



## **Planning Proposal**

**158 Queen Street, Campbelltown**

**Lot 5 DP 1167855**

**June 2022**

## Introduction

This Planning Proposal explains the intent of, and justification for, the proposed amendment to the *Campbelltown Local Environmental Plan 2015* (CLEP 2015) Clause Application map for one lot at no. 158 Queen Street, Campbelltown (Lot 5 DP 1167855).

The proposed amendment seeks to amend the Clause Application Map by removing Lot 5 DP 1167855 from "Area 3". This will mean that Clause 7.27 of CLEP 2015 which limits the permissible land uses will no longer apply to Lot 5 DP 1167855.

## The Site

The site (see Figure 1 – Location Map) is currently owned by Cabra Vale Ex-Active Servicemen's Club Ltd and is located on the southern side of Queen Street, Campbelltown and has an area of 593.5m<sup>2</sup>. The existing site forms part of the commercial core of the Campbelltown CBD which is largely made up of other small retail and commercial premises. Property no. 158 Queen Street, Campbelltown currently incorporates two parcels of land, Lot 1 DP 558320 and Lot 5 DP 1167855 and is currently a shopping arcade. This planning proposal only applies to Lot 5 DP 1167855.



Figure 1 – Location Map

The site is currently zoned B3 – Commercial Core and has a maximum permissible building height of 45m under the Campbelltown Local Environmental Plan 2015. As part of the planning proposal an amendment to the zoning for the site is not being undertaken.

## Background

On 10 February 2022 an amendment to CLEP 2015 was gazetted which increased the permissible building height for both Lot 1 DP 558320 and Lot 5 DP 1167855 from 32m to 45m to facilitate the construction of a new RSL club and hotel. The amendment also included an additional local provision clause to guide the development of the RSL club and hotel. The two sites were included in a Clause Application map with the site identified within the map as "Area 3". The Clause Application Map is shown below.

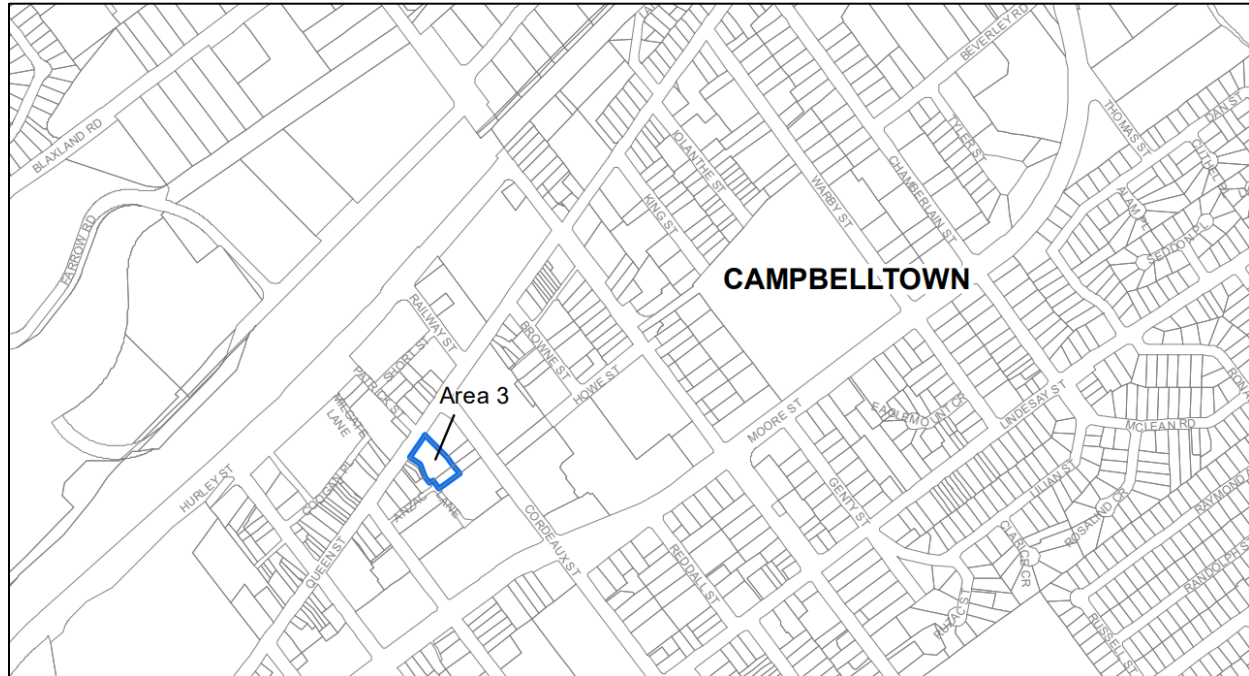


Figure 2 – Current outline of "Area 3" in Clause Application Map

Once the amendment was finalised by the Department of Planning and Environment (DPE) it became apparent that the Development Application for an RSL Club and Hotel at 158 Queen Street only included new building works on Lot 1 DP 558320. Only minor works are proposed on Lot 5 DP 1167855. Accordingly it is considered that Clause 7.27 of the CLEP 2015 unnecessarily restricts the use of Lot 5 DP 1167855 and in order to rectify this the subject planning proposal has been prepared.

## Existing Situation

The site (158 Queen Street, Campbelltown) currently comprises two lots. The site is located in Campbelltown CBD and fronts Queen Street with a rear lane access to Anzac Lane. The current site comprises various retail premises. A development consent was issued by the Sydney Western City Planning Panel on 18 March, 2022 for demolition of the existing buildings and the construction of a new RSL Club and Hotel, which will be located on Lot 1 DP 558320. While the development consent also applies to Lot 5 DP 1167855, only minor works are proposed on that lot.

Clause 7.27 applies to both Lot 1 DP 558320 and Lot 5 DP 1167855 and restricts the permissible land uses on both lots. Given the location of the approved RSL Club and Hotel the restrictions under Clause 7.27 unnecessarily restrict the potential future use of Lot 5 DP 1167855.

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'.

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

The objective and intended outcomes of the Planning Proposal are to remove the restrictions placed on Lot 5 DP 1167855 by Clause 7.27 of CLEP 2015 so that this lot is able to be used for the same types of uses as most other land within the B3 zone.

A draft Clause Application map is identified below.

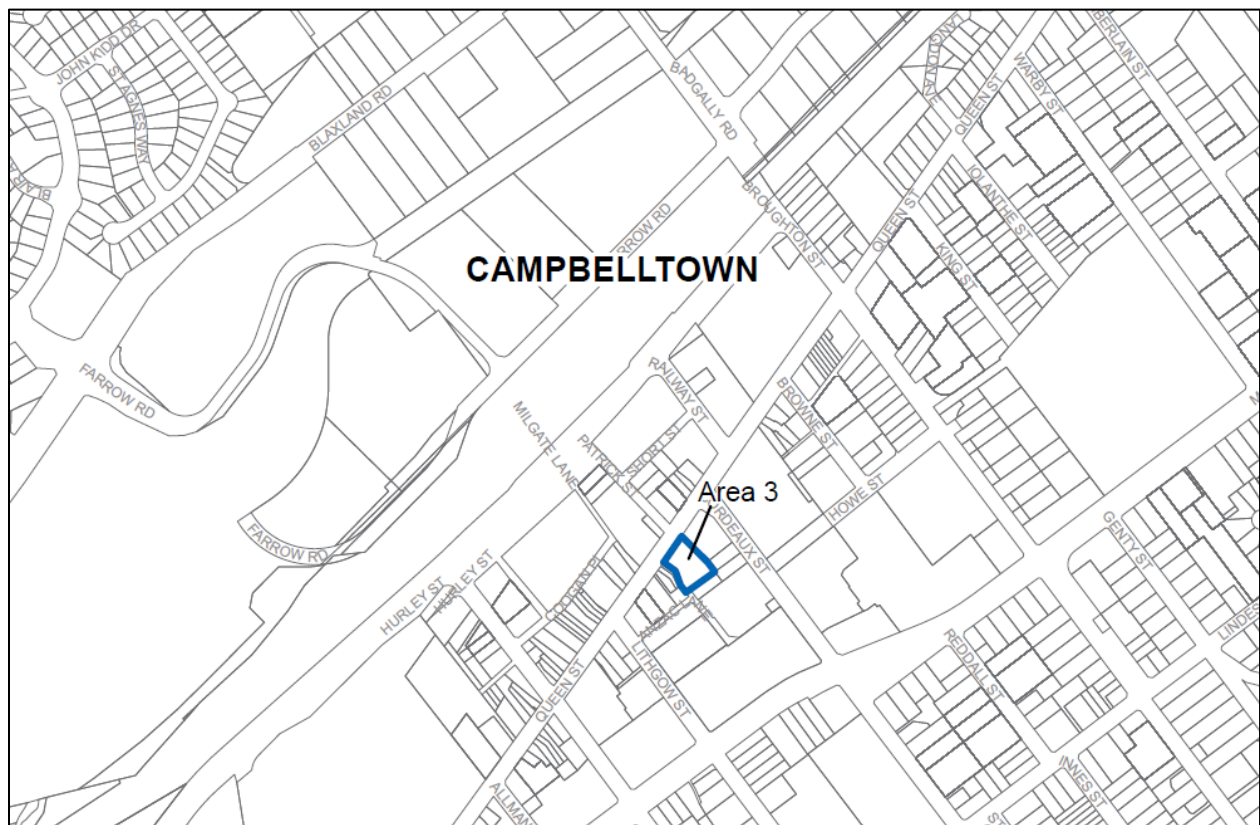


Figure 3 – Proposed outline of “Area 3” in Clause Application Map

### **Part 2 – Explanation of provisions**

The objectives and intended outcomes of the planning proposal will be achieved by amending the Clause Application Map in CLEP 2015 by removing Lot 5 DP 1167855 from Area 3.

Removal of Lot 5 DP 1167855 from Area 3 in the Clause Application Map would result in Clause 7.27 of CLEP 2015 no longer being applicable to Lot 5 DP 1167855.

### **Part 3 – Justification**

#### **Section A – Need for the planning proposal**

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

No.

The Planning Proposal is not a result of any strategic study or report. However, the subject site is located and identified by a number of key strategies and report such as the Greater Sydney Region Plan, Western District Plan and the Glenfield to Macarthur Urban Renewal Corridor Strategy.

The current proposal to remove the subject site from Area 3 in the Clause Application Map would not be inconsistent with any of the strategies listed. The removal of the subject site from the map would allow for greater flexibility in potential uses of Lot 5 DP 1167855 and this increased flexibility is consistent with Council's Employment Lands Strategy and the objectives of the Department of Planning and Environment's employment zones reforms. In respect of the latter, the proposal will enable Lot 5 DP 1167855 to be used for the same purposes as other surrounding land, regardless of the zone.

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

The Planning Proposal is the best way to achieve the intended outcomes and objectives as it is the simplest administrative way to achieve the aims of the planning proposal.

#### **Section B – Relationship 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)?**

Yes.

The Planning Proposal is consistent with the relevant objectives and actions outlined in the Greater Sydney Region Plan and the Western City District Plan.

#### **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.

The Planning Proposal is considered not inconsistent with the Greater Sydney Region Plan as it aims to increase the ability to use Lot 5 DP 1167855 for a range of employment uses in an established city centre.

### **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 Western City District Plan aims to create a stronger local economy. Clause 7.27 of CLEP 2015 limits the range of permissible uses on Lot 5 DP 1167855.

By removing the restrictions of Clause 7.27 the land owner can seek consent for a greater range of employment land uses assisting in the achievement of the aims of the Western City District Plan, albeit on a very small scale.

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

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

The Planning Proposal is not inconsistent with the Strategy and is consistent with the Campbelltown Precinct Plan adopted as part of this Strategy.

## **4. 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 planning proposal is not inconsistent with the outcomes listed.

### **Campbelltown Local Strategic Planning Statement (LSPS)**

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020.

The 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 responds to region and district planning initiatives and information received from the Campbelltown community during the public exhibition period for the future of our city.

The planning proposal is not inconsistent with the outcomes listed. The planning proposal only relates to a minor amendment to the CLEP 2015.

### **Reimagining Campbelltown City Centre Master Plan**

The Reimagining Campbelltown City Centre Master Plan is a key strategic vision that provides a structured plan for the future growth of the Campbelltown CBD which includes the suburbs of Leumeah, Campbelltown and Macarthur. The subject site is within the boundary of the Re-imagining Campbelltown CBD study area and is consistent with the Master Plan.

The planning proposal is consistent with the four key growth principles outlined within the document:

- Centre of opportunity
- No grey to be seen
- City and bush
- The good life

The planning proposal is not inconsistent with the outcomes listed in the Reimagining Campbelltown Masterplan. Clause 7.27 of CLEP 2015 currently restricts the subject site in terms of development potential. The amendment would allow greater possibilities for the subject site and would promote opportunities to use the land in harmony with other potential uses on adjoining land.

## 5. 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.

State Environmental Planning Policies	Comment
SEPP 65 – Design Quality of Residential Apartment Development	The planning proposal is not inconsistent with the SEPP. Residential apartment development is not proposed as part of this Planning Proposal. The site is zoned B3 – Commercial Core which does include shop top housing under the CLEP 2015.
SEPP (Biodiversity and Conservation) 2021	The planning proposal is not inconsistent with the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Future development of the site would take into consideration the requirements of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Not relevant to the Proposal
SEPP (Housing) 2021	The proposal is consistent with the SEPP. Any future development on the site may incorporate housing types identified in the SEPP which would be considered in conjunction with the SEPP. However it is also noted that it is unlikely that any significant development of this style could occur on a lot of this size and shape with limited access off a laneway.
SEPP (Industry and Employment) 2021	Not relevant to this proposal.
SEPP (Planning Systems) 2021	The planning proposal is not inconsistent with the SEPP. The proposal does not propose any state significant infrastructure or development on Aboriginal land.
SEPP (Precincts – Eastern Harbour City) 2021	Not relevant to the Proposal.
SEPP (Precincts – Western Parkland City) 2021	The planning proposal is not inconsistent with the SEPP.
SEPP (Precincts – Central River City) 2021	Not relevant to the Proposal.
SEPP (Precincts – Regional SEPP)	Not relevant to the Proposal.
SEPP (Primary Production) 2021	Not relevant to the Proposal.
SEPP (Resilience and Hazards) 2021	The existing urban use of the land is unlikely to result in land contamination or hazardous types of development.  Future development of the site will need to address the requirements of the SEPP.
SEPP (Resources and Energy) 2021	The planning proposal is not inconsistent with the SEPP. The proposal does not seek to undertake any extractive industries or mining.

SEPP (Transport and Infrastructure) 2021	Future development of the site may constitute traffic generating development and trigger an assessment under this SEPP.
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Figure 3 - Consistency with State Environmental Planning Policies

## 6. 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>Focus Area 1: Planning Systems</b>	
1.1 Implementation of Regional Plans	The planning proposal is not inconsistent with this Direction. The planning proposal would provide more flexibility in developing the site and would not be restricted to only an RSL and hotel development.
1.2 Development of Aboriginal Land Council land	Not relevant to the Proposal.
1.3 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.
1.4 Site Specific Provisions	The proposal relates to the exclusion of the site from the area known as 'Area 3' in the Clause Application Map.
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not relevant to the Proposal.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not relevant to the Proposal.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use Infrastructure Implementation Plan	Not relevant to the Proposal.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use Infrastructure Implementation Plan	Not relevant to the Proposal.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	<p>The proposal is consistent with this Direction as the Proposal will allow for other uses to revitalise and activate Queen Street which will deliver a significant amount of retail and commercial jobs.</p> <p>Currently the uses permitted on the site are restricted by Clause 7.27 of CLEP 2015. The current development consent does not include the construction of a building for an RSL and/or Hotel on Lot 5 DPP 1167855. The current</p>

	restriction is unnecessary and thwarts the implementation of the Corridor Strategy.
1.10 Implementation of Western Sydney Aerotropolis Plan	The proposal is not inconsistent with the Plan.
1.11 Implementation of Bayside West Precincts 2036 Plan	Not relevant to the Proposal.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not relevant to the Proposal
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not relevant to the Proposal.
1.14 Implementation of Greater Macarthur 2040	The planning proposal is consistent with the Plan. The proposal does not amend the business zoning for the site and seeks to remove the site from Clause 7.27 to allow for greater flexibility in the future development of the site.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not relevant to the Proposal.
1.16 North West Rail Link Corridor Strategy	Not relevant to the Proposal.
1.17 Implementation of the Bays West Place Strategy	Not relevant to the Proposal.
<b>Focus Area 2</b>	
Design and Place	Not relevant to the Proposal.
<b>Focus Area 3: Biodiversity and Conservation</b>	
3.1 Conservation Zones	Not relevant to the Proposal.
3.2 Heritage Conservation	<p>The subject site is in close proximity to Glenalvon House, a State Heritage Item.</p> <p>The planning proposal does not seek to amend the zoning or height of building for the site. The proposal only seeks to amend the permissible uses on the land to restore them to those that apply to other B3 zoned land. Any future development on the site would be referred to Heritage NSW for comment.</p>
3.3 Sydney Drinking Water Catchments	Not relevant to the Proposal.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	Not relevant to the Proposal.
3.5 Recreation Vehicle Areas	Not relevant to the Proposal.
<b>Focus Area 4: Resilience and Hazards</b>	
4.1 Flooding	Not relevant to the Proposal.
4.2 Coastal Management	Not relevant to the Proposal.
4.3 Planning for Bushfire Protection	Not relevant to the Proposal.
4.4 Remediation of Contaminated Land	The proposal does not alter the zoning of the land.
4.5 Acid Sulfate Soils	Not relevant to the Proposal.
4.6 Mine Subsidence and Unstable Land	Not relevant to the Proposal.

<b>Focus Area 5: Transport and Infrastructure</b>	
5.1 Integrating Land Use and Transport	Consistent.  The subject site is within 400m of Campbelltown Train Station and other forms of services such as buses which can provide access to jobs and amenities.
5.2 Reserving Land for Public Purposes	Not relevant to the Proposal.
5.3 Development Near Regulated Airports and Defence Airfields	Not relevant to the Proposal.
5.4 Shooting Ranges	Not relevant to the Proposal.
<b>Focus Area 6: Housing</b>	
6.1 Residential Zones	Consistent. The subject site is not located within a residential zone, although shop-top housing is a form of housing which can be incorporated into business zones. 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.
6.2 Caravan Parks and Manufactured Home Estates	Not relevant to the Proposal.
<b>Focus Area 7: Industry and Employment</b>	
7.1 Business and Industrial Zones	The proposal is consistent with this Direction as the amendment to the Clause Application Map would not reduce the amount of commercial/retail floorspace within the Campbelltown CBD.  The proposed amendment would increase the potential uses for the site in accordance with the B3 – Commercial Core zoning.
7.2 Reduction in non-hosted short-term rental accommodation period	Not relevant to the Proposal.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not relevant to the Proposal.
<b>Focus Area 8: Resources and Energy</b>	
8.1 Mining, Petroleum and Extractive Industries	Not relevant to the Proposal.
<b>Focus Area 9: Primary Production</b>	
9.1 Rural Zones	Not relevant to the Proposal.
9.2 Rural Lands	Not relevant to the Proposal.
9.3 Oyster Aquaculture	Not relevant to the Proposal.
9.4 Farmland of State and Regional Significance on the NSW Far Coast	Not relevant to the Proposal.

Figure 4 – Consistency with Section 9.1 Directions

## **Section C – Environmental, social and economic impact**

### **7. 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.

There is no critical habitat or threatened species, populations' or ecological communities or habitat located on the site.

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

No.

It is anticipated that there would be no environmental effects as a result of the planning proposal. The proposal does not seek to amend the zoning of the site, nor any other controls like the maximum height of buildings. The proposal does not alter the permissible bulk and scale of any development that could be erected on the land. It only affects the potential land uses.

The planning proposal seeks to remove the subject site from the Clause Application Map as the current development application that is with Council does not incorporate the RSL and Hotel building on Lot 5 DP 1167855.

The subject site is located within close proximity to 'Glenalvon', a colonial Georgian sandstone home which was constructed in circa 1841. The two storey home is a rare example of residence and garden of its period. The Planning Proposal is unlikely to have an impact on the nearby heritage item as the proposal only relates to the removal of the subject site from the Clause Application Map, and does not alter the potential height or setback of any development on the subject land.

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

Yes.

The Planning Proposal is not supported by a social or economic assessment as these are not considered necessary given the small size of the land.

## **Section D – State and Commonwealth Interests**

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

Yes.

The planning proposal is unlikely to result in a need for additional public infrastructure given the limited size of the subject site it is not expected to impose any additional demands on local infrastructure, public or community services. The sites are located in close proximity to existing bus and train services.

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

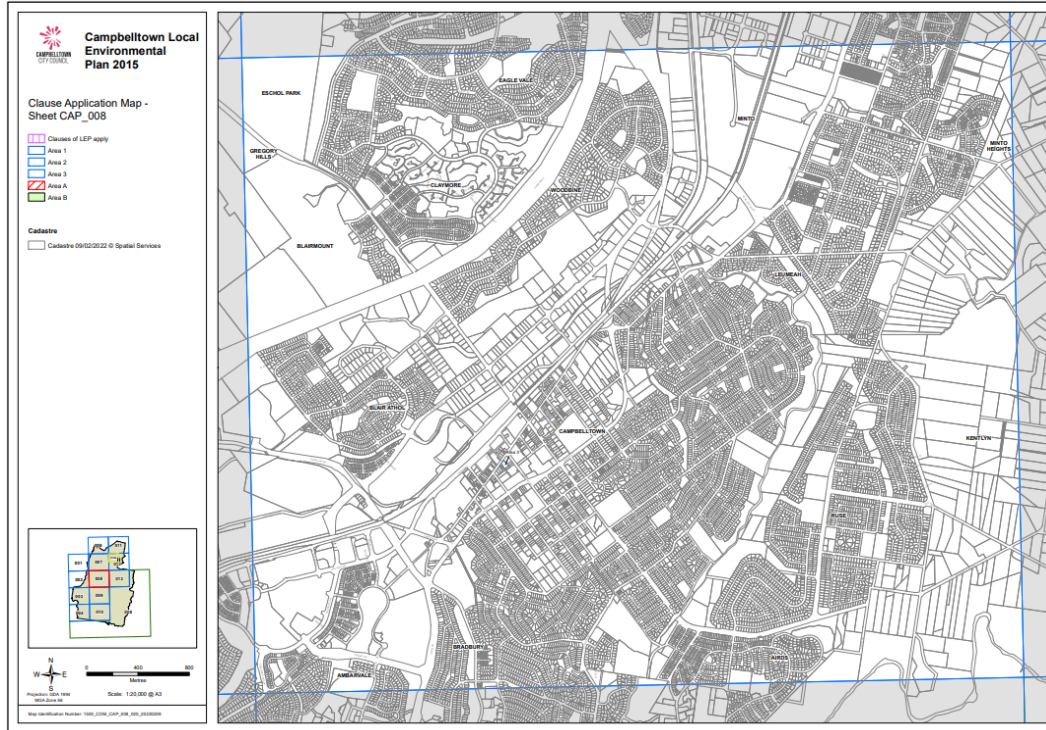
Consultation will occur with any public authorities identified in the Gateway Determination.

**Part 4 – Mapping**

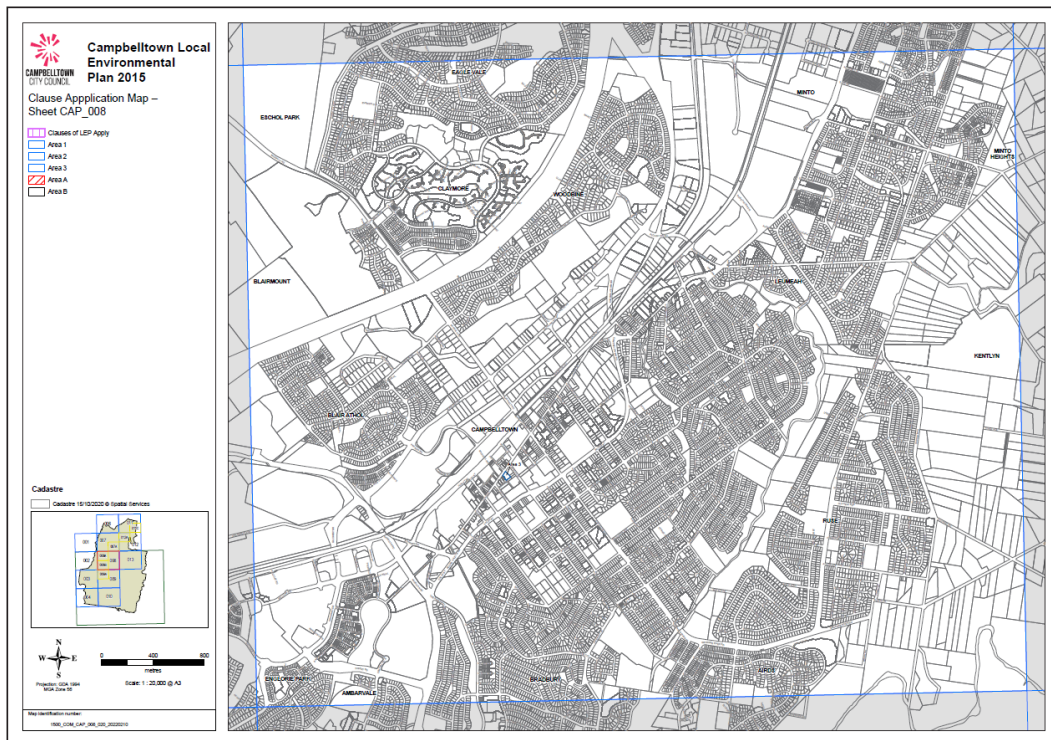
The Planning Proposal seeks to amend the Clause Application Map within CLEP 2015 as proposed below.

<b>Map</b>	<b>No</b>	<b>Requested Amendment</b>
Clause Application Map	CAP_008 Date 18 February 2022	Amend the Clause Application Map for 158-168 Queen Street, Campbelltown by removing Lot 5 DP 1167855 from the area identified as "Area 3".

## Current Map



## Proposed Map



The current and proposed maps are at attached to this proposal.

## Part 5 – Community consultation

In accordance with ‘A guide to preparing local environmental plans’ prepared by the Department of Planning and Environment (2016), the consultation strategy is:

An advertisement placed in any local paper in publication at the time of exhibition (potentially including the Macarthur Chronicle and Campbelltown – Macarthur Advertiser) identifying the purpose of the Planning Proposal and where the Planning Proposal can be viewed.

The Planning Proposal to be exhibited on Council’s website ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)). Council’s libraries also have access to the website.

The planning proposal will also be made available on the NSW Planning Portal website ([www.planningportal.nsw.gov.au](http://www.planningportal.nsw.gov.au)).

Due to the recent events relating to COVID-19, an amendment to the EP&A Act, specifically the inclusion of Clauses 10.17 and 10.18, allowed Councils to satisfy the requirements for public exhibition by having documentation on Council’s website.

## Part 6 – Project Timeline

Dates	Item
27 April 2022	Local Planning Panel advice
14 June 2022	Council endorsement
June 2022	Referral to DPE for Gateway Determination
July 2022	Gateway Determination
August 2022	Public exhibition and referral to any required public authorities
28 September or 26 October 2022	Post exhibition report to Council
September/October 2022	Send planning proposal to DPIE for finalisation
October/November 2022	Making of LEP Amendment