

ORDINARY COUNCIL

ORD01

SUBJECT: PLANNING PROPOSAL - LOT 81 DP 656970, 1423 CAMDEN VALLEY WAY, LEPPINGTON

FROM: Director Planning and Environment

TRIM #: 18/337199

PROPERTY ADDRESS: Lot 81 DP 656970
1423 Camden Valley Way, Leppington

PROPONENT: Milestone (Aust) Pty Limited

OWNER: Laundry Trading (Bristol Arms) Pty Ltd

PURPOSE OF REPORT

The purpose of this report is to seek Council endorsement of a draft Planning Proposal for Lot 81 DP 656970 (1423 Camden Valley Way, Leppington) and to resolve to forward the draft Planning Proposal to the Department of Planning & Environment (DPE) for Gateway Determination.

The draft Planning Proposal seeks to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) to include motel accommodation, retail premises and pubs as Additional Permitted Uses on the site.

BACKGROUND

In July 2018, a Planning Proposal was lodged by Milestone Planning on behalf of the landowner (Laundry Trading Pty Ltd). The draft Planning Proposal is provided as an **attachment** to this report.

The proposal seeks to amend Schedule 1 of Appendix 9 of the Growth Centres SEPP, by including hotel and motel accommodation, retail premises and pubs as Additional Permitted Uses on the site.

From 1 June 2018, Planning Proposals are referred to the Camden Local Planning Panel (Panel) for advice. The draft Planning Proposal was considered by the Panel on 20 November 2018. The Panel's recommendations are discussed later in this report and are provided as a **supporting document** to this report.

The draft Planning Proposal was notified for 14 days from 7 August to 21 August 2018. One submission was received which is discussed later in this report.

Councillors were briefed on this proposal on 11 September 2018.

MAIN REPORT

Locality

The site is located on the corner of Camden Valley Way and Ingleburn Road and is legally described as Lot 81 DP 656970. The site is rectangular and has a total site area of approximately 2.3ha.

The site currently accommodates a large single storey building operating as 'Lockies Hotel' including a BWS liquor outlet with at-grade car parking accessed from Ingleburn Road. Lockies has been operating on the site since the 1970s.

Development surrounding the site consists of predominantly semi-rural development to the north and west, with recent low to medium density residential development and subdivision works commencing within the East Leppington Precinct, east of Camden Valley Way.

Figure 1 provides a site context map.

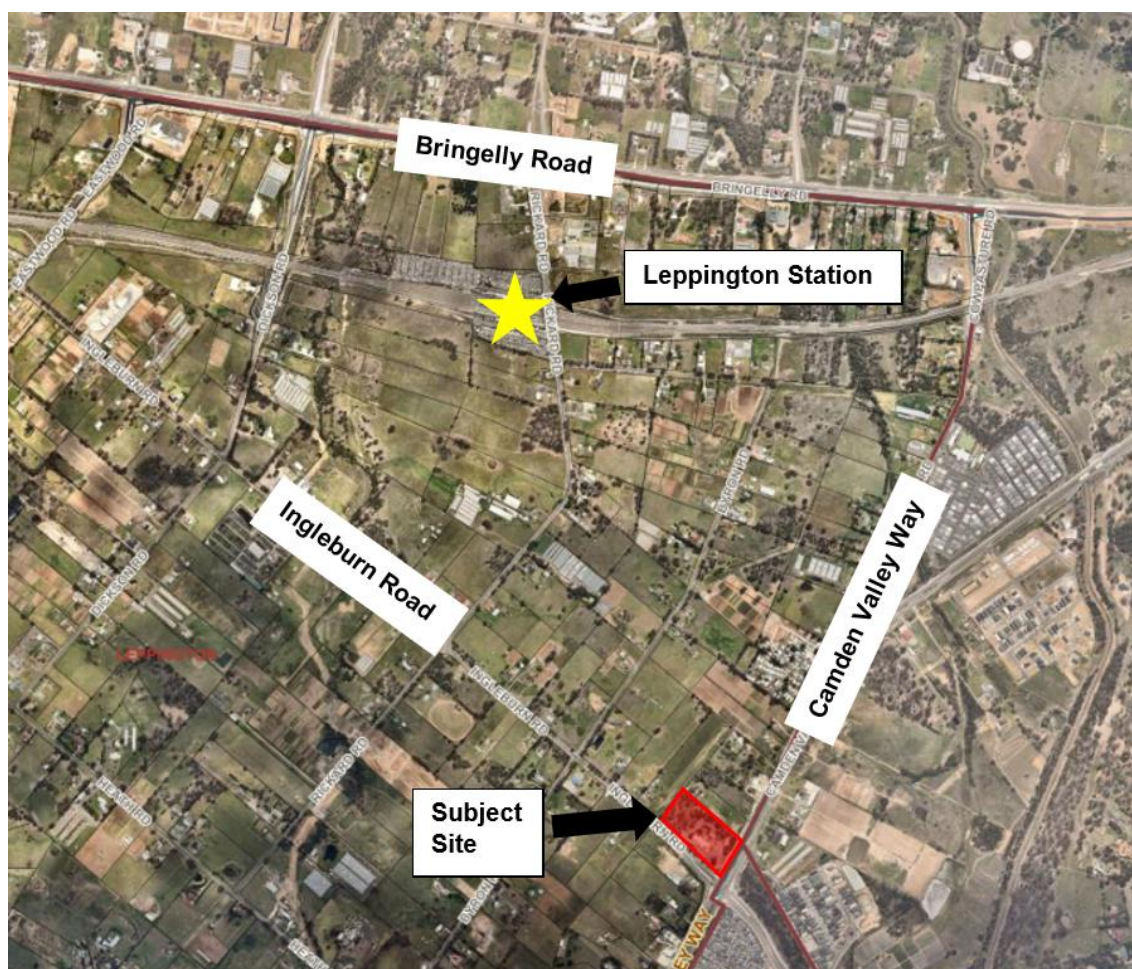


Figure 1: Site and surrounds Leppington Planned Precinct

The site is located on the south-eastern corner of the Leppington Planned Precinct Investigation Boundary, as identified in **Figure 2**.

The Department of Planning and Environment (DPE) is currently reviewing the land uses and development controls within the Leppington Town Centre.

Council officers have discussed the draft Planning Proposal with the DPE. The DPE has provided in-principle support for Council to proceed with the assessment of the draft Planning Proposal despite the broader precinct planning work being undertaken. The DPE has advised that the most appropriate way to consider the proposed amendment is through a Planning Proposal.

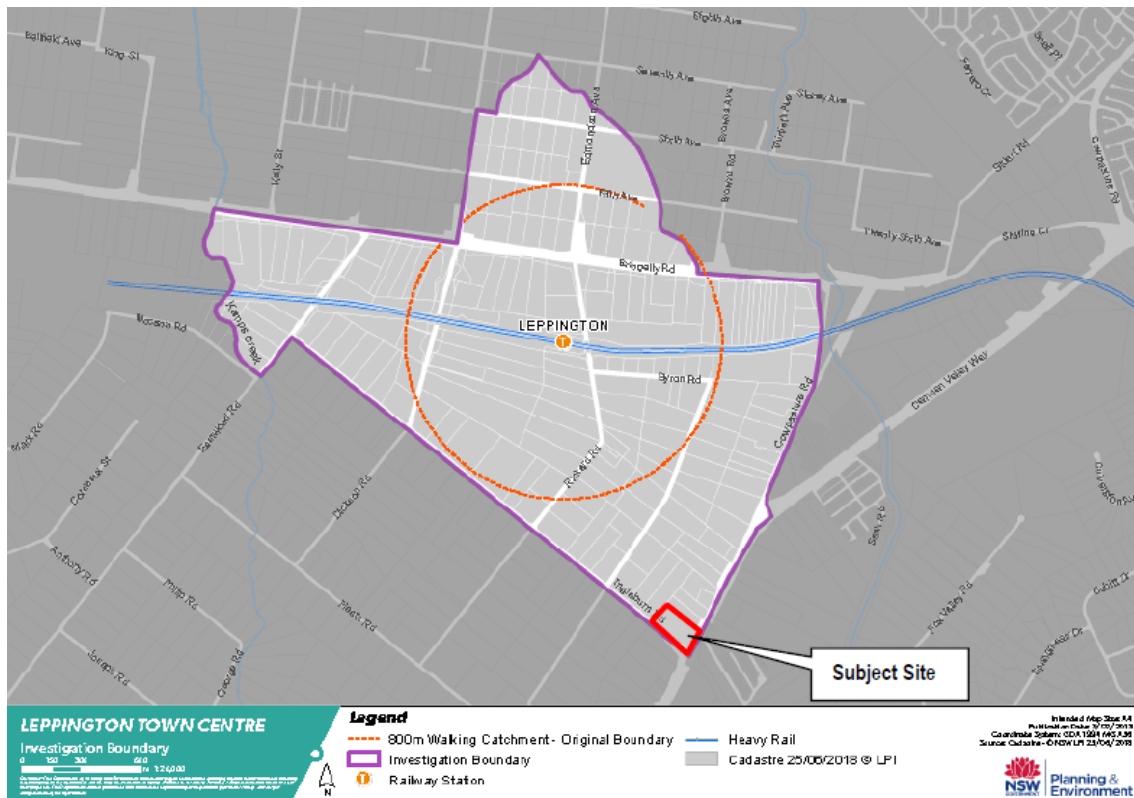


Figure 2: Leppington Town Centre Investigation Boundary

Zoning and Permissibility

The site is located within the Leppington North Precinct of the South West Growth Area (SWGA) and is zoned R3 Medium Density Residential under the Growth Centres SEPP. Pubs, retail premises and motels are not permissible within the R3 Medium Density Residential zone.

The objective of the draft Planning Proposal is to facilitate the proposed development of a new pub/tavern, a new retail premise specifically to retail liquor and a new hotel or motel accommodation. The site benefits from existing use rights which enables the operation of the existing pub and liquor store.

The proposed development will include approximately 1,570 sqm of retail floor space, 2,790 sqm (approximately eighty rooms) of motel accommodation, and 3,115 sqm of pub/tavern floor space. The final details of the development will be subject to a future Development Application.

The draft Planning Proposal seeks to amend the Growth Centres SEPP (Schedule 1 of Appendix 9) to include pubs, hotel or motel accommodation, and retail premises as Additional Permitted Uses on the site.

No further amendments are proposed, and the site will retain the existing R3 Medium Density Residential zone and the existing maximum building height of 21 metres.

Specialist Studies

The draft Planning Proposal was accompanied by the following studies:

- Traffic report;
- Economic Impact Assessment; and
- Social Impact Assessment.

A summary of the studies is provided below. Copies of the studies are included as an **attachment to this report**.

Traffic and Transport Report

The proponent has lodged a Traffic and Transport Report in support of the draft Planning Proposal. The Traffic and Transport Report concludes that the road network and intersection of Camden Valley Way and Ingleburn Road can cater for the additional traffic from the proposed development, with capacity to cater for future development in the area. The existing driveway to the site would be retained to provide access to the development from Ingleburn Road.

Officer Comment

The site has a high level of local and regional road accessibility in that it fronts both Camden Valley Way and Ingleburn Road, which are arterial and sub-arterial roads respectively. Detailed traffic and parking assessment will be undertaken through future Development Applications (DAs) or as required by the Gateway Determination.

Economic Impact Assessment

The proponent has lodged an Economic Impact Assessment (EIA) in support of the draft Planning Proposal. The EIA outlines the various employment opportunities that the proposed development will provide and concludes that redevelopment of the site will not have any significant impacts on the surrounding centres due to the comparatively small size of the site in relation to the nearby business zones (B4 Mixed Use and B3 Commercial Core) located in the Leppington Major Centre.

Officer Comment

Council officers have reviewed the EIA and agree with its findings. The site is located approximately 1km from the Leppington Major Centre and is therefore expected to serve a local function and not detract from the commercial uses within the Leppington Major Centre.

Social Impact Assessment

The proponent has lodged a Social Impact Assessment (SIA) in support of the draft Planning Proposal. The SIA notes that the proposed development will not pose any increased health or safety risks to the community and outlines the proposed management procedures that will be in place for both the pub and retail liquor outlet. The draft Planning Proposal proposes 1,570 sqm of retail liquor floor space.

Officer Comment

The proposal will facilitate the redevelopment of the existing pub and liquor store. The specific impacts of the proposed uses will be assessed and managed through future DAs for the site.

Assessment against Key Strategic Documents

Greater Sydney Region Plan

The Greater Sydney Region Plan (Region Plan) was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Region Plan has a vision and plan to manage the growth and change for Greater Sydney in the context of economic, social and environmental matters.

Leppington is identified as a Strategic Centre within the Region Plan. The expectations for Strategic Centres are:

- *High levels of private sector investment;*
- *Flexibility, so that the private sector can choose where and when to invest;*
- *Co-location of a wide mix of land uses, including residential;*
- *High levels of amenity and walkability and being cycle friendly;*
- *Areas identified for commercial uses, and where appropriate, commercial cores.*

The proposal is consistent with the relevant directions and objectives of the Plan as summarised below.

Objective	Consistency
Objective 6: Services and infrastructure meet communities' changing needs	The proposal will provide services in an accessible location to meet the needs of the community. The site is currently zoned R3 Medium Density Residential, however being located on a prominent street corner and considering the existing use as a pub, is well positioned to service the local area.
Objective 7: Communities are healthy, resilient and socially connected	The proposal promotes a socially connected community by providing a meeting place for the community.
Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	The proposed connection of Leppington to the Western Sydney Airport by rail, and the current road connections present the opportunity for Leppington to develop into a Strategic Centre.
Objective 22: Investment and business activity in centres	The Leppington Precinct is identified as a Strategic Centre. The proposal will provide investment and business activity in Leppington.

Table 1: Assessment against Region Plan Objectives

Western City District Plan

The Western City District Plan (District Plan) was released by the GSC on 18 March 2018. The District Plan guides the 20-year growth of the district to improve its social, economic and environment assets. The draft Planning Proposal is consistent with the relevant Planning Priorities and Actions as summarised below.

Planning Priority	Consistency
Planning Priority W1: Planning for a city supported by Infrastructure	The site is located approximately 1.5km from Leppington station. The proposal will result in a site that utilises existing road and planned rail infrastructure for access.
Planning Priority W2: Working through collaboration	The proposal does not directly result in collaboration between government, community and business. However, the proposal contributes to providing investment, employment and liveability of Leppington.
Planning Priority W3: Providing services and social infrastructure to meet people's changing needs	The proposal will allow for new services and employment opportunities, including motel accommodation and the redevelopment of the existing pub.
Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities	The existing pub provides an opportunity for social connection in the community.
Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage	The proposal will generate employment in hospitality, retail and tourism. The proposal provides certainty for an existing established business to continue and expand.

Table 2: Assessment against District Plan Planning Priorities

Community Strategic Plan (CSP)

The Community Strategic Plan (CSP) seeks to actively manage growth by retaining Camden's heritage, scenic vistas and cultural landscapes, whilst providing well-managed development. The draft Planning Proposal's consistency with the relevant Directions of the CSP is outlined below.

Key Direction 1: Actively Managing Camden LGA's Growth

This Direction seeks to ensure the provision of appropriate urban development for sustainable growth in the Camden LGA.

The draft Planning Proposal is consistent with this Direction as it will facilitate the continued operation of an existing pub and liquor store and will allow the future development of a motel on the site. These uses are considered appropriate land uses in an urban environment and will serve the future community.

Key Direction 3: A Prosperous Economy

This Direction seeks to ensure employment and tourism opportunities are expanded across the LGA, and to strengthen and support business growth.

The draft Planning Proposal is consistent with this Direction as it will generate employment in hospitality, retail and tourism industries. The proposal would allow certainty for an existing business to continue operation into the future.

Assessment of Planning Merit

The draft Planning Proposal has been assessed against key strategic documents, including the Region Plan, District Plan, and the Community Strategic Plan and is not inconsistent with these plans and their objectives. It is therefore considered that the proposal demonstrates planning merit to proceed to Gateway Determination for the following reasons:

- The site is considered appropriate for the proposed uses; and
- The continued operation of the pub and liquor store, and the additional use of a motel, will benefit the broader community.

Initial Notification of the Draft Planning Proposal

The draft Planning Proposal was notified for 14 days from 7 August to 21 August 2018. Adjoining and nearby properties were notified by letter, and notices were placed in the local newspaper. One submission was received objecting to the draft Planning Proposal.

The matters raised in the submission, and Council officer comment, are outlined below.

1. *“The Planning Proposal is premature having regard to the work being undertaken as part of the Leppington Town Centre Investigation Boundary”*

Officer Comment

The site is located on the periphery of the Leppington Town Centre Investigation Boundary, which is currently being reviewed by the DPE.

Proceeding with the draft Planning Proposal at this time will not hinder the outcomes of the DPE review. The proposal maintains the existing R3 Medium Density Residential zone and development standards applying to the site.

2. *“The proposed uses are inconsistent with the objectives of the R3 Medium Density zone”*

Officer Comment

The objectives of the R3 Medium Density zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*



- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a medium density residential environment.*

The draft Planning Proposal is consistent with the third and fourth objectives. The proposed uses will provide facilities to meet the day-to-day needs of residents, and enable activities that, through appropriate assessment at DA stage, are able to be compatible with the amenity of a medium density residential environment.

The draft Planning Proposal does not seek to amend the building height for the site, and as such future development will not exceed the height of surrounding development.

3. *“The information submitted in support of the Planning Proposal does not satisfactorily address the potential impacts the envisaged uses would have on adjoining lands and the wider precinct”*

Officer Comment

The specialist studies submitted with the draft Planning Proposal have considered the potential economic, social and traffic impacts of the proposed uses to determine whether the uses are appropriate for the site. Additional detail, such as internal road layouts, are not required at the draft Planning Proposal stage.

Further detail including the layout of internal roads and the operation of the uses will be subject to future development assessment. Future DAs will also be required to demonstrate consistency with the Leppington North Indicative Layout Plan (ILP) as revised by the DPE as part of the current precinct planning work.

Further assessment of the potential urban design impacts will be undertaken post-Gateway (subject to Council endorsement) to determine if further site-specific controls or a DCP amendment are appropriate to control things such as the bulk and scale of future development.

A formal public exhibition period will occur at a later stage, subject to endorsement of the draft Planning Proposal and the receipt of a favourable Gateway Determination by the DPE.

Camden Local Planning Panel Recommendations

On 20 November 2018, the Camden Local Planning Panel (Panel) inspected the site and considered the draft Planning Proposal in a closed session. The Panel's recommendations were consistent with that of the Council officer's assessment of the proposal.

The Panel supported the draft Planning Proposal for forwarding to the DPE to seek a Gateway Determination subject to the retail premises being restricted to a retail liquor outlet. The Panel also noted that the draft Planning Proposal does not include the full list of SEPPs and Section 9.1 Ministerial Directions. A copy of the minutes is provided as a **supporting document** to this report.

Officer Comment

The definition of retail premises encompasses a wide range of retail land uses. Further discussions with DPE has indicated that retail premises could be limited to a retail liquor outlet, subject to further legal drafting post-Gateway Determination. Council officers support this approach to limit retail uses to a liquor outlet on the subject site.

Subject to Council endorsement, the draft Planning Proposal will be updated to limit retail uses to a liquor outlet and include an assessment of the full list of SEPPs and Section 9.1 Ministerial Directions prior to being forwarded to the DPE.

FINANCIAL IMPLICATIONS

There are no financial implications for Council as a result of this report.

CONCLUSION

The draft Planning Proposal seeks to amend the Growth Centres SEPP by allowing retail premises, pubs and motels as additional permitted uses at 1423 Camden Valley Way, Leppington. The continued operation of a pub and liquor store on the site is considered appropriate and the additional inclusion of a motel is considered complementary and appropriate land use in this location.

Council officers have assessed the draft Planning Proposal and consider the proposal has planning merit to proceed to Gateway Determination as outlined in this report.

RECOMMENDED

That Council:

- i. **endorse the draft Planning Proposal (as amended) for land at 1423 Camden Valley Way, Leppington to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;**
- ii. **subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and**
- iii. **subject to no unresolved submissions being received, forward the draft Planning Proposal for Lot 81 DP 656970, 1423 Camden Valley Way, Leppington to the Department of Planning and Environment for the plan to be made; or**
- iv. **if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or**
- v. **should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.**

ATTACHMENTS

1. Amended Planning Proposal Report- 1423 Camden Valley Way Leppington
2. Specialist Studies for 1423 Camden Valley Way, Leppington
3. Final Written Objection - SC5811 - 1423 Camden Valley Way, Leppington - *Supporting Document*
4. CLPP_20 11 2018_MIN_CLOSED - *Supporting Document*

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

CONFIRMATION OF MINUTES

Resolution: Moved Councillor Fedeli, Seconded Councillor A Cagney that the Minutes of the Ordinary Council Meeting held 27 November 2018, copies of which have been circulated, be confirmed and adopted.

ORD247/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

MAYORAL MINUTE - CURRY RESERVE WATER PLAY SPACE OPENING

Resolution: Moved Councillor Sidgreaves that Council note the information.

ORD248/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

MAYORAL MINUTE - PARKING FINE CONCESSION PROGRAM

Resolution: Moved Councillor Sidgreaves that Council:

- i. agree to opt in to the NSW Government's Parking Fine Concession Scheme to reduce parking fine amounts from \$112 to \$80, as identified in attachment B in the attached Minister's letter, and thereafter as advised by Revenue NSW; and
- ii. advise The Hon. Dominic Perrottet MP, Treasurer and Minister for Industrial Relations, of Council's decision before 1 January 2019.

ORD249/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

(Councillor Sidgreaves vacated the chair and left the chamber - the time being 6.22pm. In the absence of the Mayor, the Deputy Mayor, Councillor Fedeli assumed the chair).

ORD01 PLANNING PROPOSAL - LOT 81 DP 656970, 1423 CAMDEN VALLEY WAY, LEPPINGTON

Resolution: Moved Councillor C Cagney, Seconded Councillor Symkowiak that Council:

- i. endorse the draft Planning Proposal (as amended) for land at 1423 Camden Valley Way, Leppington to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;

- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal for Lot 81 DP 656970, 1423 Camden Valley Way, Leppington to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or
- v. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.

ORD250/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)

(Councillor Sidgreaves returned to the chamber and resumed the chair - the time being 6.29pm).

ORD02 PLANNING PROPOSAL - PART LOT 41 DP 270613, 181 THE NORTHERN ROAD, HARRINGTON PARK

Resolution: Moved Councillor C Cagney, Seconded Councillor Fedeli that Council:

- i. endorse the draft Planning Proposal for land at 181 The Northern Road, Harrington Park to be forwarded to the Department of Planning and Environment for Gateway Determination and advise that Council will be using its delegation pursuant to Section 2.4 of the *Environmental Planning and Assessment Act 1979*;
- ii. subject to receiving a favourable response from the Department of Planning and Environment, proceed to public exhibition in accordance with the requirements of the Gateway Determination; and
- iii. subject to no unresolved submissions being received, forward the draft Planning Proposal for Part Lot 41 DP 270613, 181 The Northern Road, Harrington Park to the Department of Planning and Environment for the plan to be made; or
- iv. if unresolved submissions are received, consider a further report outlining the results of the public exhibition; or
- v. should the draft Planning Proposal not receive Gateway Approval, notify the proponent that the draft Planning Proposal will not proceed.

ORD251/18 THE MOTION ON BEING PUT WAS **CARRIED**

(Councillors Sidgreaves, Symkowiak, Campbell, Fedeli, C Cagney, A Cagney, Farrow, Mills and Morrison voted in favour of the Motion. No Councillors voted against the Motion.)