



Internal Ref: EXTERNAL/2024/0020

31 July 2026

Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

ATTENTION: Stephen Dobbs

Dear Mr Dobbs,

Inner West Council Response: SSD-76927247-Mod-1 – The Timberyards by RTL Co.

Property: Lots bound by Victoria Road, Sydenham Road, Farr Street and Mitchell Street, Marrickville NSW 2204

Thank you for the opportunity to comment on the proposed 'Timberyards' State Significant Development Modification Application (SSD-76927247-Mod-1).

This submission is made by council officers, not the elected representatives.

Council has undertaken a review of the submitted modification proposal, including the Modification Report and accompanying architectural plans, and provides the following matters for consideration by the Department:

- Communal living areas
- Commercial spaces
- Retail car parking area
- Construction Traffic Management Plan
- Public domain works
- Stormwater management

Further detail in relation to each of these matters is provided in the following sections.

1. Communal living areas

As approved the Timberyards development provided communal living area for the co-living units in excess of the minimum 1,200sqm required under the *State Environmental Planning Policy (Housing) 2021*. The approved scheme also included a series of substantial communal living areas at ground level within Buildings A, B, C and E.

Under the proposed modification, the quantum of communal areas at ground and upper ground floor have been reduced, with some having indicative uses included (e.g., Vinyl Bar, Dog Wash, Active Gym / Wellness Centre). It is also noted that Buildings A and E now have



no communal living area that meets the minimum size requirements within the building. As outlined elsewhere in this report, the proposal has also removed a significant portion of communal living area from Buildings B2 & C to facilitate retail car parking.

These changes have raised concerns regarding the indicative uses identified for the ground and upper ground floor communal areas. While it is acknowledged that these uses may, in principle, make a positive contribution to the wider precinct, it is unclear whether the spaces would be managed as communal living areas for residents of the Timberyards precinct, including co-living residents, or whether they would be tenanted or operated privately and made available to the wider public, potentially on a membership or commercial basis. This is particularly relevant to the proposed gym and wellness uses. In this regard, the proposed uses appear to blur the distinction between communal living areas required to support the residential and co-living components of the development, and public or commercial spaces intended to serve the wider community. To satisfy the minimum communal living area requirements under the *SEPP (Housing) 2021*, these spaces must be genuinely available for the use of residents of the Timberyards precinct, rather than being available to the wider public.

If these spaces (Active Gym, Vinyl Bar, Quite Gym & Wellness and the Community (Public) space on the ground level of Building E) are intended to be accessible by the wider community then they are more akin to commercial uses and should be assessed accordingly, including attracting the relevant contributions. If these spaces are to be genuinely 'community facilities' as per the definition of the Standard Instrument LEP, this needs to be specified in conditions of consent to ensure they are not used for commercial purposes. Furthermore, if these are 'community facilities' they cannot also be designated as communal living areas.

In addition to the above, the proposed amendments to Building E would result in the building having no communal living areas for residents that satisfy the minimum dimension requirements. The public area on the lower ground level proposed for market-related activity should not be relied upon as communal living area for the purposes of the co-living component. As Building E contains 76 co-living rooms, a minimum of 170sqm of communal living area, with minimum dimensions of 3 metres, should be provided within the building. Council considers that the removal of the ground level communal living areas would result in a poor amenity outcome for future occupants of Building E, as residents would be required to travel to adjoining buildings to access other communal facilities.

Although Building A does not contain co-living units, the proposed conversion of its ground floor communal living area to retail space would result in the building having no genuine communal living areas. In relation to Building B1, the quantum of communal living area appears insufficient having regard to the number of co-living units within that building. This concern is further compounded by the proposed modification to Level 9, involving the introduction of studio units, which would further reduce the extent of approved communal living space at that level.

Having regard to the above, the proposed modifications to the communal living areas indicate a reduced level of amenity for future occupants. To satisfy the minimum communal living area requirements under the *SEPP (Housing) 2021*, these spaces must be genuinely available for



the use of residents of the Timberyards precinct, rather than functioning as publicly accessible or commercial spaces for the wider public.

2. Commercial spaces

The refinements to the retail and activation strategy which aim to strengthen *“the functionality, diversity and character of the Timberyards precinct”* are generally supported. The following comments are provided for the resulting modifications to the commercial spaces:

- With regard to the neighbourhood shop now located in Building A, consideration should be given to the layout and pathway design for the adjoining pocket park to provide for an integrated interface and connection.
- While the strategy to provide a mix of smaller commercial tenancies in buildings C and D may help provide greater street activation along Victoria road, it is strongly recommended that the built form and structural design allow for flexibility for tenancies to be enlarged/ amalgamated in the future if required.
- Clarification is required for the use of the communal spaces nominated as Active Gym, Vinyl Bar, Quite Gym & Wellness and whether they will be shared commercial spaces for use by the general public.

3. Retail car parking area

- The proposed parking between Buildings A and C/D supports the revised retail strategy and has merit. However, this outcome is at the cost of sacrificing a substantial area of conveniently located communal space at ground level.
- Page 43 of the Design Report prepared under section 4.55 states that the parking area *“has been reconsidered as a landscaped courtyard space centred around a large tree and open-to-sky oculus, creating a softer and more integrated public domain outcome.”* To ensure this objective is achieved, consideration should be given to increasing the size of the planting area around the tree and providing additional landscape treatment within, or around the perimeter of, the parking area. It is acknowledged that this may require the deletion of one or more car spaces to facilitate this.

4. Construction Traffic Management Plan

Council is unable to support the submitted CTMP in its current form without further information and amendments. The matters outlined below need to be addressed to enable Council to complete its assessment of the proposal.

Construction vehicle route and site access

- Council’s preferred construction traffic arrangement is for all construction vehicles to enter the site via Mitchell Street and depart via Farr Street.
- Council’s preference is for only one access gate to be used on Farr Street, being the gate closest to Sydenham Road and therefore closest to the State road network.
- Minimising the number of access points on Farr Street would reduce vehicle conflict points and provide a safer outcome, particularly for school children and other pedestrians.

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- Traffic controllers must be in attendance at all times during school hours on school days, having regard to the proximity of Marrickville Public School and associated pedestrian activity.
- Construction vehicle movements and site operations are to be managed so as to avoid conflict with school drop-off and pick-up periods, being 8.00 am to 9.30 am and 2.30 pm to 4.00 pm on school days.
- Sight line distances into and out of the proposed gate or gates on Farr Street are to be provided.
- All construction vehicles must enter and leave the site in a forward direction.

Swept paths

- Swept path assessments have been provided for the relevant site access points. However, swept path assessments have not been provided for the surrounding intersections.
- The absence of intersection swept path assessments may limit the size of vehicle that can safely access the site via the proposed routes.
- Any swept path assessment affecting a State Road or State Road intersections is to be referred to TfNSW for review and concurrence.

Construction vehicle movements and staging

- While the CTMP identifies broad stage durations and average daily truck movements, it does not satisfy Condition C2(e), as it does not sufficiently quantify predicted number and timing of light and heavy construction vehicle movements and vehicle types.

Work zones and road occupation

- Detailed diagrams are required showing the location and dimensions of each proposed work zone.
- Farr Street is not considered suitable for a work zone, as associated vehicle access would likely occur via Thompson Street, which is constrained by school-related traffic activity, including the Marrickville Public School drop-off and pick-up zone.
- Separate Council approval is required for any occupation (including work zones) or use of Council-controlled roads, including Victoria Road, Farr Street, Mitchell Street and Mitchell Lane.
- Sydenham Road is a State Road under the jurisdiction of TfNSW. Any proposed work zone, and/or occupation within that road reserve must be referred to TfNSW.
- Victoria Road is subject to clearway restrictions and is therefore not considered suitable for a work zone unless those clearway restrictions can be fully maintained.
- Any proposed change to existing on-street parking restrictions must be detailed in the document and referred to Council's Local Traffic Forum for consideration and approval.

Construction worker parking and Green Travel Plan

- Given the size of the site, the scale of the development and the duration of the construction program, Council expects construction-related parking to be accommodated on site to a substantial degree.
- The CTMP and Green Travel Plan must nominate the number of on-site spaces to be provided for construction-related parking, the stages of works during which those spaces will be available, and the proposed management arrangements for those spaces.



- Surveys shall be undertaken bi-monthly (every two months) to assess/monitor how successful the green travel plan and provide active measures on any improvements. A copy shall be provided to Council's Traffic Section.
- Measures such as encouraging workers to use public transport, carpool or be dropped off may supplement on-site parking provision, however, will not be accepted as a substitute for the provision of adequate on-site construction-related parking on a site of this scale.
- Loss of on-street parking is to be minimised. An assessment is to be provided identifying the number and location of all on-street parking spaces affected by the proposed works, work zones, loading zones and access arrangements.

Ongoing review and monitoring

- The CTMP must include a section acknowledging that Council may require a review of the CTMP and Green Travel Plan should complaints be received regarding noise, parking, traffic congestion or other impacts arising from construction activities.
- Any mitigation measures or other actions requested by Council as a result of that review are to be implemented within three weeks of the request.

5. Dilapidation and security deposit

- Dilapidation reporting is required for all relevant public infrastructure affected by the works, including all footpaths, kerb and gutter, and road pavement in Mitchell Street, Mitchell Lane, Victoria Road, Sydenham Road and Farr Street.
- As works appear to have already commenced, this must be clearly acknowledged in the dilapidation report, and this will be taken into account by Council when assessing any damage identified during or following completion of the works.
- A security deposit bond in the amount of \$600,000 will be required to protect Council's infrastructure against damage arising from the works.
- The requirement for the security deposit bond does not remove the applicant's responsibility to make good any damage to Council infrastructure caused by the development.

6. Mitchell Lane

It appears Mitchell Lane is proposed to be absorbed into the site which is not supported. If any occupation, enclosure or restriction of access is proposed in relation to Mitchell Lane, the applicant must obtain a separate road occupation approval from Council. Furthermore, the surface levels and physical form of Mitchell Lane must not be altered without Council's prior approval under section 138 of the Roads Act 1993.

7. Stormwater Management

Whilst changes to the approved On-Site Detention (OSD) are mentioned in the documentation, no technical stormwater or OSD plans, prepared by suitably qualified stormwater engineers, were provided in the package.



8. Section 7.11 Contributions

The additional 246sqm of retail and 645sqm of commercial gross floor area will attract additional Section 7.11 contributions as follows. It is to be noted that the contribution may change subject to the points raised in Point 1 of this letter relating to the communal spaces.

Open space and outdoor recreation	\$23,037.00
Community facilities	\$0.00
Transport	\$60,583.00
Drainage	\$15,871.00
Plan administration	\$2,974.00
Total	\$102,464.00

For further information in relation to the above response, please contact Council's Team Leader, Development Assessment, Tom Irons on (02) 9392 5300 or email tom.irons@innerwest.nsw.gov.au.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Simone Plummer".

Simone Plummer

Director- Planning