



IRF23/2554

Gateway determination report – PP-2023-1943

Increase Maximum Height of Buildings and Floor
Space Ratio for 80 O'Sullivan Road, Leumeah

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Attachment A – Planning Proposal Report Increase Maximum Hight of Buildings and Floor Space Ratio for 80 O'Sullivan Road
Attachment B - Ordinary Business Paper minutes (8 Nov 2022)
Attachment C - Ordinary Council Meeting Resolution (8 Nov 2022)
Attachment D _ Traffic Impact Assessment _ Revised June 2023
Attachment E _ Traffic Impact attachment letter 80 O'Sullivan Road Leumeah
Attachment F _ Urban Design Report _ Revised June 2023
Attachment G _ Preliminary Site Investigation
Attachment H _ Preliminary Arboricultural Impact Study
Attachment I _ Flood Maps
Attachment J _ Proposed Maps

1 Planning Proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Campbelltown
PPA	Campbelltown City Council
NAME	Increase Maximum Height of Buildings and Floor Space Ratio for 80 O’Sullivan Road, Leumeah
NUMBER	PP-2023-1943
LEP TO BE AMENDED	Campbelltown Local Environmental Plan 2015
ADDRESS	Campbelltown LGA
DESCRIPTION	Lot 201 DP1052199
RECEIVED	5/09/2023
FILE NO.	IRF23/2554
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The objective of the planning proposal (**Attachment A**) is to:

- Increase the maximum permissible height of buildings for the site under the Campbelltown Local Environmental Plan (LEP) 2015 from 12 m to 38.5 m and 33 m, and;
- establish a floor space ratio of 2:1 for the site.

The intended outcomes of the planning proposal are to:

- Facilitate housing and retail located close to Leumeah Station, consistent with the Greater Macarthur Growth Area, Glenfield to Macarthur Urban Renewal Corridor Strategy and Leumeah Precinct Plan.

The proposal will facilitate 160 dwellings and 35 jobs, with an additional 340 jobs during construction phase.

The objectives and intended outcomes are clear and adequately explain the intent of the proposal.

1.3 Explanation of provisions

The planning proposal seeks to amend the Campbelltown LEP 2015 per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	MU1 Mixed Use	No change
Maximum height of the building	No mapped FSR	33m and 38.5m
Floor space ratio	Nil	2:1
Number of dwellings	N/A	156 additional homes
Number of jobs	N/A	35 additional jobs

The Council report (**Attachment B**) notes that the proposed amendments will enable 156 dwellings across 2 towers that will extend above the ground floor hotel and retail space. The breakdown of dwellings proposed is as follows:

- One-bedroom: 59 dwellings
- Two-bedroom: 54 dwellings
- Three-bedroom: 43 dwellings
- Total: 156 dwellings

In addition, the commercial component which includes a hotel and retail uses with gross leasable areas as detailed below:

- Hotel - 2,400m²
- Retail - 2790m²

Council also proposes to prepare a development control plan (DCP) for this proposal that addresses flooding and stormwater management, provision of open space and interface with adjacent properties (**Attachments B and C**).

The Department notes that the planning proposal still refers to the previous zoning for the site (i.e. B2 Local Centre) and recommends that this is addressed prior to exhibition.

1.4 Site description and surrounding area

The site is situated 200m to the south of Leumeah Station, and 2.5km north-east of Campbelltown Station in the Campbelltown LGA of south-west Sydney. It is relatively flat, has an area of 8,117m² and a 40m frontage to O'Sullivan Road.

The site consists of a single lot that has 2 existing commercial premises which are the hotel and liquor shop. The site has sporadic vegetation, with a number of mature gum trees. The site adjoins government land to the east and south which is not built on and contains a handful of trees and an area of publicly inaccessible green space adjacent to Smiths Creek canal.



Figure 1: Location and site context

The site is zoned MU1 Mixed Use and is surrounded by a mixture of land uses including residential, retail, and commercial. The Western Suburbs League Club and Campbelltown Stadium are to the north-east of the site, whilst the land to the south is predominantly residential. Adjacent to the site to the north is a parking lot and local shops. The majority of the buildings in the surrounding area are low rise comprising 1 - 2 story buildings with the exception of a mixed-use residential building, which consists of 7 - 8 storeys to the east of the site.

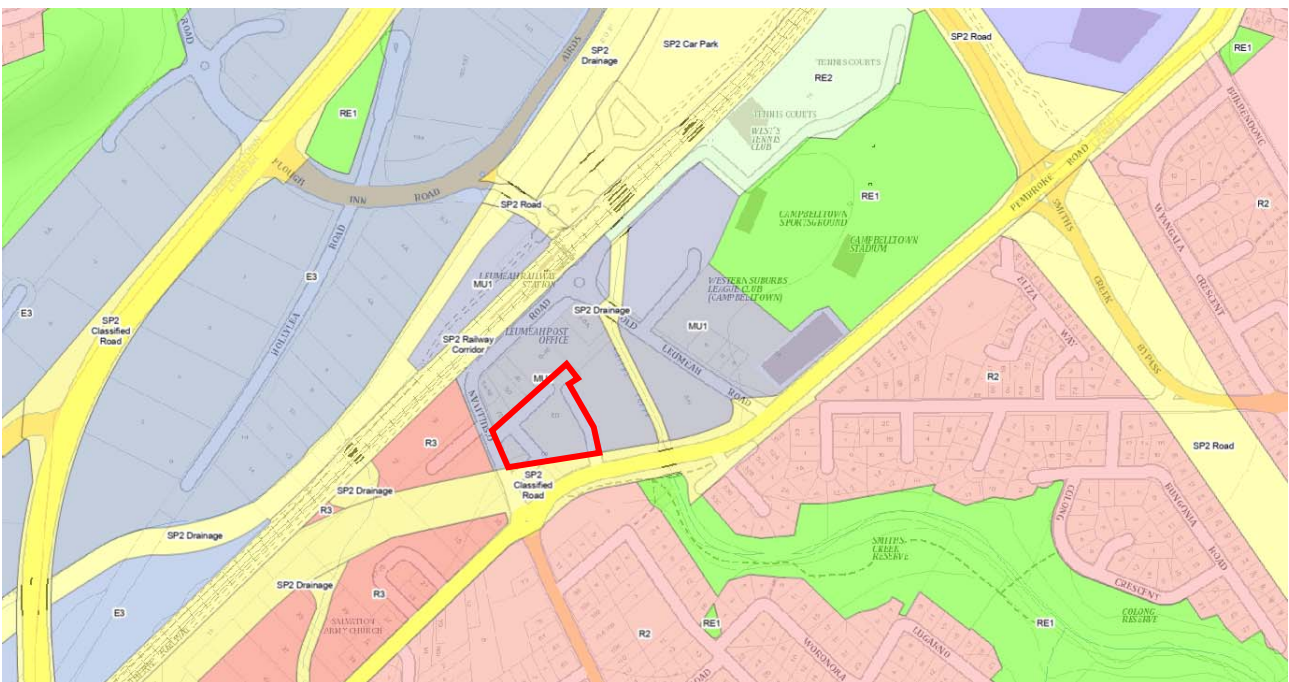


Figure 2: Land zoning context

1.5 Mapping

There are proposed changes to the Height of Buildings Map and Floor Space Ratio Map under the Campbelltown LEP 2015.

A draft of these maps has been prepared below.



Figure 3: current Height of Buildings Map – 12m

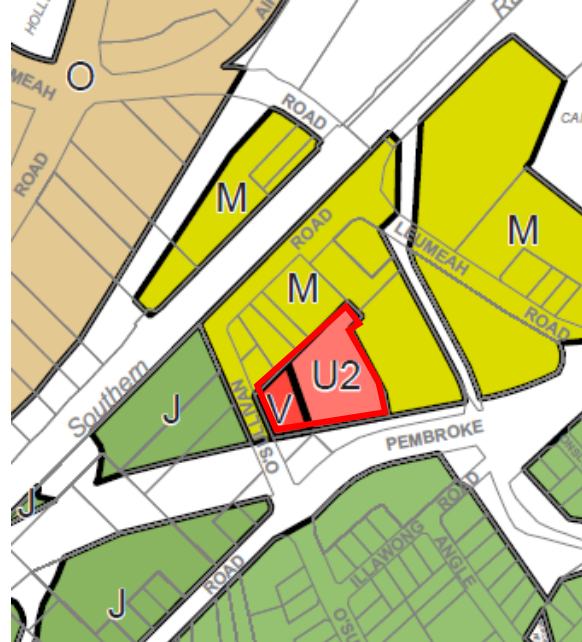


Figure 4: proposed Height of Buildings Map – 33m (U2) and 38.5m (V)

Current Floor Space Ratio Map
No Floor Space Ratio Controls



Figure 5: proposed Floor Space Ratio Map – 2:1 (T1)

2 Need for the planning proposal

The proposed amendments are necessary to facilitate the proposed development.

All changes are consistent with key local and State strategies and plans including the Greater Sydney Region Plan, Western City District Plan and the Glenfield to Macarthur Urban Renewal Corridor Strategy.

The proposed controls allow for additional housing and retail development and densification of a key site located in close proximity to public transport and other amenities, and are considered to be of an appropriate scale relative to the role of Leumeah Station Precinct under the Glenfield to Macarthur Urban Renewal Corridor Strategy.

3 Strategic assessment

3.1 Regional and District Plans

3.1.1 Greater Sydney Region Plan

The Campbelltown local government area (LGA) is subject to the Greater Sydney Region Plan: A Metropolis of Three Cities, published by the former Greater Sydney Commission in 2018. The planning proposal is consistent with the relevant objectives of the Region Plan, as outlined in **Table 3** below.

Table 3 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 4: Infrastructure use is optimised	<p>Objective 4 seeks to maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes, to reduce the demand for new infrastructure.</p> <p>The planning proposal encourages walking and utilisation of existing public transport use due to its proximity to Leumeah Station.</p>
Objective 6: Services and infrastructure meet communities' changing needs	<p>Objective 6 seeks to ensure Greater Sydney is supported by the types and distribution of services and infrastructure required in neighbourhoods and cities which will be supported by the smaller working population.</p> <p>The planning proposal will deliver housing close to social and cultural infrastructure such as the Campbelltown Stadium sporting complex, supporting the needs of the community. The proposal maintains the MU1 Mixed Use zoning of the site, allowing a potential for a range of community supporting amenities and facilities.</p>
Objective 7: Communities are healthy, resilient and socially connected	<p>Objective 7 seeks to deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities.</p> <p>The planning proposal seeks to create a public plaza and play area as well as cross site walkways to support healthy and connected communities.</p>
Objective 10: Greater housing supply	<p>Objective 10 promotes housing supply and diversity in the right locations, utilising urban renewal and infill development to meet local housing targets.</p> <p>The planning proposal provides 156 dwellings towards local housing targets in an infill site well serviced by infrastructure.</p>
Objective 37: Exposure to natural and urban hazards is reduced	<p>Objective 37 seeks to reduce exposure to natural and urban hazards and build resilience to shocks and stresses through effective land use planning and design.</p> <p>The selected site is an urban infill site and demonstrates. Flood and fire hazards are likely to be mitigatable.</p>

3.1.2 Western City District Plan

The Campbelltown LGA is within the Western Parkland City as described in the Western City District Plan by the former Greater Sydney Commission. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets. This planning proposal is consistent with the priority for housing supply, choice and affordability outlined in **Table 4** below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. It is considered that the proposal is consistent with the overall intent of the District Plan by providing housing choice close to transport.

Table 4 District Plan assessment

District Plan Priorities	Justification
Planning Priority W1: Planning for a city supported by infrastructure	<p>Planning Priority W1 seeks to ensure new infrastructure at local, district or metropolitan levels is planned and delivered to meet the needs of Greater Sydney.</p> <p>The planning proposal makes use of existing infrastructure capacity through proximity to existing railway infrastructure. The proposal seeks to increase potential buildings heights and FSR allowing for 156 dwellings within 200m of Leumeah train station.</p>
Planning Priority W3: Providing services and social infrastructure to meet peoples changing needs	<p>Planning Priority W3 seeks deliver social infrastructure that reflects the needs of the community now and in the future.</p> <p>The planning proposal is continuing to service diverse social community needs. The proposal maintains the MU1 Mixed Use zoning of the site, allowing a potential for a range of community amenities and facilities, whilst accumulating development contributions at the future stage of development application.</p>
Planning Priority W5 - Providing housing supply, choice and affordability, with access to jobs and services	<p>Planning Priority W5 seeks to provide housing supply, choice and affordability, with access to jobs and services.</p> <p>The proposal will facilitate apartment dwellings in an area surrounded by low density detached dwellings, therefore supporting housing supply and choice in the area.</p>
Planning Priority W7 - Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City	<p>Planning Priority W7 seeks to establish the land use and transport structure to enhance productive movement of people and goods.</p> <p>The proposal promotes high density development in areas well serviced by transport infrastructure, supporting walkability which will be enhanced through a proposed permeable design for the site, featuring public walkways to support foot traffic movement to Leumeah Station.</p> <p>The site is serviced by nearby jobs and it is anticipated that up to 340 jobs will be generated during the construction phase of the development and several jobs in retail premises on site.</p>

District Plan Priorities	Justification
Planning Priority W18: Delivering high quality open space	<p>Planning Priority W18 seeks to optimise open space areas and establish physical links that support social networks and a sense of community.</p> <p>Whilst the planning proposal does not provide large areas of additional open space directly, it does propose small public space and a pedestrianised through-site link connecting to Leumeah Train Station. Developer contributions will support a number of public and open space improvements in the area.</p>
Planning Priority W20: Adapting to the impacts of urban and natural hazards and climate change	<p>Planning Priority W20 seeks to reduce exposure to natural and urban hazards and build resilience to shock and stresses.</p> <p>The planning proposal site has minimal flood and fire hazards, which can be mitigated.</p> <p>An arborists report (Attachment H) has been prepared and the site which aims to maintain as much vegetation as possible to support urban canopy cover. Further assessment of trees on site and design initiatives to minimise tree damage will be considered at DA stage. The draft DCP exhibited with the proposal requires sufficient deep soil for the planting of large trees to replace lost trees.</p>

3.1.3 Glenfield to Macarthur Urban Renewal Corridor Strategy

The Department exhibited the Glenfield to Macarthur Urban Renewal Corridor Strategy in late 2015. In late 2017, following exhibition, the Department finalised the plans for six train station precincts, including the Leumeah Precinct Plan, shown in **Figure 6** below.

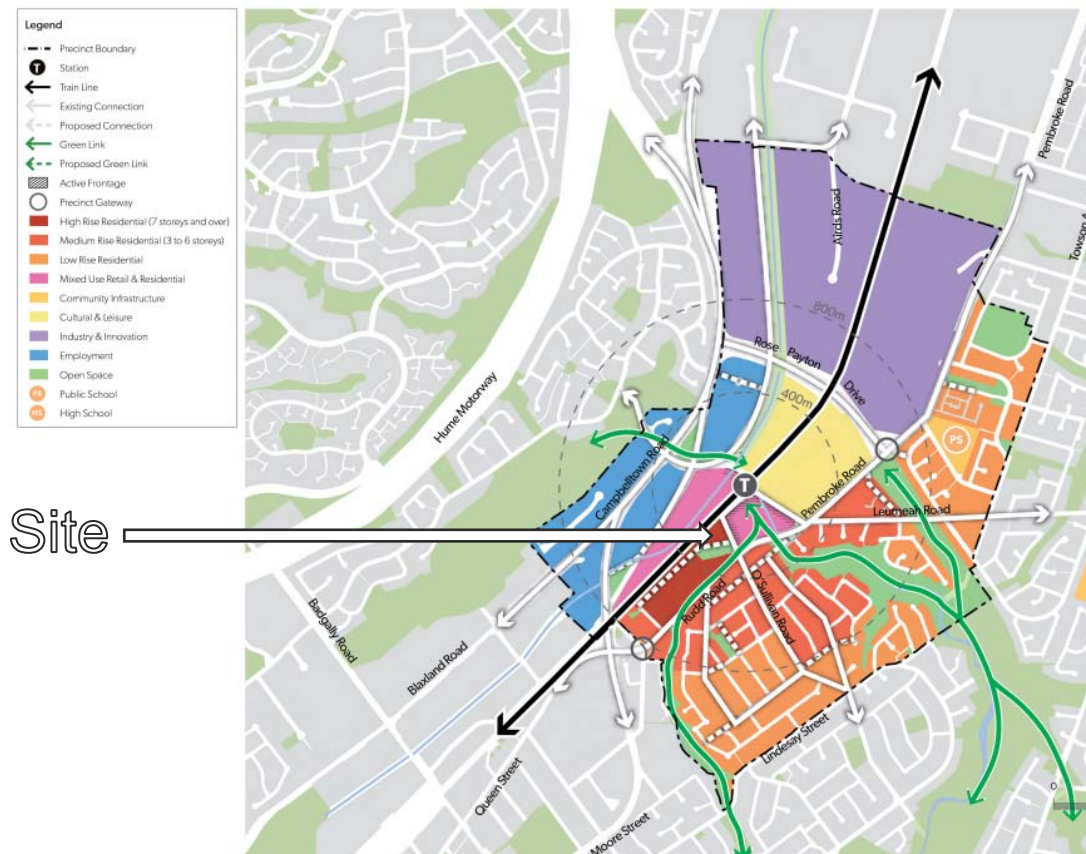


Figure 6: Leumeah Precinct plan

Under the strategy, Leumeah is designated as a gateway to the Campbelltown-Macarthur Regional City, offering sport and recreation facilities for South West Sydney, as well as new homes.

The proposal is consistent with this aim and is consistent with the intended mixed use land use of the site. It is mostly consistent with the principle behind the green link proposed for the site as proposed designs allow public passage through the site.

3.1.4 Greater Macarthur 2040

The Greater Macarthur Growth Area incorporates the Glenfield to Macarthur Urban Renewal Precincts and the land release precincts to the south of Campbelltown. The Department of Planning, Industry and Environment prepared Greater Macarthur 2040 to set out the strategic planning framework for the growth area which will boost the economy, bring investment in local jobs and provide high-quality education, recreation and housing opportunities.

Leumeah was identified as a precinct within the Greater Macarthur Growth Area and the principles of the Leumeah Precinct Plan were adopted into this strategic planning framework.

Campbelltown City Council is leading the planning for the Glenfield to Macarthur urban renewal precincts including Leumeah through planning proposals. Council has also finalised the Reimagining Campbelltown City Centre Master Plan, which establishes a decision-making framework for Leumeah, Macarthur and Campbelltown. Consistency with this master plan will be discussed in section 3.2 of this report.

3.2 Local

The proposal states that it is consistent with the local plans and endorsed strategies, as follows

Table 3 Local strategic planning assessment

Local Strategies	Justification
Campbelltown Local Strategic Planning Statement (LSPS)	<p>The LSPS provides context and direction for land use decision making within the Campbelltown LGA.</p> <p>Its purpose is to:</p> <ul style="list-style-type: none"> • 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 LEP 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. <p>Specifically, the proposal states it is consistent with the following actions.</p> <p>1.11 Support the creation of walkable neighbourhoods to enhance community health and wellbeing and create liveable, sustainable urban areas</p> <p>The redevelopment scenario proposes a through-site link with landscaped public open space as well as a private open space area on Level 1 for the future residents of the dwelling.</p> <p>13.1 Plan and implement local infrastructure that enables our growing population to use alternative methods of transport, such as walking and</p>

Local Strategies	Justification
	<p>cycling, to move quickly and easily around the city, to connect to public transport and assist in easing traffic congestion</p> <p>The site is within close proximity to the train station which provides access to public transport as well as being located across the road from Smiths Creek Reserve.</p> <p>2.5 Contain urban development to existing urban areas and within identified growth and urban investigation areas, in order to protect the functions and values of scenic lands, environmentally sensitive lands and the Metropolitan Rural Area</p> <p>The proposal seeks to increase residential density within urban land and would therefore help meet the dwelling targets, thus relieving development pressure on scenic lands, environmentally sensitive lands and the Metropolitan Rural Area and help protect their functions.</p> <p>9.8 Promote the development and intensification of Campbelltown's existing agglomerations to boost productivity and competitive edge</p> <p>The subject site is located within a business zone that provides economic and employment opportunities. The proposal will maintain this by providing a mix of commercial and residential areas in an accessible area.</p> <p>10.22 Implement the Reimagining Campbelltown Phase 2 Master Plan and associated initiatives</p> <p>The proposal is considered to be generally consistent with the Master Plan, and it would assist in the achievement of the strategic growth pillars and commitments.</p>
Campbelltown Local Housing Strategy (LHS)	<p>The purpose of the Campbelltown LHS is to inform the implementation of the LSPS and Campbelltown LEP 2015 and assist in the future planning of the growth centres, urban renewal corridor and precincts collaboratively with the department.</p> <p>The strategic vision for Campbelltown's LSPS is to:</p> <p><i>"Campbelltown City is Sydney's lifestyle capital – a distinctive destination of high amenity nestled within a natural and historic cultural landscape. It is a place where city meets country and where people choose to live, work, play, invest and visit because quality of life is second to none."</i></p> <p>The planning proposal provides high density housing in an area dominated by detached dwellings. In this sense, it will provide for the diverse accommodation needs of the local community and future population growth.</p>
Reimagining Campbelltown City Centre Master Plan	<p>The plan will futureproof and transform Campbelltown's City Centre into the economic, cultural and lifestyle capital of the Macarthur region, and connect the region to the world.</p> <p>The Master Plan provides a vision for Leumeah to be an integrated sports and entertainment precinct and will accommodate a significant amount of housing and employment opportunities for the Campbelltown LGA. The Master Plan has identified the site being suitable for high density mixed used development given its close proximity to the train station and sports and entertainment precinct and it has also identified the site as suitable for high rise buildings, but not to be of a height greater than Macarthur or Campbelltown station precincts.</p>

3.3 Local planning panel (LPP) recommendation

The Campbelltown Local Planning Panel (the Panel) considered this planning proposal on 22 September 2021.

The Panel agreed that the proposal met the strategic merit test and site-specific merit test. Several matters were also raised which have since been resolved and are addressed in this report.

The primary area of concern for the Panel was the proposed heights of 55 and 43 metres. The Panel found these heights were significantly higher than what would ordinarily be anticipated for an urban village and too high in relation to Campbelltown Station precinct.

Council agreed with this assessment and the maximum Height of Buildings for the proposal has since been amended to 38.5 and 33 metres.

3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 4 Section 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 1.1 Implementation of Regional Plans	Consistent	<p>The objective of this Direction is to give legal effect to the vision, land use strategy, goals, directions, and actions contained in Regional and District plans.</p> <p>The planning proposal meets the directions of the Western City District Plan as a whole.</p>
Direction 1.4 Site Specific Provisions	Consistent	<p>The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</p> <p>No changes are made specific to the site and the permitted development allowable with the proposed FSR and height controls applies to all land of the same FSR and height in the LGA.</p> <p>The planning proposal is consistent with this Direction as it does not introduce additional site-specific provisions.</p>
Direction 1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Consistent	<p>The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.</p> <p>This Direction applies to the Leumeah precinct.</p> <p>This planning proposal is consistent as it seeks changes which are considered by the planning proposal and in this assessment report to be consistent with the Leumeah Precinct Plan and Glenfield to Macarthur Urban Renewal Corridor Strategy.</p>
1.14 Implementation of Greater Macarthur 2040	Consistent	<p>The objective of this direction is to ensure that development within the Greater Macarthur Growth Area is consistent with Greater Macarthur 2040 strategy and associated documents.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		The planning proposal is consistent with the Plan as it provides mixed use retail and residential in close proximity to the train station and does not impact on any future redevelopment of Campbelltown Sport Stadium as a sports and entertainment precinct.
Direction 4.1 Flooding	Cannot yet be determined	<p>The objective of this Direction is to ensure development in flood prone lands is consistent with NSW Government policy and commensurate with flood behaviour.</p> <p>The planning proposal is inconsistent because it seeks to permit a significant increase in the development and/or dwelling density of flood affected land.</p> <p>To meet this Direction, it is required as a condition to the Gateway that the planning proposal is supported by further flooding analysis including probable maximum flood (PMF) modelling that illustrates the pre and post development scenarios to determine risk and impacts.</p> <p>It is also recommended that the planning proposal be referred to the Environment and Heritage Group – flooding for further assessment of consistency against this Direction.</p>
Direction 4.3 Planning for Bushfire Protection	Consistent	<p>The objectives of this direction are to protect life, property and the environment from bush fire hazards.</p> <p>The site has is mapped as having minor vegetation buffer. As such consultation with RFS during exhibition is considered appropriate.</p>
Direction 4.4 Remediation of Contaminated Land	Consistent	<p>The objective of this Direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>The planning proposal site is not known to contain land uses under Table 1 to the contaminated land planning guidelines, and the preliminary site investigation for the proposal (Attachment G) found no indication of gross contamination which would constrain the development of the site for its proposed land use as a commercial / residential development.</p> <p>The planning proposal is considered consistent notwithstanding detailed site analysis requirements at DA stage.</p>
Direction 5.1 Integrated Land Use and Transport	Consistent	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve improved access to housing, jobs and services, supporting use of active and public transport.</p> <p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
		<p>zone or a provision relating to urban land, including land zoned for residential, employment, village or tourist purposes.</p> <p>The planning proposal is consistent with 'Improving Transport Choice' and 'The Right Place for Business and Services' as required by the Direction.</p>
Direction 6.1 Residential Zones	Consistent	<p>The objectives of this direction are to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>This Direction is relevant as it related to zone in which significant residential development is permitted or proposed to be permitted.</p> <p>The planning proposal is consistent as it raises the allowable residential density of the land and allows for housing choice.</p>
Direction 7.1 Employment Zones	Consistent	<p>The objectives of this direction are to encourage employment growth in suitable locations and protect employment land in employment zones.</p> <p>This Direction applies as the planning proposal relates to a planning proposal that will affect land within an existing or proposed Employment zone, being MU1 Mixed Use.</p> <p>The planning proposal is consistent as it maintains the location of the employment zone and does not reduce total floor space potential.</p>

3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs. Further explanation is given regarding SEPPs listed overleaf in Table 7.

Table 5 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistency	Reasons and explanation
State Environmental Planning Policy (Housing) 2021	The Housing SEPP includes the planning provisions for: boarding houses, build-to-rent housing, seniors housing, caravan parks and manufactured home estates, group homes, retention of existing affordable rental housing, secondary dwellings (granny flats), social and	Consistent	<p>This SEPP applies as the planning proposal seeks to amend controls pertaining to mixed use land where said land uses are permitted with consent.</p> <p>The proposal will enable opportunities to provide housing in close proximity to rail infrastructure with appropriate scale in accordance with local and State plans. Further design</p>

SEPPs	Requirement	Consistency	Reasons and explanation
	affordable housing and short-term rental accommodation.		considerations may be relevant at Development Application stage.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	SEPP 65 aims to improve the design quality of residential apartment development in New South Wales and applies to development for the purpose of a residential flat building, shop top housing or mixed use development.	Consistent	The proposal has been assessed for outcomes of bulk and scale potential at the site and it is considered to be consistent with the role of the Leumeah Station precinct and its role relative to other station precincts. Further design considerations are relevant at Development Application stage.

4 Site-specific assessment

4.1 Environmental

4.1.1 Biodiversity

Minimal adverse environmental impact is anticipated as a result of the proposal. There is no critical habitat, threatened species, or ecological communities on the site. None of the site is identified as being of environmental or biodiversity significance, nor is it identified for environment conservation or protection purposes in an LEP. However, there is land of biodiversity values in proximity, across O'Sullivan Road. It is important that noise, waste and light pollution considerations are taken into account at Development Application stage.

The proposed design accompanying the proposal requires the removal of 16 trees and allows the retention of 16 trees. The arboriculturally impact study accompanying the proposal (**Attachment H**) gives one tree a high retention value and notes that it has a major incursion from the proposed development which would require its removal.

The study recommends that following the proposal's approval, a review of the current design in conjunction with a level 5 consulting arborist should be performed to reduce the impact the proposal will have on medium to high value trees.

As the design of the building is a Development Application matter, the Department are unable to condition the retention of particular trees where their removal is permissible under State legislation, however, the proponent is encouraged to work with Council to achieve the best design result at Development Application stage to preserve trees of value as recommended in the arboriculture study.



Figure 7: Biodiversity values map

4.1.2 Bushfire

Part of the site is mapped within the vegetation buffer of Category 2 bushfire hazard. Consultation with the NSW Rural Fire Service (RFS) during exhibition is a condition of Gateway.



Figure 8: Bushfire prone land map

4.1.3 Flooding

Flooding risk has been identified on part of the east of the site (**Attachment I**). The following maps show that the site is flood affected along the Smiths Creek canal corridor. The canal is a concrete

drain passage flanked by grass and a carpark and the areas of greater hazard risk category H3 and above are in the neighbouring lot.

The subject site is affected by hazard risk category H1, H2 and H3, which are lower hazard levels. Access to the site along O'Sullivan Road is affected by hazard risk category H1 (**Figure 9**). Part of the site is considered to be flood way (**Figure 10**), however the maximum flood depth for 1% AEP across the site is under half a meter (**Figure 11**).

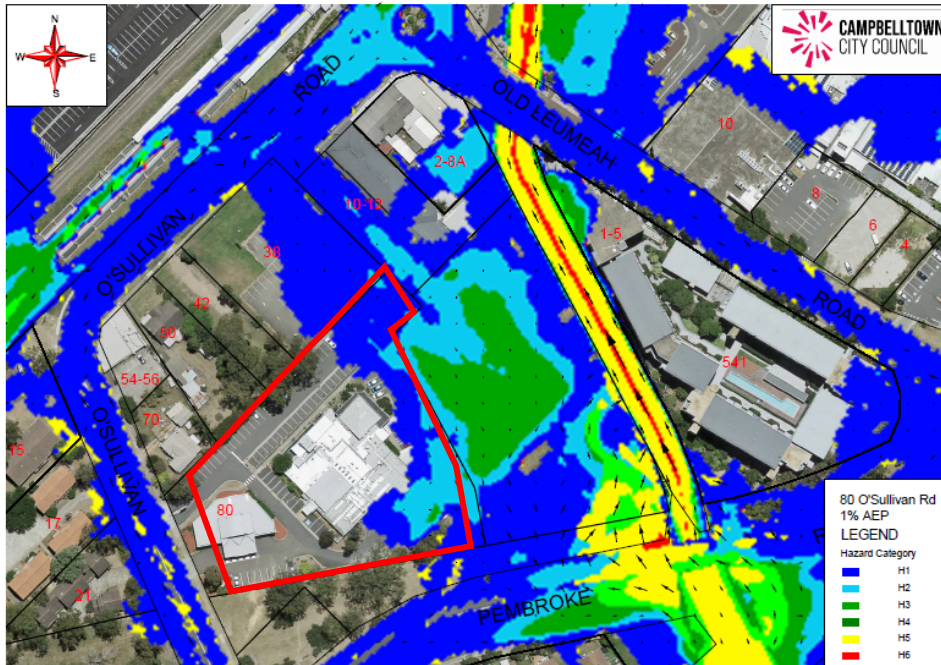


Figure 9: Flood hazard category map – site in red

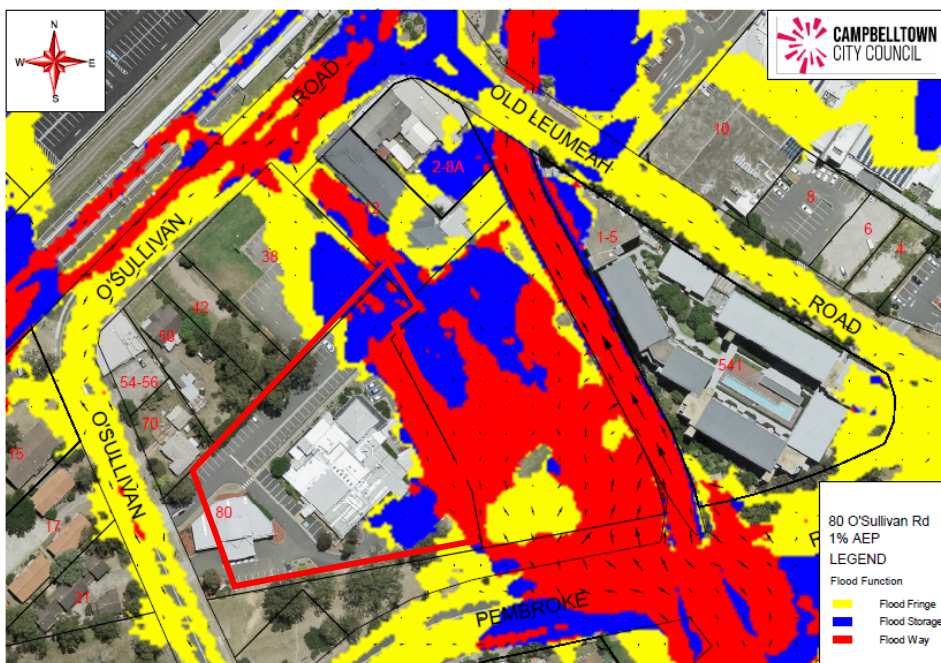


Figure 10: Flood function map – site in red

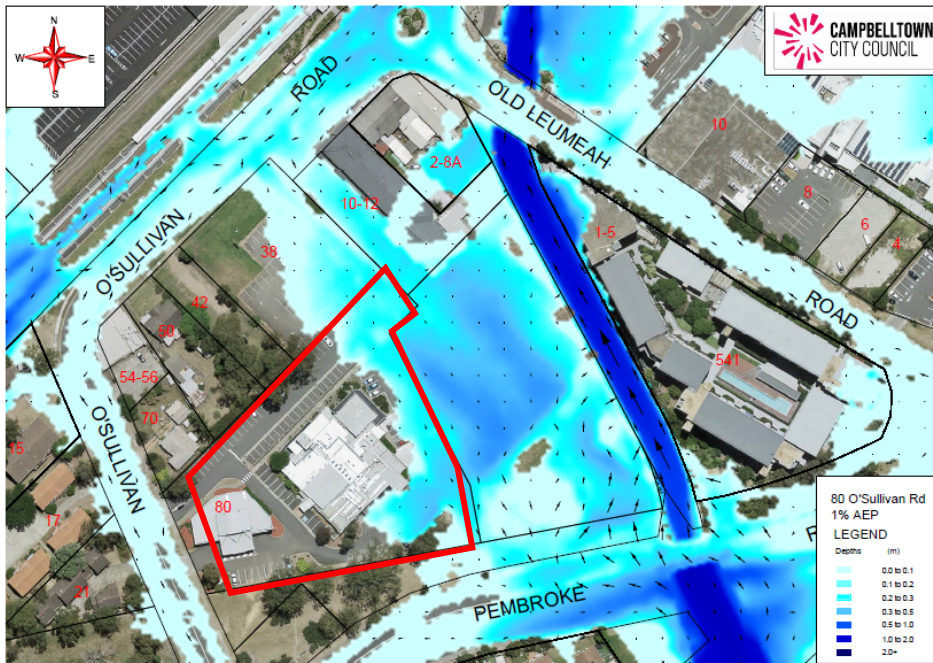


Figure 11: Flood depth map – site in red

The Department notes that flood levels to probable maximum flood (PMF) have not been modelled. Furthermore, the flood affectation of O'Sullivan Road as the key access point requires further investigation and mitigation strategies.

Further flood analysis must be completed prior to exhibition which includes modelling a PMF pre and post development scenario with acceptable flood risk mitigation strategies according to the Floodplain Development Manual and the NSW Government's response to the 2022 Flood Enquiry. Matters such as PMF flood duration and velocity should be considered to understand if the risks can be adequately mitigated prior to finalisation.

The Department also condition that the planning proposal be referred to the Environment and Heritage Group during exhibition.

4.2 Social and economic

The proposal is considered to have positive economic outcomes through construction jobs and supporting local floorspace requirements for offices and retail premises. The development has the potential to provide amenity and housing choice to meet the outcomes of the Reimagining Campbelltown City Centre Master Plan 2020, where 'Leumeah Live' is an integrated sports and entertainment precinct and vibrant neighbourhood for major events, sporting activities, and healthy living.

4.3 Urban Design

The proposal originally proposed a Maximum Height of Buildings of up to 55m. Following review by the Local Planning Panel. A report was presented for Campbelltown City Council meeting on 9 August, 2022. Council recommended that the proposal proceed with lower building heights. The applicant revised the proposal accordingly to reflect a maximum Height of Buildings of up to 38.5m.

The revised height is considered to reflect the desired centres hierarchy of the Glenfield to Macarthur Urban Renewal Corridor Strategy. Overshadowing, bulk and form were also considered by the Local Planning Panel who were supportive in principle of the lower heights. Design matters will be further addressed prior to development to satisfy all the mandatory provisions specified in

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development. Design matters have also been considered in the accompanying DCP.

The Urban Design Report (**Attachment F**) notes that the ground floor public domain area will provide opportunities for landscaping and public domain elements that would facilitate use of the site for walking and congregating. The potential open space area at the ground floor level is proposed to potentially contain amenities, 2 common rooms, children's play area, seating and landscaped area.

In addition, Council analysed the potential overshadowing impacts and concluded that all adjoining properties will have solar access that is above the minimum industry standard of 3 hours solar access on 21 June.

It is noted that these matters will need to be further addressed as part of the preparation of the site-specific DCP.



Figure 12: Potential Built Form

4.4 Infrastructure

The subject site is an infill site. The site will deliver 156 dwellings of the 1,000 dwelling potential identified for the Leumeah Precinct under the Greater Macarthur 2040. The site is well serviced by existing transport and social infrastructure.

Development contributions will be collected at the stage of Development Application to support incremental provision of additional infrastructure as required. Council have indicated that the proponent will enter into discussions with Council regarding voluntary contributions on site such as a pedestrian through link, publicly accessible public space, and embellishment to footpaths surrounding the site.

4.4.1 Transport

The Local Planning Panel raised two concerns related to Transport, which were traffic and transport impacts including road infrastructure for the broader precinct and clarification as to whether direct vehicular access to Pembroke Road is acceptable.

Council have already undertaken preliminary consultation with Transport for NSW (TfNSW). TfNSW advised several matters which have been responded to by the applicant. The Traffic Impact Assessment by Traffix (**Attachment D**) was updated and an additional attachment letter to the study (**Attachment E**) was provided by the consultants. Below is a summary of TfNSW advice and the response by Traffix on behalf of the proponent.

Table 8 Assessment of Transport for NSW preliminary advice

Transport for NSW comment	Response from consultants Traffic
All site access be provided from the local road network, from O'Sullivan Road and not Pembroke Road.	The current vehicular access from Pembroke Road is proposed to be retained in the interim for use of the existing registered club and will be removed when development commences.
TfNSW do not support marked zebra crossings at the Pembroke Road / Rudd Road or at Pembroke Road / Smiths Creek Bridge.	All zebra crossings will be removed from all future plans, unless it is advised a signalised crossing will replace a roundabout at the Pembroke / O'Sullivan intersection.
TfNSW considers that traffic surveys conducted in June 2021 are unlikely to be a true reflection of typical traffic conditions.	2018 traffic count data is comparable to that of traffic volumes in 2021. As such, the 2021 survey data is considered appropriate and applicable for the development.
The Existing Scenario (Base) model should be calibrated to reflect existing traffic conditions, including queue lengths, prior to progressing with modelling the Future Scenario.	The suggested changes were modelled with existing conditions and the traffic queue delays were found to be up to a maximum of 6.1 seconds during morning peak.
SIDRA intersection modelling files (.sip), should be updated and submitted to TfNSW for further review and comment prior to the finalisation of the plan.	Updated SIDRA intersection model files was provided to TfNSW for review. TfNSW will be provided an opportunity for further review during public exhibition.
Given the site's good accessibility to public and active transport, TfNSW is supportive of measures to reduce private vehicle use including reduced maximum parking provision rates for the site within the LEP.	Residential parking rates are based on SEPP 65, with reduced parking provision in accordance with the Apartment Design Guide. This parking provision is considered acceptable and is less than that of the DCP requirement.
The proposal should include a transport infrastructure schedule and implementation plan identifying infrastructure improvements.	Preparation of a transport infrastructure schedule and implementation plan identifying infrastructure improvements in the locality should be undertaken by the Council and explored during the Development Application stage.

The Department notes that the above transport matters and further consultation with TfNSW will occur during public exhibition.

5 Consultation

5.1 Community

Council proposes a community consultation period of 20 working days. The exhibition period proposed is considered appropriate and is recommended as a condition of the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 20 days to comment:

- NSW Rural Fire Service;
- Transport for NSW;
- Sydney Water;
- Endeavour Energy;
- School Infrastructure NSW;
- NSW Ministry of Health (South Western Sydney Local Health District); and
- NSW Police.

6 Timeframe

Council proposes a 9 month time frame to complete the LEP.

The Department recommends a time frame of 9 months in line with its commitment to reducing processing times and with regard to the benchmark timeframes. A condition to this effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

As the planning proposal is local in nature, the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment Summary

The planning proposal is supported to proceed for the following reasons:

- the proposal is consistent with regional, district and local plans and their relevant objectives;
- there are no significant adverse social, economic or environmental impacts;
- the planning proposal is the best way to achieve the intended outcomes; and
- the proposal will have a positive outcome for the community and housing targets.

9 Recommendation

It is recommended the delegate of the Secretary:

- agree that Section 9.1 Direction 4.1 Flooding cannot be resolved until further studies and consultation is undertaken.

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

The following conditions are recommended to be included in the Gateway determination:

1. Prior to exhibition, the planning proposal is to be amended as follows and forwarded to the Minister under s 3.34(6) of the Act:
 - (a) Updated to remove all references to the previous B2 Local Centre zone and refer to the current MU1 Mixed Use zone;
 - (b) Include further flood analysis in relation to the Probable Maximum Flood showing pre and post development scenario to determine risk and potential impact (such as flood duration, velocity, and safe evacuation) and how these can be mitigated.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

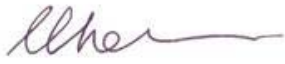
The planning proposal is to be exhibited 3 months from the date of the Gateway determination.

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service;
 - Transport for NSW;
 - Sydney Water;
 - Endeavour Energy;
 - School Infrastructure NSW;
 - NSW Ministry of Health (South Western Sydney Local Health District); and
 - NSW Police.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 20 working days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The planning proposal must be reported to Council for a final recommendation 6 months from the date of the Gateway determination.
6. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

7. The LEP should be completed on or before 12 July 2024.



9/10/2023

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10/10/2023

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