing Analysis

A general analysis of the Site has already been undertaken. A summary of the key findings is in Section 1.3 and illustrated in Figures 2 and 3, above.

2.5.2 Additional Analysis

Understanding the site of your proposal is important for the development of a site layout Master Plan and the design of the buildings and landscaping for the development.

A Site Context Analysis is required (mandatory). The requirements for undertaking this analysis are set out in DCP 35, Part 4: Supporting Design Advice (pages 71 - 74).

The purpose of a Site Context Analysis plan is to identify key features of your land and its surroundings. Any land on which development is proposed presents opportunities and constraints to the design of that development. Understanding the site context is the first step in designing a development.

2.5.3 Benefits of Site Context Analysis

The preparation of a Site Context Analysis Plan will assist in the following ways:

a) Minimise overshadowing, loss of privacy and views

Potential objections from neighbours regarding privacy issues can be effectively eliminated, or reduced, by consideration early in the design stage of overshadowing, window positioning and view issues. This can avoid delays in the assessment of your application.

b) Used in Discussions with your Neighbours & Council Officers

The site context analysis plan can be used in discussions with your architect, your neighbours, and Council officers. A well-prepared site context analysis plan can assist in the efficient assessment of your development application

c) Improve Energy Efficiency

Energy bills can be reduced by careful consideration of the positioning of dwelling/s or building additions. Check

Site Context Analysis Plan

(continued from previous page)

- Views and solar access enjoyed by adjacent residents - will you block neighbours' views or sunlight?
- Trees and vegetation on adjacent properties, particularly those within 9m of the land - how will you affect other people's vegetation?
- The location and height of walls built to or near the site's boundaries - what are their implications for design and their impact on adjoining development?
- Street frontage features such as service poles, street trees, kerb crossings, bus stops and services - what and where are the street features?
- The built form and character of adjacent and nearby development, including characteristic fencing and garden styles - does the new development fit in with the street and locality?
- The difference in levels between the land and neighbouring properties - what are the implications for drainage, overshadowing and privacy?
- The location of on-site and nearby items of environmental heritage and potential conservation areas - how will the development affect the heritage significance of the land and the neighbourhood?

that windows are placed in ways that will reduce heat gain, and avoid excess winter heat loss. Over several years this can amount to significant savings in energy costs.

d) Integrate your design

New residential development needs to be sensitive to the context and environmental conditions of the locality. The site context analysis should identify the special qualities of the site, the street and the neighbourhood and explain how the proposed development relates to these qualities.

After undertaking a site context analysis of the site, the information may be presented in the form of a sketch plan and include written text, (see Figure 6) or form part of the Statement of Environmental Effects required to be submitted with your development application.

2.5.4 Plan Information

Some of the information that you should include on your Site Context Analysis Plan is listed in the text box adjacent and on previous page.

2.6 Development Master Plan

2.6.1 General

For all significant development, you should prepare a comprehensive Master Plan for the whole Site, not just for your land. The Master Plan is to fully illustrate the concept of the proposal on your land and for the Site as a whole and show how environmentally sustainable design aspects have been satisfied by you.

The Master Plan is also an effective tool for an application that is 'staged development', under Section 91AB of the Environmental Planning and Assessment Act 1979. Where the Site's consolidation is part of a landpooling scheme Council would prefer your application to be a 'staged development' application.

Any Master Plan prepared for the site must be subject to peer review. Peer review may consist of assessment by one or more, or by a panel of suitably qualified consultants, at Council's discretion.

2.6.2 Controls you must comply with: Contents of the Master Plan

The Master Plan should clearly show and explain the building bulk, scale and form of your development, the open space and landscaping proposed, heritage conservation measures, access, parking and pedestrian and cycling circulation arrangements and how you propose to satisfy this DCP's objectives and design controls.

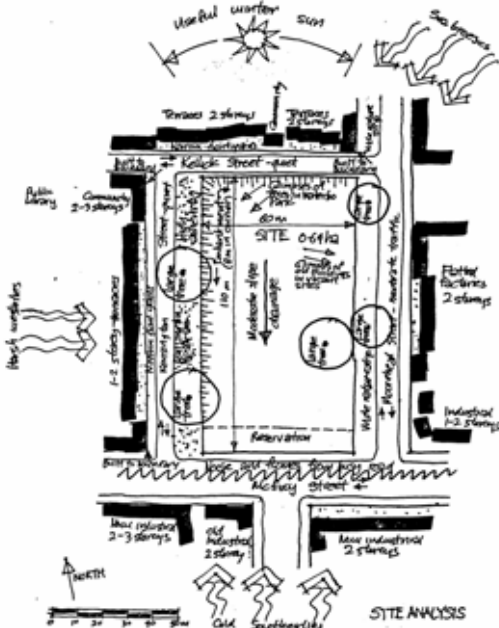


Figure 6: Site Analysis

The Master Plan must contain the following documents:

- Building Footprint Plan and Cross Sections through the Site and general architectural drawings generally indicating the possible buildings and their floor plan layouts
- Open Space & Landscaping Plan
- Parking & Access Plan.
- Axonometric or Perspective drawings illustrating the project, with a Model of the Site and the immediate surroundings, at a scale of at least 1:200
- Details of ongoing access arrangements to the heritage quarry rock face
- Planning Report that addresses the key features of the proposed development and how this DCP's requirements are to be satisfied.

2.7 Solar Access, Ventilation, Energy & Water Efficiency

2.7.1 General

The objectives and provisions of DCP 35, *Element A1—Solar Access, Ventilation, Energy & Water Efficiency*, apply.

2.7.2 Controls you must comply with

Building setbacks to the northern quarter of the Site (see Section 3.4—Building Setbacks) would need to be significantly increased if a carparking podium is not developed as indicated in this DCP (see Section 3.8—Parking & Access). This is to ensure adequate solar access to dwellings in the lowest storey is achieved.

2.8 Stormwater Detention & Sediment Control

2.8.1 General

The objectives and provisions of DCP 35, *Element A2—Stormwater Detention & Sediment Control*, apply.

2.8.2 Controls you must comply with

On-site detention (OSD) of stormwater will be required. The OSD system will require full hydraulic design plans to be prepared.

There is an easement containing a major trunk stormwater drain that passes diagonally across the Site. Design issues arise as comprehensive development of the Site, envisaged under this DCP, will potentially affect this drain. Before you undertake site design the Council Engineer's advice should be obtained to establish the opportunities and constraints, or options available to development.

Hydraulic and civil engineering design plans would need to be prepared to address defined issues, including for the bridging, relocation or otherwise amending the stormwater main system.

2.9 Flooding & the Cooks River Flood Plain

Advisory Note

The floor level for habitable rooms, 0.5m above the standard flood level, is 3.50 AHD for the Warne Place site. This level has been adopted nominally in this DCP as the artificial natural ground level for the purpose of establishing the height of buildings.

The above figure has been adopted on the basis that it has been approved by Council for nearby development.

2.9.1 General

The Objectives and provisions of DCP 35, *Element A3—Flooding & the Cooks River Flood Plain*, and of Cooks River Flood Plain DCP No. 30, apply to this DCP.

The history of the site, its excavation as a former quarry, and its location on the edge of the Cooks River floodplain, require particular attention to be paid to the objectives and controls of this section.

2.9.2 Controls you must comply with

Any basement level uses shall be adequately protected to minimise entry of flood water and with adequate pumping capacity to remove water that may enter through openings provided for access.

2.10 Site Contamination

References

You should also refer to the following documents:

- SEPP No.55—Remediation of Land;
- DUAP's Managing Land Contamination Planning Guidelines;
- Environment Protection Authority Guidelines relating to land contamination and remediation; and
- Preliminary Geotechnical Assessment and Site History Review – Warne Place, Marrickville Coffey Geosciences Pty. Ltd. December 2001

2.10.1 General

The Objectives and provisions of DCP 35, *Element A4—Site Contamination*, and of Marrickville DCP No. 29—Contaminated Land Policy, apply.

2.10.2 Controls you must comply with

Potential areas of environmental concern have already been identified in a Preliminary Report (see Information, adjacent).

2.11 Geotechnical Aspects

The principal geotechnical concerns raised in the Coffey Geosciences report relate to the stability of the sandstone walls and the sandstone retaining walls above. While acknowledging that the performance of the walls has been satisfactory to date the report's Conclusions and Recommendations state in part

"The main geotechnical issues associated with the site are the future stability of the quarry face and stone retaining wall above the rock face, and the foundation conditions over the quarry floor"... "The future development of the site will require appropriate assessment of the sections of quarry face that adjoin the development, depending on the proposed configuration and type of building and use of open areas above and below the face and stone retaining wall".

Part 3 Design Controls

3.1 General

3.1.1 General

Note

The headings of each section in this part of this DCP are the same as used in the Urban Housing DCP, Design Elements B, C & D, but are not in the same order.

The arrangement in this DCP is based on the preferred control priority for the guiding of spatial arrangements on the Site followed by building design aspects.

The design elements controls and guidelines in DCP 35, being:

- Design Element B Building Form & Character
- Design Element C Environmental Amenity
- Design Element D Heritage Management

are further addressed in this Part of this DCP.

The Built Form & Character, Environmental Amenity and Heritage Conservation provisions of DCP 35 are referred to and enhanced, below.

3.1.2 Definitions

Definitions important to this DCP follow. For definitions, always refer to MLEP 2001, which prevails in the event of any inconsistencies between it and this DCP.

carparking podium means that artificial natural ground level established generally in the north-eastern corner of the Site upon which buildings may be built, under which a one or two level carparking area has been established (see Section 3.8—Parking & Access, for the area where such carparking may be built).

flood free podium means that artificial natural ground level established over part of the Site upon which buildings may be built, being a level that is at least 0.5m above the flood standard adopted by the Council. For the Site this level is 3.50 AHD.

floor space ratio (FSR) means the ratio of gross floor area of the building(s) to the area of the site on which the building(s) is/are, or is/are to be, erected.

gross floor area in the context of this DCP, means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1400 mm above each floor level excluding:

- a) columns, fin walls, sun control devices and any elements, projections or works outside the general lines of the outer face of the external wall
- b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air conditioning ducts
- c) car parking needed to meet any requirements of the Council and any internal access thereto, and
- d) space for the loading and unloading of goods.

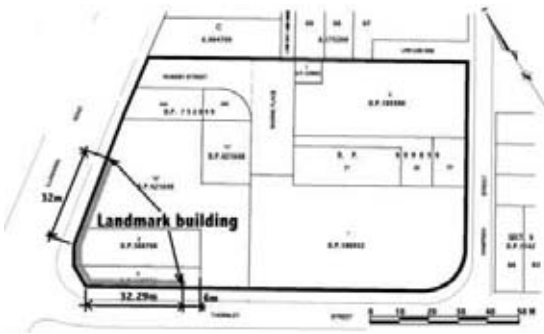


Figure 7: Landmark building location

height, in this DCP means the distance measured vertically from any point on the ceiling of the topmost floor of a building to the artificial natural ground levels immediately below that point. This definition applies to all that land covered by (Amendment No. 12).

heritage conservation curtilage means an area generally 9 metres wide parallel to the identified heritage item on the Site.

landmark building means a building located on a site designated for such use in any plan (see Figure 7 opposite, for the landmark building location), including a Masterplan, where the building will fulfill a recognized, designated urban design role such as terminating a vista, reinforcing a block street corner or forming part of a genuine gateway element.

site coverage means that proportion of the allotment occupied by the ground floor plan area of a building or buildings, including garages, carports, awnings, out buildings, etc, expressed as a percentage ratio.

Under this DCP, also excluded from the site cover calculation are:

- Above ground carparking under a podium, where the carparking is located and the podium is fully covered and landscaped as required under Section 3.5—Landscaping & Open Space
- Colonnades in the landmark building located on the corner of Illawarra Road and Thornley Street
- Arcades linking Illawarra Road to the public plaza and to the communal open space areas.

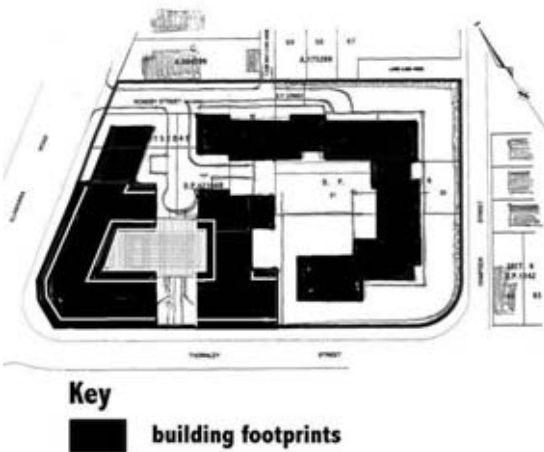


Figure 8: Building footprint

Note

Figure 8 illustrates a possible site layout and building footprint of potential development of the Site.

storey means any floor containing any habitable room or rooms, or purposes permissible under this DCP, within a building built above the artificial natural ground levels.

3.2 Floor Space Ratio & Site Coverage

3.2.1 General

Council's floor space ratio (FSR) and site coverage controls aim to facilitate an acceptable bulk and scale of development that is in relationship with the street and adjoining development.

While MLEP 2001 and Amendment No. 12 establish the maximum FSR, this may only be achieved by satisfying the other relevant design controls contained in DCP 35 and this DCP.

For Warne Place, the Council seeks to apply a higher FSR to that which normally applies on Residential 2(C) zoned land, provided the land is consolidated with a maximum FSR available to a fully consolidated site.

Element B1—Floor Space Ratio & Site Coverage Objectives

O1 To ensure that new development results in a floor space ratio (FSR) and site coverage that is compatible with the existing zoning and desired future character of the locality.

O2 To ensure that new development results in a site coverage which allows adequate provision to be made on site for infiltration of stormwater, deep soil planting, landscaping, footpaths, driveways and for outdoor recreation areas.

3.2.2 Objectives

Development Standards

The maximum floor space ratio (FSR) and minimum site area controls as they apply to multi unit housing, residential flat buildings in residential zones are given legal precedence by being included in the Marrickville Local Environmental Plan, 2001. These controls are referred to as "Development Standards" under the Environmental Planning and Assessment Act and Council cannot approve a variation to these development standards, unless an applicant has provided written justification in terms of State Environmental Planning Policy No. 1 (SEPP 1), and Council considers that objection to the standard well founded on planning grounds.

A SEPP 1 form has been prepared for such variations, and may be obtained from Council's Citizens Service Centre.

The objectives in DCP 35, *Element B1—Floor Space Ratio & Site Coverage*, generally apply (see text box at left).

The specific objectives for Warne Place are:

- To apply an FSR to the Site appropriate to the area and context of the land being developed.
- To use the FSR as an incentive for the consolidation of allotments to achieve an integrated development on the Site.

3.2.3 Controls you must comply with

The maximum permissible floor space ratio (FSR) and site coverage requirements, shown in Table 2, apply.

3.2.4 Commercial/Retail floor space

Within the maximum FSR permitted under Table 2, up to a maximum 750m² of building floor space may be used for commercial/retail purposes, specifically commercial premises, refreshment rooms and shops.

This floor space is calculated in the normal manner required under MLEP 2001, as amended by Amendment No. 12.

Table 2: Maximum floor space ratio (FSR) and site coverage

DEVELOPMENT TYPE	ZONE (as shown on map)	MINIMUM SITE AREA REQ'D (m ²)	MAXIMUM FLOOR SPACE RATIO (FSR)	MAXIMUM SITE COVERAGE	IMPORTANT NOTES
Multi Unit Housing	2(C)	-	1.0:1	50% for single storey; 40% for two storey	This type of housing is not preferred for the Site.
Residential Flat Buildings	2(C)	Single lot, or more than 1lot with a total site area of 1,500 or less	0.75:1	45% for one storey; 35% for two storeys; 30% for three or more storeys	Single lot development or development on land that has been only partially consolidated is not preferred for the Site
		more than 1,500 up to 6,000	1.0:1	As above	Application of this FSR requires amalgamation of land or a land-pooling scheme to be arranged
		6,000 or greater	1.2:1	As above	As above
		Whole site consolidated and development relates to whole site	1.5:1	As above	As above

Advisory Note

The potential maximum floor space and site coverage standards as outlined in Table 2 are not ‘as of right’ controls and will be dependant upon how well the proposed development meets all the other relevant design controls contained in this DCP. Compliance with the maximum FSR and Site Coverage controls does not automatically guarantee approval.

Exceptions to the requirements contained in Table 2, may be permitted by Council if the degree of non-compliance is minimal.

However, it should be noted that the FSR for the Site has been especially raised by the Council well above that generally prevailing for the Residential 2(C) zoning.

Notwithstanding compliance with the above numerical provisions, you must demonstrate that any new development is acceptable in terms of the following impacts upon the street and adjoining development:

- streetscape presentation (height, scale, and modulation of building facade)
- over-all height of buildings and structures is below the view preservation planes
- building setbacks
- open space and landscape requirements
- parking and vehicle access and safety arrangements
- overshadowing and privacy considerations
- visual impact
- the size and shape of the allotment
- site topography.

Calculating Site Coverage:

$$\text{Site coverage} = \frac{\text{Area occupied by ground floor plan of building(s) etc. on the site}}{\text{Allotment area}} \times 100$$

3.3 Building Height

3.3.1 Warne Place building height

For Warne Place the general building height controls contained in DCP 35 are overlain with height plane controls.

These supplementary controls, below, are specifically designed to preserve views across the Site for existing dwellings located in the north-eastern quadrant above the former quarry with addresses in Hampden Avenue and Day Street.

3.3.2 Objectives

The objectives of DCP 35, *Element B2—Building Height*, generally apply (see adjacent text box).

The specific objectives for Warne Place are:

- To minimise buildings and structures obstructing views across the Site to the Cooks River and to the ridge to the south-west.
- To minimise the height of buildings in line with the height of the quarry wall.
- To create a ground level view corridor and pedestrian level link through the Site into Steel Park.
- To provide scope for a landmark building on the corner of Illawarra Road and Thornley Street.
- To allow flood-free and carparking landscaped podiums to be built above the existing ground level to establish a new ground level from which building heights may be measured.

Element B2—Building Height Objectives

O1 To use the maximum height limits specified in the Marrickville Local Environmental Plan 2001 to assist in responding to the desired future character of the locality.

O2 To ensure the height of development relates to the local topography with minimal cut and fill.

O3 To ensure development has minimal impact on neighbouring properties in terms of building dominance (bulk & scale), overshadowing, and privacy.

3.3.3 Controls you must comply with

Figure 9, adjacent, illustrates the number of storeys possible for an integrated development of a fully consolidated site.

a) General height controls

Table 3 shows the maximum permissible height limits:

Table 3: Maximum building height provisions

DEVELOPMENT TYPE	ZONE (as shown on Map)	MAXIMUM HEIGHT (In metres)	IMPORTANT NOTES
Multi Unit Housing	2(C)	10	This type of housing is not preferred for the Site.
Residential Flat Buildings	2(C)	10	This maximum height limit in the Residential 'C' zone may only be exceeded if the site exceeds 2,500m ² in area and has a frontage of not less than 30m and any such building's roof and rooftop structures are kept below the Site's view preservation planes (see Figures 10, 11, 12 and Section 3.3.3 f).
		15	This maximum height applies to building/s provided any such building's roof and rooftop structures are kept below the Site's view preservation planes (see Figures 10, 11, 12 and Section 3.3.3 f).

b) View preservation planes, cone and corridor

The view preservation planes, corridor and view cone controls for the Site are shown in Figures 10, 11 and 12. The numbers indicate levels, relative to Australian Height Datum (AHD), above which any building's roofs and rooftop structures, must not project.

View preservation planes for existing dwellings (See Figures 10, 11, 12)

Figures 13 and 14 and the following explanations establish the permissible building envelopes on the site.

Day Street dwellings above the Site

This view plane down towards the Cooks River, about 450 metres distant, falls across the Site from 21.00m AHD at the northern boundary to 17.00m AHD at the southern boundary of the Site.

Hampden Avenue dwellings above the Site

- An angled view cone down towards the Cooks River, about 350 metres distant, is cast falling in a plane starting at level 19.94 AHD at the upper dwelling crossing the southern boundary of the Site at 17.00 AHD and at level 16.61 AHD from the lower dwelling crossing the extension of the southern boundary of the Site at level 15.50 AHD.
- Three horizontal planes across the Site towards the south-western ridge are cast at level 19.94 AHD at the upper dwelling, 18.70 AHD at the middle dwelling and 16.61 AHD for the lower dwelling.



Figure 9: Building height

Advisory Notes

- The maximum height limits as outlined in Table 3 above, are not 'as of right' controls and will be dependent on how well the proposed development satisfies all the other relevant design controls contained in this DCP.
- Compliance with the maximum height controls does not automatically guarantee approval.
- The critical height controls are the view preservation controls detailed in Section 3.3.3 b)).

Development Standards

The advice on development standards provided in Section 3.2 Floor Space Ratio & Site Coverage, also apply to the building height standards.

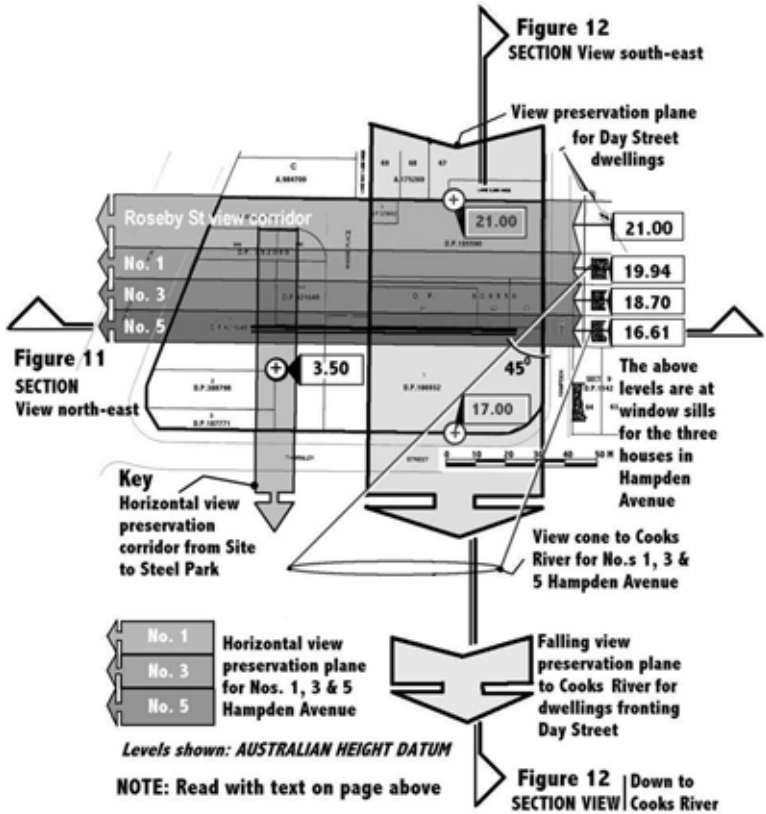


Figure 12: View Preservation (this is a building height control map for the site)

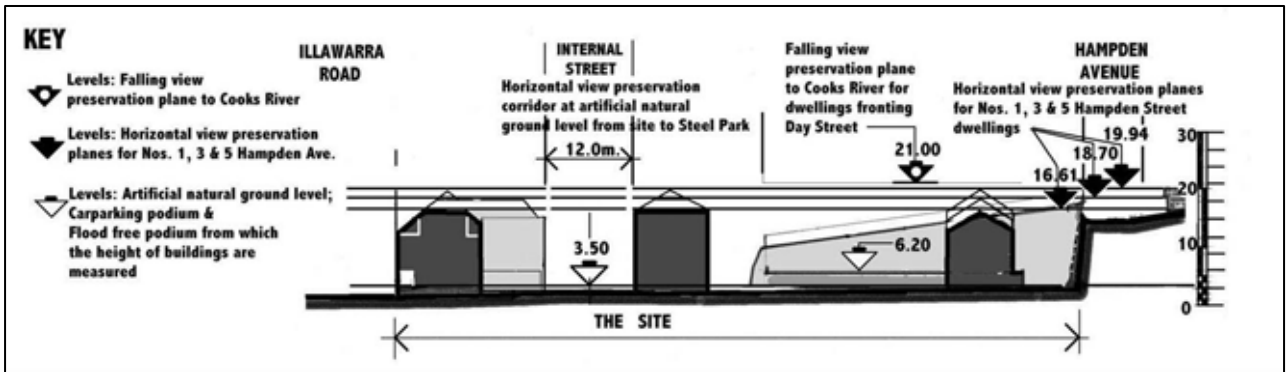


Figure 12: View Preservation Section: view north-east

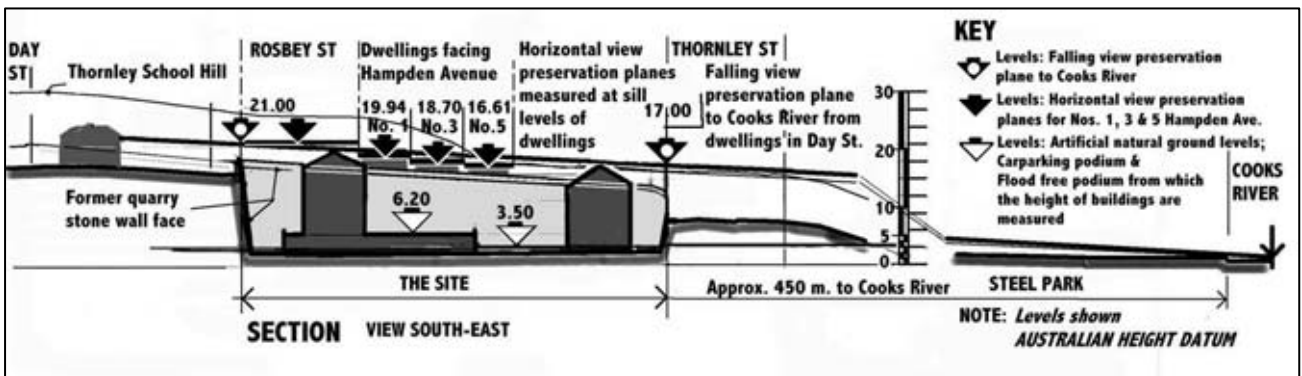


Figure 12: View Preservation Section: view south-east

3.4 Building Setbacks

3.4.1 General

Setbacks in this DCP define the outer extremities of a building in relation to the perimeter boundaries, to create a view corridor and for separation of external walls of adjacent buildings located on the Site.

DCP 35, *Element B3—Building Setbacks* also applies to any existing allotment where such land is not consolidated into the Site, but numerical setbacks shown under this DCP shall prevail.

Element B3—Building Setbacks Objectives

O1 To integrate new development with the established setback character of the street.

O2 To maintain a reasonable level of amenity for neighbours with adequate access to sunlight and fresh air.

O3 To ensure adequate separation between buildings for visual and acoustic privacy.

3.4.2 Objectives

The objectives of DCP 35, *Element B3—Building Setbacks*, apply (see text box in the adjacent column)

The specific objectives for Warne Place are:

- To create a heritage curtilage along the quarry face and stone wall.
- To provide reasonable solar access to dwellings located adjacent to and below the quarry face and stone wall.
- To provide a view corridor from the Site to Steel Park.

3.4.3 Controls you must comply with

a) Perimeter & view corridor setback for the Site

The perimeter boundary and view corridor setbacks for the Site are shown on Figure 13.

b) Building separation distances

Table 4 defines building separation distances for development within the Site. External walls of buildings opposite each other, in the facing relationship described in Column 1, shall be separated by the minimum distance shown in Column 2 of Table 4.

c) Landmark building setbacks & colonnades

The Landmark building shown on Figure 7 is set to the boundary on the corner for the distances shown. Similarly, a building located south-east of the view corridor may be set to the Thornley Street boundary for the distance shown on Figure 14.

d) Colonnades

The colonnades along the landmark building frontage and under the abovementioned adjacent, is to be continuous and a minimum of 3.0 metres deep having a minimum clearance along its length between any columns or supporting walls of at least 2.4 metres. The colonnade must connect at ground level into the Heritage conservation curtilage area (see Section 3.7—Heritage Conservation).

Table 4: Minimum building separation distances

Column 1	Column 2
Where facing across the Plaza	15 m
Where facing across the Common Open Space	30 m
Where Living areas or Balconies face each other	12 m
Where Living areas or Balconies face bedrooms	9.0 m
Where Bedrooms face each other	7.5 m
Where non-habitable rooms face each other	6.0 m

Advisory Notes

Variations to building setbacks may be permitted where:

- there is no adverse impact of any proposed boundary wall on neighbours.
- the privacy between neighbouring dwellings and the their open space is improved.
- the proposed setback matches an existing setback of a neighbouring building, leading to an improved streetscape and visual relationship.

NB. Any departures from the controls in this section must be addressed in the Statement of Environmental Effects required to be submitted with the development application.

e) Third storey setback

The setback above the third storey for any building set to the street frontage shall be a minimum of 3.0 metres (see Figure 13).

3.4.4 Notwithstanding any compliance with setbacks

Notwithstanding any compliance with specified setbacks, separation distances, or front, side and rear setback controls, you must demonstrate that your proposed building setbacks are acceptable in terms of the following:

- adequate separation between buildings is provided
- adjoining buildings are adequately protected from overlooking and loss of amenity
- solar access is maintained to adjoining premises in accordance with Council's requirements.

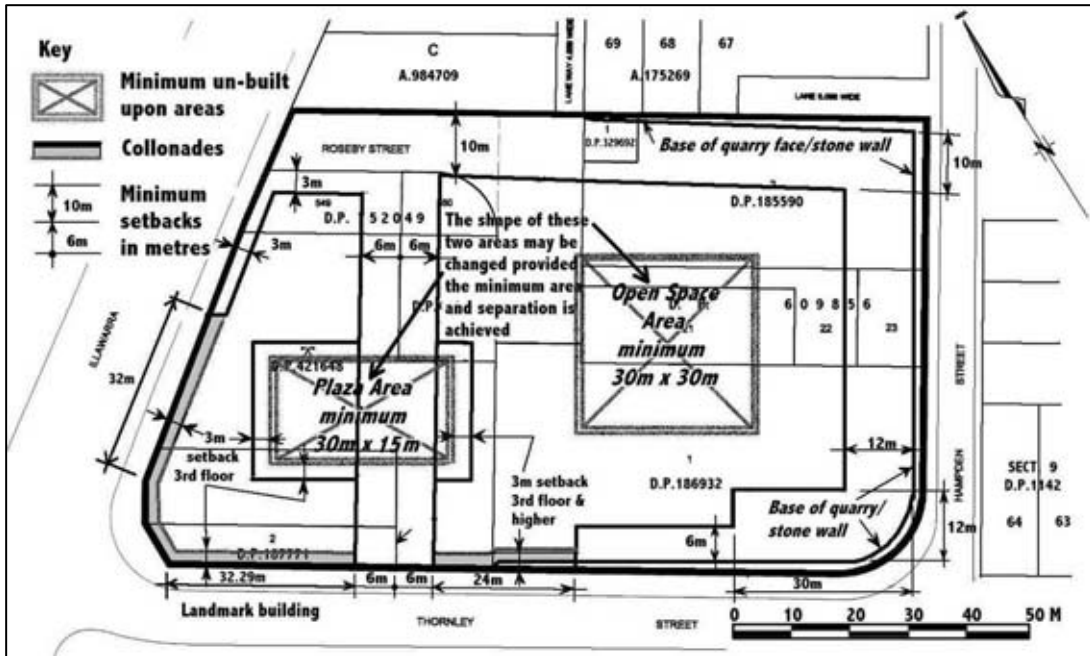


Figure 13: Building setback

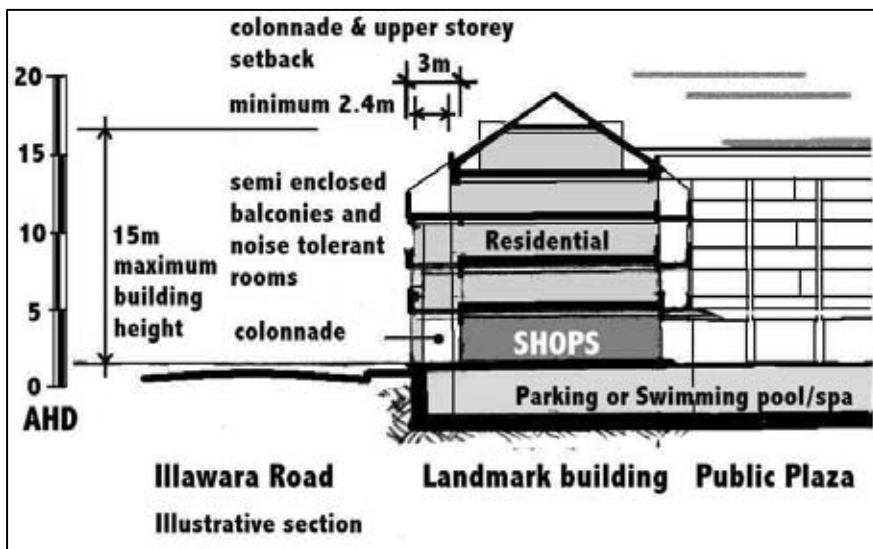


Figure 14: Section - Landmark building

3.5 Landscaping & Open Space

3.5.1 General

The Objectives and provisions of DCP 35 *Element C3—Landscape & Open Space*, apply.

3.5.2 Controls you must comply with

a) Common open space

The creation of a minimum of 900 m² of common open space, generally where indicated on **Figure 13** and as illustrated in **Figure 15**. This open space should be a minimum of 30 m in both directions, accessible from all of the surrounding buildings and with 33% of the area available for deep soil planting. (See also **Figure 15** that shows minimum access links.)

The shape of this area may be varied provided, in the opinion of the Council, an equivalent usable open space is provided and the change in shape is justified by other beneficial planning outcomes.

b) Plaza

A further 450 m² of open space for community use shall be provided in the area designated as 'Plaza' in **Figures 13, 15 and 16**. The minimum width of this area must be 15 metres.

c) Heritage conservation curtilage

The area of the Site between quarry rock face and stone walls and the building alignments, as shown in **Figure 15** marked 'DS' as the curtilage and designated elsewhere in this DCP, is for the protection and viewing of the heritage item.

This area shall be considered as part of the community open space and 90% of its area must be available for deep soil planting.

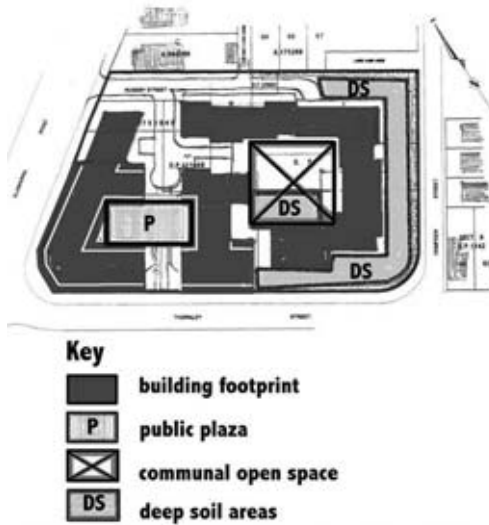


Figure 15: Open space areas

Element C3—Landscape & Open Space

Landscaped Area Requirements for Multi-Unit Dwellings and Residential Flat Buildings

A minimum of 45% of the total site area shall be provided at ground level as 'landscaped area' and be capable of accommodating tree growth of up to 10 m in height.

3.6 Streetscape, General Appearance & Materials

3.6.1 General

The objectives and provisions DCP 35, *Element B4—Streetscape, General Appearance & Materials*, apply.

3.6.2 Controls you must comply with

The provision of a site for a landmark building on the corner of Illawarra Road and Thornley Street is required.

The function of this building will be to mark a gateway to the entrance to South Marrickville and the transition from the

primarily parkland context of the flood plain parkland to the denser urban environment to the north.

(See **Figures 7 and 14** for more information about the landmark building.)

3.7 Heritage Conservation

References

- NSW Heritage Manual
- The Burra Charter – Australia ICOMOS 1999
- Preliminary Geotechnical Assessment and Site History Review – Warne Place, Marrickville Coffey Geosciences Pty. Ltd. December 2001

3.7.1 General

The heritage provisions of MLEP 2001 and DCP 35, apply.

3.7.2 Objectives

The objectives of DCP 35, *Element D1—Heritage Conservation*, apply.

3.7.3 Warne Place’s heritage item

There is a significant heritage item within the boundaries of the site. This is Inventory Item 3.27 in Schedule 5 of the MLEP 2001, It consists of the stone walls of the former quarry on the Thornley Street and Hampden Avenue boundaries, together with the dressed stone walling above the rock face.

3.7.4 Controls you must comply with

a) Conservation Management Plan

A Conservation Management Plan must be prepared for the item and its heritage conservation curtilage, defined as the area within the space between the rock walls and the building setback lines (see Section 3.4—Building Setbacks).

b) Public access & display

Access to the curtilage area must be provided to enable people to view the quarry face and stone wall. Details of access must be provided in the Conservation Management Plan and any Master Plan for the Site.

Consideration should be given to the design and placement of a permanent interpretative display plaque or signboard adjacent to development at each end of the curtilage.

3.8 Parking & Access

3.8.1 General

The provision of car parking should reasonably satisfy the needs of current and future residents. New parking areas, including basement car parking areas, garages, carports, open car spaces should, be screened and designed so as not dominate the façade of a building or the adjoining locality.

Marrickville Council’s DCP No. 19—Parking Strategy, should be referred to when you prepare a development application, in

order to ascertain any more detailed requirements than those contained in this DCP or DCP 35. Pedestrian and cyclist access and facilities are also required.

Element B6—Parking & Access Objectives

O1 To ensure the provision of off-street parking satisfies the needs of occupants, and is designed and located to enhance the quality of the streetscape.

O2 Ensure that the provision of off-street parking is visually discreet and integrated with the overall design of the building.

O3 To provide convenient, accessible and safe car and bicycle parking to meet the needs of residents and visitors, including people with disabilities.

O4 To encourage the design of vehicular access and parking facilities to integrate with overall site planning and landscape design to minimise their visual impact.

O5 To avoid conflicts between pedestrians and vehicles within a proposed development.

3.8.2 Objectives

The objectives of DCP 35, *Element B6—Parking & Access*, generally apply (see text box, adjacent).

The specific objectives for Warne Place are:

- To close that part of Roseby Street (also known as Warne Place) to facilitate consolidation of allotments for integrated development of the Site.
- To restrict vehicle access to and from the Site so as to be solely off Roseby Street.
- To minimise parking ingress and egress points within the Site.
- To provide all required parking off-street, in basement or under-podium carparking facilities.
- To provide pedestrian access along the edge and through key parts of the Site.

3.8.3 Controls you must comply with

a) Requirements of DCP 35

Generally all the general requirements of DCP 35, *Element B6—Parking & Access*, apply.

b) Warne Place controls

Figure 16 shows the:

- proposed 'closed road'
- Roseby Street with the required access and view corridor southward from that street
- vehicle access restrictions around the perimeter of the Site
- pedestrian accessways
- general location of the Plaza, Common Open Space areas and the Carparking podiums.

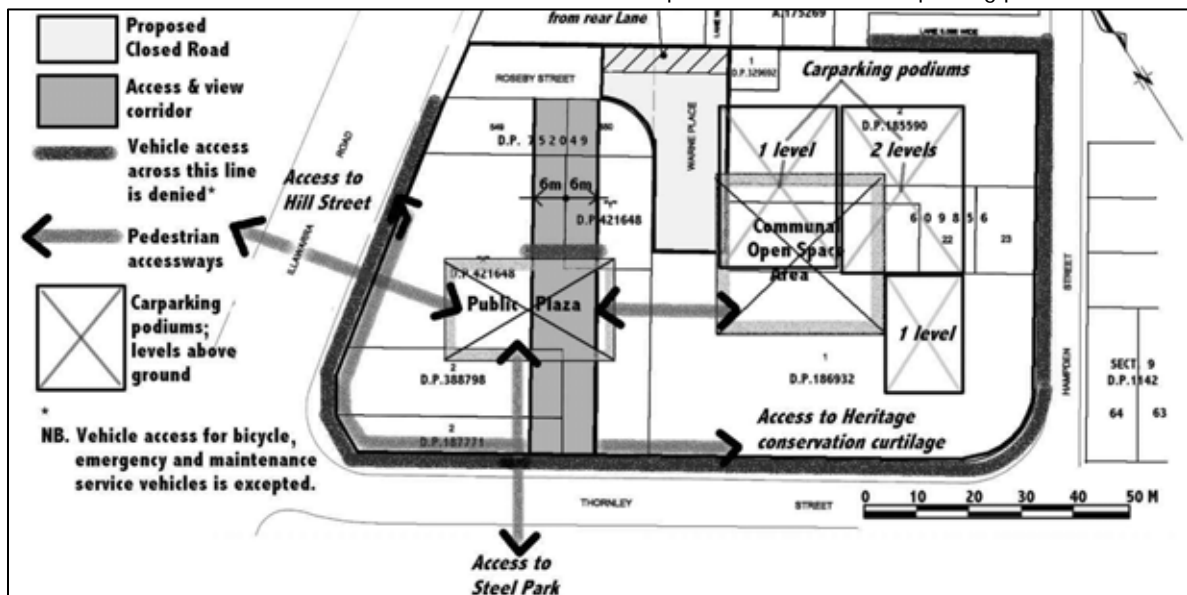


Figure 16: Parking & Access

Advisory Notes

Off-street parking requirements may be varied at Council's discretion where:

- parking significantly compromises the quality of the streetscape and heritage character;
- vehicular crossings disrupt the continuity of pedestrian safety; and
- there is a reduction to the on-street parking capacity.

Vehicular access shall be at least 6m from the intersection of two streets. A crossing within the 6m requirement will only be considered if a splay corner is provided and the vehicular access is located as far as possible from the corner.

(Note: Access directly off the splay or intersection will not be considered under any circumstances).

All development proposals should be supported by a traffic report prepared by a suitably qualified traffic consultant.

c) Vehicle access

All vehicular access to and from the Site, other than for bicycle, emergency and maintenance service vehicles (which does not include delivery vehicles and unloading thereof), shall be from Roseby Street and along the access and view corridor area north of the Plaza.

d) Parking

All vehicle parking including visitor car parking, shall be in basement or under-podium parking facilities. The maximum desired ingress and egress points from such parking shall be limited to three points: two northeast and one southwest off either Roseby Street or the access & view corridor area north of the Plaza.

The only surface parking to be provided is a delivery vehicle loading area and 3 parking spaces for use by ambulance and for vehicles for people with disabilities.

e) Bicycle facilities

Bicycle facilities shall be provided on Site within secure places and with 'U' rails located on the edge of the Plaza and on Illawarra Road near the bus stop and access ramps on either side of the Landmark building.

f) Stairs & access ramps

Stairs and wheel chair ramps are also to be provided at the middle and ends of the Landmark building, because this building and its colonnade will be higher than the adjacent public footpath.

3.9 Visual & Acoustic Privacy

3.9.1 General

The objectives and provisions of DCP 35, *Element C1—Visual & Acoustic Privacy*, apply.

No specific further provisions, other than that indicated under Section 3.4—Building Setbacks, apply

3.10 Site Facilities & Waste Management

3.10.1 General

The objectives and provisions of DCP 35 and DCP 27—Site Waste Management and Minimisation, generally apply within the Site.

3.10.2 Controls you must comply with

Sydney Water has advised that the provision of water capacity for fire fighting purposes will have to be provided on the Site by you. Sydney Water can provide additional information on fire service design for developments.

Safety & Security

Also see 'Safer by Design',
PlanningNSW, 1999

3.11 Safety & Security

3.11.1 General

The objectives and provisions of DCP 35, *Element C2—Safety & Security*, apply.

3.12 Front Fencing

3.12.1 General

The objectives and provisions of DCP 35, *Element B5—Front Fencing*, apply within the Site.

3.12.2 Controls you must comply with

Remove all of the galvanized piping and chain wire safety fence on top of the perimeter stone walls along the Thornley Street, Hampden Avenue and northern laneway boundaries, and replace with a suitable form of metal 'palisade' pattern fencing.

The method of removal of the existing fencing and details of the replacement fencing (including height and method of fixing) should be determined by heritage and safety considerations.