

9 July 2019

Ann-Marie Carruthers  
Regional Director Sydney Region West  
Department of Planning, Industry and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms Carruthers

**Request for a Gateway Determination - Planning Proposal for Nos. 22 – 32 Queen Street, Campbelltown**

Council at its Ordinary Meeting held on 11 June 2019, considered a report in relation to the above Planning Proposal and resolved the following:

- "1. That Council endorse option two within the report and the draft planning proposal at attachment 3 to increase the height limit at 22 - 32 Queen St, Campbelltown and introduce other planning controls as detailed in this report and submit it to the Department of Planning and Environment seeking a Gateway Determination.*
- 2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site."*

Accordingly, a Gateway Determination is now requested under Section 3.34 of the Environmental Planning and Assessment Act 1979.

Please find attached the following documentation to support Council's request.

1. Council Report dated 11 June 2019;
2. Minutes of Local Planning Panel dated 28 November 2018;
3. Draft Planning Proposal prepared by Council staff.

It is also requested that the Minister issue delegated authority to Council to make the Plan as it is considered that this planning proposal is a local matter.

Should you require any further information regarding the planning proposal, please contact Stephen McDiarmid, Senior Strategic Planner on (02) 4645 4396.

Yours sincerely

David Smith  
**Executive Manager Urban Centres**

## 8.10 Planning Proposal 22 - 32 Queen St Campbelltown

### Reporting Officer

Executive Manager Urban Centres  
City Development

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles

### Officer's Recommendation

1. That Council endorse the draft planning proposal to increase the height limit at 22 - 32 Queen St, Campbelltown and introduce other planning controls as detailed in this report and submit it to the Department of Planning and Environment seeking a Gateway Determination.
2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.

### Purpose

To consider a planning proposal request for land at 22 - 32 Queen Street Campbelltown (Factory Outlet Centre Site). This report also considers the advice of the Campbelltown Local Planning Panel on the planning proposal request.

**Property Description** 22 Queen Street, Campbelltown (Lot X DP 409704)  
24 Queen Street, Campbelltown (Lot 15 DP 14782)  
32 Queen Street, Campbelltown (Lot 1 DP 1154928)

**Application No** 2193/2018/PP

**Applicant** Pacific Planning

**Owners** Campbelltown 88 Pty Ltd  
Supa 88 Pty Ltd

**Date Received** 22 June, 2018

### History

- A development application (901/2016/DA-RA) was lodged for the subject site in April 2016. The proposed development had a stated capital investment value of \$122.7m and was for:
  - Refurbishment and additions to existing commercial building

- Construction of a mixed use commercial/residential development comprising 594 apartments within seven towers
  - Provision of new ground level retail tenancies
  - Provision of 1190 car parking spaces.
- the development application was withdrawn by the applicant following the finalisation of the Glenfield to Macarthur Urban Renewal Corridor Strategy and the Reimagining Campbelltown CBD vision and the applicant advised that the release of these policies informed a new strategic direction for the site.
  - on 22 June 2018 Council received a Planning Proposal Request (PPR) from Pacific Planning Pty LTD which sought an amendment to the CLEP 2015 'Height of Buildings Map' to increase the permissible building height for the subject site from 26 metres to 34 metres, 49.5 metres, 65 metres, 77 metres and 87 metres over various parts of the site.
  - on 4 September 2018, the applicant briefed the Council on the PPR after the briefing to Council, on 11 September 2018 the applicant submitted a revised PPR which included a reduction in building height from the previous PPR. The revised building heights were 37 metres, 53 metres, 56 metres, 59 metres and 62 metres.
  - the revised PPR was presented to the Campbelltown Local Planning Panel on 28 November 2018. The panel supported the PPR in principle and made a number of recommendations as detailed in attachment 1.
  - subsequent to the Local Planning Panel advice, the applicant submitted further revised building heights of 70 metres, 42 metres, 29 metres and zero metres. The zero height limit is proposed for the open space/plaza component of the site. A copy of the applicant's revised Planning Proposal Request is included under attachment 2. It is this revised request that is under consideration in this report.

### **The Site**

The subject site consists of street nos. 22, 24 and 32 Queen Street, Campbelltown and has an area of 20,465.7m<sup>2</sup>. The site is highly visible from the bridge over the railway on Campbelltown Road and, as such, is considered to be a significant gateway into the City.

No 32 Queen Street is currently occupied by a Direct Factory Outlet Centre which is a large bulky retail building. The building is currently occupied by a medical centre, however the majority of the building remains vacant. No 22 Queen Street is currently vacant and No 24 Queen Street is occupied by the old bowling alley.

The site is generally flat and has a large frontage to Queen Street. The site adjoins Campbelltown Performing Arts High School located to the south east which includes a number of two storey buildings and large playing fields. The sites to the south west contain low rise mixed use retail/commercial premises and are currently occupied by a medical centre, Office Works and CCA Motorcycle Accessories shop.

The railway line is located on the opposite side of Queen Street with commercial industrial buildings beyond. The site to the north of the property contains the Colonial Motor Inn and a commercial Garden Centre (Tim's Garden Centre).

The subject site is also located adjacent to a state heritage listed item known as 'Warby Barn and Stables' (State Item No. 100497). Further discussion about the impacts on heritage is provided later in this report.

The buildings along Queen Street consist largely of one to two storey commercial premises along with newer residential flat buildings around seven storeys. Among the commercial spaces there are a large amount of health related uses. Queen Street is the main entry road to the Campbelltown CBD from the north.

The site is approximately 1.2 kilometres from the main entrance to the Campbelltown railway station. Queen Street is also a main bus route, and the site is adequately served by public transport.

The site is close to a number of schools including: Campbelltown Performing Arts High School, Beverley Park School and Campbelltown North Public School.

### **Existing Zoning and Building Height**

The site is currently zoned B4 Mixed Use under Campbelltown Local Environmental Plan 2015, and has a maximum building height of 26 metres (approximately eight storeys).

### **Campbelltown Local Planning Panel**

The PPR was presented to the Campbelltown Local Planning Panel on 28 November 2018. The panel supported the PPR in principle and provided advice for Council's consideration.

The building heights that were presented to the Panel were as follows:

37 metres, 53 metres, 56 metres, 59 metres and 62 metres.

### **Decision of the Panel for advice to Council**

1. The Planning Panel supports in principle a proposal to redevelop the subject site to create a precinct with high quality public domain and a distinguished architectural design with demonstrated community benefits commensurate with the scale of the project and the opportunities provided by its location.
2. The panel considers that the information submitted to date does not however present a compelling case for the proposed increase in maximum height limits and considers that further work is required prior to submitting the matter for Gateway determination and prior to the preparation of the Reimagining Campbelltown CBD process.
3. The panel recommends that the applicant be invited to submit further information in this regard in the form of a concept development application and site specific DCP which demonstrate that the proposal will provide:
  - a. an appropriate built form which includes a signature building to act as a gateway to the Campbelltown CBD and appropriate streetscape to Queen Street
  - b. a larger public park well located to facilitate access by the wider community and of sufficient dimension to meet demand for open space in the precinct
  - c. integration with adjacent sites and improved vehicular access and movements to the neighbouring school site to the east and the adjoining sites to the south (34 - 38 Queen Street) with a view to through connection to Chamberlain Street
  - d. a revised traffic assessment study to address the concerns raised by Council's engineers



- e. an appropriate relationship to the adjacent heritage building including setbacks, building form and use on the first two levels and pedestrian access to the heritage building from the site
- f. an economic feasibility study that examines the viability of mixed use development across the 20,465.7sqm site, any potential impact on retail and commercial uses in the Campbelltown CBD and whether an alternate land use zoning is appropriate for all or part of the site.

### **Panel Considerations and Reasons for Decision**

The panel listened to and read the representations from the applicant, owner's representative and consultants. This information together with the Council staff report was considered by the panel and it was felt that the proposal submitted had not been justified in terms of the additional maximum building height requested and particularly in the absence of the Reimagining Campbelltown CBD study completion.

The panel does support the redevelopment of this site as a gateway to Campbelltown CBD and is looking for a desirable architectural outcome with community benefits. This is on the basis that the site is of sufficient size to accommodate redevelopment in the short term, with no further site amalgamation required.

The panel encourages the Council to hasten the progress of phase two of the project Reimagining Campbelltown CBD.

### **The Revised Planning Proposal Request**

In response to the Local Planning recommendations the applicant submitted a revised planning proposal, a supplementary economic report, a revised urban design analysis and a visual analysis study.

The minutes of the Panel meeting are presented in attachment 1 of this report.

The revised Planning Proposal Request (PPR) included under attachment 2 seeks to amend the CLEP 2015 - 'Height of Buildings Map' to increase the permissible building height for the subject site from 26 metres to 70 metres (approx. 23 storeys) for the main signature building, to 42m (approx. 14 storeys) in height for a space suitable for three buildings with 29 metres (approx. nine storeys) located adjacent to the heritage listed 'Warby Barn and Stables', on the western adjoining site.

The PPR considers the subject property to be a gateway site marking the entrance to the Campbelltown CBD with visual prominence from various locations. Gateway sites, by their nature, mark the entry to a place and make a statement about what the place is about.

### **Concept Development Application**

Council has received a Concept Development Application for the site that proposes six buildings and a small plaza. Although the development concept submitted with the proposal is indicative only, the proposed development would have to meet the current requirements of Campbelltown LEP2015 and the Campbelltown (Sustainable City) Development Control Plan as well as the requirements of the Apartment Design Guide. The concept application is consistent with the current height limit of 26 metres. This development application is currently being assessed. The concept application did not include any details in relation to the

demolition of the existing buildings onsite but was made on the basis that demolition would occur through a subsequent DA.

### **Assessment of the Planning Proposal Request**

#### **Strategic Context – Relationship to State and Local Planning Policies**

The Planning Proposal has been assessed against all the relevant state and local planning policies and has been found to be not inconsistent with any of the relevant strategies.

Detailed assessment is included in attachment 3 (Draft Planning Proposal) of this report.

#### **Height and Urban Design**

The impact any additional height will have on surrounding properties, the streetscape and nearby heritage buildings needs to be carefully considered. The submitted heritage report incorporates an internal street layout which mirrors that of the neighbouring heritage item. The concept provided with the proposal also incorporates lower heights in closer proximity to 'Warby Barn and Stables', however, the proposed heights still exceed what is currently permissible on the land and surrounding sites.

It is considered that the proposed increase in height is not justified, given the site's location and its distance from the Campbelltown CBD Central Core area. The maximum height permissible within the Central Core is currently 45 metres (approx. 15 storeys) on sites, a limited group of site bounded by Hurley Street, Railway Street, Short Street/ Coogan Land and Dumaresq Street with the remainder of the Campbelltown CBD (majority) limited to 32 metres (approx. 10 storeys). The success of the Central Core area of the CBD in providing higher order civic, cultural, employment, residential and retail opportunities is dependent on the concentration of development in proximity to the railway station and other existing retail, government and service industry land uses. Therefore, care needs to be taken to ensure that development not in close proximity to the traditional centre of the CBD does not detract from these goals.

The proposed heights are less than the recently endorsed draft Planning Proposal for the Campbelltown RSL site which sought a maximum permissible height of building of 85m on the rear of the site and 45 metres towards Queen Street. This was endorsed by Council on 14 August 2018. However the Campbelltown RSL site is located in the CBD where the height limit is currently 32 metres. The RSL site is located only about 75 metres from the core area where the current maximum height is 45 metres and is within close proximity to open space and the Campbelltown Railway Station.

While the PPR for 22-32 Queen Street would bring additional housing to the greater CBD area, it has the potential to compete with the core CBD area and proposes a density higher than any other in Campbelltown. Further, such density may not be consistent with the liveability outcomes required to deliver a successful Western Parkland City and the lifestyle envisaged by the Reimagining Campbelltown CBD Vision.

It is recommended that open space be provided within 200 metres of high density living. The proposal incorporates communal open space on the podiums of the indicative building footprints proposed on site. Further open space is proposed to be provided on the rooftops of these buildings. The provided open space is not considered sufficient for the scale of development proposed, given the lack of public open space within this part of the CBD. The

proposal includes the provision of a civic plaza, however no ground level open space is proposed for active recreation purposes.

Further detailed analysis is required in respect to the resultant overshadowing impacts on the surrounding public domain, adjoining properties and open space, in addition to the adjoining school site, however this further work should occur after there is more certainty on height through a gateway determination.

Should the proposal proceed it is recommended that, a detailed Public Domain Plan be prepared for the site. Further consideration should also be given to open space on the ground floor of the site. These matters can be addressed through site specific controls in the Development Control Plan.

The redevelopment of this site, and particularly the demolition of the existing DFO building, is supported and is a great opportunity to redesign the interface between Queen Street and the built form. The majority of the site is currently occupied by a DFO store which is a large bulky retail building that, with the exception of an existing medical centre, remains predominately vacant, in addition to being unsightly and underutilised. However, the proposed increase in building heights, has not been fully justified, and has potential undesirable impacts on the core CBD. As a result of this evaluation, the PPR is not supported in its current form.

The current plans which specify the building height, massing and density submitted with the Planning Proposal Request are still not considered justifiable, ahead of the detailed master planning for the entire Reimagining Campbelltown CBD study area being undertaken. However, a smaller proposal is supported, including the opportunity to enable one iconic signature building on site. It is recommended that Council adopt a revised proposal that reflects its location and distance from the core CBD, Campbelltown and Leumeah Railway Stations. A gateway site would not normally exceed the maximum height permissible within the CBD and therefore it is recommended the height for the signature building should be limited to 45 metres.

Other matters such as traffic, stormwater, contamination and land use issues would also need to be investigated further post gateway determination.

The applicant has submitted an Economic Analysis for the site. This report would need to be revised as it does not factor in the newly adopted Campbelltown Local Infrastructure Contributions Plan (commenced on 14 December 2018) and the possibility that the redevelopment of a site at this scale may attract Special Infrastructure Contributions (SIC) that may be imposed by the Department of Planning and Environment as part of the Gateway Determination.

The applicant prepared a visual analysis to examine the visual impacts of the proposed building heights on the Campbelltown CBD and view corridors from and to the CBD.

The applicant's visual analysis has demonstrated that the development on this site would be visible from various locations within Campbelltown but also quite limited from others. The impacts would be detrimental when viewed from areas within close proximity to the site, such as the bridge on Campbelltown Road and Moore-Oxley ByPass. A reduced building height is recommended for this Planning Proposal (compared to the applicant's planning proposal request) and would result in a development that is less intrusive into the CBD skyline and more compatible with the streetscape.

**Traffic and Parking**

The proposed increase in building height from 26 to 70 metres would accommodate approximately 15 additional storeys of residential apartments above what is currently permissible which will also result in a significant increase in vehicle movements accessing and egressing the site. This would be in addition to vehicles (including heavy vehicles) also servicing the commercial component of the completed development.

The applicant has submitted a Traffic and Parking Impact Assessment, prepared by McLaren Traffic Engineering and Road Safety Consultants.

The Report considered the following:

- the potential impacts of the future traffic generation, the appropriate access and circulation arrangements within the site and recommendations for future upgrades to the road network to accommodate growth.
- the potential traffic generation against both the Campbelltown (Sustainable City) DCP 2015 parking rates and the RMS rates, and recommends that the RMS rates be adopted given the proximity of the site to an extensive network of public transport and the reduced impacts of future development.
- the impacts that future development will have on the surrounding road network, and make recommendations on the site access and circulation which will be incorporated and addressed at the concept DA stage. The Report evaluates the geometries of three intersections that will be particularly affected and suggests appropriate upgrades to ensure acceptable intersection performance as the staged development is realised in the future. These intersections include Queen Street/Chamberlain Street, Campbelltown Road/Blaxland Road and Queen Street/Campbelltown Road.

The report recommends that more detailed design and testing of intersection upgrades be undertaken as the development concept is refined and progresses to the next stage of planning and development.

Councils' engineers reviewed the applicant's traffic assessment report and raised the following concerns:

- due to sight distance it would be unlikely to be possible to have a right turn entry to the site from Queen St, and as such the entry would have to be 'left in' only. To facilitate this design, a use of a central median would be required. However, this may not be possible given the width of queen corridor. As such, the proposed design would need to be revised and consideration should be given for better utilisation of the existing traffic signals for all vehicle movements.
- traffic generation for the residential component appears low.
- combined loading facilities for retail/commercial/residential use would need to be incorporated in the parking design.
- in the future, there is a possibility that Queen Street may be converted to a one way traffic flow. Flexibility in the design should consider this future condition.



- as the site is impacted by flooding, basement car parking would require careful consideration of access points to ensure that openings are clear of 1 percent AEP flood impact for both flooding in Queen Street and overland flow from the adjacent school.
- a revised traffic study that demonstrates how the surrounding network would be able to accommodate the increase in traffic, as a result of the proposal, was not submitted in response to the Local Planning Panel's request, however this matter can be addressed after the Gateway Determination and prior to public exhibition.

### **Flooding**

The following comments were provided by Council's engineers:

- the site is affected by overland flow from the upstream lands in Campbelltown Performing Arts High School. Sufficient provision must be made to convey these flows through the site. This can be achieved in a number of ways (pipes, swales, etc) and Infrastructure is happy to assist with any discussions in this regard.
- the site is also affected by flooding in Queen Street and control levels will be required. These can be determined as part of the submitted concept application.
- the existing development on the Brands on Sale site contains provision for both overland flow (via two swales through the ground floor level of the carpark) and flooding Queen Street (the development floor levels have been raised to the required levels).
- the proposal appears to provide opportunity to accommodate the above requirements. There appear to be open areas which could be used to convey overland flow. Floor level controls can be set to address flooding in Queen Street. Care would be required to ensure the underground carpark openings were located such that flood waters could not enter.

### **Heritage**

A state heritage listed item Warby's Barn and Stables adjoins the site.

The applicant has submitted to Council a Heritage Study prepared by Lucas, Stapleton and Johnson which provided the following guiding principles:

- provide an appropriate backdrop to the Warby site as seen from the north-east (Campbelltown Road overpass) with the old Campbelltown presented against the "new Campbelltown" without overwhelming the historic site.
- ensure the project does not prejudice the future development of the Warby site, rather provide opportunities for the future development of the Warby site in a way that will enhance its significance and interlink with the Project site.

Any development on the site would need to ensure that the heritage significance of the heritage building is protected and not adversely impacted.

It is recommended that any future development that adjoins the heritage building be limited to 26 metres (approx. eight storeys) and to limit any development on the remaining part of the northern boundary be limited to 32 metres (approx. 10 storeys). It is also recommended

that a height limit of 1.5 metres apply to the open plaza area immediately adjacent to the heritage item.

Subject to Council's endorsement of this draft planning proposal, the heritage study will be referred to Office of Environment and Heritage for comments.

### **Reimagining Campbelltown CBD**

Reimagining Campbelltown CBD sets the community's vision for the future of the Campbelltown, Macarthur and Leumeah centres. It aims to create a Metropolitan CBD, a leading centre of health services, medical research and med-tech activity. The city would be designed for ambition, innovation and opportunity.

Reimagining Campbelltown CBD sets out six pillars/principles for growing Campbelltown-Macarthur CBD as follows:

1. No Grey to be Seen
2. City and Bush
3. Connected Places and Community
4. Confident and Self Driven
5. Centre of Opportunity
6. The Good Life

Council is in the process of preparing Reimagining Campbelltown Phase 2. The next phases of Reimagining Campbelltown includes establishing frameworks to ensure smooth strategic planning and therefore delivery of the Vision. This includes an integrated suite of master plans that cover the economic viability, infrastructure requirements, and physical spatial master planning of the identified precincts. The anticipated frameworks may not assign building heights and floor space ratios for all the sites within Campbelltown CBD, as this would be part of further analysis that would be guided by the outcome of Phase 2.

As such Reimagining Campbelltown does not and will not provide justification for the heights proposed by the applicant. Lower heights are recommended as detailed in this report.

### **4. Developer Contributions**

Campbelltown Local Contribution Plan was adopted by Council last year and came into effect on 14 December 2018. This contribution plan would be used to determine. If the proponent instead sought to enter a voluntary planning agreement a future report would be presented to Council for consideration and any development application would need to be reported to the Local Planning Panel.

The Department of Planning and Environment, may choose to impose a Special Infrastructure Contributions (SIC) to help fund the delivery of some of the key pieces of State and regional infrastructure required to support a growing population.

There are a number of options are available to Council for consideration.

### **5. Options for Council**

- **Option 1** – Endorse the applicants Planning Proposal Request
- **Option 2** – Endorse the draft Planning Proposal prepared by Council staff
- **Option 3** – Reject the proposal

**Option 1**

Supporting the PPR would facilitate the redevelopment of the site and the replacement of a vacant building by a mixed use development which would improve the economic viability of this site and provide an opportunity to redevelop the site in a manner that would enhance the public domain and streetscape. However it is considered that the heights have not been justified having regards to their location relative to the CBD and their impacts on the CBD.

**Option 2 – Endorse an alternative draft Planning Proposal**

The recommendation is to support an increase to the current building height, with a signature building of 45 metres and a moderate increase of two to four storeys for the rest of the site.

This increase in building heights would maintain a sensitive transition from the core of the CBD to its edge and would still provide a substantial increase in the number of dwellings on this site. This would subsidise the economic disadvantage that the applicant has raised as a result of demolishing the existing building on site. This option also has less impact on traffic and open space.

The risk with this option is that the applicant may not be satisfied with the proposed heights and may potentially refrain from demolishing the building and the redevelopment of the site altogether.

**Option 3 – Reject the proposal**

Rejecting the proposal also provides the proponent with an opportunity for a pre-gateway review. Potential adaptation and refitting of the existing building for a use that is economically viable seems unlikely given its history of vacancy. This option would be subject to market demand and the owner's willingness to re-adapt/re-fit the existing building for a suitable purpose. It results in less impact on the environment in terms of the potentially wasted resources and cost and other impacts of demolishing a structurally sound building. However this option reduces the likelihood of redevelopment and the building may continue to be vacant. This is not considered to be a good outcome for the site.

**5. Next Steps**

Should a planning proposal proceed to Gateway and receive a positive Determination, requirements for additional studies and community consultation would be specified in the Gateway determination.

**6. Conclusion**

The PPR seeks to achieve an increase in height for the land located at 22 - 32 Queen Street Campbelltown (Factory Outlet Centre Site). This area is identified for the purposes of mixed use under the Corridor Strategy. Although the site is considered to be an important site to the Campbelltown CBD, given its size and location, the proposed increase in height under the proponent's PPR is considered disproportionate due to its relative position on the outer edge of the Campbelltown CBD and the distance (1.2km) from Campbelltown Railway Station.

Given the absence of a strong evidence base for maximum building heights for this part of the Campbelltown CBD and the fact that Reimagining Campbelltown Phase 2 may not

necessarily include maximum heights nor floor space ratios for individual sites within the Campbelltown CBD, Council staff prepared a draft planning proposal with heights ranging from 26 to 45 metres (attachment 3). The proposed heights are considered more appropriate within this section of Queen Street, compared to the proponent's PPR.

It is recommended that Council endorse increased heights for the site to facilitate the demolition of a building structure that is under performing and the development of a mixed use residential development for the site.

### **Draft Planning Proposal Prepared by Council Staff**

After careful consideration of the key matters relating to the site including urban design, economic feasibility, heritage solar access, open space and traffic and access, Council staff have prepared a draft planning proposal for the site with lower building heights than requested by the applicant. The recommended planning proposal includes:

- maintain the building height of 26 metres (eight storeys) for the part of the site that is immediately adjacent to the heritage building
- increase the building height from 26 metres (eight storeys) to:
  - 32 metres (ten storeys), 38.5 metres (12 storeys) and 45 metres (15 storeys), as shown in attachment 3.
- decrease the building height from 26 metres to 1.5 metres for the area proposed for ground floor plaza/open space
- include an appropriate FSR requirement (eg 2.5:1 for residential apartment buildings and 1.7:1 for mixed use development). The appropriate FSR control for the site would be confirmed post gateway determination and prior to public exhibition.
- include a local clause to:
  - ensure that future development on this site is of high design standards
  - require a ground floor setback from Queen Street to allow for landscaping and active facades fronting Queen Street
  - Require a setback from the school grounds to allow for landscaping and solar access
  - Provide a minimum qualifying site area
- include a requirement for a site specific DCP that requires the site to be master planned.

### **Attachments**

1. Minutes of Local Planning Panel (contained within this report)
2. Applicants Revised Planning Proposal (due to size 69 pages) (distributed under separate cover)
3. Draft Planning Proposal (contained within this report)



### **8.10 Planning Proposal 22 - 32 Queen St Campbelltown**

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**Meeting note:** Mr Matthew Daniel addressed the meeting.

It was **Moved** Councillor Chowdhury, **Seconded** Councillor Morrison:

1. That Council endorse option two within the report and the draft planning proposal at attachment 3 to increase the height limit at 22 - 32 Queen St, Campbelltown and introduce other planning controls as detailed in this report and submit it to the Department of Planning and Environment seeking a Gateway Determination.
2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.

A Division was recorded in regard to the Resolution for Item 8.10 with those voting for the Motion being Councillors G Brticevic, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, W Morrison and B Thompson.

Voting against the Resolution were Councillor B Moroney.

**100** The Motion on being Put was **CARRIED**.

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**Meeting note:** At the conclusion of Item 8.10 Councillor Greiss, Councillor Lound and Councillor Oates returned to the Chamber at 7:26pm.

## **Attachment 1**

### **Minutes of Local Planning Panel Meeting - 28/11/2018**

#### **Planning Proposal - 22 - 32 Queen Street, Campbelltown**

<b>Decision of the Panel</b>	<b>Response</b>
1. The planning panel supports in principle a proposal to redevelop the subject site to create a precinct with high quality public domain and a distinguished architectural design with demonstrated community benefits commensurate with the scale of the project and the opportunities provided by its location.	The proponent submitted a revised planning proposal to Council on 16 May 2019, which is the subject of this report.
2. The panel considers that the information submitted to date does not however present a compelling case for the proposed increase in maximum height limits and considers that further work is required prior to submitting the matter for Gateway determination and prior to the preparation of the Reimagining Campbelltown CBD process.	Council is in the process of preparing Re-imagining Campbelltown Phase 2. The next phases of Re-imagining Campbelltown includes establishing frameworks to ensure smooth strategic planning in order to deliver this Vision. This includes an integrated suite of master plans that cover the economic viability, infrastructure requirements, and physical spatial master planning of the identified precincts. The anticipated frameworks may not assign building heights and floor space ratios for all the sites within Campbelltown CBD, as this would be part of further analysis that would be guided by the outcome of Phase 2.
3. The panel recommends that the applicant be invited to submit further information in this regard in the form of concept development application and site specific DCP which demonstrates that the proposal will provide:  a. an appropriate built form which includes a signature building to act as a gateway to the Campbelltown CBD and appropriate streetscape to Queen Street;  b. a larger public park well located to facilitate access by the wider community and of sufficient dimension to meet demand for open space in the precinct;  c. integration with adjacent sites and improved vehicular access and	The proponent submitted a revised planning proposal to Council on 16 May 2019, which is the subject of this report.  a. Given the absence of compelling statutory planning evidence for maximum building heights in this part of the Campbelltown CBD, Council staff prepared a draft planning proposal with heights ranging from 26 to 45 metres (Attachment 3). These heights are considered more appropriate within this section of Queen Street, compared to the proponent's revised PPR which included a 70m high signature building on site.  b. No further provision of any open space or public park areas were provided.  c. No further integration with adjacent sites or improved vehicular access to the

<p>movements to the neighbouring school site to the east and the adjoining sites to the south (34 38 Queen Street) with a view to through connection to Chamberlain Street;</p>	<p>neighbouring school site, including those which adjoin it on the south, were addressed.</p>
<p>d. a revised traffic assessment study to address the concerns raised by Council's engineers;</p>	<p>d. No revised traffic assessment study, which addressed the concerns raised by Council's engineers, was provided.</p>
<p>e. an appropriate relationship to the adjacent heritage building including setbacks, building form and use on the first 2 levels and pedestrian access to the heritage building from the site;</p>	<p>e. The submitted heritage report incorporates an internal street layout which mirrors that of the neighbouring heritage item. The concept provided with the revised proposal also incorporates lower heights in closer proximity to 'Warby Barn and Stables'.</p>
<p>f. an economic feasibility study that examines the viability of mixed use development across the 20,465.7sqm site, any potential impact on retail and commercial uses in the Campbelltown CBD and whether an alternate land use zoning is appropriate for all or part of the site</p>	<p>f. The applicant submitted a revised "Supplementary Economic Report" for the site dated 18 January 2019. This report needs to be further revised as it does not factor in the newly adopted Campbelltown Local Infrastructure Contributions Plan (commenced on 14 December 2018) and the possibility that the redevelopment of a site, on this scale, has the potential to attract Special Infrastructure Contributions (SIC) that may be imposed by the Department of Planning and Environment as part of a Gateway Determination.</p>



**Planning Proposal**  
**Nos. 22 – 32 Queen Street,**  
**Campbelltown**



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## **History**

- On 22 June 2018 Council received a Planning Proposal Request (PPR) from Pacific Planning Pty LTD which sought an amendment to the CLEP 2015 'Height of Buildings Map' to increase the permissible building height for the subject site from 26m to 34 metres, 49.5 metres, 65 metres, 77 metres and 87 metres over various parts of the site.
- On 4 September 2018, the applicant briefed the Council on the proposed PPR.
- As a result of the briefing to Council, on 11 September 2018 the applicant submitted a revised PPR which included a reduction in building height from the previous PPR. The revised building heights of 37 metres (10 storeys); 53 metres (15 storeys); 56 metres (16 storeys); 59 metres (17 storeys); and 62 metres (18 storeys).
- The revised proposal was presented to the Local Planning Panel on 28 November 2018 who supported the PPR in principle and made a number of recommendations as detailed in Attachment 1.
- Subsequent to the Local Planning Panel recommendation, the applicant further revised the building height and submitted a revised building heights of 70 metres, 42 metres, 29 metres and zero metres. The zero height limit is proposed for the open space/plaza component of the site.
- Council staff has revised the applicant PPR and prepared this revised planning proposal that proposed a further reduction in heights as follows: 45 metres (15 storeys), 38.5 metres (12 storeys), 32 metres (10 storeys) and 24 metres (8 storeys).

The Planning Proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Department of Planning and Environment's 'A Guide to Preparing Planning Proposals' August 2016.



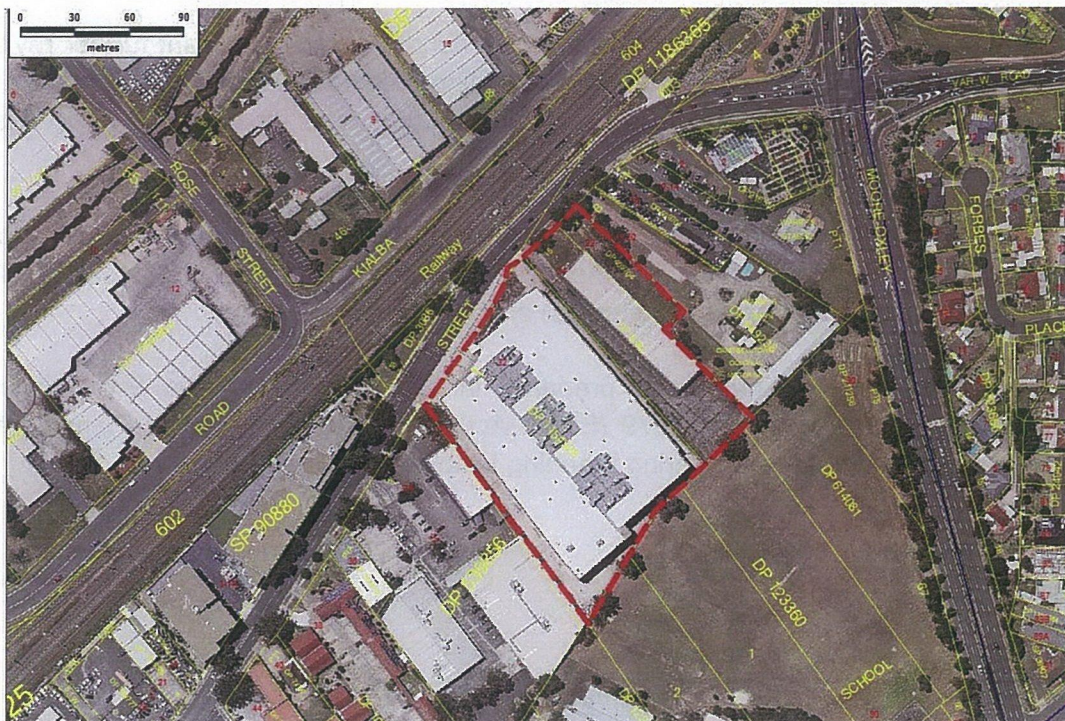
## **The Site**

The subject site consists of street nos. 22, 24 and 32 Queen Street, Campbelltown, and has an area of 20,465.7m<sup>2</sup> (see Figure 1.1 – ‘Location Map’). The site consists of the following Lots and DPs :

- 32 Queen Street, Campbelltown, Lot 1 DP 1154928, NSW 2560 (owned by Supa 88 Pty Limited)
- 24 Queen Street, Campbelltown, Lot 15 DP 14782 (owned by Campbelltown 88 Pty Ltd)
- 22 Queen Street, Campbelltown, 2560 Lot X DP 409704 (owned Campbelltown 88 Pty Ltd)

The site is highly visible from the bridge on Campbelltown Road and as such is considered to be a significant site.

This site would continue to act as a Gateway to the CBD until such time the site on the corner of Moor Oxley ByPass and Queen Street (Tim’s Garden) is developed.



**Figure 1.1 Aerial Photo of the Site**

No 32 Queen Street is currently occupied by a DFO Outlet Store which is a large bulky retail building that, with the exception of an existing medical centre, remains predominately vacant,



unsightly and underutilised. No 22 Queen Street is currently vacant and No 24 Queen Street is occupied by the old bowling club.

The site adjoins Campbelltown High School to the south east. The school comprises of two storey buildings and playing fields. A number of single storey commercial retail is located south west of the site and currently occupied by a medical centre, Office Works and CCA Motorcycle Accessories shop.

### Existing Zoning and Building Height

The site is currently zoned B4 Mixed Use under Campbelltown Local Environmental Plan 2015, and has a maximum building height of 26 metres (8 storeys). There is no proposal to amend the zoning of the site.

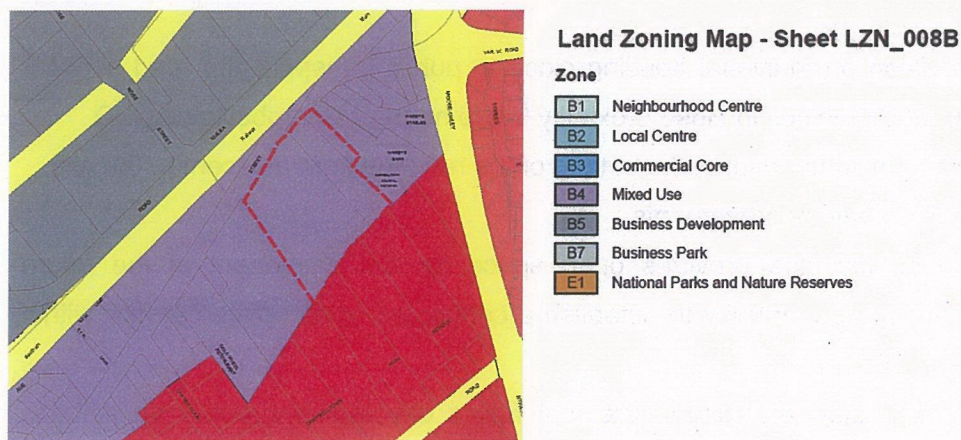


Figure 1.2 Existing Zoning Map



Figure 1.3 Existing Building Height Map



## **Part 1 – Objectives or intended outcomes**

The planning proposal intends to amend the CLEP 2015 to increase the height of development within the subject site to facilitate higher densities of mixed use residential development compared to what is currently permissible under the CLEP 2015.

The planning proposal aims to:

- support urban growth and the provision of housing in the Campbelltown LGA
- provide appropriate development controls for the subject site to facilitate a high density mixed use residential development within a walking distance to Campbelltown train station
- facilitate the provision of additional housing close to public transport, the road network and employment opportunities in close proximity to the heart of Campbelltown CBD
- Ensure that building heights respect the setting of the heritage item adjacent to the site
- Incorporate public domain improvements
- Ensure that the subject site provides open space for the enjoyment of the future residents and provides opportunity to establish a connected open space corridor within the Campbelltown CBD.
- Include development standards to ensure that future development would be setback from Queen Street to facilitate landscaping and enhance the streetscape.
- Ensure that a site specific development control plan is prepared for the site and includes a masterplan to ensure that future buildings on the site are located in a manner that maximises solar access, protects adjoining heritage and provides for an open space area at ground level for the use of the residents.

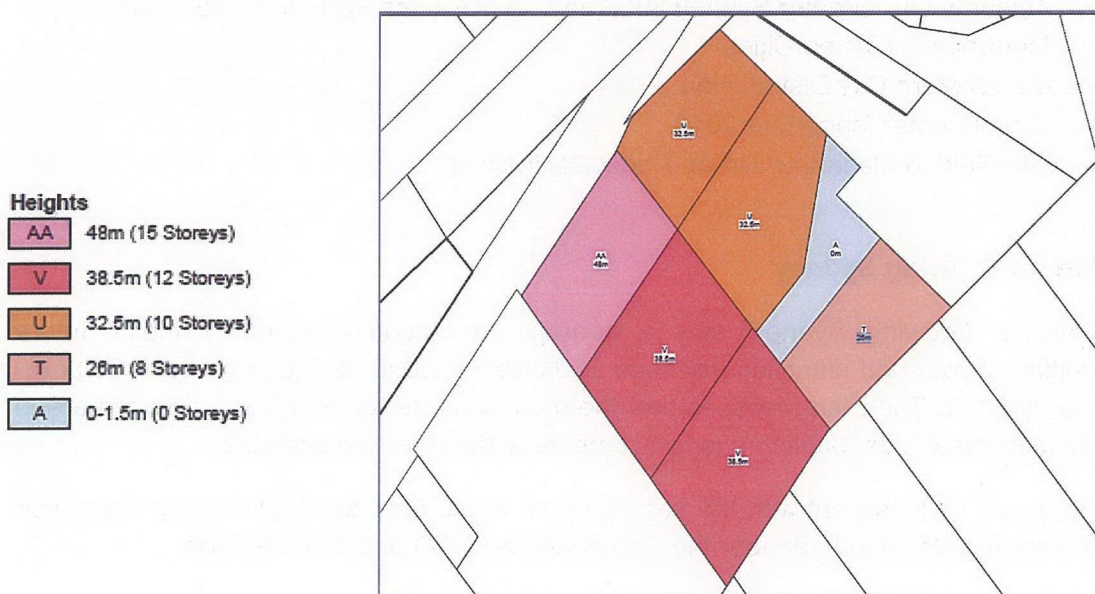


## Part 2 – Explanation of provisions

### Proposed amendments to CLEP 2015

The objectives and intended outcomes are proposed to be achieved by:

- a) Amending the CLEP Height of Building Map in accordance with the proposed building height Map shown below and at Appendix 1 – Map 1 Proposed Height of Building as follows:
- Maintain the building height of 26 metres (8 storeys) for the part of the site that is immediately adjacent to the heritage building
  - Increase the building height from 26 metres (8 storeys) to:
    - 32.5 metres (10 storeys) for the part of the site that is adjacent to the Heritage Item,
    - 38.5 metres (12 storeys) for the southern part of the site
    - 48 metres (15 storeys), for the south-west part of the site that adjoins commercial/retail land uses
  - Decrease the building height from 26 metres to 1.5 metres for the area proposed for ground floor plaza/open space
  - Include an FSR requirement of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use development. This proposed numerical control for FSR at this point is indicative only and has not been tested. An FSR control for the site would be confirmed post gateway determination and prior to public exhibition.
  - Include a local clause to:
    - ensure that future development on this site is of high design standards
    - require a ground floor setback from Queen Street to allow for landscaping and active facades fronting Queen Street.
  - Include a requirement for a site specific DCP that requires the site to be master planned





## Part 3 – Justification

### Section A – Need for the planning proposal

**Q1. *Is the planning proposal a result of any strategic study or report?***

The planning proposal is not a result of any strategic study or report. However, the planning proposal relates to land currently identified for mixed use development by a number of key strategies and reports including the Glenfield to Macarthur Urban Renewal corridor strategy and the Draft Greater Macarthur 2040

**Q2. *Is the planning proposal the best means of achieving the objective or intended outcomes, or is there a better way?***

Yes. Proceeding with a stand-alone planning proposal is considered appropriate in this instance to enable the timely consideration of urban design, traffic and heritage related issues. Adjoining sites include a heritage item and a school and therefore there is limited likelihood of similar proposals on these sites.

### Section B – Relationship to strategic planning framework

**Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?***

The planning proposal is consistent with the objectives and aims of the following Strategic Plans:

- A Plan for Growing Sydney
- Towards Our Greater Sydney 2056 and The Greater Sydney Region Plan, A Metropolis of Three Cities
- the Western City District plan
- Draft Greater Macarthur 2040
- Glenfield to Macarthur Urban Renewal Precinct

– **A Plan for Growing Sydney**

‘A Plan for Growing Sydney’ sets a strategy for accommodating Sydney’s future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport community facilities and services.

The proposal is consistent with the strategy as it would facilitate high density mixed use and residential development near the Campbelltown CBD and Train Station.



– **Greater Sydney Region Plan**

The Plan provides a framework for the predicted growth in Greater Sydney. The Plan identifies key goals of delivering a metropolis of three 30 minute cities through four key themes, infrastructure and collaboration, liveability, productivity and sustainability.

- Infrastructure and collaboration – The proposal is located in very close proximity to existing infrastructure such as Campbelltown Train Station, Campbelltown Hospital, Campbelltown Public School and Western Sydney University. Additionally, the site would also be located 30km to the proposed Western Sydney Airport.
- Liveability – The concept design supplied with the Planning Proposal outline a variety of enhancements to the surrounding character such as landscaped frontage, shared open space and opportunities for pedestrian links which would create a more liveable space.
- Productivity – The proposal has the potential to provide further productivity within the commercial core of Campbelltown. The proposed hotel would support job creation and housing options in conjunction with pedestrian links and the opportunity for thoroughfares and bike tracks.
- Sustainability – The opportunity for green walls, rooftop gardens and the design of apartments would promote a sustainable development. Sustainability of the developments would be considered at the development application stage.

The Planning Proposal would be the best means of achieving additional housing within the local area to meet the anticipated population increase in the next few years.

– **Western City District Plan**

The Western City District Plan sets out priorities and actions for the Western Parkland City which are structured on themes that are based on the Greater Sydney Region Plan. The proposal will provide additional housing supply in close proximity to existing transport which would support the State Government's direction for creating a 30 minute city.

The Western City District Plan also requires the need for creating a stronger local economy and promoting the commercial core of Campbelltown.

The planning proposal is consistent with the objectives and planning priorities for *Western City District Plan* as demonstrated below:

- Planning Priority W3 - The Planning Proposal supports integrated land uses to provide services that meets the needs of the communities;
- Planning Priority W6 - The planning proposal supports the creation of great local places with a mix of land uses and provision of well-designed open space; and
- Planning Priority W11 - The planning proposal supports investment and business activity in local centres and the creation of local jobs.



– **Glenfield to Macarthur Urban Renewal Corridor Strategy**

The Glenfield to Macarthur Urban Renewal Corridor Strategy 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. Under the Strategy, Campbelltown has been identified as a priority precinct that provides retail and commercial activity.

The strategy outlines that the vision would be initiated through the lodgement of planning proposals and council initiated LEP amendments. The subject site is identified as being located within a mixed-use retail and residential area under the Strategy.

Under the Strategy, buildings would have ground floor retail that would provide local services for residents and commuters, with the apartments above ranging from 7+ storeys in height. These would be set back from the street to ensure the scale and feel of Queen Street is maintained. Detailed planning would be required to identify appropriate height and built form outcomes in this area. The Proposal is considered to be consistent with this direction.

The Strategy does not include any indication of a maximum height limit for the site. As such the proposed height limits are not considered inconsistent with the Strategy.

– **Draft Greater Macarthur 2040 – An Interim for the Greater Macarthur Growth**

The Department of Planning and Environment has prepared Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area which incorporates the Glenfield to Macarthur Urban Renewal Corridor and the land release precincts to the south of Campbelltown. The draft Plan sets out the strategic planning framework for this area. When finalised, Greater Macarthur 2040 will guide precinct planning within the Growth Area.

The public exhibition for the Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area closed Friday 8 February, however the draft Plan has not yet been formally adopted by the State Government.

In terms of Campbelltown, the draft Plan in relation to ‘Place’ provides the following goals:

- Provide a range of building heights, with high rise buildings close to the station to maximise pedestrian activity and increase trade for local businesses.
- Retain the character of areas east of Lindesay Street, with a mixture of detached dwellings, townhouses and terraces.
- Plan for a large floor plate, campus-style office park west of the station.



This site is nominated for mixed use under the Greater Macarthur Structure Plan (urban renewal areas) Map, however the draft Plan does not propose building heights for the Campbelltown CBD.

The planning proposal is not considered to be inconsistent with the above goals of the draft Plan although there is a clear premise that taller buildings should be located closer to the railway station. Therefore the maximum heights for this site should be less than or equal to those adjacent to the station.

***Q4. Is the Planning Proposal consistent with a Council's local strategy or other local strategic plan?***

**– Campbelltown Community Strategic Plan – Campbelltown 2027**

The overarching Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

The Proposal is considered to be consistent with the relevant outcomes headed accordingly within the Plan:

- A vibrant, liveable city;
- A respected and protected natural environment;
- A thriving attractive city; and
- A successful city.

The proposed increase in height has the potential to provide an opportunity for a revitalised commercial and retail core which will support the growth of a strong local economy. The proposal also supports the possibility of integrating open space and walkable thoroughfares to Queen Street.

**– Campbelltown Local Planning Strategy 2013**

The strategy identifies the importance of Queen Street as an existing commercial and retail core of Campbelltown. The strategy also considers the promotion of active street frontages and the conservation of the listed heritage items identified as "Warby Barn and Stables" which are located on the western adjoining property and within close vicinity to Queen Street.

The proposal is consistent with the directions of the Campbelltown Local Planning Strategy 2013.

– **Campbelltown Residential Development Strategy 2014**

The 2014 Strategy is a background document which informed the preparation of the CLEP 2015. The proposal would assist in the improvement of housing affordability within the area due to the increase in dwellings in close proximity to local transport hubs.

A theme identified in the Residential Strategy noted that changing population demographics would also continue to challenge the local community. The proposal would assist with providing sustainable and accessible housing, particularly for Campbelltown's aging population as the requirements such as lift access would be considered at the development application stage.

The proposal is consistent with the Campbelltown Residential Development Strategy 2014

– **Re-imagining Campbelltown CBD – Phase 1**

Re-imagining Campbelltown CBD sets the community's vision for the future of the Campbelltown, Macarthur and Leumeah centres. It aims to create "a Metropolitan CBD, a leading centre of health services, medical research and med-tech activity." The city would be designed for "ambition, innovation and opportunity."

Re-imagining Campbelltown CBD sets out six pillars/principles for growing Campbelltown-Macarthur CBD as follows:

1. No Grey to be Seen – Environment

- Deliver high quality and diverse open space experiences.
- Lead the delivery of affordable low resource, low carbon solutions for Campbelltown.
- Be visionary and tactical in the greening of the urban fabric.

2. City and Bush – Heritage

- Regenerate, restore and maintain natural ecosystems.
- Respect and give life to existing natural, historic and cultural features.
- Contribute to measurable improvements to local air and water quality.
- Acknowledge, include and value the Aboriginal history of an area.
- Heritage items and their settings are conserved, retained and celebrated.
- Appropriate curtilages for heritage items are maintained.
- Sensitive and adaptive reuse of heritage items is encouraged.

3. Connected Places and Community – Mobility

- Pioneer the development of human scale urban environments that are de-coupled from car dependence and support health and wellbeing.
- Develop the infrastructure and connectivity for Campbelltown to be an accessible southern gateway to the Western City and Sydney as a whole.
- Increase accessibility to local amenities and services.



4. Confident and Self Driven – Culture
  - Ensure adaptability and diversity of built form for innovators, disrupters and entrepreneurs.
  - Drive solutions for climate resilient communities, public space and urban infrastructure.
  - Deliver design-led excellence for both public and private spaces, including assurance for design outcomes.
5. Centre of Opportunity- Economy
  - Create and connect clusters of agglomeration and activity that increase and diversify Campbelltown's productivity.
  - Leverage industry opportunities from, and expedite connectivity with, Western Sydney Airport and Badgery's Creek Aerotropolis.
  - Plan and manage industrial and urban services land's retention and evolution.
6. The Good Life - Living
  - Create inspirational places for all, showcasing culture and the arts especially reflecting our high and diverse population including our Aboriginal and Torres Strait Islander community within Campbelltown.
  - Engage with our communities and other stakeholders to deliver lively, healthy, safe and welcoming places that support diverse and inclusive communities.
  - Delivery of connected places and healthy communities through a range of active recreational spaces for playing sport.
  - Create inclusive communities through housing

The Planning Proposal is consistent with the above principles.

Council is in the process of preparing Re-imagining Campbelltown Phase 2. The next phases of Re-imagining Campbelltown include establishing frameworks to ensure the smooth strategic planning and therefore delivery of the Vision. This includes an integrated suite of master plans that cover the economic viability, infrastructure requirements, and eventually physical spatial master planning of the identified precincts. Notably, the master planning exercise may not necessarily assign building heights for all the sites within the CBD, as this would be part of further analysis that would be guided by the outcome of Phase 2.

***Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?***

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the Planning Proposal.



<b>State Environmental Planning Policies</b>	<b>Comment</b>
SEPP No. 1 Development Standards	Not applicable as Clause 4.6 of the CLEP 2015 negates the need for SEPP 1.
SEPP 14 – Coastal Wetlands	Not applicable.
SEPP 19 – Bushland in Urban Areas	The site does not contain any significant vegetation.
SEPP 21 – Caravan Parks	Not relevant to the proposal.
SEPP 26 – Littoral Rainforests	Not relevant to the proposal.
SEPP 30 – Intensive Agriculture	Not relevant to the proposal.
SEPP 33 – Hazardous or Offensive Development	Not relevant to the proposal.
SEPP 36 – Manufactured Home Estates	Not relevant to the proposal.
SEPP 44 – Koala Habitat Protection	This site does not contain any koala habitat.
SEPP 47 – Moore Park Showground	Does not apply to land within Campbelltown.
SEPP 50 – Canal Estate Development	Not relevant to the proposal.
SEPP 52 – Farm Dams	Not relevant to the proposal.
SEPP 55 – Remediation of Lands	The existing urban use of the land is unlikely to result in land contamination. Future development of the site will need to address the requirements of this SEPP (55).
SEPP 62 – Sustainable Aquaculture	Not relevant to the proposal.
SEPP 64 – Advertising and Signage	The planning proposal is consistent with the SEPP. Future development of the site would need to take this SEPP (64) into consideration.
SEPP 65 – Design Quality of Residential Apartment Development	The PPR seeks to facilitate high rise development in the form of shop top housing (i.e. residential above commercial). The concept designs submitted with the PPR consider potential design options which address the provisions of this SEPP (65).
SEPP 70 – Affordable Housing Schemes	Not relevant to this proposal.
SEPP 71 – Coastal Protection	Not relevant to this proposal.
SEPP (Building Sustainability Index: BASIX) 2004	Future development of the site would take into consideration the requirements of the SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	The PPR appears to be consistent with the SEPP. Any future child care centre, or the like, would take into consideration the requirements and provisions of this SEPP.
SEPP (Affordable Rental Housing) 2009	The PPR is consistent with the SEPP. Any future development on the site may incorporate affordable housing which would be considered in conjunction with the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Not relevant to the Proposal.
SEPP (Infrastructure) 2007	Future development of the site may constitute traffic generating development and trigger an assessment under this SEPP.



SEPP (Housing for Seniors or People with a Disability)	It is not proposed to carry out the development under the provisions of this SEPP.
SEPP (Integration and Repeals) 2016	Not relevant to the proposal.
SEPP (Kosciusko National Park) 2007	The SEPP does not apply to the land.
SEPP (Kurnell Peninsular) 1989	The SEPP does not apply to the land.
SEPP (Mining and Extractive Industries) 2007	Not relevant to the proposal.
SEPP (Miscellaneous Consent Provisions)	Not relevant to the proposal.
SEPP (Penrith Lakes Scheme) 1989	Not relevant to the proposal.
SEPP (Rural Lands) 2008	Not relevant to the proposal.
SEPP (State and Regional Development) 2011	It is likely that future development of the site will constitute Regional Development thus being determined by the Sydney Western City Planning Panel.
SEPP (State Significant Precincts) 2005	The SEPP does not apply to the land.
SEPP (Sydney Drinking Water Catchment) 2011	The SEPP does not apply to the land.
SEPP (Sydney Region Growth Centres) 2006	The SEPP does not apply to the land.
SEPP (Three Ports) 2013	The SEPP does not apply to the land.
SEPP (Urban Renewal) 2010	The SEPP does not apply to the land.
SEPP (Western Sydney Employment Area) 2009	The SEPP does not apply to the land.
SEPP (Western Sydney Parklands) 2009	The SEPP does not apply to the land.
SEPP (Vegetation in Non-Rural Areas) 2017	The subject site is within a well-established urban area, having historically been used for residential and commercial purposes. The proposal will not impact any significant vegetation.

The following table provides a brief assessment of consistency against each Deemed SEPPs relevant to the Planning Proposal.

Consideration of Deemed SEPPs	Comment
REP (Sydney Harbour Catchment) 2005	Not relevant to this Planning Proposal.
Greater Metropolitan Regional Environmental Plan No2 – Georges River Catchment	Consistent. The proposal will not impact on the water quality and river flows of the Georges River and its tributaries. The Proposal would be subject to further assessment relating to stormwater and drainage should a future development application be lodged.



**Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The following table provides a brief assessment of consistency against each section 9.1 direction relevant to the planning proposal.

Consideration of s9.1 Directions	Comment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	The proposal is consistent with this Direction as the amendment to the 'Height of Buildings Map' would not reduce the amount of commercial/retail floor space within the Campbelltown CBD. The proposed amendment would increase the potential for additional retail/commercial floor space due to the B4 zoning of the site.
1.2 Rural Zones	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable.
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not applicable.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	The planning proposal incorporates controls that facilitate the preservation of the significance of the adjoining heritage item, "Warby's Barn" and therefore is consistent with this direction.
2.4 Recreation Vehicle Areas	Not applicable.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Consistent. The proposal would be consistent with this Direction as additional dwellings would be in close proximity to existing infrastructure and services and would provide for existing and future housing needs of the local area.
3.2 Caravan Parks and Manufactured Homes Estates	Not applicable.
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	Consistent. The subject site is within 800m of Campbelltown Train Station and other forms of services such as buses which can provide access to jobs and amenities.
3.5 Development Near Licensed Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.



<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	Not applicable.
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	Not applicable.
4.4 Planning for Bushfire Protection	Not applicable.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable.
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 – 5.7	Repealed
5.8 Second Sydney Airport	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	The proposal is consistent with a Plan for Growing Sydney and the Greater Sydney Region Plan and therefore consistent with this direction.
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	The planning proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.
6.2 Reserving Land for Public Purposes	The Proposal does not impact on land reserved for public purposes.
6.3 Site Specific Provisions	The proposal is relating to building height, and therefore the proposal is consistent with this Direction.
<b>7. Metropolitan Planning</b>	
7.1 Implementation of a Plan for Growing Sydney	The proposal is consistent with the requirements of the strategy as discussed in Part 3 of this Planning Proposal.
7.2 Implementation of Greater Macarthur Land Release Investigation	Consistent.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.



7.7 Implementation of Glenfield to Macarthur  
Urban Renewal Corridor

The PPR is consistent with this Direction as the Proposal will allow for a revitalised and activated Queen Street which will deliver a significant amount of retail and commercial jobs.

## Section C – Environmental, Social and Economic Impact

**Q7. *Is there any likelihood that critical habitat or threatened species, populations' or ecological communities, or their habitat will be adversely affected as a result of the proposal?***

No. The subject site does not contain any known critical habitat or threatened species, populations' or ecological communities, or any other habitat. Therefore, the proposal will not have an impact on any ecological communities.

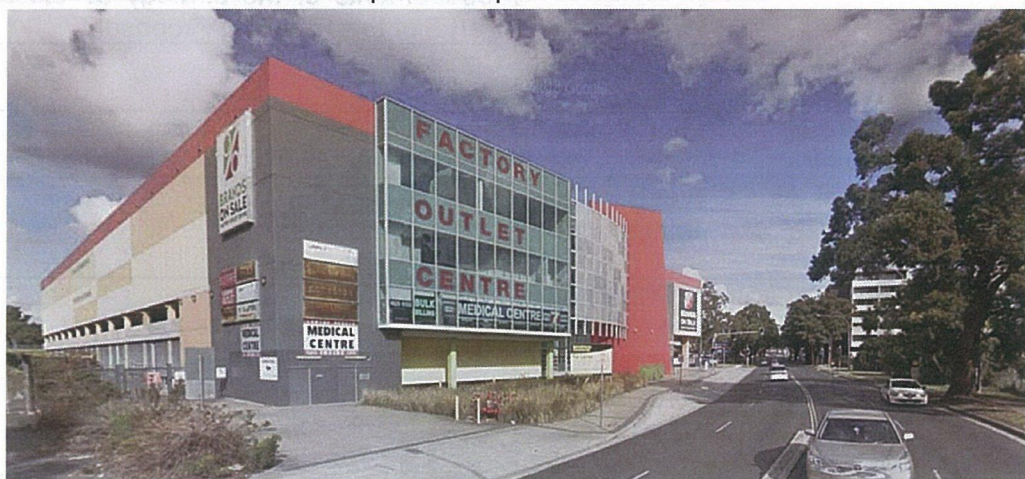
**Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

Yes. The Planning Proposal proposes to increase the maximum building height and therefore the potential development yield. The proposal would have impacts related to urban design, visual, traffic management, flooding and heritage that require careful consideration.

**- Urban Design**

The Planning Proposal submitted by the applicant includes a 3-D graphic design of an indicative development of the site (Figure 1.5 Below) which indicates that the existing factory outlet building is to be demolished.

Demolishing the existing building on site, would present an opportunity to masterplan the site and enhance the streetscape of this part of Queen Street.



**Figure 1.4 Existing Factory Outlet Centre**



Council has received a Concept development application for the site that proposes six buildings and a small plaza in line with Figure 1.5 below. Although the development concept submitted with the proposal is indicative only, the proposed development would have to meet the current requirements of Council's DCP and LEP as well as the requirements of the Apartment Design Guide. This development application is currently being assessed. The concept application does not include the physical demolition of existing building onsite which be subject of a separate development application.



**Figure 1.5 Indicative development on site prepared by the applicant**

**- Visual Analysis**

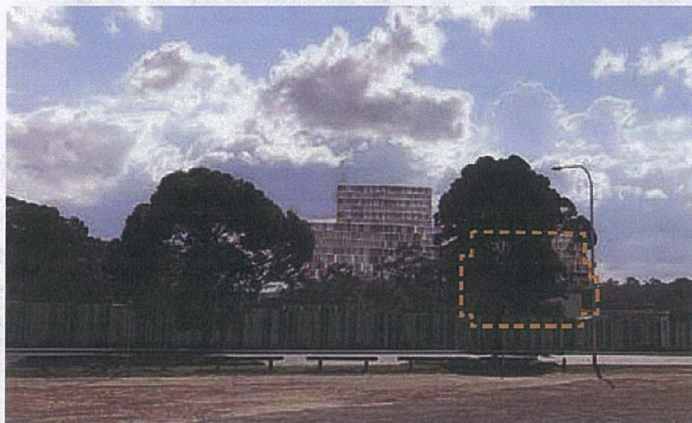
The applicant was required to prepare a visual analysis to examine the visual impacts of the proposed building heights on the Campbelltown CBD and view corridors from and to the CBD.

The applicant's visual analysis has demonstrated that the development on this site would be visible from various locations within Campbelltown, however the impacts would be detrimental when viewed from areas within close proximity to the site, such as the bridge on Campbelltown Road and Moore-Oxley ByPass (Figures 1.7 and 1.8 below). A reduced building height as proposed by this Planning Proposal (compared to the applicant's planning proposal request) would result in a development that is less intrusive into the CBD skyline and more compatible with the streetscape.





**Figure 1.7 Proposed building heights as viewed from Moor-Oxley ByPass**



**Figure 1.8 Proposed building heights as viewed from Queen Street**



**Figure 1.9 Proposed building heights as viewed from Campbelltown Road**



**- Traffic and Parking**

The applicant has submitted a Traffic and Parking Impact Assessment, prepared by McLaren Traffic Engineering and Road Safety Consultants.

The Report considered the following:

- the potential impacts of the future traffic generation, the appropriate access and circulation arrangements within the site and recommendations for future upgrades to the road network to accommodate growth.
- the potential traffic generation against both the Campbelltown (Sustainable City) DCP 2015 parking rates and the RMS rates, and recommends that the RMS rates be adopted given the proximity of the site to an extensive network of public transport and the reduced impacts of future development.
- the impacts that future development will have on the surrounding road network, and make recommendations on the site access and circulation which will be incorporated and addressed at the concept DA stage. The Report evaluates the geometries of three intersections that will be particularly effected and suggests appropriate upgrades to ensure acceptable intersection performance as the staged development is realised in the future. These intersections include Queen Street/Chamberlain Street, Campbelltown Road/Blaxland Road and Queen Street

The report recommends that more detailed design and testing of intersection upgrades be undertaken as the development concept is refined and progresses to the next stage of planning and development.

Councils' engineers reviewed the applicant's traffic assessment report and raised the following concerns:

- due to sight distance it would be unlikely to be possible to have a right turn entry to the site from Queen St, and as such the entry would have to be 'left in' only. To facilitate this design, a use of a central median would be required. However, this may not be possible given the width of queen corridor. As such, the proposed design would need to be revised and consideration should be given for better utilisation of the existing traffic signals for all vehicle movements.
- Traffic generation for the residential component appears low.
- Combined loading facilities for retail/commercial/residential use would need to be incorporated in the parking design.
- In the future, there is a possibility that Queen Street may be converted to a one way traffic flow. Flexibility in the design should consider this future condition.
- As the site is impacted by flooding, basement car parking would require careful consideration of access points to ensure that openings are clear of 1% AEP flood



impact for both flooding in Queen Street and overland flow from the adjacent school.

A revised traffic study that demonstrates how the surrounding network would be able to accommodate the increase in traffic, as a result of the proposal, was not submitted in response to the Local Planning Panel's request, however this matter can be addressed after the Gateway Determination and prior to public exhibition. It is requested the requirement for a detailed traffic study be a condition of the Gateway determination.

### **Flooding**

The following comments were provided by Council's engineers:

- The site is affected by overland flow from the upstream lands in Campbelltown Performing Arts High School. Sufficient provision must be to convey these flows through the site. This can be achieved in a number of ways (pipes, swales, etc) and Infrastructure is happy to assist with any discussions in this regard.
- The site is also affected by flooding in Queen Street and control levels will be required. These can be provided prior to DA.  
Control levels
- The existing development on the Brands on Sale site contains provision for both overland flow (via two swales through the ground floor level of the carpark) and flooding Queen Street (the development floor levels have been raised to the required levels).
- The proposal appears to provide opportunity to accommodate the above requirements. There appear to be open areas which could be used to convey overland flow. Floor level controls can be set to address flooding in Queen Street. Care would be required to ensure the underground carpark openings were located such that flood waters could not enter.



## - Heritage

A state heritage listed item Warby's Barn and Stables adjoins the site.

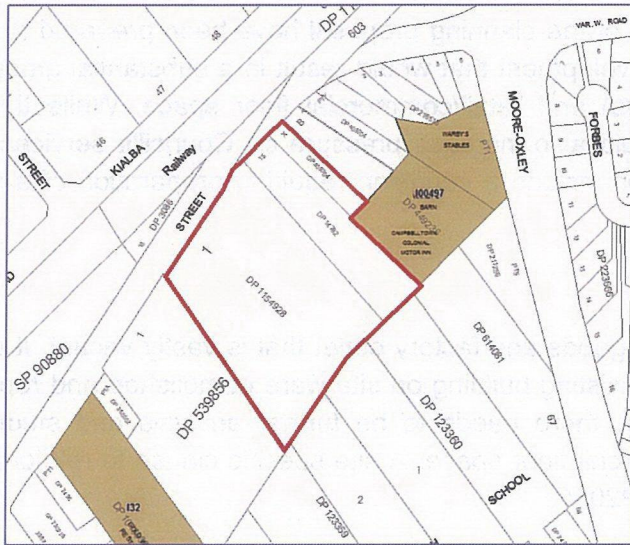


Figure 1.10 LEP 2015 Heritage Map

Any development on the site would need to ensure that the heritage significance of the heritage building is protected and not adversely impacted upon.

It is proposed that any future development that adjoins the heritage building be limited to eight (8) storeys (the current height limit) and to limit any development on the remaining part of the north eastern boundary to ten (10 storeys).

The applicant has submitted to Council a Heritage Study prepared by Lucas, Stapleton and Johnson which provided the following guiding principles:

- Provide an appropriate backdrop to the Warby site as seen from the north-east (Campbelltown Road overpass) with the "old Campbelltown" presented against the "new Campbelltown" without overwhelming the historic site.
- Ensure the project does not prejudice the future development of the Warby site, rather provide opportunities for the future development of the Warby site in a way that will enhance its significance and interlink with the Project site.

Subject to Council's endorsement of this planning proposal, the heritage study will be referred to Office of Environment and Heritage for comments.



**Q9. *Has the planning proposal adequately addressed any social and economic effects?***

**Social impacts**

No studies to address the social impacts of the planning proposal have been prepared to date. The Planning proposal will facilitate a development that would result in a substantial amount of residential dwellings (over 500 dwellings) and retail/commercial floor space. While this will contribute to housing affordability, it would also increase pressure on Council's services. It is requested that the gateway determination include a condition requiring preparation of a social impact assessment.

**Economic Impacts**

Currently the site is occupied by a bulky goods and factory outlet that is vastly vacant. It would be considered a positive outcome if the existing building on site were demolished and replaced by a mixed use development. However, there needs to be further analysis and studies to validate the amount of retail and commercial floor space. A site specific clause to reinforce the results of this study should be in the CLEP2015.

**Section D – State and Commonwealth Interests**

**Q10. *Is there adequate public infrastructure for the planning proposal?***

**Public open space**

While the schools playing fields provides for open space within proximity to the site, they are not currently available for public use. The Campbelltown Showground is over 400m from the site, however it is fenced off and also not always available for recreational use. The closest available park to the site is Mawson Park, which is over 800 metres away.

The site is over two (2) hectares in area and as such there is an opportunity to provide open space on site, for the use of future residents.

Council's Open Space Section has provided the following main comments in relation to open space requirements for the site:

- Further information required on the impacts of overshadowing on the surrounding public domain and open space.
- Due to the scale of the development provide a Public Domain Plan of the site, particularly with the creation of new streets.
- Acknowledge the Warby Estate and adjacent heritage buildings through artwork interpretation in the pavement design in the public domain and open space areas.
- The applicant is to provide an open space needs assessment to assess the open space needs of the future residents of the development.

- The extra demand created by the development will require a number of upgrades to existing open space that will occur outside the development envelope.
- With high density development open space needs to be provided within 200 metres of the site.

From the above, the public open space component would need to be resolved in any future masterplan of the site.

### **Additional Studies**

A comprehensive investigation of issues including (but not limited to) the following studies would need to be undertaken prior to public exhibition:

- Traffic and Parking Assessment;
- Public Domain;
- Site Specific DCP that includes a revised master plan for the site;
- Economic study to validate the proposed commercial/retail open space
- Urban design analysis to formulate appropriate development standards in relation to FSR and block depths.
- Infrastructure Needs Assessment

### ***Q11. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?***

It is proposed to consult with the following:

- Transport for NSW
- Roads and Maritime Services,
- NSW Police
- Office of Environment and Heritage,
- Department of Education
- Department of Health
- NSW Emergency Services
- Telstra
- Sydney Water
- Endeavour Energy

## **Part 4 – Mapping**

The Planning Proposal seeks to amend the Campbelltown LEP Height of Building Map. It is not proposed to amend any other maps.



## **Part 5 – Community consultation**

Public consultation will take place in accordance with the Gateway Determination made by the Minister for Planning and Infrastructure in accordance with Sections 56 & 57 of the Environmental Planning & Assessment Act 1979.

A letter would be sent to landowners who adjoin or are in close proximity to the site, advising them of the exhibition of the Proposal and inviting submissions and advertisements would be placed in local newspapers and on Council's website..

## **Part 6 – Project Timeline**

<b>Milestone</b>	<b>Date</b>
– Preparation of the planning proposal and report to Local Planning Panel	<b>28 November 2018</b>
– Report to Council	<b>11 June 2019</b>
– Request Gateway Determination	<b>June 2019</b>
– Gateway Determination issued	<b>August 2019</b>
– anticipated timeframe for the completion of required technical information /background studies	<b>December 2019</b>
– commencement and completion dates for public exhibition period	<b>February 2020</b>
– government agency consultation	<b>February 2020</b>
– consideration of submissions ( report to Council)	<b>April 2020</b>
– submission to the department to finalise the LEP	<b>April 2020</b>



