

	
<p>SEEKING PANEL VIEWS AND RECOMMENDATIONS ON PARTICULAR MATTERS FOR THE INNER WEST LEP AND COMPREHENSIVE DCP</p> <p>Report From Strategic Planning team</p>	
<p>Items for discussion</p>	<ol style="list-style-type: none"> 1. Recommendation on whether the following matters are better addressed in <i>Inner West LEP 2022</i> (LEP) or Inner West Comprehensive Development Control Plan (DCP) <ol style="list-style-type: none"> a. Landscaped area b. Dwelling mix c. Minimum lot size 2. Recommendation on whether or not carrying over the existing building envelope controls currently contained within <i>Leichhardt DCP 2013</i> into the Inner West Comprehensive DCP is likely to result in an adverse planning outcome; noting that the former Leichhardt area does not currently contain controls for the maximum height of buildings in the R1 – General Residential zone on the Height of Buildings Map.

1. SUMMARY

The three former Council areas (Marrickville, Leichhardt, and Ashfield) which make up the Inner West had different approaches to achieving appropriate development outcomes. The Panel’s expertise is sought to provide advice on whether controls relating to the following matters are better placed as development standards in *Inner West LEP 2022* or within the *Comprehensive Inner West DCP* currently being developed:

- a. Landscaped area
- b. Dwelling mix
- c. Minimum lot size

The panel’s advice is also sought on the removal of building envelope controls currently contained within *Leichhardt DCP 2013*.

Council staff are in the early stages of preparing a Comprehensive Inner West DCP; the direction taken may require amendment to the *Inner West Local Environmental Plan 2022*.

The Panel’s expert advice and guidance is sought on the above matters to assist Council staff with the drafting of those documents.

2. BACKGROUND

The objective of the Planning Proposal supporting *Inner West LEP 2022* was to prepare a single LEP consolidating the provisions of *Ashfield LEP 2013*, *Leichhardt*

LEP 2013, and Marrickville LEP 2011, consistent with the Standard Instrument (Local Environmental Plans) Order 2006.

The creation of the *Inner West LEP 2022* did not result from a comprehensive review of all planning controls to ensure they meet the current needs of the area and reflect best practice, but involved a consolidation, harmonisation, and alignment of the three principal LEPs applicable across the LGA into one instrument. No major review or changes were undertaken to existing zoning, FSR, Height of Buildings or Minimum Lot Size controls. This approach was chosen to ensure Council could meet the strict timeframes set by the Department of Planning Environment (DPE) for completion of an Inner West LEP.

3. EXISTING CONTROLS

As is demonstrated below, controls relating to landscaped area, dwelling mix, and minimum lot size are contained within *Inner West LEP 2022* for some of the former council areas and within the relevant DCP for others (see Attachment 1 for comparison table).

Landscaped Area

- Numeric development standards for minimum landscaped area dependant on lot size are contained within Clause 4.3C of *Inner West LEP 2022*; these only apply to land zoned R1 and used for residential accommodation within former Leichhardt.
- Each DCP contains general guidelines for landscaping

Note: Clause 6.20 - Development on land in Haberfield Heritage Conservation Area of *Inner West LEP 2022* contains a development standard for landscaped area within the Haberfield Heritage Conservation Area; the intent of this control is heritage related - to maintain a key feature of the garden suburb.

Dwelling Mix

- Numeric development standards for dwelling mix are contained within Clause 6.14 of *Inner West LEP 2022*; these only apply to land in developments where at least four dwellings are proposed within former Leichhardt.
- Controls relating to dwelling mix are located in *Marrickville DCP 2011* with a sliding scale where more than 6 dwellings are proposed, while the DCP applying to former Ashfield contains an advisory note and no controls.

Minimum Lot size

- Numeric development standards for minimum lot size are contained within Clause 4.1 and 4.1A of *Inner West LEP 2022*. It is noted that the Lot Size Map only designates a minimum lot size for properties within former Ashfield and Leichhardt.
- Controls relating to subdivision are located in *Marrickville DCP 2011* and are based on a merit assessment of the prevailing cadastral pattern.

Building envelope controls for the former Leichhardt area

Currently building height and envelope controls are contained in *Leichhardt DCP 2013* within the following sections:

- Part C: Place- Section 1 – General Provisions – C1.18 Laneways
- Part C: Place – Section 3 – Residential Provisions - C3.2 Site Layout and Building Design

The former Leichhardt area does not contain maximum height controls for the land zoned R1 – General Residential on the LEP Height of Buildings Map.

The Panel's views and recommendations are sought on whether not carrying over the existing building envelope controls currently contained within *Leichhardt DCP 2013* into the Comprehensive Inner West DCP is likely to result in an adverse planning outcome on land with no LEP height of building provisions in place.

Note: A review of the Height of Building Map does not currently form part of the scope for the next round of amendments to the *Inner West LEP 2022*.

4. COUNCIL'S QUERIES TO THE PANEL

Council staff seek the expert guidance from the Panel on the following matters as outlined earlier in this report:

1. Recommendations on whether the following matters are better addressed in the *Inner West LEP 2022* or Comprehensive DCP:
 - a. Landscaped area
 - b. Dwelling mix
 - c. Minimum lot size
2. Recommendations on whether not carrying over the existing building envelope controls currently contained within *Leichhardt DCP 2013* into the Comprehensive DCP is likely to result in an adverse planning outcome; noting that the former Leichhardt area does not currently contain controls for the maximum height of buildings in the R1 – General Residential zone on the Height of Buildings Map.

5. ATTACHMENTS

Attachment 1: Table showing where existing controls are in the relevant instruments

Attachment 1: Table showing where existing controls are located

	Former Leichhardt area	Former Ashfield Area	Former Marrickville area
Landscaped area	<p>Inner West LEP 2022 4.3C Landscaped areas for residential accommodation in Zone R1</p> <p>Leichhardt DCP 2013 Part C: Place – Section 1 General Provisions C1.12 Landscaping</p>	<p>Inner West LEP 2022 6.20 Development on land in Haberfield Heritage Conservation Area</p> <p>Ashfield DCP 2016 Chapter F – Development Category Guidelines</p>	<p>Marrickville DCP 2011 Part 2.18 – Landscaping and Open Space</p>
Dwelling mix	<p>Inner West LEP 2022 6.14 Diverse housing</p>	<p>Ashfield DCP 2016 Chapter F – Development Category Guidelines Part 5 – Residential Flat Buildings PC14 - Maximum dwelling size</p>	<p>Marrickville DCP 2011 4.2 Multi Dwelling Housing and Residential Flat buildings</p>
Minimum lot size	<p>Inner West LEP 2022 4.1 Minimum subdivision lot size Minimum lot size for all land Zone R1 General Residential land.</p> <p>Leichhardt DCP 2013 Part C: Place – Section 1 General Provisions C1.6 Subdivision</p>	<p>Inner West LEP 2022 4.1A Exceptions to minimum subdivision lot size for certain residential development</p> <p>Ashfield DCP 2016 Chapter A: Miscellaneous Part 9 – Subdivision</p>	<p>Marrickville DCP 2011 Part 3 – Subdivision, Amalgamation and Movement Networks 3.2 Torrens Title subdivision and amalgamation</p>