

## 8.6 Planning Proposal for Property No. 26 Mercedes Road, Ingleburn

### Reporting Officer

Executive Manager Urban Release and Engagement  
City Development

### Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

### Officer's Recommendation

1. That Council endorse the Planning Proposal for No.26 Mercedes Road, Ingleburn and approve the forwarding of the subject Planning Proposal to the Department of Planning Industry and Environment for a Gateway Determination.
2. That Council exercise, via the General Manager, the functions of the Minister for Planning under section 3.31(3)(b) of the *Environmental Planning and Assessment Act 1979*, pursuant to the Instrument of Delegation dated 20 November 2012.
3. That the rezoning of No.39 Lagonda Drive, Ingleburn be considered at a future meeting of the Council subject to the owner providing the necessary information to satisfy the relevant provisions of State Environmental Planning Policy No. 55 Remediation of Land.
4. That the owners of the subject properties be advised of Council's resolution.

### Purpose

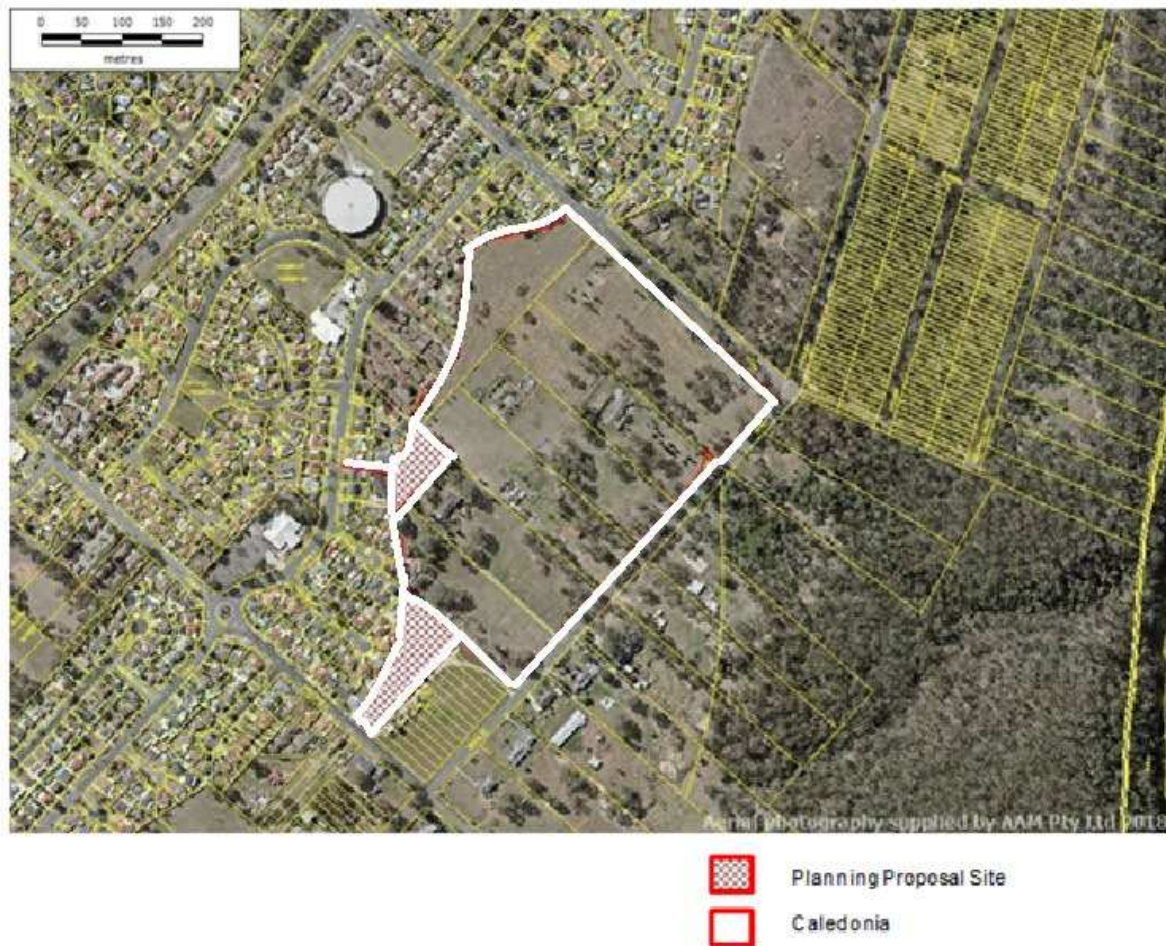
The purpose of this report is to seek an updated resolution of Council in regard to excising property No.39 Lagonda Drive, Ingleburn from a draft Planning Proposal due to insufficient information regarding the land use history of this property in accordance with the requirements of State Environmental Planning Policy No.55 – Remediation of Land.

### The Site

The subject lands are known as:

- Lot 41 DP1021880 (No.26) Mercedes Road, Ingleburn
- Lot 206 DP264069 (No.39) Lagonda Drive, Ingleburn

Property No.26 Mercedes Road is 0.81 hectares in size and Property No.39 Lagonda Drive is 0.42 hectares in size. Both parcels of land are located to the east of existing residential development comprising the suburb of Ingleburn and adjoin the Caledonia low density residential precinct which is generally bounded by Mercedes/Bensley and Oxford Roads as illustrated in Figure 1.



**Figure 1 Subject land and Immediate Context**

The subject allotments form part of an area known as the Eastern Edge Scenic Protection Lands, a transitional landscape between existing urban development of Ingleburn and the extensive regional open space network associated with the Georges River.

The recently adopted Caledonia precinct planning controls will change the nature of this transitional landscape from an environmental living precinct into a low density residential precinct.

## History

At its meeting on 11 September 2018, Council considered a submissions report on the Caledonia Precinct Planning Proposal and resolved, in part, to prepare and submit a draft Planning Proposal to rezone property Nos.26 Mercedes Road and 39 Lagonda Drive, Ingleburn in a manner consistent with the adjoining lands.

Council also resolved at the same meeting to forward the proposal for the remainder of the precinct to the Department of Planning and Environment for finalisation. Finalisation of the rezoning occurred on 22 February 2019 when the amendment was published in the Notification Gazette.

In accordance with the Local Planning Panels Direction for Planning Proposals, the Campbelltown City Council Local Planning Panel considered a report on the proposal to rezone property Nos.26 Mercedes Road and 39 Lagonda Drive, Ingleburn at its meeting of 19 December 2018 and provided, in part, the following advice:

- that the Panel considers the Planning Proposal is consistent with relevant strategies and plans including:
  - a) Greater Sydney Region Plan
  - b) Western City District Plan
  - c) Campbelltown Community Strategic Plan
  - d) Campbelltown Local Environmental Plan 2015
  - e) Campbelltown (Sustainable City) Development Control Plan 2015
  - f) Relevant Section 9.1 Local Planning Directions
- it considered that relevant site-specific issues can be adequately addressed as part of future consideration to the Planning Proposal.
- it considered that the Planning Proposal will correct anomalies arising as a result of the adjoining wider Caledonia Precinct Planning Proposal

On the back of the Panel's advice, staff commenced the process of formally engaging with DPIE who separately advised that aspects relating to State Environmental Planning Policy No.55 – Remediation of Land, would be required to be updated.

This advice was forwarded to the owners of the subject properties in June 2019, requesting that a Phase 1 Contamination Assessment be submitted to Council to provide further information on Remediation of Land and SEPP 55. In response, the requested information was provided by the owner of Property No.26 Mercedes Road on 29 July 2019.

No response has been received from the owner of No.39 Lagonda Drive.

## Report

This report considers the strategic context of an updated Planning Proposal which relates only to property No.26 Mercedes Road, Ingleburn in relation to State and local planning policies and relevant matters for consideration.

### 1. Strategic Context

The following state, district and local planning policies are relevant to the proposal as discussed below.

#### 1.1 Greater Sydney Region Plan

The Greater Sydney Region Plan: A Metropolis of Three Cities (GSRP) was released in March 2018 and provides a 40-year vision to 2056 and 20-year plan to manage growth and change.

The GSRP identifies the need for an additional 725,000 dwellings in the period 2016-2036. The Western City District is identified as contributing 29 percent of the total Sydney wide dwelling growth by 2036.

The Planning Proposal, at a modest scale is considered to align with the key direction of Housing the City (Giving People Housing Choice) and related objectives in respect of increased housing supply (Objective 10) and enhanced housing diversity and affordability (Objective 11).

#### 1.2 Western City District Plan – Connecting Communities

The Western City District Plan (the District Plan) was released in March 2018 and provides a template for realising the Western Parkland City of the Metropolis of Three Cities (Region Plan for Greater Sydney).

Councils are required implement the directions and priorities of the District Plan which have been prepared to assist with planning for growth and change, and to align their local planning strategies to place based outcomes. It guides the decisions of State Agencies and informs the private sector and wider community of approaches to manage growth and change.

The subject site is identified as Urban Area in the Structure Plan - Urban Area South. Its limited development may contribute to the Campbelltown Local Government Area five year housing supply target of 6,800 dwellings.

#### 1.3 Greater Macarthur Growth Area

The land does not form part of the Greater Macarthur Growth Area, which in Ingleburn is restricted to the centre based urban renewal area.

As such, the land use and infrastructure implementation plan known as Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (November, 2018) has no direct relevance. Similarly, the Proposed Special Infrastructure Contribution: Greater Macarthur that was exhibited from November 2018 does not apply.

## 1.4 Section 9.1 Directions

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) allows the Minister for Planning and Environment to give directions to Council regarding principles, aims, objectives or policies to be achieved, or give effect to, in the preparation of draft local environmental plans.

The directions of most relevance to the Planning Proposal are summarised below:

- **Direction 2.1 Environmental Protection Zones**

The objective of this Direction is to protect and conserve environmentally sensitive areas. There are no known issues of biodiversity significance attached to No.26 Mercedes Road. A separate amendment to the Terrestrial Biodiversity Map that partly impacts the property forms part of the Campbelltown Local Environmental Plan 2015 Review which was considered by Council at its Ordinary Meeting of 10 September 2019.

- **Direction 2.3 Heritage Conservation**

The objective of this Direction is to conserve items, areas and places of European heritage significance and indigenous heritage significance. No.26 Mercedes Road adjoins a local Item of Environmental Heritage. A Heritage Impact Study/Assessment conducted for the adjoining Caledonia Precinct established conclusions in respect of an appropriate curtilage and general conservation procedures including front setback requirements to Mercedes Road. The Planning Proposal does not compromise the broader heritage qualities of the Item.

- **Direction 3.1 Residential Zones**

The objective of this Direction is to provide for existing and future housing needs, to make efficient use of existing infrastructure and to minimise the impact of residential development on the environment and resource lands. The subject proposal represents an 'infill' site and is consistent with the Direction.

- **Direction 7.2 Implementation of Greater Macarthur Land Release Investigation**

The objective of this Direction is to ensure that development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy).

The land does not form part of the Greater Macarthur Growth Area, which in Ingleburn is restricted to the centre based urban renewal area.

As such the recently released land use and infrastructure implementation plan – Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area (November, 2018) has no direct relevance to the proposal.

### **1.5 Consideration of State Environmental Planning Policies**

The following SEPPs are applicable to the proposal.

- SEPP 55 – Remediation of Land
- SEPP 64 – Advertising and Signage
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Affordable Rental Housing) 2009
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (Vegetation in Non-Rural Areas) 2017

Clause 6 of SEPP 55 (Remediation of Land) requires that a planning authority must not rezone land for a residential purpose unless it has considered whether the land is contaminated. This requirement was not previously addressed for the subject site as the rezoning of the Caledonia precinct relied on an owner initiated process which excluded the subject land.

Notwithstanding attempts to contact the owner of property No.39 Lagonda Drive, receipt and submission of the required investigation was only received from the owner of property No. 26 Mercedes Road as discussed in Section 2 below.

### **1.6 Local Strategic Planning Statement**

The Local Strategic Planning Statement (LSPS) is Campbelltown City Council's plan for our community's social, environmental and economic land use needs over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA).

Its purpose is to:

- Provide a 20 year land use vision for the Campbelltown LGA
- Outline the characteristics that make our city special
- Identify shared values to be enhanced or maintained
- Direct how future growth and change will be managed
- Prioritise changes to planning rules in the Local Environmental Plan (Campbelltown Local Environmental Plan 2015) and Council's Development Control Plans
- Implement the Region and District Plans as relevant to the Campbelltown LGA
- Identify where further detailed strategic planning may be needed.

The LSPS sets planning priorities to ensure that the LGA can thrive both now and in the future and that future development is appropriate for the local context. The proposed rezoning of No.26 Mercedes Road is consistent with the planning priorities and actions of the LSPS for Campbelltown.

### **1.7 Community Strategic Plan – Campbelltown 2027**

The Campbelltown City Community Strategic Plan (CSP) is a 10 year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion. The proposal is generally consistent with the CSP, and in particular Outcomes 1 and 2 in respect of housing lifestyle opportunities and environment protection respectively.

### **1.8 Campbelltown Local Environmental Plan 2015 (CLEP 2015)**

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown.

The proposal seeks to rezone property No.26 Mercedes Road from E4 Environmental Living to R2 Low Density Residential and adopt the prevailing local development standards including:

- Maximum 8.5m building height
- Minimum 500sqm lot size
- Minimum 700sqm lot size in respect of dual occupancy development

The rezoning is required to ensure the orderly development of the site and surrounds as part of the greater Caledonia Precinct.

### **1.9 Campbelltown (Sustainable City) Development Control Plan, 2015**

The Campbelltown (Sustainable City) Development Control Plan, 2015 (CSCDCP 2015) is a companion planning document which seeks to assist in realising the objectives of CLEP 2015 through the provision of more detailed general controls, land use specific controls and site specific controls.

The proposal is generally consistent with CSCDCP 2015 which was recently updated to include Part 11 Caledonia Precinct in Volume 2.

## **2. Evaluation**

The following environmental impacts are relevant to the proposal as discussed below.

### **2.1 Terrestrial Ecology**

There are no known issues of biodiversity significance attached to No.26 Mercedes Road. Notwithstanding, any future development application would be required to submit a flora and



fauna assessment and comply with the requirements of SEPP (Vegetation in Non-Rural Areas) 2017 and CLEP 2015.

## **2.2 Indigenous and European Heritage**

There are no known issues of Indigenous heritage sensitivity. No.26 Mercedes Road adjoins a local Item of Environmental Heritage. A Heritage Impact Study/Assessment conducted for the adjoining Caledonia Precinct established conclusions in respect of an appropriate curtilage and general conservation procedures including front setback requirements to Mercedes Road. The proposal does not compromise the broader heritage qualities of the Item.

## **2.3 Odour Impacts**

The odour assessment submitted with the nearby Caledonia precinct identifies satisfactory outcomes in respect of the nearby operational poultry farm situated at property No. 315 Bensley Road. The existing operations potential impacts should be further confirmed upon future lodgement of a development application.

## **2.4 Contamination/ Preliminary Site Investigation**

A Phase 1 Site assessment (contamination investigation) has been undertaken in respect of property No.26 Mercedes Road, Ingleburn. The report concludes that risk of limited contamination is minor and any contamination is likely to be readily remediated. The review further concluded that additional investigation should occur prior to the granting of any future development consent for subdivision.

As a Phase 1 Site Assessment has not been submitted by the land owner of Property No. 39 Lagonda Drive, it is recommend that No.39 Lagonda Drive, Ingleburn be removed from the Planning Proposal to ensure full compliance with SEPP55. To move forward with the Planning Proposal without this further information, the Planning Proposal cannot satisfy the requirements of the DPIE.

## **2.5 Servicing**

The subject allotments are in a precinct serviced by reticulated water and sewer and should be capable of future servicing, subject to relevant reticulation commitments with Sydney Water. Electricity and telecommunications services are available to the immediate locality and could potentially be extended to service the site.

## **3. Developer Contributions**

The Campbelltown Local Contribution Plan has been adopted as of the 19 December 2018 and applies to the future subdivision of the subject allotments. It aims to provide essential local infrastructure. Development Contributions are levied on certain development to help fund local public infrastructure, such as open space and recreational facilities, community facilities, key road and transport facilities.

## **4. Statutory Consideration**

The preparation of a Planning Proposal is the first step in the process of requesting changes to a planning instrument. Should Council resolve to proceed with the Planning Proposal to



Gateway Determination, DPIE would confirm the technical studies required and relevant parts of the Planning Proposal to be updated or amended prior to public exhibition.

As part of the Gateway Authorisation process, Section 3.34 of the EP&A Act allows the Minister and the Secretary to delegate functions to a Council and/or an officer or employee of a Council. When submitting a planning proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- to make and determine not to make an LEP
- to defer inclusion of certain matters
- to identify which matters must be considered and which stages of the plan making process must be carried out again

At its meeting on 20 November 2012, Council resolved to formally accept the plan making delegations and delegate the plan making functions to the General Manager and Director Planning and Environment (now titled Director City Development).

On the grounds that the updated planning proposal is consistent with the relevant objectives of State and local planning strategies, it is recommended that Council seek to exercise the Authorisation in this instance.

## **5. Formal Consultation**

A guide to preparing local environmental plans has been prepared by DPIE to assist councils in preparing planning proposals and LEPs. Should Council resolve to progress the Planning Proposal, and Gateway Authorisation is issued, consultation would be undertaken in accordance with the Gateway Determination requirements.

## **Conclusion**

Due to unforeseen circumstances relating to the non-provision of information from the owner of No.39 Lagonda Drive, this report seeks a new resolution of the Council that allows the Planning Proposal dealing with No.26 Mercedes Road Ingleburn to be forwarded for a Gateway determination.

This is on the grounds that the property owner of No.26 Mercedes Road has submitted the required Phase 1 contamination assessment, and the proposal is now consistent with the requirements of SEPP 55 Remediation of Land and may therefore proceed for Gateway Determination.

Should the owner of Property No.39 Lagonda Drive, Ingleburn make contact with Council and supply the relevant contamination report in the future, the rezoning of that property could be considered in a future housekeeping amendment of Council's CLEP2015.

## **Attachments**

1. Planning Proposal (contained within this report)
2. Caledonia Precinct Planning Proposal (contained within this report)



**Planning Proposal**  
**Lot 41 DP1021880 Mercedes Rd,**  
**Ingleburn**

**Proposed amendment of**  
**Campbelltown Local Environmental**  
**Plan 2015**

## **Background**

### **Definitions and abbreviations**

*CLEP 2015* means Campbelltown Local Environmental Plan 2015

*DCP* means Development Control Plan

*DPIE* means Department of Planning, Industry and Environment

*EESPL* or '*The Edgelands*' means East Edge Scenic Protection Lands

*EP&A Act 1979* means *Environmental Planning and Assessment Act 1979*

*LGA* means local government area

*M* means metres

*PP* means Planning Proposal

*SEPP* means State Environmental Planning Policy

*SQM* means square metres

### **Introduction/Background**

This Planning Proposal seeks to rezone a residue parcel within the Ingleburn, East Edge Scenic Protection Lands. This landscape unit is transforming as a transitional residential precinct, as evident in the recently published amendment to CLEP 2015, refer to gazette Amendment No 13.

The allotment is known as Property No. 26 Mercedes Road, Ingleburn and is currently zoned E4 Environmental Living to reflect the semi-rural location. Rezoning of the greater precinct may result in the subject lot becoming isolated should insufficient certainty exist regarding its future development potential.

### **The Site**

The PP relates to a single residential allotment (the site) on the eastern flank of the suburb of Ingleburn. The subject allotment described is as follows:

Lot 41 DP 1021880

No. 26 Mercedes Rd, Ingleburn

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Plan 2015****Planning Proposal – Ingleburn**

An aerial photograph extract of the two allotments in their immediate context are illustrated in Figure 1 below.

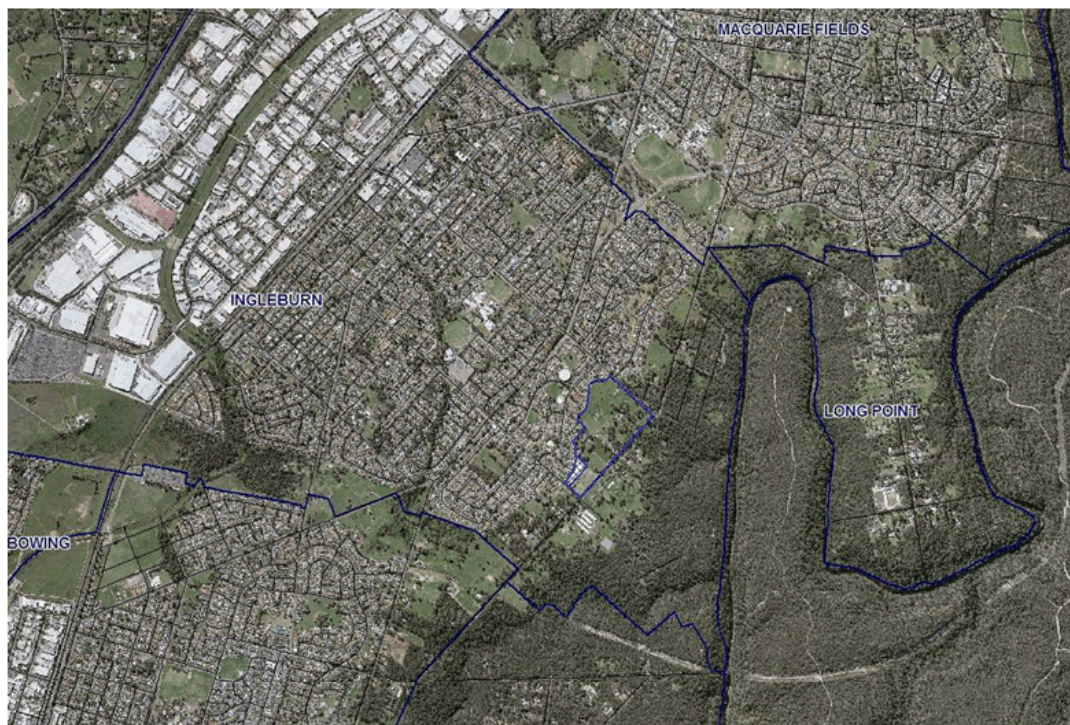


Figure 1: Ingleburn Context Map

Lot 41 DP1021880

The site (No.26 Mercedes Road, Ingleburn) comprises 0.8096 hectares and has a frontage to Mercedes Road, Ingleburn. It is also bounded by allotments to the North-West (existing low density suburb) and a heritage site (local) known as Stone Cottage, situated to the South East. Currently, the land is occupied by an expansive dwelling and garage occupying most of the front of the site and cleared vacant land to the rear.



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Caledonia Precinct

Figure 2 Location Map

The site is bounded by the Caledonia Planning Proposal that was adopted by Council at its Ordinary Meeting on 11 September 2018 and since 22 February 2019 has been rezoned to R2- Low Density Residential.

The site is located two kilometres to the west of the Ingleburn Town Centre, Industrial Precinct and transport hub focused on Ingleburn Railway Station. It is also proximate to the densely vegetated Georges River to the immediate east of Bensley Road.

An operational poultry farm is located generally to the south east of the Mercedes Road/Bensley Road intersection.

## Existing Planning Controls

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the relevant environmental planning instrument that applies to the land.

The subject site is zoned E4 Environmental Living with the following zone objectives and permitted uses:

### Zone E4 Environmental Living

#### 1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To conserve the rural and bushland character of land that forms the scenic eastern edge of Campbelltown's urban area.
- To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.
- To maintain significant stands of native vegetation and wildlife and riparian corridors.
- To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.

#### 2 Permitted without consent

Home occupations

#### 3 Permitted with consent

Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Flood mitigation works; Horticulture; Home-based child care centres; Home businesses; Home industries; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Viticulture; Water supply systems

#### 4 Prohibited

Industries; Service stations; Warehouse or distribution centres; any other development not specified in item 2 or 3

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## **Part 1 – Objectives or Intended Outcomes**

The objectives of this PP are:

- a) to enable the redevelopment the subject lot for low density residential purposes.
- b) to ensure an appropriate conservation strategy in respect of the most significant on-site vegetation.
- c) to ensure appropriate sensitivity in respect of the local heritage Item known as the 'Stone Cottage', including adherence to a relevant conservation curtilage and building setback.

## **Part 2 - Explanation of provisions**

The proposed amendments are outlined below in Table 1.

Table 1

Changes	Description of changes
Zoning	<ul style="list-style-type: none"> <li>Change Land Zoning Map from E4 Environmental Living to R2 Low Density Residential</li> </ul>
Minimum Lot Size	<ul style="list-style-type: none"> <li>Change the Minimum Lot Size Map from 2 ha to 500 sqm.</li> </ul>
Minimum Lot Size – dual occupancy	<ul style="list-style-type: none"> <li>Change the Minimum Lot Size- Dual Occupancy Development Map to 700 sqm.</li> </ul>
Lot Averaging Map	<ul style="list-style-type: none"> <li>Delete application of Lot Averaging Map of 1ha.</li> </ul>

## **Part 3 - Justification**

### **Section A – Need for the Planning Proposal**

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

The adjoining Caledonia Precinct was the subject of comprehensive environmental investigations some of which extended to cover parts of the subject land. The investigations provide sufficient background to advance the subject Planning Proposal.

They are noted to have covered the following areas:

- Storm water management
- Traffic management and accessibility
- Service infrastructure provision
- Ecology
- Heritage
- Bushfire Hazard
- Odour Impacts
- Planning Framework Compliance



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### 2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The subject land was not included in the Caledonia Planning Proposal given prevailing ownership matters at the time. To avoid the prospect of isolated inappropriately zoned land, the subject PP represents the best means of achieving the planning amendment.

## Section B – Relation to Strategic Planning Framework

### 3. 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)

#### Greater Sydney Region Plan – A Metropolis of Three Cities (March 2018)

The Greater Sydney Regional Plan (GSRP) sets out a 40 year vision and 20 year plan of Greater Sydney through directions, objectives, and actions to form a 'Metropolis of Three Cities.' The ten directions assist with delivering and monitoring the framework.

The Planning Proposal is consistent with the Greater Sydney Region Plan as it contributes to the supply of affordable and diverse housing options. In this regard its consistent with the following objectives.

Table 2

Objective	Comments on consistency
Objective 10 Greater Housing Supply	The rezoning proposal will assist in the future supply of housing in the Western City District.
Objective 11 Housing is more diverse and affordable	The rezoning proposal will contribute to housing diversity via the provision of a diverse range of lots, located in a relatively affordable location with good access to existing services and transport.
Objective 13 Environmental heritage is identified, conserved and enhanced	The rezoning proposal will not adversely impact the local heritage item I69 (Stone Cottage) due to curtilage and setback requirements as detailed within the site specific DCP.
Objective 27 Biodiversity is protected, urban bushland and remnant vegetation is enhanced	The proposed development will ensure the qualities of the land are satisfactorily addressed in their immediate transformational context.

#### Western City District Plan - Connecting Communities

The Western City District Plan is a 20 year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater

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Sydney. It is a guide for implementing the GSRP at a district level and is a bridge between regional and local planning.

Of particular relevance to this PP are the following planning priorities:

Table 3

Objective	Comments on consistency
Planning Priority W5 Providing housing supply, choice and affordability, with access to jobs, services and public transport.	The PP will assist in the future supply of housing; enable access to jobs, as well as being within close distance to public transport.
Planning Priority W6 Creating and renewing great places and local centres, and respecting the Districts heritage.	The PP is capable of sensitively integrating with the heritage sensitivities identified.
Planning Priority W14 Protecting and enhancing bushland and biodiversity.	As appropriate biodiversity strategy will be developed to address areas of sensitivity.

### Glenfield to Macarthur Urban Renewal Corridor

The subject land is significantly removed from the Urban Renewal Corridor. Their redevelopment of the site will, however, benefit from increased services and facilities which will accompany urban renewal.

### Draft Local Strategic Planning Statement

The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA).

Its purpose is to:

- Provide a 20 year land use vision for the Campbelltown LGA.
- Outline the characteristics that make our city special.
- Identify shared values to be enhanced or maintained.
- Direct how future growth and change will be managed.
- Prioritise changes to planning rules in the Local Environmental Plan (Campbelltown Local Environmental Plan 2015) and Council's Development Control Plans.
- Implement the Region and District Plans as relevant to the Campbelltown LGA.
- Identify where further detailed strategic planning may be needed.

## Proposed Amendment to Campbelltown Local Environmental Plan 2015

## Planning Proposal – Ingleburn

It sets planning priorities to ensure that our LGA can thrive both now and in the future, and that future development is appropriate for our local context. The proposed rezoning of 26 Mercedes Road, Ingleburn is generally consistent with the planning priorities and actions of the LSPS for Campbelltown.

### **Campbelltown Local Environmental Plan 2015 (CLEP 2015)**

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown.

The proposal seeks to rezone the site from E4 – Environmental Living to R2 – Low Density Residential. Application of the proposed land use zone with the prevailing 8.5m building height control and minimum lot size of 500 sqm is considered appropriate. Additionally, it proposed to introduce a minimum lot size of 700 sqm in respect of dual occupancy development.

### **Campbelltown (Sustainable City) Development Control Plan, 2015**

The Campbelltown (Sustainable City) Development Control Plan, 2015 (CSCDCP 2015) is a companion planning document which seeks to assist in realising the objectives of CLEP 2015 through the provision of more detailed general controls, land use specific controls and site specific controls.

The proposal is consistent with the CSCDCP 2015, which was updated on 7 May 2019 to include precinct controls for the site.

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

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

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

The PP is considered to be generally consistent with the relevant objectives as detailed below in Table 4.

Table 4

Outcomes	Comments on consistency
<u>Outcome 1: A vibrant, liveable city</u> Council's goal	

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Outcomes	Comments on consistency
<p>Our community is able to celebrate its diversity, make a contribution to, and enjoy the lifestyle opportunities offered by our city.</p> <p>Our city is a place where people want to live – it is creative, innovative, vibrant and resilient. It is a city that is designed for people, with easy access to high quality housing, services, amenities and open space.</p> <p>It is a community where people feel safe, socially connected and included. We celebrate our rich heritage &amp; diversity, and respect our strong ties to Aboriginal culture.</p> <p>Our people enjoy the lifestyle offered by the city – a city which is a destination of choice.</p>	<p>The PP does not compromise this outcome and provides a relevant potential future lifestyle opportunity.</p>
<p><u>Outcome 2: A respected &amp; protected natural environment</u></p> <p>Council's goal</p> <p>Our people embrace the city's natural surrounds and see it as a unique point of difference.</p> <p>We work together to ensure development in the LGA is approached in a sustainable manner, and that our natural assets, bushlands and waterways are treated with respect.</p> <p>Our community is engaged and educated on the benefits of managing and accessing open space.</p> <p>We protect biodiversity conservation, our visual landscape and our heritage values, and recognise the importance of creating a sustainable and resilient city for future generations.</p> <p>Strategies</p> <p>2.1- Implement and advocate for initiatives that conserve the city's natural environment</p> <p>2.2- Activate the city's natural bushland and open spaces, fostering enhanced community stewardship of these areas</p> <p>2.3- Promote and educate our community on sustainable practices and encourage practicable take up of more sustainable life-choices</p> <p>2.4- Conserve and care for our city's biodiversity</p> <p>2.5- Plan for and ensure that development in our city is sustainable and resilient</p>	<p>The PP is consistent with the relevant goals and strategies whereby any existing biodiversity qualities of significance will be subject to biodiversity provisions contained the Biodiversity Conservation Act 2016, in regards to the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.</p>
<p><u>Outcome 3: A thriving, attractive city</u></p> <p>Council's goal</p>	

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Outcomes	Comments on consistency
<p>We are a city that encourages and supports the development of the local economy through business innovation and growth.</p> <p>Our city attracts professional organisations which provide a range of employment opportunities for our people.</p> <p>We are a destination which makes the most of our city's natural and man-made assets to build on the experience that is Campbelltown.</p> <p>Our people are engaged in ongoing conversations about matters which affect our city, to ensure Council activities align with its strategic direction and the city's assets are managed strategically and sensitively.</p> <p>We embrace change and look to support the creation of new economies to build the resilience of the city.</p> <p>Strategies</p> <p>3.1- Support the resilience, growth and diversity of the local economy</p> <p>3.2- Ensure that service provision supports the community to achieve and meets their needs</p> <p>3.3- Become an innovative city where advances in technology, creativity and community participation are nurtured and embraced</p> <p>3.4- Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity</p> <p>3.5- Support for new education opportunities that match workforce skill sets with emerging economic needs underwritten by creative entrepreneurship and innovation capacity within the local community</p> <p>3.6- Develop tourism opportunities and promote Campbelltown as a destination</p> <p>3.7- Public funds and assets are managed strategically, transparently and efficiently</p> <p>3.8- Provide strong governance for all Council activities</p> <p><u>Outcome 4: A successful city</u></p> <p>Council's goal</p>	<p>The PP at a modest scale will contribute to the vitality of the Ingleburn Centre. The PP will contribute at a modest scale to the strategy to grow the local economy and offer short term employment. Alongside this, it will potentially increase the demand for employment.</p>



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Outcomes	Comments on consistency
<p>We are a modern, forward thinking, connected city.</p> <p>We have built on our history and character, and shaped a city which transforms in line with its community and its needs.</p> <p>Our people value a balance between the built form and open space, and are kept informed of infrastructure delivery, including better health and education infrastructure and services.</p> <p>Our city and our people are connected through strategic road networks, transport systems and pedestrian facilities. Council strategies are developed in line with the draft South West District Plan and complement State Government plans for the city.</p> <p>Our city is reinvigorated – it is a city where people choose to be.</p> <p>Strategies</p> <p>4.1- Advocate and plan for enhanced connectivity, accessibility and movement within, to and from our city through improved public transport, road and traffic management infrastructure, cycling and pedestrian movement</p> <p>4.2- Support and advocate for infrastructure solutions that meet the needs of our city and which pay an economic and liveability dividend</p> <p>4.3- Responsibly manage growth and development, with respect for the environment, heritage and character of our city</p> <p>4.4- Maintain and create usable open and recreational spaces that set our city apart from others</p> <p>4.5- Work in partnership with the State Government to achieve positive planning outcomes</p> <p>4.6- Plan and invest in the revitalisation of Campbelltown-Macarthur CBD, Ingleburn and other town centres</p>	<p>The PP is consistent with the relevant goals and strategies. Importantly, the risk of the allotment remaining isolated and inappropriately zoned is removed and provisions for orderly development made, including infrastructure impacts being addressed via the Development Contributions Plan.</p>

### Campbelltown Local Planning Strategy 2013

The PP is generally consistent with the subject strategy. It is noted however, that the 'template' for transitional development of the East Edge Scenic Protection Lands has evolved in the intervening period as is reflected in the Caledonia PP. The subject PP is consistent with the template established for Caledonia.

### Campbelltown Residential Development Strategy 2013

The Campbelltown Residential Development Strategy provided a broad strategic plan for delivering sub-regional housing supply objectives at a local level. It is heavily focused on urban renewal/infill areas and major Greenfield urban release areas. Some passing

## Proposed Amendment to Campbelltown Local Environmental Plan 2015

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reference is made to lifestyle housing opportunities however; it does not address the transitional fringe rural/urban interface areas in depth.

The planning proposal is consistent with this strategy to the extent of fulfilling underpinning housing supply and housing diversity objectives.

### 5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The PP is consistent with applicable SEPPs. See Table 6 below.

Table 5

State Environmental Planning Policies	Comments on consistency
SEPP No 1 Development Standards	Not applicable as CLEP 2015 is a Standard Instrument LEP & incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 19 - Bushland in Urban Areas	The PP will address the limited 'bushland' through the provisions of Clause 7.20 of CLEP 2015.
SEPP No. 21 - Caravan Parks	Not applicable to this PP.
SEPP No. 30 - Intensive Agriculture	Not applicable to this PP.
SEPP No. 33 - Hazardous & Offensive Development	Not applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Not applicable in the Campbelltown LGA.
SEPP No. 44 - Koala Habitat Protection	Property No. 26 Mercedes Road, Ingleburn is considerably clear of vegetation. However, if any remnant trees constitute core Koala Habitat a management strategy would be required.
SEPP No. 47 - Moore Park Showground	Not applicable in the Campbelltown LGA.
SEPP No. 50 - Canal Estate Development	Not applicable to this PP.
SEPP No. 52 - Farm Dams & Other Works in Land & Water Management Plan Areas	Not applicable in the Campbelltown LGA.
SEPP No. 55 - Remediation of Land	A Phase 1 – Preliminary site investigation has been submitted. Council is satisfied that there is a minor risk of land contamination, and any contamination is likely to be readily remediable.
SEPP No. 62 - Sustainable Aquaculture	Not applicable to this PP.
SEPP No. 64 - Advertising & Signage	Not applicable to this PP.
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable to this PP as residential flat buildings are not proposed on the site.
SEPP No. 70 - Affordable Housing (Revised Schemes)	Not applicable in the Campbelltown LGA
SEPP (Affordable Rental Housing) 2009	The planning proposal will not contain provisions that will contradict or hinder the application of the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	The PP does not contain provisions that contradict or hinder the application of the SEPP.
SEPP (Coastal Management) 2018	Not applicable in the Campbelltown LGA.



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State Environmental Planning Policies	Comments on consistency
SEPP (Educational Establishments & Child Care Facilities) 2017	Not applicable to this PP.
SEPP (Exempt & Complying Development Codes) 2008	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Gosford City Centre) 2018	Not applicable in the Campbelltown LGA.
SEPP (Housing for Seniors or People with a Disability)	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Infrastructure) 2007	Certain infrastructure required to service residential development would be permissible in accordance with this SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable in the Campbelltown LGA.
SEPP (Kurnell Peninsula) 1989	Not applicable in the Campbelltown LGA.
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	Not applicable to this PP.
SEPP (Miscellaneous Consent Provisions) 2007	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Penrith Lakes Scheme) 1989	Not applicable in the Campbelltown LGA.
SEPP (Rural Lands) 2008	Not applicable to this PP.
SEPP (State & Regional Development) 2011	Not applicable to this PP.
SEPP (State Significant Precincts) 2005	Not applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	Not applicable to this PP.
SEPP (Three Ports) 2013	Not applicable in the Campbelltown LGA.
SEPP (Urban Renewal) 2010	Not applicable to this PP.
SEPP (Vegetation in Non - Rural Areas) 2017	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable in the Campbelltown LGA.
SEPP (Western Sydney Parklands) 2009	Not applicable in the Campbelltown LGA.
REP No.2 – Georges River Catchment	The PP will need to ensure desired stormwater management outcomes are not compromised.
REP No.9 - Extractive Industry (No 2)	Not applicable to this PP.
REP No.20 - Hawkesbury-Nepean River (No 2 1997)	Not applicable to this PP.

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**6. Is the Planning Proposal consistent with applicable Ministerial Directions (S9.1 directions)?**

The PP is either considered consistent, justifiably inconsistent or the inconsistency is of minor significance with the applicable Ministerial Directions (S9.1 directions). See Table 7 for an assessment of the PP against the S9.1 Ministerial Directions.

**Table 6**

Ministerial Direction	Comments on consistency
<b>1. Employment and Resources</b>	
1.1 Business & industrial Zones	Not applicable to this PP.
1.2 Rural Zones	Not applicable to this PP.
1.3 Mining, Petroleum Production & Extractive Industries	Not applicable to this PP.
1.4 Oyster Production	Not applicable to this PP.
1.5 Rural Lands	Not applicable to this PP.
<b>2. Environment and Heritage</b>	
2.1 Environmental Protection Zones	Property No. 26 Mercedes Road, Ingleburn is not inconsistent with this Direction. There appears to be no environmentally sensitive areas within the site however, if any concerns do present itself further studies will be required to ensure appropriate protection and conservation.
2.2 Coastal Protection	Not applicable to this PP.
2.3 Heritage Conservation	Appropriate European heritage outcomes can be achieved as reflected in the Caledonia heritage impact report. Further, there are no known areas of Aboriginal sensitivity.
2.4 Recreation Vehicle Area	Not applicable to this PP.
2.5 Application of E2 & E3 Zones & Environmental Overlays in Far North Coast LEPs	Not applicable to this PP.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Consistent; the proposed R2 zoning is consistent with the objectives of this direction.
3.2 Caravan Parks & Manufactured Home Estates	Not applicable to this PP.
3.3 Home Occupations	Not applicable to this PP.
3.4 Integrating Land Use & transport	Not inconsistent.
3.5 Development Near Licensed Aerodromes	Not applicable to this PP.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulphate Soils	Consistent as the land is not known to exhibit acid sulphate qualities.
4.2 Mine Subsidence & Unstable Land	Not applicable to this PP.
4.3 Flood Prone Land	Not applicable to this PP.

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Ministerial Direction	Comments on consistency
4.4 Planning for Bushfire Protection	Consistent; Land is not recorded to be bush-fire prone.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable in the Campbelltown LGA
5.2 Sydney Drinking Water catchments	Not applicable in the Campbelltown LGA
5.3 Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable in the Campbelltown LGA.
5.4 Commercial & Retail Development along the Pacific Highway, North Coast	Not applicable in the Campbelltown LGA.
5.5 -5.7	Revoked.
5.8 Second Sydney Airport	Not applicable in the Campbelltown LGA.
5.9 North West Rail Link Corridor Strategy	Not applicable in the Campbelltown LGA.
5.10 Implementation of Regional Plans	Consistent; The proposal is consistent with Greater Sydney Regional Plan and Western City District Plan.
<b>6. Local Plan Making</b>	
6.1 Approval & Referral Requirements	Consistent as the PP does not alter the provisions relating to approval & referral requirements.
6.2 Reserving Land for Public Purposes	Not applicable to this PP as no land is identified for acquisition by a public authority.
6.3 Site Specific Provisions	Not applicable in the Campbelltown LGA.
<b>7. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	Consistent- Seeks to rezone the land to increase housing supply at a local scale in a location which is generally consistent with the character area.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to this PP.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable in the Campbelltown LGA.
7.4 Implementation of North West Priority Growth Area Land Use & Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use & Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use & Infrastructure Implementation Plan	Not applicable in the Campbelltown LGA.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable to this PP. The land is not proximate to the renewal corridor. The ultimate development will benefit from the general renewal program in terms of enhanced facilities and services.

**Section C – Environmental Social or Economic impact**

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

There are no known critical habitats or threatened species that will be adversely affected. Any future development application submitted to Council, is required to submit a Flora and Fauna Assessment and is to comply with the requirements of the SEPP (Vegetation in Non-Rural) Areas) 2017 and the CLEP 2015.

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

Terrestrial Ecology

There are no known issues of biodiversity significance attached to the site. Notwithstanding, any future development application would be required to submit a flora and fauna assessment and comply with the requirements of SEPP (Vegetation in Non-Rural) Areas) 2017 and CLEP 2015.

Environmental Hazards

The site is not exposed to any known hazards.

Indigenous and European Heritage

There are no known issues of Indigenous heritage sensitivity. No. 26 Mercedes Road adjoins a local Item of Environmental Heritage and was addressed in the Heritage Impact Study/Assessment conducted for the adjoining Caledonia Precinct, which established conclusions in respect of an appropriate curtilage and general conservation procedures including front setback requirements to Mercedes Road. The PP does not compromise the broader heritage qualities of the Item.

Odour Impacts

The odour assessment submitted with the nearby Caledonia Planning Proposal identifies satisfactory outcomes in respect of the nearby operational poultry farm situated at No. 315 Bensley Road. The existing operations potential impacts should be further confirmed.

Contamination/ Preliminary Site Investigation

A Phase 1 site assessment (contamination investigation) was undertaken for the site and concluded that the risk of limited contamination is minor and any contamination is likely to be readily remediable. The review further concluded additional investigation should occur prior to the granting of any development consent for subdivision.

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### Servicing

The subject site is in a precinct serviced by reticulated water and sewer and should be capable of future servicing, subject to relevant reticulation commitments with SydneyWater. Electricity supply and telecommunications services are available to the immediate locality and could potentially be serviced.

### 9. How has the planning proposal adequately addressed any social and economic effects?

The PP will contribute to the orderly development and benefit of the wider precinct.

## Section D – State and Commonwealth interests.

### 10. Is there adequate public infrastructure for the planning proposal?

Service Infrastructure investigations in the general Caledonia Precinct established sufficient base level infrastructure is generally available subject to relevant augmentation/reticulation. In such context it is considered that service infrastructure is unlikely to be a major constraint to development. Road infrastructure is considered adequate and social infrastructure impacts will be addressed through Council's proposed Developer Contribution Plan.

### 11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The PP is currently in the pre-Gateway phase. Appropriate consultation will occur in the event of a Gateway Determination.

## Part 4: Mapping

In seeking to achieve the PP objectives & outcomes the following map amendments are proposed:

Table 8

Item	Location
Changes to Zoning Map	Annexure 1
Changes to Minimum Lot Size Map	Annexure 2
Changes to Minimum Lot Size Map – Dual Occupancy	Annexure 3
Changes to Lot Averaging Map	Annexure 4

## Part 5 - Community Consultation

Public consultation will take place in accordance with a relevant Gateway determination. All relevant agencies and local community will be consulted during the assigned minimum public exhibition period.

## Part 6 Project Timeline

A draft project timeline has been included in Table 6 below.

Table 6: Project Timeline

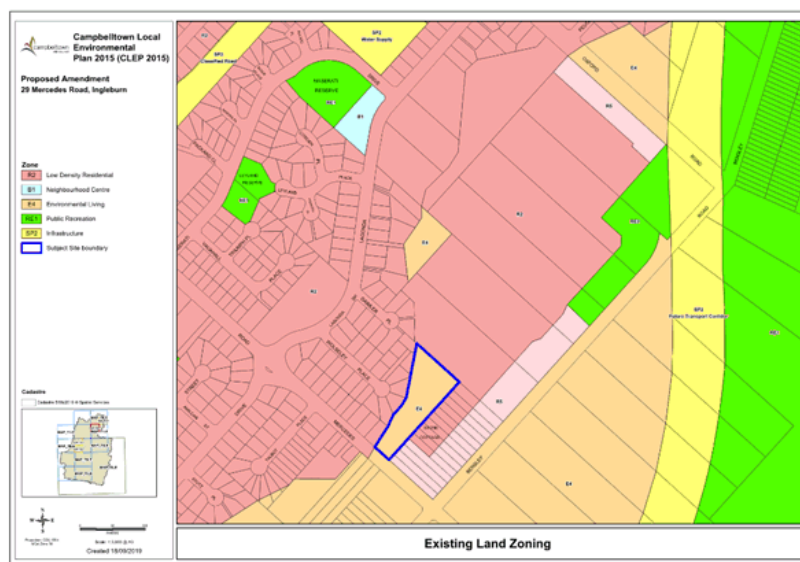
Milestone	Timeline
Referral to Local Planning Panel	December 2018
Report to Council	October 2019
Council Endorsement of Planning Proposal	October 2019
Referral for Gateway Determination	November 2019
Gateway Determination	December 2019
Completion of additional supporting documentation	January 2019
Public Exhibition	February 2020
Consideration of Submissions	March 2020
Finalisation of LEP amendment	April 2020
Plan amendment made	April/May 2020



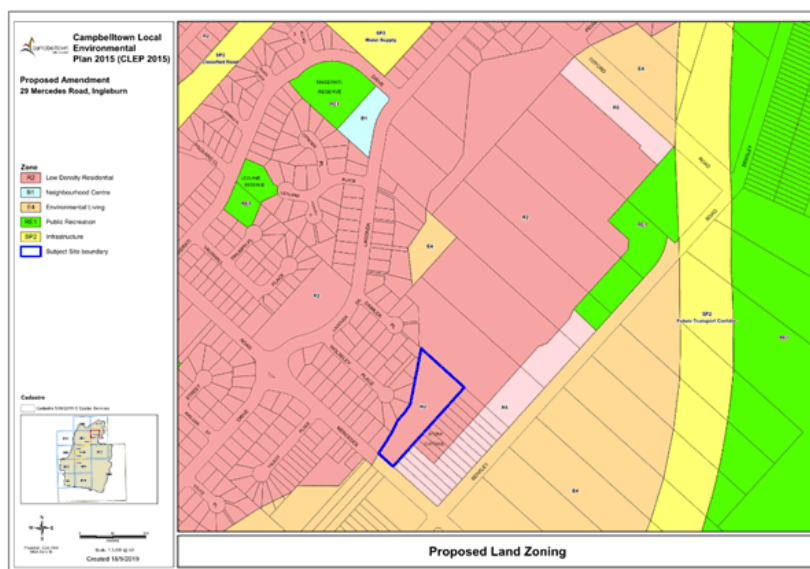
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**Annexure 1 Changes to Zoning Map**



Existing Zoning Map



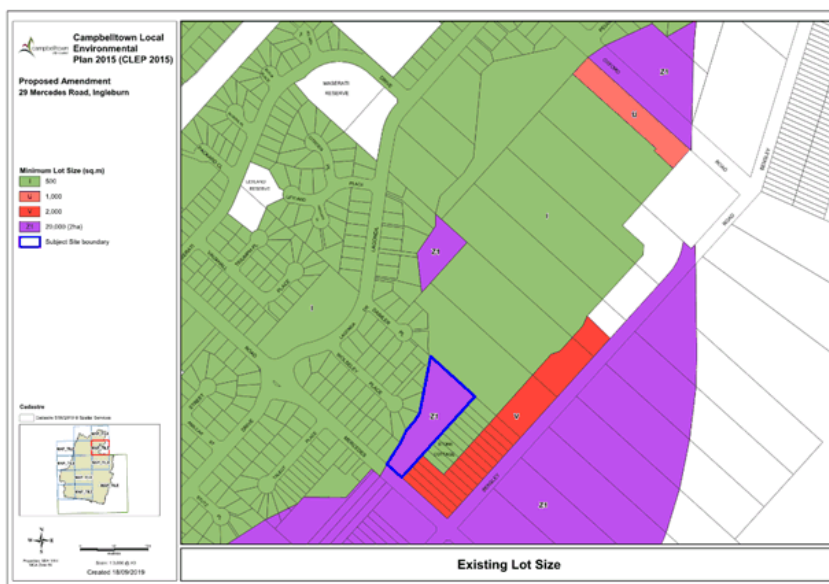
Proposed Zoning Map



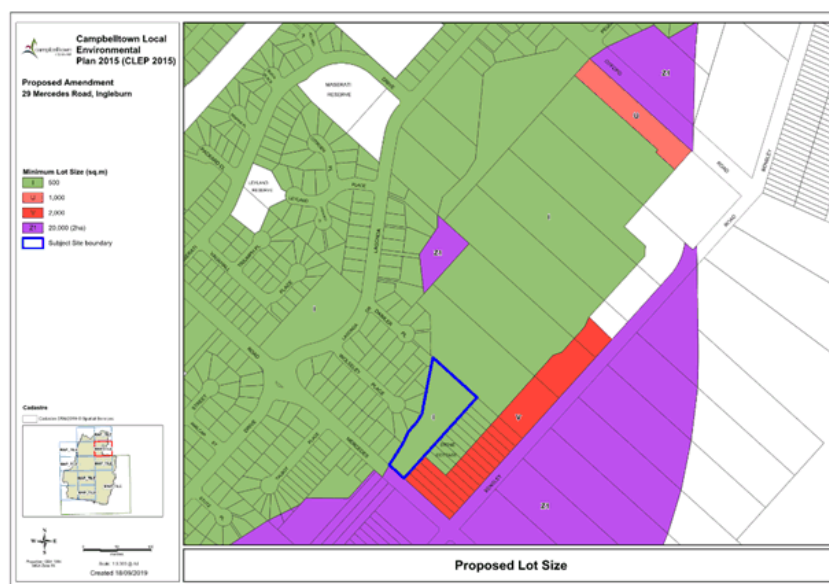
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Annexure 2 - Changes to Minimum Lot Size Map



Existing Minimum Size Lot Map

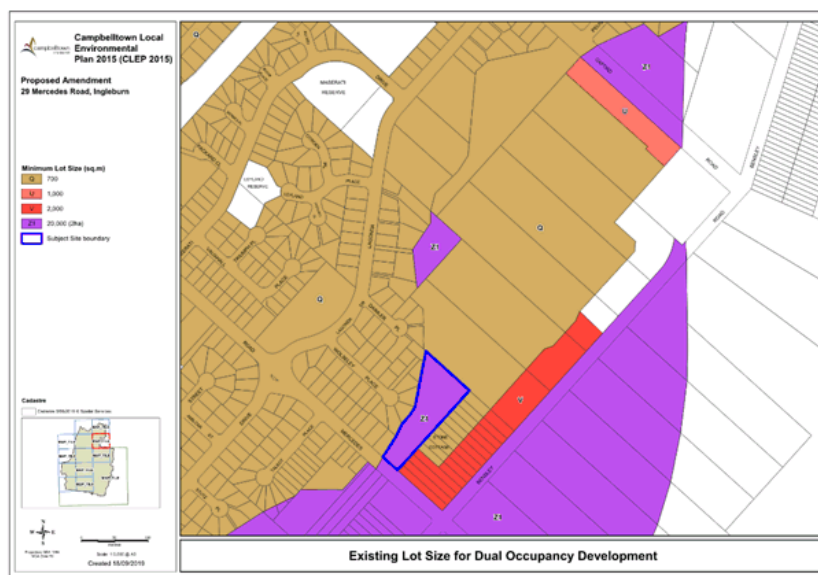


Proposed Minimum Size Lot Map

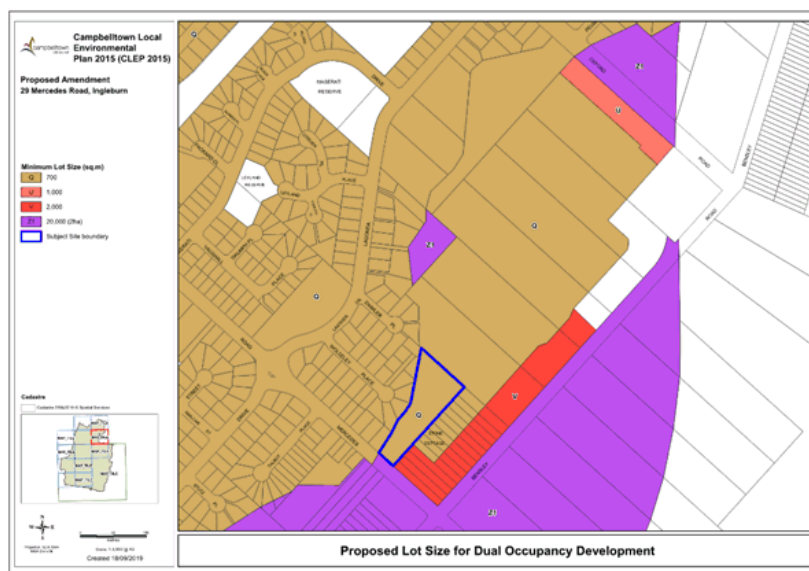
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# Annexure 3 – Changes to Minimum Lot Size Map- Dual Occupancy



Existing Dual Occupancy Map

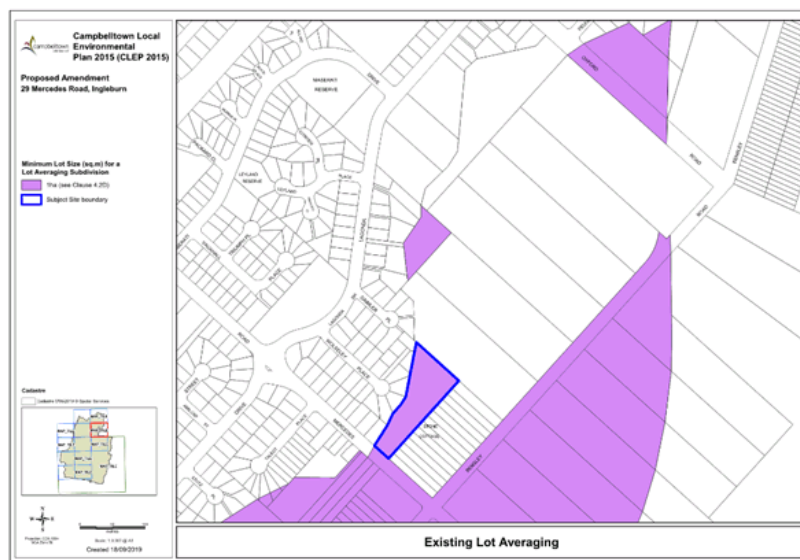


Proposed Dual Occupancy Map

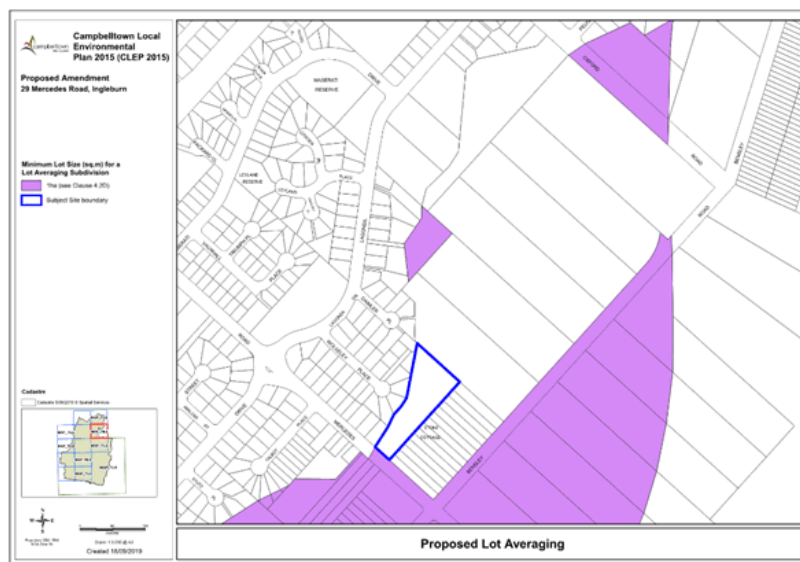
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Annexure 4 – Changes to Lot Averaging Provision



Existing Lot Averaging Provisions Map



Proposed Lot Averaging Provisions Map