

Greater Sydney, Place and Infrastructure

IRF19/3097

Gateway determination report

LGA	Campbelltown LGA
PPA	Campbelltown City Council
NAME	Ingleburn Town Centre (The Core Precinct) (3,240 homes, 1,120 jobs)
NUMBER	PP_2019_CAMPB_001_00
LEP TO BE AMENDED	Campbelltown LEP 2015
ADDRESS	Ingleburn Town Centre (The Core Precinct)
DESCRIPTION	Various Allotments
RECEIVED	10 July 2019
FILE NO.	IRF19/3097
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

1. INTRODUCTION

1.1 Description of planning proposal

The planning proposal (**Attachment A2**) seeks to amend the development controls for land within the commercial core and the surrounding high-density residential land in the Ingleburn Town Centre by amending the Campbelltown Local Environmental Plan (LEP) 2015, as follows:

- rezoning certain land in the precinct to R4 High Density Residential and RE1 Public Recreation;
- increasing the maximum building height for the precinct to 26m (i.e. eight storeys);
- applying a minimum qualifying site area of 1,200m² for mixed use development/shop top housing and 2,000m² for residential apartment buildings for certain land within the precinct;
- within the B4 Zone, apply a floor space ratio of:
 - 2.7:1 for mixed-use buildings
 - 1.7:1 for the commercial component; and
 - 2:1 for the residential component;
- within the R4 Zone, apply a floor space ratio of 2.7:1 for residential apartment buildings;
- inserting a new clause to address flooding issues (pending the recommendation of further flood investigations);

- inserting a new incentives clause to encourage quality design outcomes for high standard living for occupants and sustainability (pending the outcome of further urban design analysis to formulate appropriate development standards in relation to FSR and qualifying site area and block depths); and
- applying the local design excellence clause to certain sites in the Ingleburn Town Centre to facilitate the development of iconic buildings.

The proposal would facilitate the provision of 3,240 additional dwellings and 1,120 new jobs within the Ingleburn Town Centre.

1.2 Site description

The planning proposal applies to land within the commercial core and the surrounding high-density residential zoned area of the Ingleburn Town Centre (outlined in red in Figure 1 below).

The site is:

- bounded by Cumberland Road to the east; Suffolk Street to the south; Ingleburn Road and Ingleburn Railway Station to the west; and, James Street and Macquarie Street to the north;
- approximately 42ha in area; and
- is located within a Precinct within the Glenfield to Macarthur Urban Renewal Strategy.



Figure 1: Aerial view of the precinct.

The precinct consists of:

- a number of two and three storey buildings, carparks and open space;
- Council owned land (Figure 2 below);
- several land holdings owned by various State agencies, including schools and government service buildings; and
- predominantly one to two storey low rise residential buildings with a small number of medium density developments.



Figure 2: Council owned land.

1.3 Existing planning controls

Under the Campbelltown Local Environmental Plan (LEP) 2015, the following zones and development controls apply to the precinct as indicated in Table 1 (below) and shown in Figure 3 (next page).

Table 1: Current development controls

Zone	Maximum Building Height
R3 Medium Density Residential	9m
R4 High Density Residential	9m (southern portion) and 15m (northern portion)
B4 Mixed Use	15m
RE1 Public Recreation	0m
SP2 Infrastructure (Drainage, Local Road Widening, and Road)	0m



Figure 3: Current land zoning map.

It is also noted:

- some of the SP2 zoned land within the precinct is also reserved for acquisition;
- an additional permitted use for a “service station, vehicle repair station and vehicle sales or hire premises” applies to land at 21 Cumberland Road, Ingleburn (APU19) within the precinct; and
- Clause 4.1C of the LEP provides a minimum lot size of 1,200m² for residential flat buildings in the R4 zone and clause 4.4 provides a floor space ratio (FSR) for R3 zoned land, including: an FSR of 0.55:1 for dwelling houses; 0.45:1 for dual occupancies; and, 0.75:1 for multi dwelling housing.

1.4 Summary of recommendation

It is recommended that the planning proposal proceed subject to conditions as it will assist in revitalising the Ingleburn Town Centre in line with the Ingleburn Precinct Plan as part of the Glenfield to Macarthur Urban Renewal Corridor Strategy.

2. PROPOSAL

2.1 Objectives or intended outcomes

The objective of this planning proposal is to facilitate higher density mixed use development within the Ingleburn Town Centre. The planning proposal also aims to:

- increase residential density in the Ingleburn Town Centre which would promote and stimulate future economic activity within the centre;
- establish development controls to ensure the redevelopment of centre maintains an urban village feel;
- offer high level amenity for future residents;
- ensure that future residents have access to quality open space within their reach by rezoning certain areas to public open space to provide parks within walking distances from the centre;
- investigate and implement a mechanism to address flooding;
- incorporate public domain improvements as part of any future development within the centre;
- facilitate the development of an iconic mixed-use building within the centre; and
- introduce an incentive in terms of bonus floor space ration to encourage buildings with a higher level of sustainability in that they exceed BASIX requirements for energy and water efficiency.

The objective of this planning proposal is clear and adequate.

2.2 Explanation of provisions

The planning proposal seeks to amend the Campbelltown LEP 2015 by:

- rezoning certain areas in the precinct (Figure 4 next page) as follows:
 - for Area C – rezone the land from R3 Medium Density Residential to R4 High Density Residential; and
 - for Area A – rezone certain land from B4 Mixed Use to RE1 Public Recreation;
- increasing the maximum building height for the precinct (Figure 5 next page) as follows:
 - for Areas A and B2 – increase the building height from 15m (five storeys) to 26m (eight storeys);
 - for Areas C and B1 – increase the building height from 9m (three storeys) to 26m (eight storeys); and

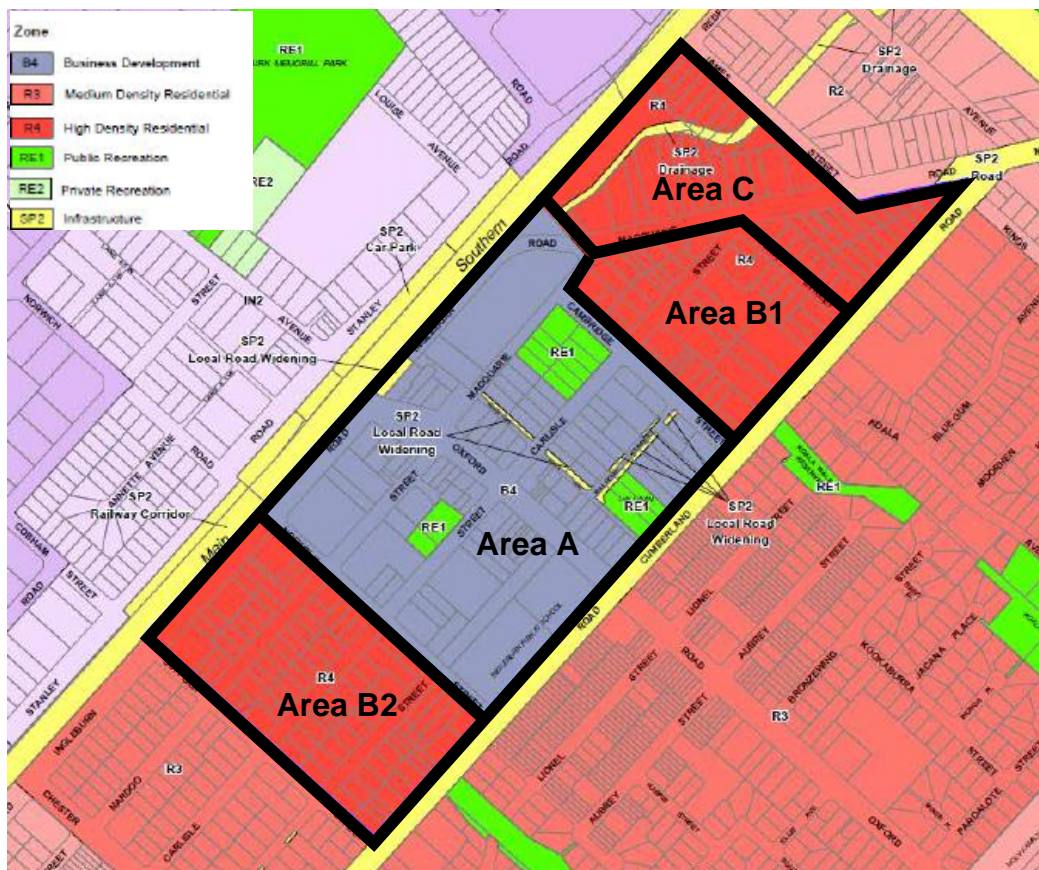


Figure 4: Proposed land zoning map.

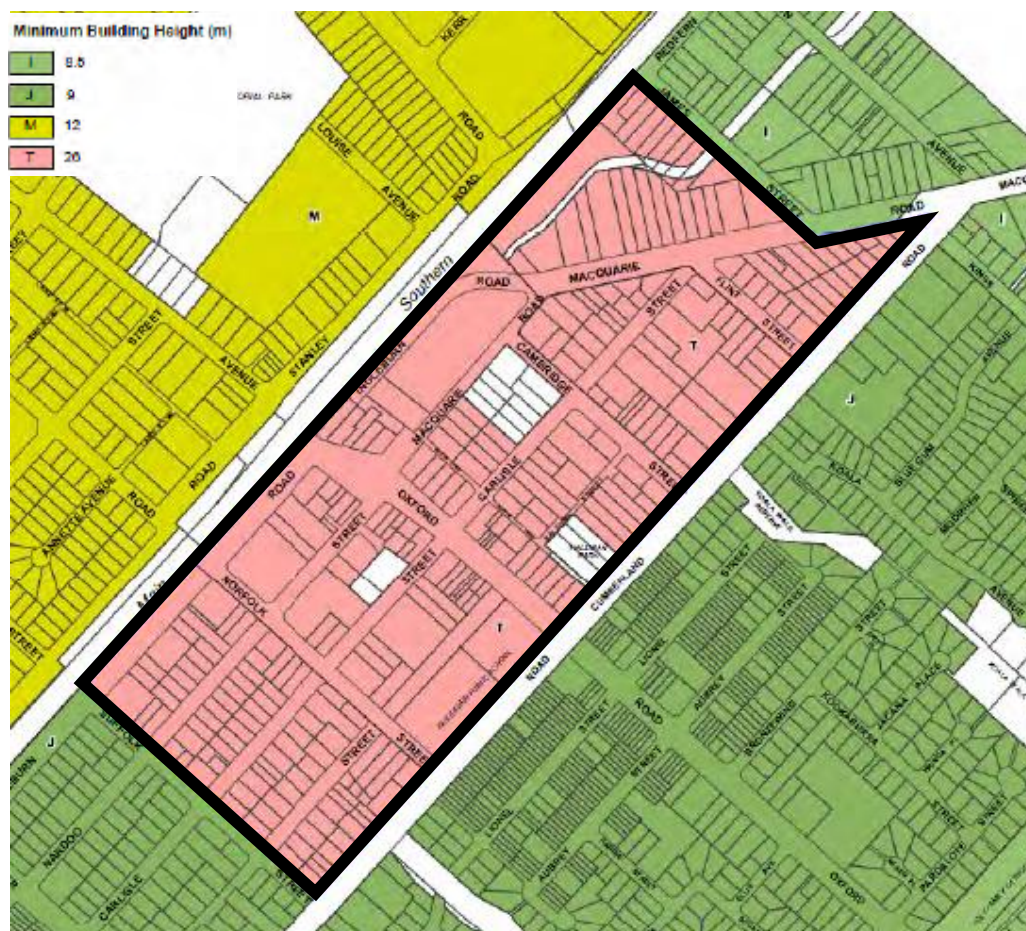


Figure 5: Proposed height of building map.

- setback the buildings fronting Oxford Road by 5m for the first level and by 10m for any level that is more than two-storeys in height as shown in Figure 6 (below);

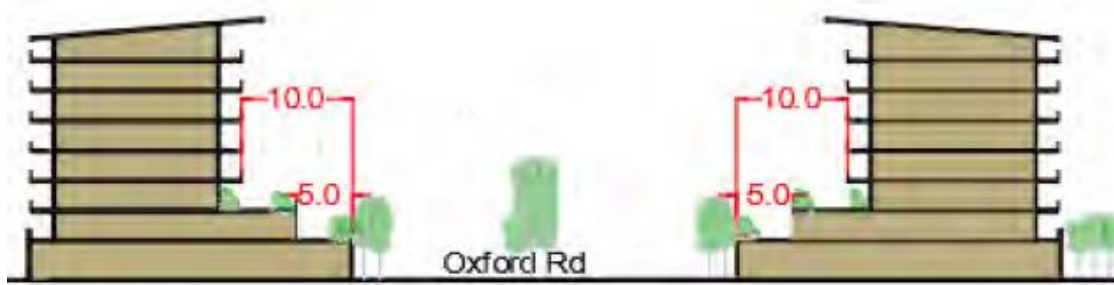


Figure 6: Proposed setbacks for buildings fronting Oxford Road.

- amend Clause 4.1C Minimum qualifying site area for certain residential and centre-based child care facility development in residential zones by inserting the following requirements for the Areas B1, B2 and C:
 - 1,200m² for mixed use development/shop top housing; and
 - 2,000m² for residential apartment buildings;
- apply a floor space ratio (FSR) requirement for the following:
 - 2.7:1 for residential apartment buildings within the R4 zone; and
 - 1.7:1 for ground and first floor commercial/ retail components of mixed-use buildings and 2:1 for the remaining six floors of residential;
- inserting a new clause to address flooding issues (pending the recommendation of further flood investigations);
- inserting a new incentives clause to encourage quality design outcomes for high standard living for occupants and sustainability (pending the outcome of further urban design analysis to formulate appropriate development standards in relation to FSR and qualifying site area and block depths); and
- applying the local design excellence clause to certain sites in the Ingleburn Town Centre to facilitate the development of iconic buildings.

Council notes (**Attachment D3**) that the proposed building heights have been designed to achieve the following outcome:

- ensure that the urban village feel is maintained by creating low scale development along Oxford Road;
- create opportunities for green roofs and open terraces at the first and second levels, which would be visible from Oxford Road, thus enhancing the overall aesthetic values of Ingleburn Town Centre and Oxford Road Plaza;
- provide additional dwellings within a walking distance to the railway station; and
- increase residential densities to help support and facilitate economic growth within the town centre.

The proposal would facilitate the provision of 3,240 additional dwellings and 1,120 new jobs within the Ingleburn Town Centre. In addition, Council proposes to convert part of two existing Council owned carparks into public open spaces to provide additional recreational opportunities for new residents.

Department Comment

Prior to public exhibition, it is recommended that Council amends the planning proposal to:

- identify the number of additional dwellings and jobs facilitated by this proposal;
- in the public domain strategy – consider whether the 5m setback for the first floor is enough to cater for street tree canopies; and
- in the open space and social infrastructure assessment – demonstrate that the proposed additional open space is sufficient to meet the needs of the community as a result of the proposed rezoning.

In addition, Council has advised that the proposed amendments would be updated following the completion of additional studies (i.e. traffic and parking assessment; open space and social infrastructure assessment; public domain strategy; urban design analysis; funding strategy; and commercial and retail demand study). Council is therefore required to resubmit the planning proposal to the Department prior to exhibition, discussed in detail further in this report.

2.3 Proposed Development Control Plan

Council advised that a draft site-specific development control plan (DCP) would be prepared for the precinct and exhibited in conjunction with the planning proposal. The site-specific DCP would include a detailed masterplan and the proposed FSRs for the B4 mixed use zoned areas to align with the proposed masterplan.

Department Comment

The Department agrees that Council should concurrently exhibit the proposed site-specific DCP with the planning proposal.

2.4 Proposed Contributions Plan

On 19 December 2018, Council endorsed the adoption of the Campbelltown Local Infrastructure Contributions Plan 2018. This Contributions Plan aims to capture adequate developer contributions to assist with the delivery of essential local infrastructure throughout the Campbelltown LGA. The contributions plan includes the following infrastructure projects relevant to the precinct:

- footpath improvements, pedestrian crossings, street tree planting, bicycle storage facilities and lighting within the Ingleburn Town Centre; and
- the expansion of the Greg Percival Community Centre and Library for a performance and community art space.

An existing contribution plan also collects funds to convert part of the outdoor Macquarie Road Carpark within the precinct into a multideck carpark. Council does not have sufficient funds to enable the construction of the carpark. Therefore, Council advised that an overall funding strategy needs to be prepared.

Council also proposes to develop a subsequent funding strategy for the provision of additional infrastructure within the precinct including urban domain enhancements, any road improvement that may be needed and drainage works to reduce flooding. It is noted that Council has resolved to prepare and exhibit this subsequent funding strategy with the planning proposal.

Department Comment

The Department agrees that a funding strategy should be prepared for the precinct and concurrently exhibited the planning proposal to ensure that the proposed infrastructure and facilities for the precinct can be adequately funded.

2.5 Mapping

The current and proposed maps are provided in Part 4 and Appendix 1 of the planning proposal. The planning proposal will amend the following maps:

- Land Zoning Map (LZN_012A); and
- Height of Building Map (HOB_012).

Refer to Figure 3-5 (previous pages of this report) for the current and proposed zoning and building height maps.

3. NEED FOR THE PLANNING PROPOSAL

The planning proposal is the result of the Ingleburn Precinct Plan as part of the Glenfield to Macarthur Urban Renewal Corridor. Council has been approached by developers and landowners seeking to lodge individual planning proposals for various sites to enable higher density developments.

To avoid a fragmented approach, Council has decided to lead the rezoning of the Ingleburn Town Centre to ensure that the Ingleburn Precinct Plan is appropriately implemented in a holistic manner. This approach would identify the required infrastructure upgrades and funding mechanisms including desired densities.

Council advised that a planning proposal initiated by Council would be in accordance with Council's policy; provide certainty to the community; the development industry; and, potentially eliminate planning proposals submitted for individual sites.

Council notes that flooding is a major issue in Ingleburn and proposes to develop a funding mechanism to finance the work needed to mitigate the flooding issue within the centre.

The planning proposal states the proposed amendment is the best and most appropriate means of achieving the Council's intended outcome i.e. redevelopment of the Ingleburn Town Centre for increased residential density and stimulate economic activity. A planning proposal is the only means available to achieve amendments to relevant provisions under the LEP.

4. STRATEGIC ASSESSMENT

4.1 District

Western City District Plan

The Greater Sydney Commission released the Western City District Plan on 18 March 2018. The Western City District Plan contains planning priorities and actions to guide the growth of the Western City District while improving the district's social, economic and environmental assets. The Ingleburn Town Centre is identified in the Western City District Plan as a local centre and within an urban renewal area.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity and sustainability in the Western City District Plan, as the Planning Proposal would:

- provide two new public open spaces, street improvements and allow for the expansion of the existing Greg Percival Community Centre and Library (Planning Priority W3);
- facilitate greater housing supply in a location with access to jobs, services and public transport (Planning Priority W5);
- facilitate the redevelopment of the town centre with the retention of an urban village feel and the provision of a high-level amenity for future residents, and considering the impacts on existing heritage items (Planning Priority W6); and
- stimulate investment and business activity in local centres and the creation of local job (Planning Priority W11).

The Department is satisfied that the planning proposal gives effect to the District Plan in accordance with section 3.8 of the Act.

Glenfield to Macarthur Urban Renewal Corridor Strategy

The Glenfield to Macarthur Urban Renewal Corridor was identified as a growth corridor by the State Government for the purposes of providing further jobs, open space, improved movement networks and revitalisation of existing urban centres through good design.

The precinct is located within the Ingleburn Precinct Plan (November 2017) as part of the Glenfield to Macarthur Urban Renewal Corridor Strategy (Figure 7 below). The vision for this centre is “a vibrant town centre that strengthens Ingleburn’s unique urban village character and desirability as a place to live”.



Figure 7: Ingleburn Precinct Plan.

The precinct plan notes that the future character of the precinct is:

- mixed-use retail & residential core (refer to pink area in Figure 7 previous page); and
- high rise residential surrounding the core (refer to red area in Figure 7 previous page).

The mixed-use retail & residential core is envisaged to become a prominent retail and employment centre within the corridor. New 7+ storey buildings are designed to integrate with the existing streetscape and be set back from the street to ensure the scale and feel, especially on Oxford Road, is maintained.

The planning proposal is consistent with the proposed character of the Precinct as it proposes to setback the buildings fronting Oxford Road by 5m for the first level and by 10m for any level that is more than two-storeys in height. The maximum building height for these buildings are also proposed to be increased to eight storeys.

In addition, the surrounding high rise residential is identified in the precinct plan to comprise of 7+ storey apartment buildings, with potential for communal open spaces and shared facilities. The proposal seeks to rezone the R3 Medium Density Residential land within the precinct to R4 High Density Residential as proposed in the precinct plan. It is also noted that this area would also have a maximum building height of eight storeys.

The precinct plan also includes a public domain vision for the transformation of Oxford Street, which is the main street of the Ingleburn Town Centre (Figure 8 below). A number of significant streetscape upgrades on Oxford Street are proposed to create an active and attractive main street and reflect the natural landscape. The streetscape improvements would be informed by six design principles, as outlined in the precinct plan, including using a consistent materials palette - that is attractive and robust - and creating a safe, vibrant pedestrian friendly main street.



Figure 8: Oxford Street concept plan.

Department Comment

The Department concludes that the proposal is generally consistent with the precinct plan. It is also recommended that Council incorporates the Ingleburn Precinct Plan design principles and concept plan for Oxford Street in the site-specific DCP.

In addition, as the site is located within a Glenfield to Macarthur Urban Renewal Corridor, it is anticipated that a Special Infrastructure Contributions (SIC) will apply to the precinct for the funding of future State infrastructure.

As the SIC has not been finalised, the Department notes that there is the need to indicate that a form of satisfactory arrangements may need to apply to the site. Satisfactory arrangements will provide the relevant State Agencies with assurance that the future development of the site will not be able to proceed until adequate arrangements are in place to ensure contributions for State infrastructure is provided.

Therefore, prior to public exhibition Council is to amend the planning proposal to acknowledge that a satisfactory arrangements provision for contributions to designated State infrastructure may be required in the final amending local environmental plan for the site.

4.2 Local

Campbelltown Community Strategic Plan – Campbelltown 2027

The Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions. It outlines the aspirations of the city's people, and details how Council and other key stakeholders will achieve those goals over the next 10 years.

The planning proposal is considered to be consistent with the Plan as it would facilitate an increase in the residential densities in the Ingleburn Town Centre and provide an opportunity for a revitalised commercial and retail core which will support the growth of a strong local economy (Strategy No 4.6).

Campbelltown Local Planning Strategy 2013

The Campbelltown Local Planning Strategy identifies the Ingleburn Town Centre as one of Campbelltown's major centres with an estimated dwelling yield of 2,983 dwellings.

The Strategy also predicted an increase in the commercial floorspace in the centre and referenced the draft Structure Plan that was being prepared at the time, with potential higher residential densities around the railway station. Therefore, the proposal is consistent with the Strategy.

Campbelltown Local Planning Panel

The planning proposal was considered by the Campbelltown Local Planning Panel on 22 August 2018 (**Attachments D1 & D2**). The Panel considered the merits of the planning proposal and supported it subject to certain changes as identified in Table 2 (next page). Council has also provided a response to each comment as shown in Table 2 (next page) (**Attachment A3**).

Table 2: Panel comments and council response.

Panel Comments	Council Response
1. Correct the proposed zoning map for Area C which is proposed to be rezoned from R3 to R4.	Council corrected this error.
2. Prepare a financial feasibility assessment to examine the different FSR and heights, and to inform the infrastructure contributions and other finance mechanisms.	Council supported a further financial feasibility assessment to substantiate the proposed development standards and inform development contribution.
3. Prepare further analysis on the proposed FSR and height controls to ensure that it does not lead to a uniform height and scale outcome and address any transitional issues at the boundary between R2 and R4 zoned land.	Further analysis of the FSR has been undertaken for the areas that are proposed to be rezoned R4 (Attachment A5). However, the analysis of the transitional boundary issues is not supported as it does not take into consideration the R3 zoned land located between the R4 and R2 zones which provides a transition. Furthermore, an appropriate building height for the R3 zone would be examined as part of the LEP review.
4. Recommends the incentive clause address how the additional FSR relates to additional heights.	Council notes that further work on this matter will be undertaken prior to the exhibition period, subject to Council's endorsement.
5. Recommends undertaking a desktop traffic analysis in order to confirm the capability of the road network to accommodate the additional FSR and height.	Noted and this study would be undertaken prior to the exhibition period.
6. Supports the principle of site amalgamation to achieve appropriate outcomes across the precinct.	Noted.
7. Consideration of flood management and evacuation routes.	Council notes that the site-specific DCP would include a requirement for site evacuation plans.
8. Recommends undertaking a commercial and retail demand study in order to confirm the extent of mixed use in the proposed B4 zone.	Noted and all additional further studies will be undertaken prior to the exhibition period.
9. Supports the proposal for multi-deck parking and that an appropriate funding strategy will need to be developed.	Noted.

Panel Comments	Council Response
10. Supports the preparation of a site-specific DCP to support the planning proposal and reflect Ingleburn's status as a special place.	Council notes that a site-specific DCP would be prepared prior to the exhibition period.
11. Supports the potential Council submission to the Housing Acceleration Fund to fund the flooding and hydrology investigations.	Noted.
12. Recommends the alignment of the rest of the Ingleburn Town Centre with the Ingleburn Precinct Plan as part of the upcoming broad review of the LEP.	Noted.

It is concluded that Council has adequately considered and addressed the comments from the Campbelltown Local Planning Panel.

4.3 Section 9.1 Ministerial Directions

Inconsistent: The planning proposal is inconsistent with the following Section 9.1 directions, as discussed below.

Direction 1.1 Business and Industrial Zones

The objectives of this direction are to encourage employment growth in suitable locations, to protect employment land in business and industrial zones, and to support the viability of identified centres. This direction applies as the subject land contains B4 Mixed Use zoned land and the proposal seeks to partly reduce the area of the existing business zone.

While the proposal would rezone 10,115m² of B4 Mixed Use zoned land to RE1 Public Recreation, it seeks to increase the commercial and retail floor space within the precinct through an increase in the maximum building height by approximately 40,000m².

Consequently, the technical inconsistency is considered to be minor and it is recommended that the proposal proceed on that basis.

Direction 6.2 Reserving Land for Public Purposes

The objectives of Direction 6.2 are to facilitate the provision of public services and facilities by reserving land for public purposes, and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. The proposal seeks to create two new public open space areas, proposed to be rezoned from B4 Mixed Use to RE1 Public Recreation.

The direction requires that a planning proposal must not create, alter or reduce zonings or reservations of land for a public purpose without the approval of the relevant planning authority and the Secretary. These parcels are currently owned by Council and therefore do not require identification for acquisition purposes.

The Premier's Priority seeks to increase the proportion of homes in urban area within 10 minutes' walk of quality green, open and public space by 10 percent by 2023. Through the introduction of additional open-space, the proposal is seeking to achieve the Premier's Priority. A condition is also recommended to be placed on the

Gateway Determination for Council to undertake an open-space study to identify the open-space and social infrastructure needs of the future Ingleburn community.

Given the proposal will be assisting to achieve the Premier's Priority, it is considered that any inconsistency with this direction is considered to be of minor significance.

Direction 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls. The planning proposal is inconsistent with this direction as it seeks to introduce additional development controls to the precinct in the form of additional local provisions to address flooding issues, incentive clauses to encourage quality design outcomes, and a provision to allow for an iconic building to be developed in the centre.

These inconsistencies are considered to be of minor significance as these site-specific provisions apply to a precinct and would facilitate high standard living for occupants and sustainability in the precinct as well as exceptional architectural design.

Further justification required: The inconsistency of the planning proposal with the following Section 9.1 directions needs to be addressed further as discussed below.

Direction 4.3 Flood Prone Land

This direction aims to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. This direction applies to the planning proposal as the precinct contains flood prone land.

The planning proposal is inconsistent with this Direction as it permits a significant increase of the permissible development across the flood-affected land on the site.

However, Council notes that by leading the Ingleburn Town Centre planning proposal it is anticipated that a funding mechanism would be developed to finance the drainage upgrades needed to mitigate the flooding issue. In addition, the proposal states that an increase in height limit will provide opportunities to improve the ability of development proposals to adapt to an individual site's flooding constraints, such as raised floor levels and providing flood free parking and evacuation routes.

It is noted that Council's preferred solution and recommendation is to seek funding under the Housing Acceleration Fund (HAF) to expedite the investigation and flood mitigation works needed for the area. The Department notes that there is no funding available for this work under the current HAF round and Council is recommended to look for alternative funding opportunities.

To ensure the planning proposal complies with the requirements of this direction, it is recommended that Council:

- prepare a summary of the Bow Bowing Bunbury Curran Creek Catchment Flood Management Study to identify the flooding risk, behaviour, vulnerability (H1-H6 classification) and impact/risk to life associated with development in the Ingleburn CBD;

- prepare a summary of the Flood Management Plan for the Ingleburn CBD which nominates:
 - options to mitigate the impact of flooding in the Ingleburn CBD as a result of the proposed development; and
 - proposed management options such as through the preparation of detailed design controls and measures to mitigate the flooding risk to property and life; and
- consult with the Environment, Energy and Science Group to determine if there are any further flooding issues with the proposed development.

The inconsistency with this Direction remains unresolved and will need to be addressed prior to the plan being made.

Consistent: The planning proposal is consistent with the following Section 9.1 directions as discussed below.

Direction 2.3 Heritage Conservation

The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The precinct contains three local heritage items being a community hall (Item 70), a horse trough (Item 71), and a public school (Item 72).

The proposal is consistent with this Direction as there is an existing heritage provision in the LEP to ensure the conservation of these heritage items. The proposal also notes that any future development within close proximity to those items would need to address potential impacts on the heritage items.

Direction 3.1 Residential Zones

This direction aims to encourage a variety and choice of housing types, to make efficient use of existing infrastructure and services, and to minimise the impact of residential development on the environment and resource lands. This direction applies to the precinct as it contains R3 Medium Density Residential and R4 High Density Residential zoned land.

The proposal is consistent with this direction as it would increase the residential density within the precinct and utilise existing infrastructure and services within the Ingleburn Town Centre meeting the intent of the direction.

Direction 3.4 Integrating Land Use and Transport

The objective of this direction is to increase the choice of available transport and reduce the dependence on cars. The proposal is consistent with this direction as the precinct is within walking distance of the Ingleburn Railway Station and there are a number of bus routes providing access to Minto, Liverpool, Campbelltown and Macarthur Town Centres.

Direction 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor

The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts. The planning proposal is consistent with this direction as it would implement the recommendations identified in the Ingleburn Precinct Plan.

4.4 State environmental planning policies (SEPPs)

State Environmental Planning Policy No 19—Bushland in Urban Areas

The general aim of this Policy is to protect and preserve bushland within the urban areas referred to in Schedule 1 because of its value to the community as part of the natural heritage; its aesthetic value; and its value as a recreational, educational and scientific resource. The planning proposal notes that no open space or bushland would be impacted by the planning proposal.

State Environmental Planning Policy No 55—Remediation of Land

The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land. As the planning proposal would only increase the density of land currently zoned for residential and mixed-use purposes then a contamination report is not required at this stage. However, the proposal noted that further contamination investigation and remediation may be required within the precinct at the development application stage, where applicable.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social and Economic

The planning proposal notes that the proposed amendments would have a positive social and economic impact on the Ingleburn Town Centre. The increased residential density within the precinct would boost the economy in the commercial and retail core of town centre and facilitate a rejuvenated liveable and safe area.

Council proposes to improve the public domain through street improvements, the provision of two new public open spaces, and the expansion of the Greg Percival Community Centre and Library for a performance and community art space. In addition, Council has indicated that a Public Domain Strategy would be prepared for the precinct to provide recommendations in terms of street planting, furniture, footpaths width and the like.

In 2012, a review of the Business Centres within the Campbelltown LGA revealed that the Ingleburn Town Centre provides approximately 12,100m² of retail shopfront (main street) floorspace and 14,100m² of floorspace provided within Ingleburn Fair and Woolworths Marketplace. Therefore, in total the centre provides 26,200m² of shopfront retail floorspace, which represents a marginal increase since the 2005 study (which recorded 24,400m² of retail floorspace including vacant floorspace).

Council has also advised that a Commercial and Retail Demand Study would be prepared for the planning proposal in order to confirm the extent of mixed use in the proposed B4 zone.

Department Comment

The Public Domain Strategy and the Commercial and Retail Demand Study should be prepared prior to public exhibition to inform any changes to the planning proposal.

5.2 Environmental

The precinct is mainly developed with commercial and residential buildings, however, the subject land includes small dispersed areas of existing Cumberland Plain Woodland (CPW) vegetation within the northern portion (Figure 9 next page). It is noted that Council owns some of the land which contains the existing CPW, however, the remainder is located on privately owned land.

Council has advised that there are currently no proposals to clear the existing vegetation from the land within the precinct and any proposal to redevelop would need to be accommodated by further biodiversity studies and investigations.



Figure 9: Existing Cumberland Plain Woodland.

5.3 Traffic and Transport

It is noted that Council has not prepared a traffic study for the precinct but advised that traffic modelling has been undertaken across the LGA.

Council proposes to prepare a traffic and parking assessment to inform the proposal prior to exhibition. In addition, further investigation and discussions with Council's traffic engineers would be undertaken as the proposal progresses to determine if any further improvements to the road network are required to accommodate the increase in traffic movements.

The Public and Urban Domain Strategy would also investigate pedestrian and cycling routes and accessibility within the town centre. Furthermore, the new local infrastructure contributions plan also identifies intersection upgrades at Ingleburn that will in part be funded by contributions collected under the plan.

Department Comment

Prior to exhibition, Council is to prepare the Traffic and Parking Assessment and Public and Urban Domain Strategy and update the proposal in accordance with the recommendations of the assessment. In addition, Council should consult the Roads and Maritime Services and Transport for NSW on the proposal during the exhibition period.

5.4 Flooding

The precinct is located within close proximity to two creeks which are the Bunbury Curran Creek (north and west of the site) and Redfern Creek (south of the site). A Floodplain Risk Management Study and Plan (FRMSP) is being prepared by Council and identifies significant flooding occurring in parts of Ingleburn Town Centre, with notable flood depths throughout the centre observed in events as frequent as the 20 percent AEP (5yr Average Recurrence Interval). Numerous solutions have been

investigated as part of the FRMSP and the preferred solution is additional drainage lines through roads in the centre (Figure 10 below).



Figure 10: Concept layout plan of Council's preferred flooding solution.

Council has illustrated the existing 20% AEP flood extent (Figure 11 next page) and 1% AEP flood extent (Figure 12 next page) within the Ingleburn Town Centre. In addition, Council has modelled the impacts of the proposed drainage upgrades on both flood extents.

The proposal acknowledges that it is unlikely that any solution would remove all flood risk in the town centre, however, a combination of further flooding controls and drainage upgrades is recommended. It is also noted that residential and mixed-use developments are currently permissible with consent in the flood prone areas.

As noted previously, Council has advised that the proposed maximum building height would facilitate flooding improvements within the precinct as future development applications can address an individual site's flooding constraints through raised floor levels and providing flood free parking and evacuation routes. Council, however, intends to seek funding under the Housing Acceleration Fund to expedite the investigation and flood mitigation works needed for the area. The Department notes that there is no funding available for this work under the current HAF round and Council is recommended to look for alternative funding opportunities.

The proposal notes several important matters, as follows:

- Council's Engineering Team advised that the commercial core should have a 10% AEP piped drainage system however this may not be cost effective for the precinct;
- there are opportunities for alternative upgrades in a number of different configurations;
- intensive planning controls could lead to a reduced public infrastructure cost however such an approach may not be adequate until all properties are developed; and

- this current work only looks at the major overland flow paths and additional upgrades may be required for some of the existing drainage deficiencies.

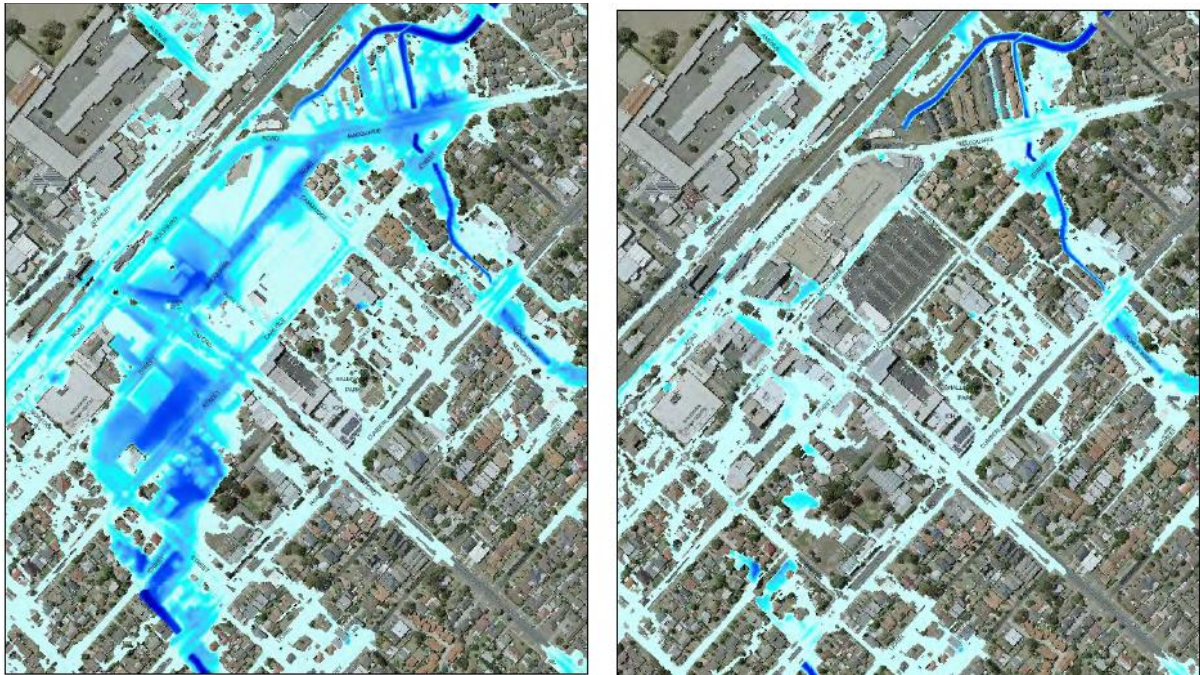


Figure 11: Existing flooding extents (left) and flood extents with upgraded drainage (right) for the 20% AEP flood depths.

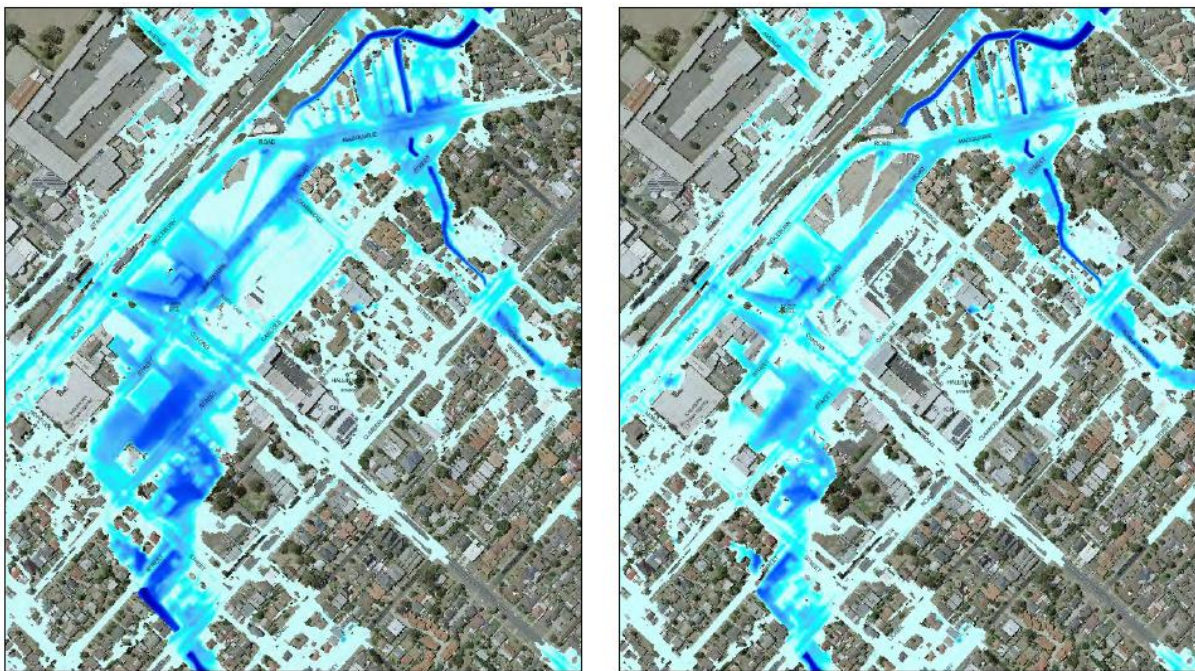


Figure 12: Existing flooding extents (left) and flood extents with upgraded drainage (right) for the 1% AEP flood depths.

Department Comment

While the Department is supportive of the intent to rectify flooding issues and recognises that rezoning offers an opportunity for works to be undertaken to rectify flooding issues, greater certainty over the outcome, mechanism(s) and timing is required.

To ensure the planning proposal complies with the requirements of this direction, it is recommended that Council:

- prepare a summary of the Bow Bowling Bunbury Curran Creek Catchment Flood Management Study to identify the flooding risk, behaviour, vulnerability (H1-H6 classification) and impact/risk to life associated with development in the Ingleburn CBD;
- prepare a summary of the Flood Management Plan for the Ingleburn CBD which nominates:
 - options to mitigate the impact of flooding in the Ingleburn CBD as a result of the proposed development; and
 - proposed management options such as through the preparation of detailed design controls and measures to mitigate the flooding risk to property and life; and
- consult with the Environment, Energy and Science Group and the State Emergency Services to ensure that the development measures and potential funding mechanisms are adequate to address the flooding issues in the precinct.

5.5 Heritage

The precinct contains three local heritage items (Figure 13 below) as follows:

- Item 70 – Ingleburn Community Hall (72 Oxford Road);
- Item 71 – Ingleburn Horse Trough (Centre of Oxford Road); and
- Item 72 – Ingleburn Public School (51 Oxford Road).



Figure 13: Current heritage map.

There are existing heritage conservation controls (Clause 5.10) within the LEP to conserve the significance of these local heritage items. Council notes that any future development proposals within close proximity to these heritage items would need to address potential impacts on these items. The planning proposal states that further investigations would be undertaken in relation to the potential impact of increasing building heights around these heritage items.

Department Comment

The Department recommends that Council consults Heritage, Department of Premier and Cabinet on the proposal during the exhibition period on heritage matters.

5.6 Community Facilities

Council developed a Community Facilities Strategy to explore the needs and expectations of our growing and changing community and provided an opportunity to look at emerging trends in community facilities and respond to different generational needs. The strategy included the following recommendations for the Ingleburn Town Centre:

- the town centre is well serviced in terms of facilities, including a district library, community centre and childcare in close proximity to the station and around future development;
- the district level assessment supports an upgrade to the Greg Percival Community Centre and Library to allow a performance and community art space (additional 1,000); and
- a community health centre could be integrated into an upgraded Greg Percival Community Centre and Library.

The planning proposal also notes that there is currently a limited amount of public open space located within the precinct, as Hallinan Park is currently the only formal recreation space. There are, however, significant areas of open space located outside of the precinct.

In response, the planning proposal has identified two additional parks within the core area to service additional residents within the town centre. It is noted that these two additional parks are proposed on current Council owned land which are currently used for parking (Figure 14).

The first new park (i.e. Park A) would be located at the northern end of the Macquarie Road Carpark which is approximately 1.2ha and contains 440 on grade car parking spots. It is proposed that part of this existing parking area (approximately 7,500m²) be converted to a new park (i.e. Park A) and the remaining part of the carpark be developed into a multi-deck carpark with 600 parking spaces. Council notes that funding plan would be required for the proposed multi-deck carpark and to minimise impacts on the businesses and customers within the town centre, it is proposed that this area would continue to function as a carpark until such time the multi-deck carpark is constructed.

Proposed Park B is 2,615m² in area and is currently used for 80 carparking spaces. It is proposed that the parking loss would eventually be accommodated within the future multi-deck carpark. Council notes that this new park is not considered sufficient, however, there is an opportunity to extend the park through local Voluntary Planning Agreements (VPA) with adjacent landowners. The option of creating a larger park by way of a VPA will be investigated as part of the public exhibition process.

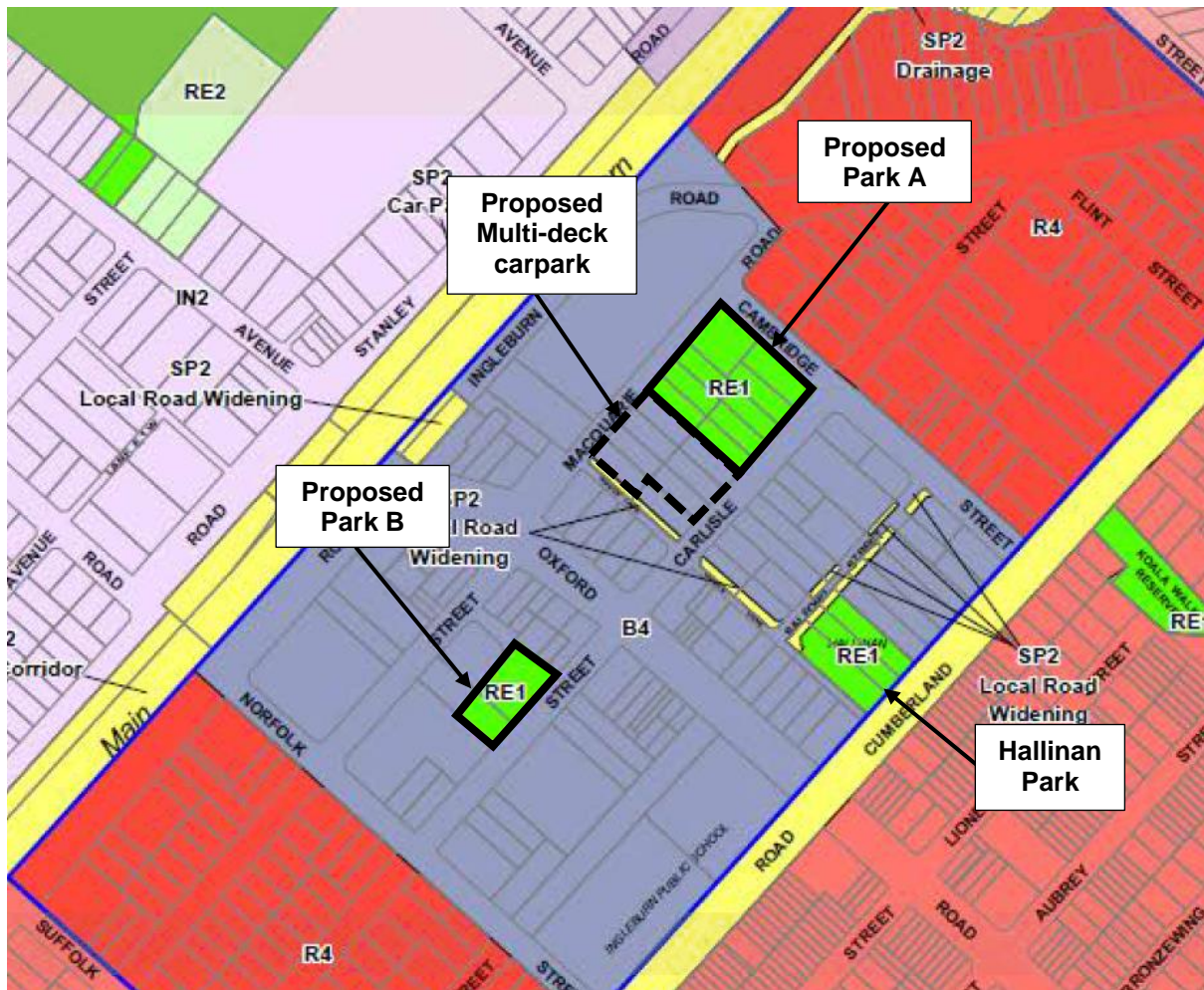


Figure 14: Location of future parks and the multi-deck carpark

5.7 Infrastructure

The site has access to existing infrastructure and utilities. However, it is recommended that Council consults with the relevant utility providers including Sydney Water, Jemena Gas and Endeavour Energy, during the public exhibition stage of the planning proposal.

6. CONSULTATION

6.1 Community

A public exhibition period of 28 days is considered an appropriate amount of time to gauge the response by the community.

6.2 Agencies

The Department recommends that Council consults with the following State agencies in relation to the planning proposal:

- Roads and Maritime Services;
- Transport for NSW;
- Environment, Energy and Science Group;
- State Emergency Services;
- Heritage, Department of Premier and Cabinet;

- Sydney Water;
- Jemena Gas; and
- Endeavour Energy.

Should these agencies require any additional information, or specify any additional matters to be addressed, the proposal is to be updated to respond to the submission, a copy of which is to be included with the updated planning proposal.

7. TIME FRAME

Council proposes a timeframe of 10 months to finalise this planning proposal. Given the nature of the planning proposal, a 12-month timeframe is considered appropriate at this time. Given the need to provide certainty over the process, however, this time frame may be subject to further review.

8. LOCAL PLAN-MAKING AUTHORITY

Council has not requested authorisation to exercise the plan making delegation. Given that the precinct contains Council and other State Agency owned land, it is recommended that authorisation to exercise delegation not be issued to Council.

9. CONCLUSION

The Department recommends that the planning proposal proceeds, subject to conditions, given that it has strategic and site-specific merit – as it will assist in revitalising the Ingleburn Town Centre and provide additional housing in a suitable location with access to jobs, infrastructure and services. In addition, the proposal would also implement the recommendations of the Ingleburn Precinct Plan as part of the Glenfield to Macarthur Urban Renewal Corridor Strategy.

10. RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. agree that any inconsistencies with section 9.1 Directions: 1.1 Business and Industrial Zones Direction; 6.2 Reserving Land for Public Purposes and 6.3 Site Specific Provisions, are minor or justified; and
2. note that the inconsistency with section 9.1 Direction 4.3 Flood Prone Land remains unresolved.

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal as follows:
 - (a) remove the word 'draft' from the cover;
 - (b) identify the number of additional dwellings and jobs facilitated by the proposed amendments;
 - (c) prepare the following studies to inform the proposed amendments:
 - (i) traffic and parking assessment;
 - (ii) open space and social infrastructure assessment which considers whether the 5m setback for the first floor is enough to cater for street tree canopies;

- (iii) public domain strategy which demonstrate that the proposed additional open space is sufficient to meet the needs of the community as a result of the proposed rezoning;
 - (iv) urban design analysis to formulate appropriate development standards in relation to FSR and qualifying site area and block depths;
 - (v) a funding strategy for the provision of infrastructure including a multi deck carpark, urban domain enhancements, any road improvement that may be needed and drainage works to reduce flooding; and
 - (vi) a commercial and retail demand study in order to confirm the extent of mixed use in the proposed B4 zone;
 - (d) prepare a summary of the Bow Bowling Bunbury Curran Creek Catchment Flood Management Study to identify the flooding risk, behaviour, vulnerability (H1-H6 classification) and impact/risk to life associated with development in the Ingleburn CBD;
 - (e) prepare a summary of the Flood Management Plan for the Ingleburn CBD which nominates:
 - (i) options to mitigate the impact of flooding in the Ingleburn CBD as a result of the proposed development; and
 - (ii) proposed management options such as through the preparation of detailed design controls and measures to mitigate the flooding risk to property and life.
 - (f) prepare a draft site-specific DCP for the site and concurrently exhibit this plan with the planning proposal;
 - (g) incorporate the Ingleburn Precinct Plan design principles and concept plan for Oxford Street in the site-specific DCP mentioned in condition 1(f); and
 - (h) include the intention for a satisfactory arrangements provision to apply for contributions to State public infrastructure in the final amending local environmental plan, unless a Special Infrastructure Contribution applies to the site.
2. Prior to public exhibition, the revised planning proposal as required by Condition 1 is to be forwarded to the Department for review and endorsement.
 3. The planning proposal should be made available for community consultation for a minimum of 28 days.
 4. Council is to inform all landowners affected by the planning proposal in writing about the exhibition of the proposal, outlining the effect of the proposed changes.
 5. Consultation is required with the following public authorities:
 - Roads and Maritime Services;
 - Transport for NSW;
 - Environment, Energy and Science Group;
 - State Emergency Services;
 - Heritage, Department of Premier and Cabinet;
 - Sydney Water;
 - Jemena Gas; and

- Endeavour Energy.
6. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
 7. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.



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29/10/19

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