



**Planning Proposal**

**80 O'Sullivan Road, Leumeah**

**July 2024**

## Introduction

This Planning Proposal (PP) explains the intent of, and justification for, the proposed amendment to the *Campbelltown Local Environmental Plan 2015* (CLEP 2015) – Maximum Height of Buildings and Floor Space Ratio maps, for property known as 80 O'Sullivan Road, Leumeah (Lot 201 on DP1052199). The site is also known as 543 Pembroke Road, Leumeah.

The proposed amendment seeks to amend the maximum height of building map to provide a height limit of 33m to part of the site and a height limit of 38.5m to the rest of the site and to amend the floor space ratio map to indicate a maximum floor space ratio of 2:1 for the site.

## The Site

The site is located on the eastern side of O'Sullivan Road and forms part of the business area located on the southern side of Leumeah Railway Station which contains a variety of commercial uses.

The site has an area of 8,117m<sup>2</sup> with a 40m frontage to O'Sullivan Road. The site also has vehicular access to Pembroke Road via a right of way over the adjoining lot which is currently vacant.

The site is adjoined by 4 lots to the northern boundary including a Council owned parcel of land (Lot 100 DP 14782). The State Government owns 2 adjoining lots; one of which adjoins the eastern boundary and the other lot adjoins the southern boundary from which vehicular access is currently obtained (refer to Figure 1).

The site consists of a single lot that has 2 existing commercial licenced premises which are the Club Hotel and Liquor Stax. The site has sporadic vegetation, with mature gum trees.



Figure 1: Aerial Photo of the Site

Smith's Creek is within close proximity to the site, part of which is a concrete lined channel that immediately adjoins the vacant parcel located to the east of the site.

The site is located in close proximity to Leumeah Railway Station and Campbelltown Stadium. The site is also in a neighbourhood with a range of land uses including, the Tennis Club, the West League Club, a mixed use residential apartment building, neighbourhood shops including an IGA store, post office, butcher, pharmacy, liquor shop, news agent, medical practice, dentist, the club hotel, coffee shop and a discount shop and car parking (refer to Figure 2).

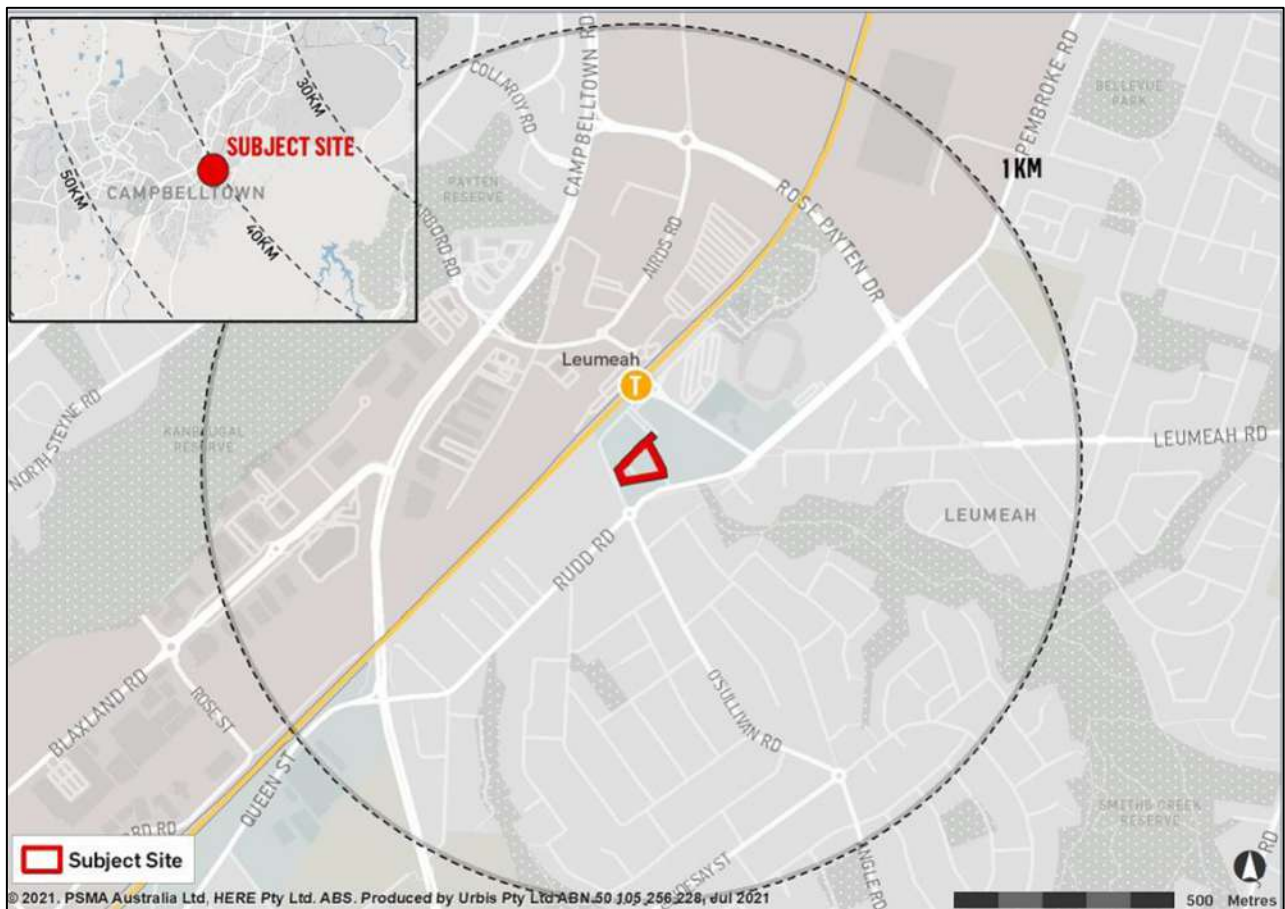


Figure 2 – Site Locality Map

A majority of the buildings in the surrounding area are low rise comprising 1-2 story buildings with the exception of the mixed-use residential building, which consists of 7-8 storeys shown in Figure 3.



View from O'Sullivan Road towards the existing drive through bottle shop.



View of the existing Leumeah Hotel and adjacent car park.



View of the vehicle driveway provided via Pembroke Road which connects to the hotel car park.



View from the Leumeah Hotel looking north towards the recently constructed residential flat buildings.



View of drive-through bottle shop and second vehicle entry point provided via O'Sullivan Road.



View of the vacant land earmarked for future road widening associated with Pembroke Road.

Figure 3 – Photographic review of existing development (source: Planning Proposal)

## HISTORY

- A PP was lodged by the proponent on 26 July 2021.
- The PP was presented to the Local Planning Panel for comment on Wednesday 22 September 2021.
- The PP was presented to the Campbelltown Design Excellence Panel (DEP) on multiple occasions between late-2021 and mid-2022 for guidance on the PP's design.
- Councilors received a further briefing by the proponent of a refined proposal, on 17 May 2022.
- A PP was prepared by Council staff and was endorsed by Council on 6 June 2023 with a Gateway Determination subsequently issued on 10 October 2023.
- The Gateway Determination was extended by the Department of Planning, Housing, and Industry (DPHI) to 14 October 2024.
- The PP was publicly exhibited from 9 January 2024 until 16 February 2024.
- A Post Exhibition Report was prepared seeking endorsement of this PP at the 9 April 2024 Ordinary Council meeting. Council members moved a motion that the matter be deferred for a Councilor briefing and brought back to Council as soon as possible
- The draft DCP was publicly exhibited from 6 May 2024 – 10 June 2024.
- An updated Post Exhibition Report was prepared seeking endorsement of the PP and updated draft DCP at the 9 April 2024 Ordinary Council meeting.

## Existing Site Controls under the CLEP 2015

Zone: MU1 Mixed Use

Properties to the north of the site have the same zoning as the site. The adjoining property to the south is zoned SP2 Classified Road and property on the opposite side of O'Sullivan Road is zoned R3 medium density residential (refer to Figure 4)

Building Height: 12m (refer to Figure 5)

Floor Space Ratio: The site is not subject to a Floor Space Ratio (FSR) development standard.

Land use: A "Pub" is a permitted land use with development consent in the MU1 zone defined as a "food and drink premises" and "commercial premises".

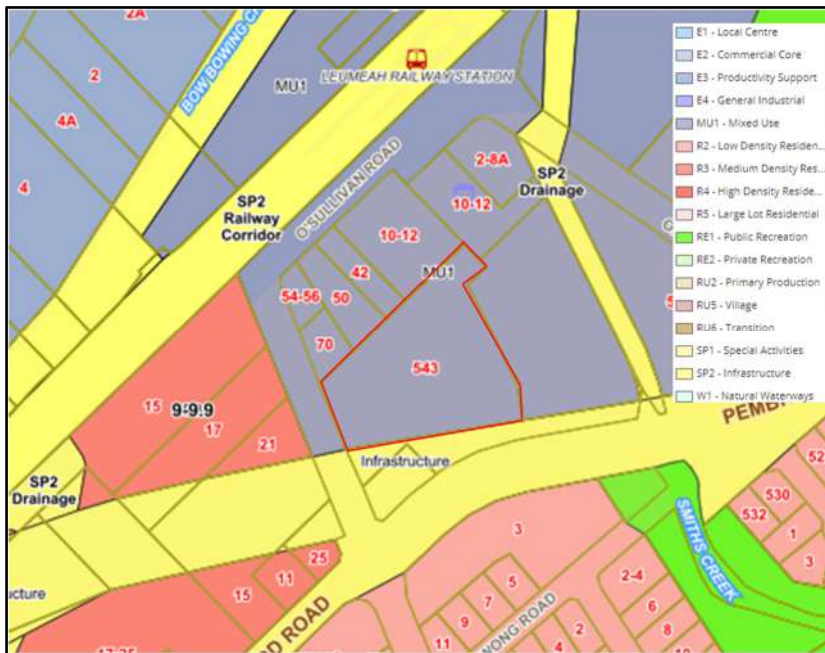


Figure 4: Extract of Zoning Map from CLEP 2015



Figure 5: Extract of Maximum Height of Buildings Map from CLEP 2015

The PP has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and DPHI's 'Local Environmental Plan Making Guideline' August 2021.

## Part 1 – Objectives or Intended Outcomes

To increase dwelling and population densities within a walking distance from the Leumeah railway station and provide for a housing choice in Leumeah. The PP will also facilitate additional retail space within the centre.

## Part 2 – Explanation of provisions

The objective or intended outcomes of the PP are as follows:

1. To amend the Height of Building Maps to increase the building height partially to 33m and partially to 38.5m (Figure 6).
2. To amend the Floor Space Ratio Map to provide an FSR of 2:1. The objectives and intended outcomes of the PP will be achieved by amending the Height of Building Map and Floor Space ratio Map (Figure 7).
3. The proposed Height of Building and a proposed Floor Space ratio map are shown below.

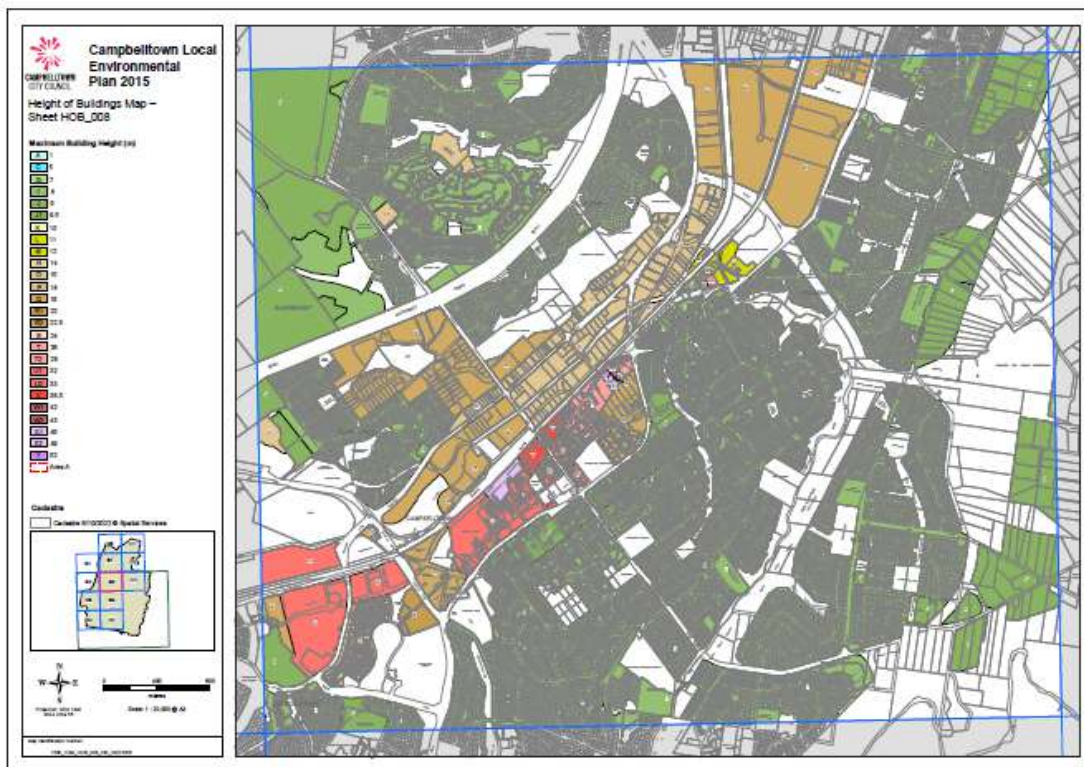


Figure 6: Proposed Height of buildings map

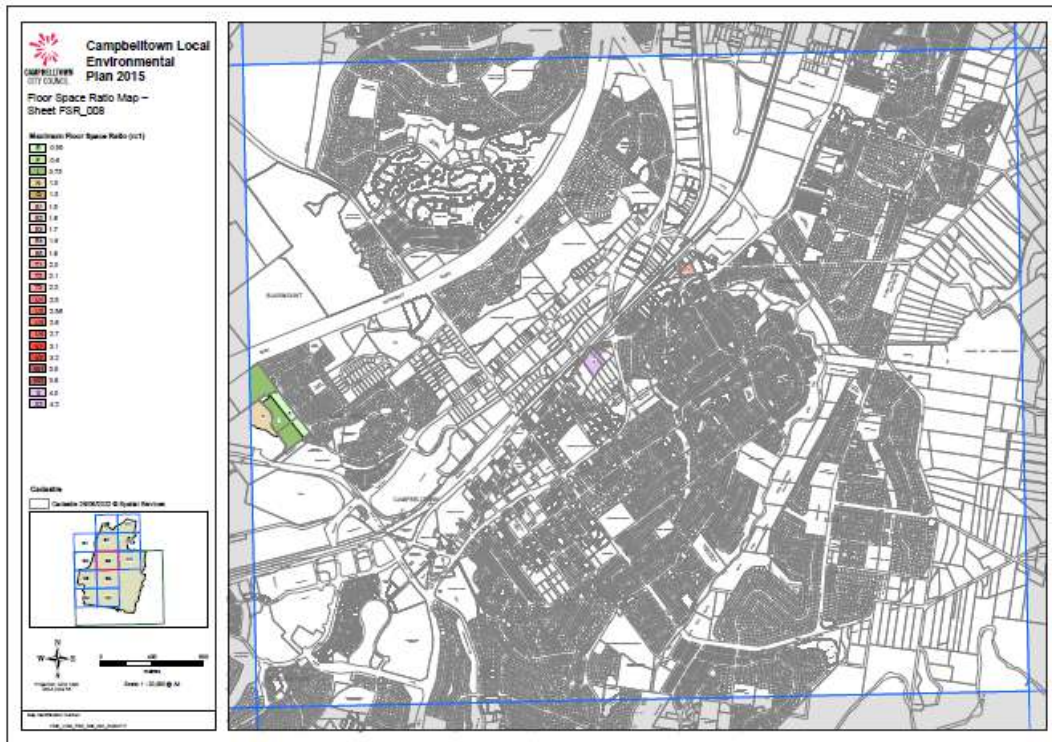


Figure 7: Floor space ratio map

## 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 PP is not a direct result of any strategic study or report, however, is consistent with key strategies including the Greater Sydney Region Plan, Western City District Plan, and the Glenfield to Macarthur Urban Renewal Corridor Strategy.

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

Yes.

The PP is the best way to achieve the intended outcomes and objectives. Proceeding with a stand-alone PP is considered appropriate in this instance and will assist in the delivery of the Leumeah Precinct Plan in the Glenfield to Macarthur Urban Renewal Corridor Strategy.

## Section B – Relationship to strategic planning framework

### 3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes.

The PP 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 PP is considered to be consistent with the Greater Sydney Region Plan as it aims to provide a local centre with a mixed-use centre comprising of retail and residential with a sports and entertainment precinct in the greater locality.

#### **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.

Leumeah is part of the Campbelltown-Macarthur metropolitan cluster identified within the Western City District Plan. Its location has been identified as providing the metropolitan functions within the Macarthur region including concentration of jobs, a wide range of goods and services, entertainment, leisure, and recreational activities. Campbelltown-Macarthur has been identified as a Collaboration Area which is led by the Greater Sydney Commission to support growth and change, deliver improved outcomes, and address complex issues that require cross stakeholder solutions. The Campbelltown-Macarthur Place Strategy is a key outcome of the Collaboration Area and has been prepared in alignment with the Reimagining Campbelltown City Centre Master Plan. As such the PP is considered to align with the Campbelltown Macarthur Place Strategy.

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

The Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) establishes a high level strategic planning framework to guide future housing, employment opportunities and infrastructure delivery along the Campbelltown rail corridor, forming part of the Greater Macarthur Priority Growth Area.

The site is within the area covered by the Leumeah Precinct Plan, being one of the seven train station precincts identified under the Corridor Strategy. The Leumeah Precinct Plan provides the vision for the future development of the city centre having regard to the long-term housing and employment needs for the area until 2036. As part of the desired future character and built form, the site is identified under the Precinct Plan for mixed use retail and residential as described below:

*"This area could accommodate a mix of retail and residential uses that would complement the character of the local area. Buildings would have ground floor retail that would provide local services for residents and commuters, with apartments above ranging from 7+ storeys in height. Detailed planning would be required to identify appropriate height and built form outcomes."*

The PP is broadly consistent with this vision in that it proposes a mix of retail and residential uses and building heights above seven storeys. The required detailed planning work referred to in the Precinct Plan has been undertaken by Council through the Reimagining Campbelltown City Centre Master Plan (which includes the central parts of Leumeah including the site). An assessment of the PP against the Master Plan can be found in the Report to Council dated 9 August 2022.

The Leumeah Precinct Plan identifies the need for regional cycle routes and pedestrian connections within the precinct, and the PP responds to this identified need via making provision for a through site link to facilitate pedestrian access to Leumeah Station. The urban design report also identifies a green pedestrian link over the existing concrete lined drainage channel for Smiths Creek, which is consistent with the Leumeah Precinct Plan.

The Leumeah Precinct Plan identifies a proposed 'green link' connection between the corner of O'Sullivan Road and Pembroke Road headed in a diagonal direction, over the site, towards Leumeah Station. The proposed through site pedestrian link proposed within the urban design analysis is generally consistent with the connection path shown on the map. The through site link is required to be 'followed through' on adjoining properties to ensure connection to Leumeah Station, which do not form part of this PP. While the site through link is not proposed to be supported by a zoning amendment to the CLEP 2015 it is proposed that it be included in a site specific DCP.

#### **4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?**

##### **Campbelltown Community Strategic Plan 2032**

Campbelltown Community Strategic Plan 2032 (CSP) is Council's highest level strategic plan and outlines the strategic direction of Council for a 10-year period based on the feedback of the local community and research on successful and resilient communities.

The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to plan an approach to achieve these goals. The CSP has been structured to address key outcomes that Council and other stakeholders will work to achieve. These outcomes are:

- Outcome 1: Community and belonging,
- Outcome 2: Places for people,
- Outcome 3: Enriched natural environment,
- Outcome 4: Economic prosperity, and
- Outcome 5: Strong leadership.

These outcomes will be achieved through the implementation of strategies identified within the CSP. The following strategies are considered the most relevant in the consideration of this PP:

- 2.1.1 – Provide public places and facilities that are accessible, safe, shaded, and attractive.
- 2.2.1 – Ensure transport networks are integrated, safe and meet the needs of all people.
- 2.3.1 – Ensure all people in Campbelltown have access to safe, secure, and affordable housing.
  - Ensure urban development is considerate of the natural environment.
- 4.1.1 – Provide high quality and diverse local job opportunities for all residents.
- 4.2.1 – Support the growth, productivity, and diversity of the local economy.
- 5.1.1 – Increase opportunities for the community to engage and collaborate with Council and key delivery partners.

The PP is considered to be broadly consistent with the above strategies.

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

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020. All PPs are now required to demonstrate consistency with the LSPS.

A number of actions within the LSPS are relevant to the PP, and an assessment of the PP against these actions is contained in Table 1 below.

Table 1: Campbelltown LSPS Consistency

Action	Assessment of Proposal against action
1.11 Support the creation of walkable neighbourhoods to enhance community health and wellbeing and create liveable, sustainable urban areas	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.
1.17 Ensure open space is well connected via pedestrian and cycle links	As above
2.5 Contain urban development to existing urban areas and within identified growth and urban investigation areas, to protect the functions and values of scenic lands, environmentally sensitive lands, and the Metropolitan Rural Area	The PP 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.
2.12 Promote housing diversity through local planning controls and initiatives	The PP is generally consistent with this action, given that it proposes higher density housing.
<p>2.15 Ensure that sufficient, quality, and accessible open space is provided for new urban areas</p> <p>2.16 Ensure that quality embellishment for passive and active recreation is provided to new and existing open space to service new residential development and redevelopment of existing urban areas</p> <p>2.17 Ensure open space is provided where it will experience maximum usage by residents, with maximum frontage to public streets and minimal impediments</p> <p>6.25 Work towards residents being a maximum of 400 m from quality open space</p>	There is a short supply of embellished public open space within Leumeah and there may be opportunity to upgrade and enhance the public open space and walkways within Smith Creek Open space, which is located within a walking distance from the site.
7.11 Identify appropriate building heights through design requirements to ensure that solar access is not restricted in open space areas adjoining multi-storey developments	There are no open space areas adjoining the site that would be affected by overshadowing.
9.8 Promote the development and intensification of Campbelltown's existing agglomerations to boost productivity and competitive edge	The site is located within a business zone that provides economic and employment opportunities. The PP will maintain this by providing a mix of

**80 O'SULLIVAN ROAD, LEUMEAH**  
**PLANNING PROPOSAL**

Action	Assessment of Proposal against action
	commercial and residential areas in an accessible area.
10.5 Continue to recognise the dynamic and evolving nature of centres, their ability to become activated and integrated mixed-use hubs which are highly productive and liveable places, and the potential of large and existing retail providers to offer local employment	Should the PP be progressed, it would result in the intensification of the precinct including the provision of additional retail uses within proximity to public transport. This would increase activity in this location and would result in a more efficient and productive use of this land by intensifying economic activity on the site and introducing a large number of new residents to Leumeah.
10.22 Implement the Reimagining Campbelltown Phase 2 Master Plan and associated initiatives	An assessment of the PP against the Reimagining Campbelltown Phase 2 Master Plan is found below. The PP is generally consistent with the Master Plan, and the PP would assist in the achievement of the strategic growth pillars and commitments.
10.10 Investigate opportunities to enhance commercial amenity and ongoing economic viability through improvements to walking, cycling and public transport accessibility to create stronger centres	The PP is proposing commercial space on the ground floor including the retention of Leumeah Hotel which will contribute to economic growth and employment opportunities.
13.1 Plan and implement local infrastructure that enables our growing population to use alternative methods of transport, such as walking and cycling, to move quickly and easily around the city, to connect to public transport and assist in easing traffic congestion	The site is within proximity to the train station which provides access to public transport as well as being located across the road from Smiths Creek Reserve.

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

The Reimagining Campbelltown project commenced in late 2017. Phase 1 outlined the vision for the future of the Campbelltown, Macarthur and Leumeah stating that the economy and built form of these centres will need significant re-structuring to ensure that projected population growth can be accommodated across the Western Parkland City by 2036. This vision formed the basis of the Reimagining Campbelltown City Centre Master Plan.

At its meeting on 14 April 2020, Campbelltown City Council resolved to endorse and exhibit Reimagining (Phase 2) - Campbelltown City Centre Master Plan 2020. The Plan was publicly exhibited

until July 2020. Council considered submissions made during exhibition at its meeting on 13 October 2020 and adopted the masterplan in the form it was exhibited with only minor changes.

The vision for the plan is to elevate the Campbelltown City Centre (which includes the parts of Leumeah near the Leumeah Railway Station) to the status of a Metropolitan CBD, a leading centre of health services, medical research and tech-related activity that will be achieved through ambition, innovation, and opportunity.

The vision for Reimagining Campbelltown City Centre is underpinned by a Place Framework. Comprising six strategic growth pillars and 25 commitments, it is the enduring decision-making framework to guide growth and investment for a more prosperous future. The 6 strategic growth pillars comprise the following:

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

An assessment of the PP has been undertaken against the 6 strategic growth pillars and corresponding 25 commitments for growing the Campbelltown City Centre. Whilst the PP is broadly consistent with a number of pillars and commitments, the assessment below focuses on those that are of particular relevance to the PP.

A key component of the Master Plan is the development of a central precinct in Leumeah. 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 describes the area as a 'city in a valley' and in this regard the building design will need to respect and respond to the natural landscape and maintain views from surrounding hills. In order to do this, varying building heights will provide a varied skyline.

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. The key elements in the Master Plan for Leumeah include the following:

- Urban Village: A mixed use cluster that will include residential and commercial space and as such will be the heart of activity and services for the local community.
- Mixed Housing for All: Leumeah will provide a range of housing choice and affordability

catering for the needs of the community and future population growth.

- Great Connectivity: Leumeah features 2 major green connections that hold cultural significance to the Dharawal people, provide the community with immediate access to major natural assets and parklands.
- Green Heart: the Bow Bowing creek and its surrounds is the green heart which offers open space for passive and active recreation activity.
- Leumeah Live: Leumeah Live is a vibrant sports and entertainment precinct anchored by Campbelltown Stadium and co-located with other regional sporting facilities and venues. As a major event precinct, it will include uses such as short-term accommodation, hotels, food, and beverage options as well as some commercial space.
- People Place: A focus on reducing car dependency.

The PP, in principle, aligns with the above key elements in the Master plan as it would provide a mixed use high-density development within the Leumeah Centre that provides a connection to Leumeah Train Station and the sports and entertainment precinct and is considered to reflect the elements of a 'city in a valley' theme. It provides open space with the through-site link and landscaped public open space areas.

The Reimagining Campbelltown City Centre Master Plan 2020 in relation to Leumeah Centre states:

*"...the urban village will be the heart of activity and services for the local community. As a mixed-use cluster, the village will include retail convenience, day, and night dining options, as well as health and wellbeing services."*

The reference to Urban Village within the Reimagining Campbelltown City Centre Master Plan provides a strong indication of the sense of place that is desired to be created at Leumeah. While the term Urban Village is not defined within the masterplan documentation nor within the legislative context of the NSW planning system, it is widely known that an urban village aims to create a sustainable community (similar to a village) while also has the required density of urban areas. Urban villages maintain human scale and have significant emphasis on activation at ground levels. There is no clear set of rules on the maximum building heights that should occur within an Urban Village.

The Reimagining Campbelltown City Centre Master Plan does not stipulate the desired maximum building heights within Leumeah Centre. It provides a context that includes hierarchy of building heights that shows where the greatest building height within Campbelltown and Leumeah Centres should occur. Within this context, the masterplan clearly indicates that Campbelltown CBD should

have the highest buildings to reflect its main CBD status.

The maximum building height that has been endorsed by Council and is in effect within the Campbelltown CBD is for the former Factory Direct Outlet site (the DFO site) at 22-32 Queen Street and is at 52 m. Ideally, and according to the building height Map under the Reimagining Campbelltown City Centre Master Plan, the DFO site should have had a building height that is lower than sites within Leumeah Centre. Importantly, the height for this site was endorsed by Council, prior to the adoption of Reimagining Campbelltown City Centre Master Plan, and the Plan clearly provides the following important note:

NOTE: all PPs that had progressed to Gateway Determination prior to the start of Reimagining Campbelltown City Centre were assessed on merit at the time and cannot be used to determine height relativities of future proposals, or as a justification for the heights of future buildings.

It is anticipated that greater building heights will be endorsed closer to the Campbelltown Station and at the heart of the Campbelltown CBD.

As an outcome of the above assessment, the 55 m proposed by the PP was reduced to 38.5m and the 43 m proposed by the PP was reduced to 33m to better align with the urban village theme and the centers' hierarchy within the Campbelltown LGA.

**5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

N/A

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

Table 2 provides an assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the PP.

Table 2 - State Environmental Planning Policies Assessment

Focus areas	State Environmental Planning Policies	Consistent	Comment
Planning systems	Planning Systems SEPP	Yes	The PP does not include a State significant development, State significant infrastructure, critical State significant infrastructure or regionally significant development.

Focus areas	State Environmental Planning Policies	Consistent	Comment
	Precincts SEPPs: <ul style="list-style-type: none"> <li>• Eastern Harbour City SEPP</li> <li>• Western Parkland City SEPP</li> <li>• Central River City SEPP</li> <li>• Regional SEPP</li> </ul>	N/A	The site is not within the defined SEPP areas.
	Codes SEPP	N/A	Exempt or complying development or introduction of State-wide codes is not proposed.
Housing	Housing SEPP	Yes	The PP 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.
Transport and infrastructure	Transport and Infrastructure SEPP	Yes	Delivery of infrastructure is not proposed.
Primary production	Primary Production SEPP	Yes	Economic use and development of lands for primary production is not proposed.
Biodiversity and conservation	Biodiversity and Conservation SEPP	Yes	No works are proposed that will impact on the biodiversity of the site.
Resilience and hazards	Resilience and Hazards SEPP	Yes	The site is not within the defined coastal SEPP area.
Industry and employment	Industry and Employment SEPP	Yes	The site is not within the Western Sydney Employment Area.
Resources and energy	Resources and Energy SEPP	Yes	The PP does not propose mining or energy uses.

**7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?**

Table 3 provides a brief assessment of consistency against each section 9.1 direction.

Table 3 – Local Planning Directions Assessment

Consideration of Local Planning Directions	Consistent	Comment
<b>Focus Area 1: Planning Systems</b>		
1.1 Implementation of Regional Plans	Yes	The PP would provide flexibility in the height of future buildings on the site and would provide a mixed-use development comprising of a retail/hotel component and residential apartments.
1.2 Development of Aboriginal Land Council land	N/A	Not relevant to the PP.
1.3 Approval and Referral Requirements	Yes	The PP was referred to TfNSW for comment given that it proposed access via Pembroke Road. Comments were received with most of the issues raised able to be dealt with when a future development application is lodged with Council.
1.4 Site Specific Provisions	Yes	The PP requires a floor space ratio map and a height of buildings map for the site.
<b>Focus Area 1: Planning Systems – Place-based</b>		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not relevant to the PP as the PP is not located within this area.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not relevant to the PP as the PP is not located within this area.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim	N/A	Not relevant to the PP as the PP is not located within this area.

Consideration of Local Planning Directions	Consistent	Comment
Land Use Infrastructure Implementation Plan		
1.8 Implementation of Wilton Priority Growth Area Interim Land Use Infrastructure Implementation Plan	N/A	Not relevant to the PP as the PP is not within the Wilton Priority Growth Area.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	The PP is consistent with this Direction as the site is proposed to be a mixed-use retail and residential zone with the proposed PP consistent with
1.10 Implementation of Western Sydney Aerotropolis Plan	N/A	Not relevant to the PP as the site is not located within this area.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	Not relevant to the PP as the site is not located within this area.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not relevant to the PP as the site is not located within this area.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	Not relevant to the PP as the site is not located within this area.
1.14 Implementation of Greater Macarthur 2040	N/A	The PP is consistent in that it supports amenities for new communities including the ongoing use of the site as a Catholic high school and for faith based uses.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	Not relevant to the PP as the site is not located within this area.
1.16 North West Rail Link Corridor Strategy	N/A	Not relevant to the PP as the site is not located within this area.
1.17 Implementation of the Bays West Place Strategy	N/A	Not relevant to the PP as the site is not located within this area.
1.18 Implementation of the Macquarie Park Innovation Precinct	N/A	Not relevant to the PP as the site is not located within this area.

<b>Consideration of Local Planning Directions</b>	<b>Consistent</b>	<b>Comment</b>
1.19 Implementation of the Westmead Place Strategy	N/A	Not relevant to the PP as the site is not located within this area.
1.20 Implementation of the Camellia-Rosehill Place Strategy	N/A	Not relevant to the PP as the site is not located within this area.
1.21 Implementation of South West Growth Area Structure Plan	N/A	Not relevant to the PP as the site is not located within this area.
1.22 Implementation of the Cherrybrook Station Place Strategy	N/A	Not relevant to the PP as the site is not located within this area.
<b>Focus Area 2: Design and Place</b>		
2.1 Design and Place (Not adopted)	N/A	N/A
<b>Focus Area 3: Biodiversity and Conservation</b>		
3.1 Conservation Zones	N/A	N/A
3.2 Heritage Conservation	N/A	The site does not contain any registered heritage items or artifacts.
3.3 Sydney Drinking Water Catchments	N/A	Not relevant to the PP.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs 26	N/A	Not relevant to the PP.
3.5 Recreation Vehicle Areas	N/A	Not relevant to the PP.
3.6 Strategic Conservation Planning	N/A	Not relevant to the PP.
3.7 Public Bushland	N/A	Not relevant to the PP.
3.8 Willandra Lakes Region	N/A	Not relevant to the PP.
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	Not relevant to the PP.

Consideration of Local Planning Directions	Consistent	Comment
3.10 Water Catchment Protection	N/A	Not relevant to the PP.
<b>Focus Area 4: Resilience and Hazards</b>		
4.1 Flooding	Yes	<p>The PP addresses flooding through the development of a site-specific DCP with flood mitigation controls.</p> <p>The proponent submitted a 'Flood Risk Assessment', prepared by Consulting Engineers - Taylor Thomas Whiting (TTW), dated December 2023, which specifically addressed the required flood analysis and all the recommended measures which need to be implemented on site to ameliorate any potential impacts in the affected area, located on the northern boundary.</p> <p>These measures include adopting Flood Planning Levels that are to be at the 100-year flood level, or the 1% AEP plus freeboard as outlined under Section 4.5 – Fill and Flood Levels of the Campbelltown Engineering Design for Development 2009 in the supporting Flood Study by Taylor Thomson Whitting (NSW).</p> <p>The Flood Planning Controls associated with the 1% AEP flood event are as follows:</p> <ul style="list-style-type: none"> <li>• To avoid the increase of flood hazard or risk from the new development:</li> <li>• The proposed concept is unlikely to have any significant impact on flood risk or hazard in the 1% AEP. However, this will also be managed through site grading and design with a detailed Flood Impact and Risk Assessment completed during the DA process.</li> </ul>

**80 O'SULLIVAN ROAD, LEUMEAH**  
**PLANNING PROPOSAL**

Consideration of Local Planning Directions	Consistent	Comment
		<ul style="list-style-type: none"> <li>For Commercial and Industrial developments, the Finished Floor Level is required to be at the 1% AEP flood level plus 500 mm freeboard.</li> <li>The 1% AEP flood level is 54.70 m and requires a flood planning level of 55.20 m. The proposed concept plan has an indicative ground floor of commercial level of 58.30 m which is significantly above the freeboard requirement. A detailed review of building thresholds and compliance with freeboard requirements will be completed during the DA process.</li> <li>A minimum 150mm is required above the finished surrounding ground levels. Council recommends adoption of up to 300 mm where overland flow exceeds 150 mm.</li> <li>this can be achieved through the site grading, levels and threshold design during the DA process.</li> <li>For underground car parks, the lip of the driveway entry and exit are to exceed the 1% AEP flood level and demonstration that access points are not affected during the 1% AEP should be provided.</li> <li>the Basement car park entrance of O'Sullivan Road will be located above the PMF.</li> </ul> <p>A reference scheme has been provided to show indicatively what the site might look like if it were to be developed as per the amended LEP controls.</p>

<b>Consideration of Local Planning Directions</b>	<b>Consistent</b>	<b>Comment</b>
		<p>Any future development on the site would be subject to development approval granted by Council or the Local Planning Panel and would be subject to compliance with various environmental controls including flooding and flood impact. Specific controls pertaining to flooding are also included in the draft DCP to ensure there is no impact.</p> <p>At the 1% AEP flood, the site is predominantly flood free and for the Probable Maximum Flood, there is still adequate flood free parts of the site to enable evacuation. The flood maps have identified that there is no additional flood impacts to adjoining properties.</p>
4.2 Coastal Management	N/A	Not relevant to the PP.
4.3 Planning for Bushfire Protection	N/A	The site is located in a developed urban area.
4.4 Remediation of Contaminated Land	N/A	Not relevant to the PP.
4.5 Acid Sulfate Soils	N/A	Not relevant to the PP.
4.6 Mine Subsidence and Unstable Land	N/A	The site is not within a Mine Subsidence District.
<b>Focus Area 5: Transport and Infrastructure</b>		
5.1 Integrating Land Use and Transport	Yes	The site is within 400m of Leumeah 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	N/A	It is not proposed to reserve land for public purposes.
5.3 Development Near Regulated Airports and Defence Airfields	N/A	Not relevant to the PP.

**80 O'SULLIVAN ROAD, LEUMEAH**  
**PLANNING PROPOSAL**

<b>Consideration of Local Planning Directions</b>	<b>Consistent</b>	<b>Comment</b>
5.4 Shooting Ranges	N/A	Not relevant to the PP.
<b>Focus Area 6: Housing</b>		
6.1 Residential Zones	Yes	The site is <u>not</u> located within a residential zone, although shop-top housing is a form of housing which is permissible within the MU1 Mixed Use zone. The PP is consistent with this Direction as additional dwellings would be near 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	N/A	Not relevant to the PP.
<b>Focus Area 7: Industry and Employment</b>		
7.1 Business and Industrial Zones	N/A	The PP is consistent with this Direction as the PP will incorporate the existing hotel and provide additional commercial/retail floor space.  The proposed amendment would increase the potential uses for the site in accordance with the MU1 Mixed Use zoning.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	Not relevant to the PP.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not relevant to the PP.
<b>Focus Area 8: Resources and Energy</b>		
8.1 Mining, Petroleum and Extractive Industries	N/A	Not relevant to the PP.
<b>Focus Area 9: Primary Production</b>		

**80 O'SULLIVAN ROAD, LEUMEAH**  
**PLANNING PROPOSAL**

<b>Consideration of Local Planning Directions</b>	<b>Consistent</b>	<b>Comment</b>
9.1 Rural Zones	N/A	Not relevant to the PP.
9.2 Rural Lands	N/A	Not relevant to the PP.
9.3 Oyster Aquaculture	N/A	Not relevant to the PP.
9.4 Farmland of State and Regional Significance on the NSW Far Coast	N/A	Not relevant to the PP.

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

### 8. 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.

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

Yes.

#### Traffic and Access

A Traffic Assessment Report prepared by Traffix, Traffic and Transport Planners has been submitted in support of the PP. The Traffic Assessment Report provides an assessment on car parking requirements, traffic and transport impacts and access and internal design requirements.\

The report concluded the number of parking spaces proposed (albeit in a conceptual way) would be sufficient to cater for the PP however a further assessment would be required for the lodgment of a development application for any future redevelopment on the site.

Traffic generation was modelled in SIDRA which identified that all intersections would operate with spare capacity with minor increases in the average delay. The vehicular access and internal design would all be designed in accordance with the relevant Australian Standards and would be assessed at the development application stage.

The PP was referred to Council's Traffic Engineers for an assessment of the PP and the following comments were raised:

1. No access shall be allowed from Pembroke Road (state road) for the following reasons:
  - Flood water will enter the loading area and basement in 1 per cent AEP flood event which is not acceptable.
  - It's highly likely that TfNSW will not support direct access to/from Pembroke Road.
2. The adopted low values of peak hour trip generation (for hotel, retail, and apartment) may be attributed due to the closeness to the train station however the low values need to be supported by evidence. The traffic report is silent about the source of the data.

3. Insufficient detail has been provided about the nature of the hotel being proposed as it affects the trip generation and parking rates.
4. The low PM peak hour trip generation of 111 vehicles per hour is at odds with the provision of 320 off-street parking as the peak hour trip is closely related with the number of vehicles parked on site.
5. The submitted traffic report states that the intersection of O'Sullivan Road and Pembroke operates at LOS of A and B in peak hour AM and PM respectively, however, items numbers 3 and 4 above may impact the actual LOS. In addition, future scenario modelling of the 10-year design horizon has not been provided.

The PP was referred to TfNSW for review and the following comments were provided that were required to be addressed prior to the approval of the PP:

- All site access be provided from the local road network i.e., from O'Sullivan Road. Given that a safe and practicable access to the site is available from O'Sullivan Road, TfNSW reiterates that it is not supportive of maintaining access from Pembroke Road. TfNSW requires that the PP be amended to enable all site access from O'Sullivan Road prior to the finalisation of the plan. It should be noted that TfNSW will require existing vehicular access on Pembroke Road to be closed off and road reserve reinstated to the satisfaction of TfNSW at full cost to developer/s as part of the future development application/s.
- TfNSW advises that strategic investigations for the duplication of Pembroke Road corridor have been undertaken, however there is currently no funding allocated to develop the PP further. The duplication is anticipated to affect existing vehicular access, and associated deceleration lane, to the site.
- It is unclear whether there is any Easement for Access (Right of Carriageway) at existing vehicular access on Pembroke Road which benefits adjoining land parcels. If so, the proposed site access on O'Sullivan Road should include such easements benefitting adjoining land parcel/s in consultation with affected landowners. This is to ensure that any adjoining land parcel/s, especially Lot: 101 DP: 1126056 with a frontage on Pembroke Road, which may be a current beneficiary to any such easement do not rely on access from Pembroke Road in the future.
- TfNSW advises that there is a plan to upgrade the roundabout of Pembroke Road, Rudd Road, and O'Sullivan Road into a signalised intersection. However, this investigation is strategic in nature and there is currently no funding allocated to develop the PP further.

- The northern approach of O'Sullivan Road at the Pembroke Road/Rudd Road roundabout currently has a pedestrian refuge. The indicative reference scheme appears to replace the refuge with a marked pedestrian (zebra) crossing. TfNSW advises that installing a marked pedestrian (zebra) crossing in close proximity to the roundabout could adversely affect its operation and could lead to potential road safety issues. Furthermore, the TIA report does not provide information on whether warrants for a marked pedestrian (zebra) crossing are met at this location. Given the above, TfNSW is not supportive of a marked pedestrian (zebra) crossing at this location.
- The indicative reference scheme appears to propose a marked pedestrian (zebra) crossing along proposed Green Pedestrian Link across Pembroke Road at the Smiths Creek bridge. It is noted that guardrails are currently provided on both sides of the bridge to maintain road safety. Given that there is a plan to upgrade the Pembroke Road/Rudd Road/O'Sullivan Road roundabout to a signalised intersection in the future, TfNSW is not supportive of a marked pedestrian (zebra) crossing or a midblock signalised crossing on Pembroke Road at the location due to close proximity.
- The indicative reference scheme appears to show a driveway crossover on Pembroke Road immediately west of the Smiths Creek bridge. The driveway crossover appears to provide access to the adjoining land parcel (Lot: 101 DP: 1126056). It is highlighted that there is currently no driveway crossover at this location. TfNSW is unlikely to support a new access to Lot: 101 DP: 1126056 from Pembroke Road should it be a beneficiary of an Easement for Access (Right of Carriageway) on adjoining land parcel/s which would enable access from the local road network i.e., O'Sullivan Road.
- TfNSW considers that traffic surveys conducted in June 2021 are unlikely to be a true reflection of typical traffic conditions at the three modelled intersections, due to a general reduction in commuter trips during peak hours associated with temporary COVID-19 work- from-home arrangements. TfNSW advises that the Traffic Impact Assessment report should utilise available historical traffic survey data, say from 2018/19, to update intersection modelling. The historical traffic survey data may be available with Council or private traffic survey companies (at cost).
- TfNSW considers that the Existing Scenario (Base) modelling results do not reflect typical traffic conditions observed on site. The Existing Scenario (Base) model should be calibrated to reflect existing traffic conditions, including queue lengths, prior to progressing with modelling the Future Scenario (with development).
- While TfNSW has not reviewed SIDRA modelling files (.sip), based on the review of the Traffic Impact Assessment report, it appears that the 3 affected intersections may have

been modelled as isolated intersections. Given the proximity of 3 modelled intersections, and considering observed traffic queue lengths on Pembroke Road, these intersections should be modelled as 'Networked' intersections rather than 'Isolated' intersections, if not already undertaken.

- While TfNSW has not reviewed SIDRA modelling files (.sip), if not already undertaken, the two signalised intersections should be modelled using key operational features (cycle time, phasing, etc.) that can be obtained from SCATS data sourced from TfNSW (at cost).
- The Traffic Impact Assessment report does not confirm the assessment year of the Existing and Future (with development) intersection performance results provided. Given that the traffic surveys have been undertaken in 2021, it is likely that the assessment year would be 2021. TfNSW however requests clarification in this regard.
- TfNSW highlights that it is not appropriate to undertake intersection assessment assuming 100 per cent development will be implemented in 2021 given that the development is still at the PP stage. TfNSW advises that a reasonable delivery timeframe for the 100 per cent development should be adopted and modelled. A +10-year horizon assessment/modelling should then be conducted based on the 100 per cent development delivery timeframe to demonstrate that the development will not utilise spare capacity at the intersections and therefore will not bring forward future upgrades.
- The TIA report, including SIDRA intersection modelling files (.sip), should be updated to address above comments and submitted to TfNSW for further review and comment prior to the finalisation of the plan.
- The indicative reference scheme proposes provision of 320 car parking spaces for the PP. 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.
- At the time of submitting this PP, the (former) DPIE was currently undertaking an employment zone reform, which eventually combined the B1 Neighbourhood Centre and B2 Local Centre zones to create an MU1 Mixed Use zone, with a broader array of mandated permissible uses than currently occurs in the existing 'B' zones. This process has been completed and all references to the previous B1 and B2 zones have not been replaced with MU1 – Mixed Use. It was also recommended that the impact of this reform is considered in terms of potential uses and transport impacts.

- The PP should include a transport infrastructure schedule and implementation plan identifying infrastructure improvements including land components, cost, timing and delivery responsibilities, funding mechanisms (to ensure equitable developer contributions towards infrastructure are obtained) and travel demand management and monitoring measures.
- The Proponent provided additional information to Council and the Draft Site Specific DCP was amended to allow for the existing use to continue on site with current access arrangements that will then be decommissioned, with no access to Pembroke Road for any new development.

### Flooding

The site is partially flood affected on the eastern boundary and the submitted PP justification report failed to adequately address this issue. The depth of flood waters on the affected area in the 1:100 event is at a maximum depth of approximately 500mm.

*Council's Engineers reviewed the original proposal and the following is a summary of their comments:*

*"The site is a Flood Control Lot with respect to 1 per cent Annual Exceedance Probability (AEP) flood due to flooding from Smith's Creek traversing the property.*

*A Flood Control Lot is defined in the State Environment Planning Policy (Exempt and Complying Development Codes) 2008 - REG 1.5 as "a lot to which flood related development controls apply in respect of development for the purposes of industrial buildings, commercial premises, dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (other than development for the purposes of group homes or seniors housing)".*

Currently, floodwater from Smith's Creek breaks out from the channel bank due to the restriction of the culvert under Pembroke Road and enters lots 101 and 201 (refer to flood map below). It is possible; subject to future flood modelling by the applicant, to remove the whole flooding affectation from the site for the 1 per cent AEP event depending upon future design. In this regard, it is suggested that the applicant consult with the owners of the neighbouring lots to come up with a coordinated design approach."

Given that the inconsistency with this direction was only minor, the DPE imposed the following condition in the issued Gateway Determination, which stated:

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:*

*(b) Include further flood analysis in relation to the Probable Maximum Flood showing pre and post development scenario to determine risk and potential impact (this is to enable consideration of issues such as flood duration, velocity and safe evacuation and how these can be mitigated, prior to any final decision being made post exhibition the inconsistency with this direction is of minor nature."*

In response, the proponent lodged a "Flood Risk Assessment", prepared by Consulting Engineers - Taylor Thomas Whiting (TTW), dated December 2023, which addressed these issues and concluded with the following recommendations.

In accordance with the Campbelltown City Council LGA, Flood Planning Levels to be adopted during the development of site are to be at the 100-year flood level, or the 1% AEP plus freeboard as outlined under Section 4.5- Fill and Flood Levels of the Campbelltown Engineering Design for Development 2009.

The Flood Planning Controls associated with the 1% AEP flood event are as follows:

- To avoid the increase of flood hazard or risk from the new development. The proposed concept is unlikely to have any significant impact on flood risk or hazard in the 1% AEP. However, this will also be managed through site grading and design with a detailed Flood Impact and Risk Assessment completed during the DA process.
- For Commercial and Industrial developments, the Finished Floor Level is required to be at the 1% AEP flood level plus 500mm freeboard. The 1% AEP flood level is 54.70m and requires a flood planning level of 55.20m. The proposed concept plan has an indicative ground floor of commercial level of 58.30m which is significantly above the freeboard requirement. A detailed review of building thresholds and compliance with freeboard requirements will be completed during the DA process.
- A minimum 150mm is required above the finished surrounding ground levels. Council recommends adoption of up to 300mm where overland flow exceeds 150mm. This can be achieved through the site grading, levels, and threshold design during the DA process.
- For underground car parks, the lip of the driveway entry and exit are to exceed the 1% AEP flood level and demonstration that access points are not affected during the 1% AEP should be provided. The Basement car park entrance of O'Sullivan Road will be located above the PMF."

This matter has now been resolved with flood analysis undertaken and provisions in place in the draft DCP for further assessment at development application stage.

#### Contamination

The Proponent has submitted a Preliminary Site Investigation (PSI) prepared by Hunter Civilab in support of the PP which has been reviewed by Council's Senior Environmental Officer. The report states that potential contamination sources are limited and that there are no visible signs of gross contamination on the site. The PSI provided is satisfactory and satisfies clause 5 of the Ministerial Direction 2.6. It demonstrates that the site is suitable for a residential or mixed-use zoning in terms of clause 4 of the Ministerial Direction. Therefore, it is considered that the PP can progress.

#### Bushfire

The site has a minor bushfire affection to the south-western boundary, which is categorised as 'vegetation buffer'. The bushfire affection of the site is considered to be minor and would be able to be managed with reasonable building measures in the event of a development application, the bushfire risk to the site is not considered to be a significant impact to stop the progression of this PP.

#### Trees

Management Solutions in support of the PP. The site is predominantly clear of trees and vegetation and would not result in the removal of threatened species vegetation. The report assesses existing trees on the site and adjoining properties.

Ten trees are identified on the site with a number located on the property boundary or within close proximity to the boundary on the adjoining properties, which would also be impacted by the future redevelopment on the site.

It is considered the actual number of trees able to be retained on the site is a matter for consideration at the development application stage.

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

Yes.

While the PP has not been supported by a social or economic assessment, it is anticipated that the PP will not result on any negative impacts on social and economic matters. However, several matters that were raised during the assessment of the PP are discussed below.

The PP will have social benefits, as it will provide more housing within close proximity to the railway line. It will also increase population within Leumeah Centre which will help the businesses within the Centre.

The PP will also kick start the revitalisation of Leumeah Centre by facilitating the redevelopment of the site and potentially facilitate the provision of high standard public open spaces to all residents and the general public.

### Building Heights

The PP seeks to increase the building height of the site from 12m to part 33m and part 38.5m.

The Campbelltown Local Planning Panel considered an earlier version of the PP and advised that:

- the proposed heights of 55m and 43m were significantly higher than that which would ordinarily be anticipated for an urban village,
- the height of the PP having regard to the hierarchy of centres detailed in the Reimagining Campbelltown City Centre Master Plan which places Leumeah's status as subservient to the main centre of Campbelltown,
- the need to transition the scale down towards the existing residential development on the opposite side of adjacent roads, and
- the current maximum 12m building height (3-4 storey) for the site is considered too low and not in keeping with the Leumeah Precinct Plan in the Glenfield to Macarthur Urban Renewal Corridor Strategy. Currently, the tallest building in Leumeah Centre is an 8-story mixed use development. This existing building has maintained the human scale and issues of traffic and overshadowing have readily been addressed.

To determine an appropriate and suitable building height for this site, the following in-house detailed assessment has been undertaken:

- Assessment against Reimagining Campbelltown City Master Plan, including the centre's hierarchy,
- Analysis of the RLs within the Campbelltown CBD from key points and sites, and
- Overshadowing on adjoining low density residential properties.

Detailed analysis of the RLs within Campbelltown and Leumeah Centres has been undertaken to investigate the potential impacts of the requested building height on the skyline and the views.

The analysis considered the local view lines as outlined in the Reimagining Campbelltown City Centre Master Plan. Having regard to these important view lines, it is clear that any building on this site should have a maximum relative height of less than 100 m AHD (Australian Height Datum).

To better understand the visual impact of the proposed building height by the Proponent within the context of the Campbelltown LGA a further comparison between some of the most prominent sites and buildings within Campbelltown LGA is presented in the Table 4 below:

**80 O'SULLIVAN ROAD, LEUMEAH**  
**PLANNING PROPOSAL**

Table 4 – Building Height Comparison

Location	Site RL at ground level	Top of Building RL	Building height in metres/ number	No of Storeys
Campbelltown Hospital	83.2	135.6	52.4 m	12
22-32 Queen Street	68	120*	52*	17*
541 Pembroke Road, LEUMEAH NSW 2560 (Leumeah 7-8 storey mixed use retail/residential apartments) at the corner of Pembroke Road and Old Leumeah Road	60	81.3	20.3	8
Intersection of Campbelltown Road and Rose Payten Drive	62	-	-	-
Apartment building corner of Queen and Broughton Streets	-	104.4	33.98	10
Roundabout Badgally Road and Glenroy Drive	98	-		
Centenary Park and Lookout	126	-	-	-
95 Badgally Road, BLAIRMOUNT NSW 2559	126	132		
Kanbyugal Reserve, Woodbine	100	-	-	-
Payten Reserve	87	-	-	-
Intersection of Campbelltown Road and Plough Inn Road	56	-	-	-
Proponent's original PP	58	<b>113</b>	55	18
Proponents revised PP	58	<b>96.5</b>	38.5	12
*Proposed and not built yet				

The above analysis indicates that an RL for the top of any building should be lower than 100RL so as to ensure centre hierarchy is maintained and the skylines as you enter Campbelltown are not highly impacted by the redevelopment of this site.

### Overshadowing

Council staff have used 3D software to analyse and understand the impacts of the proposed building heights on surrounding properties. A reduced building height of 38.5m and 33m will ensure that all adjoining properties will have solar access that is above the minimum industry standard of 3 hours solar access on 21 June.

The above analysis (points 1-3) has informed the proposed revised building height of 38.5m and 33m for the site. It is considered this will:

1. Ensure that Leumeah Town Centre evolves into an 'urban village' centre to maintain human scale and centre's hierarchy,
2. Have lesser impact on overshadowing on the low and medium density residential properties surrounding the site,
3. Still provide for higher densities within walking distance from the railway station,
4. Maintain views and provide for acceptable visual impacts on the surrounding landscape and reserves, and
5. Not significantly intrude in the skyline of Campbelltown as people enter the city from Campbelltown Road.

It is anticipated that there will be no environmental effect as a result of the PP. The PP does not seek to amend the zoning of the site. The PP seeks to increase the maximum permissible height of buildings for the site and limit development by including a maximum floor space ratio.

### Noise

The Proponent has submitted a Noise Impact Assessment prepared by WSP Australia Pty Ltd in support of the PP. The Noise Impact Assessment establishes acoustic criteria for the PP in relation to noise from mechanical plant, noise from road traffic generation, noise from traffic onto the site, acoustic separation and BCA criteria and entertainment noise limits from the hotel/pub.

The Noise Impact Assessment was referred to Council's Senior Environmental Officer and no concerns or objections were raised. Notwithstanding, any future development application lodged for the site will also take into consideration adverse noise impacts and apply measures to minimise any impact.

### Open space

The PP does not include a proposal to rezone any part of the site as open space due to the small size

of the site. The urban design report does however demonstrate 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 typical floor plate plans also identify that the first floor of the development would potentially be created as a communal private open space area to service residents of the site in addition to a dedicated open space area at the ground floor level. This space is proposed to potentially contain amenities, 2 common rooms, children's play area, seating, and landscaped area.

The immediate locale is not benefitted by the provision of an open space area which is provided with amenities and play facilities. The nearest open space is Bellevue Park which is a 1.8 km walk from the site and Pembroke Park which is approximately 2.4 km from the site. The PP seeks to compensate for the lack of open space by providing play facilities in the communal private open space area at the first-floor level.

The site has pedestrian access to Smiths Creek Reserve which has a pedestrian walking path which may be utilised for recreational exercise. However, Smith Creek reserve is in need of embellishment, and when upgraded it would provide a much needed passive open space area for the current and future residents of Leumeah Centre.

## Section D – State and Commonwealth Interests

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

No.

The PP may result in a need for additional public infrastructure and may impose additional demands on local infrastructure, public or community services. The site is located in close proximity to existing bus and train services.

This matter will be further confirmed, once the revised traffic study is prepared as there may be a need to upgrade some of the roads within the locality, in particular the roundabout at Pembroke and O'Sullivan Road.

There may be some additional matters in relation to infrastructure upgrades that may be raised as a result of the public exhibition and consultation with public authorities.

In addition, there is also a need for additional passive open space as Leumeah Centre. Potentially Smith's Creek open space area, which is adjacent to the site can be upgraded to provide for the need of the future residents.

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

Consultation occurred with public authorities identified in the Gateway Determination.

Council undertook consultation with the following public authorities/agencies with four of the seven responding during the consultation period. The matters raised are discussed below.

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

#### Transport for NSW

Transport for NSW (TfNSW) has provided ongoing assessment and comments on this PP from 7 October 2021. In previous comments, TfNSW raised no objection to the PP, however concern has always been raised on the access arrangements proposed to the site.

On 5 June 2024, TfNSW providing updated comments superseding their previous comments dated 19 February 2024. A summary of each issue is provided below.

#### Access

- Ensure that all access to the proposed development site is exclusively through O'Sullivan Road.
- Remove the existing driveway crossover on Pembroke Road and reinstate the road reserve to TfNSW satisfaction.
- All construction access must be from O'Sullivan Road, not Pembroke Road.

#### Draft DCP - Part 17.3.7 Parking and Access

- Amend Control 2 to include additional wording in bold:

*Control 2: Vehicle access is to be provided in accordance with the Staging Plans provided at Figure 3 and Figure 4 as follows:*

- During Stage 1 vehicle access to the existing Leumeah Hotel shall continue to be provided via Pembroke Road. This access shall be used to service Stage 1 of the development.
- Upon completion of Stage 2, vehicle access to the basement car park shall be provided via O'Sullivan Road.
- **After completion of Stage 1 vehicle access on the State Road (Pembroke Road) will be restricted to construction vehicles only. On completion of Stage 2 development, all access to the site is to be via O'Sullivan Road.**

#### Urban Planning Study New Mixed Use Development Leumeah

- Amend the Urban Planning Study New Mixed Use Development Leumeah (the Planning study) prepared by Integrated Design Group Pty Ltd dated 22 March 2023, page 29 Design Response – Pedestrian Through Site Link, by removing any reference to access from Pembroke Road to the site.

#### Traffix Traffic Impact Assessment (TIA) June 2023 and Letter March 2024 in response to TfNSW Comments

The following comments still remain unresolved:

5-5 Refuse Collection and Servicing and 7.1.2 Pembroke Road Access

- update the TIA to reflect that refuse collection and servicing activities will utilise the access from O'Sullivan Road, with Pembroke Road access to be removed. Ensure that the access at O'Sullivan Road is designed to accommodate the longest vehicle required to access the site simultaneously with a B99 vehicle.

6.5.2 Future Scenario

- include the cumulative traffic impacts associated with the PP and any other proposed/approved developments and rezoning in the area,
- unclear if the vehicles turning left in and left out of the existing access arrangement at Pembroke Road have been reallocated to exit from O'Sullivan Road access,
- what the impacts are of the existing and additional development traffic in particular at the intersection of Pembroke Road/O'Sullivan Road/Rudd Road as a result of the access changes. There may be a need to investigate improvements to the roundabout in the interim to accommodate the additional traffic as a result of the development, and
- validate the traffic counts used in the June 2018 study to confirm if they were conducted during school holidays. Ideally, update the counts with more recent data post Covid-19 lockdowns.

Duplication Pembroke Road Corridor Investigation

- TfNSW have previously provided advice that strategic investigations for the duplication of Pembroke Road corridor have been undertaken. Please note that the status of this project remains as per TfNSW advice provided on 7 October 2021 that no funding has been allocated to develop the proposal further.

Existing Easements on the Site

- the Proponent is responsible for ensuring that the existing easements for access across the site are appropriately varied, replaced and/or extinguished by agreement with the adjoining landowners as part of the future re-development the Site.

**NSW Rural Fire Service (RFS)**

RFS raised no objection to the PP, subject to a report being prepared by a suitably qualified bush fire consultant which demonstrates the finalised plans following the requirements of Planning for Bush Fire Protection 2019 (PBP 2019). The requested bush fire consultant's report should consider the technical considerations identified in Section 8.2.2 – Multi-storey residential development, where applicable. This is a normal requirement at development application stage for development on

bushfire prone land and will support any future development application.

RFS has not requested a strategic bushfire study under section 4.2 of Planning for Bushfire Protection, which is sometimes requested at the PP stage.

### **Endeavour Energy**

Endeavour Energy provided generic commentary to support the PP including information that will assist the developer to meet their requirements should the development proceed.

There were no issues raised by Endeavour Energy in relation to the PP or proposed development.

### **Sydney Water**

Sydney Water provided the following information to assist in planning the servicing needs of the proposed development:

- water and wastewater servicing should be available to service future development on the site, and
- amplifications, adjustments, and/or minor extensions may be required.

Sydney Water advised that the Proponent should engage directly with Sydney Water as soon as possible to facilitate discussion of their needs and to understand staging of the development.

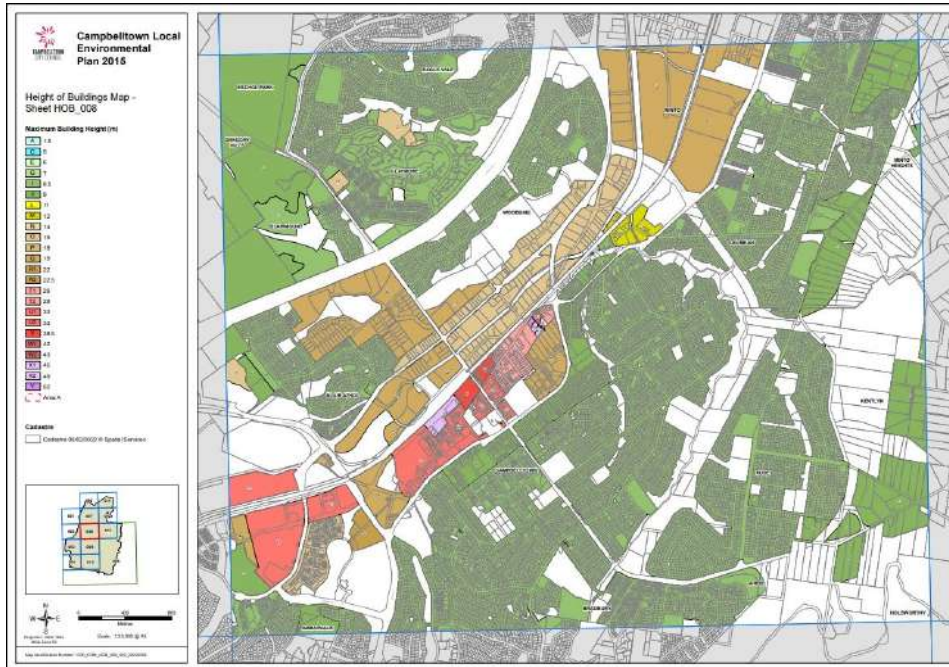
## Part 4 – Mapping

The PP seeks to amend the Floor Space Ratio map and the Maximum Height of Buildings map in CLEP 2015 insofar as they apply to 80 O'Sullivan Road, Leumeah as proposed in Table 4 below. The current and proposed maps are attached to this proposal.

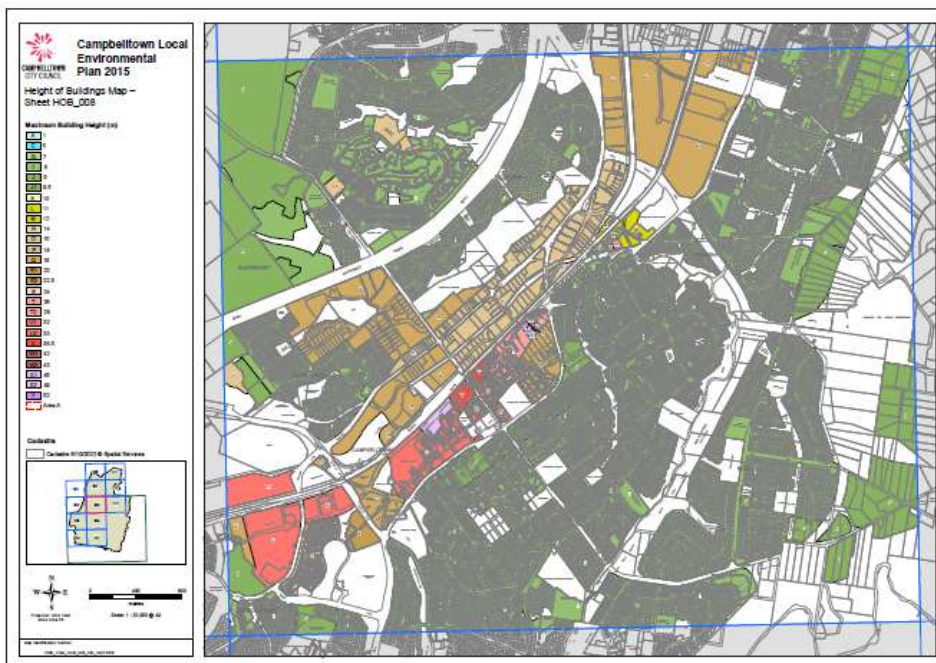
Table 4 – Mapping Amendments

Map	No	Requested Amendment
Height of Buildings	HOB_008_002 Date: 10 June 2022	Amend by providing a height limit of 33m and 38.5m.
Floor Space Ratio	FSR_008_002 Date: 17 July 2023	Amend by providing a floor space ratio of 2:1

## Current Map Height of Building Map



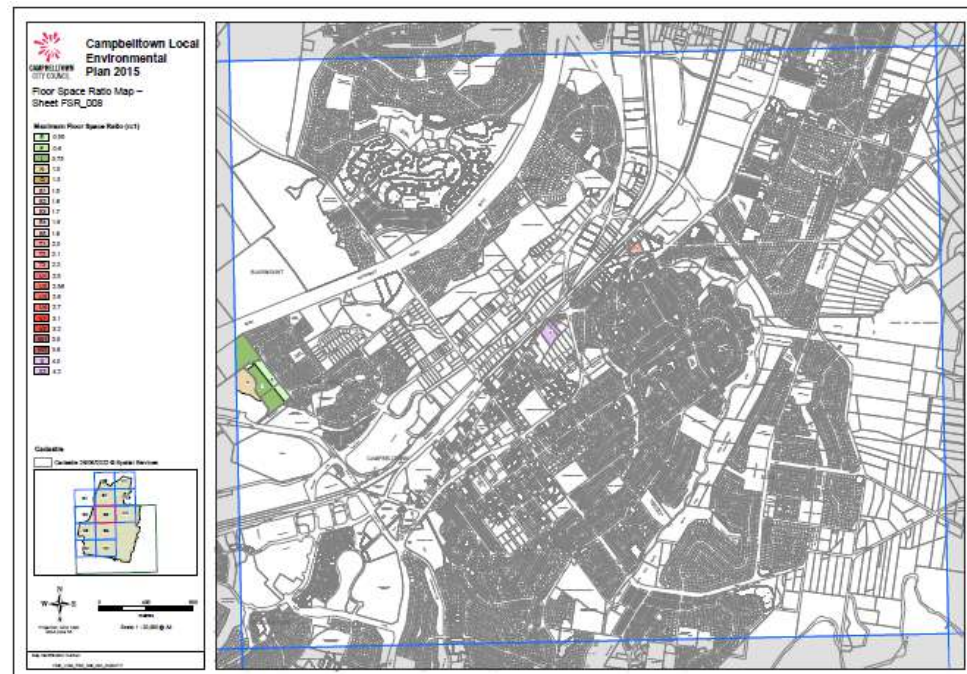
## Proposed Height of Building Map



## Current Floor Space Ratio Map



## Proposed Floor Space Ratio Map



## Part 5 – Community consultation

This PP aligns with the standard criteria under the LEP Making Guideline as shown in Table 5 below:

Table 5: Standard PP Criteria

Criteria	Comments
To change the land use zone where the proposal is consistent with the objectives identified in the LEP for that proposed zone	The PP does not include an amendment to the current MU1 Mixed Use zone under the CLEP 2015.
That relates to altering the principal development standards of the LEP.	The PP includes an amendment to building height and introduces an FSR of 2:1.
That relates to the addition of a permissible land use or uses and/or any conditional arrangements under Schedule 1 Additional Permitted Uses of the LEP	N/A
That is consistent with an endorsed District/ Regional Strategic Plan and/or LSPS	The PP is considered consistent with the LSPS and the regional and district plans – refer to the relevant section under this PP for more information
Relating to classification or reclassification of public land through the LEP	NA

The PP and associated studies were publicly exhibited from Monday 8 January 2024 until Friday 16 February 2024.

The draft DCP was exhibited from 6 May 2024 until 10 June 24.

Landowners in the vicinity of the site were notified of the public exhibition in accordance with Council's Community Participation Plan.

Exhibition materials were made available on Council's website and the NSW Planning Portal website. Hard copies were made available at Council's administration Centre and HJ Daley Library.

Seven public authorities were notified in writing of the public exhibition in accordance with the conditions of the Gateway Determination.

### **Residents/Landowner Submissions**

For both submission periods, a total of 11 submissions from residents and adjoining landowners were received through the NSW Planning Portal and Council's website. Of these submissions, 4 were supportive, 3 were neutral and 4 objected to the PP.

Submissions in support favoured the PP based on the proximity to public transport and the creation of additional homes in a good location. Mixed-use development was also seen favorably, creating amenity for the community including more dining options.

### **Adjoining Landowners**

Adjoining landowners have raised consistent concerns with the proposed development advising that they were not meaningfully engaged by the Proponent or Council during the assessment of the PP. Council met on multiple occasions with the adjoining landowners and their representatives to address their concerns, which focus on pedestrian access and through-links to their sites, existing vehicle easement access and potential impacts from flooding on their properties.

## Part 6 – Project Timeline

Table 6 – Project Timeline

Date	Action
26 July 2021	Consideration by council
6 June 2023	Council decision
22 September 2021	PP presented to the Local Planning Panel
17 May 2022	Councillor briefing
29 October 2021 17 December 2021 17 February 2022 18 May 2023	PP presented to the Campbelltown Design Excellence Panel
10 October 2023 14 October 2024	Gateway determination
December 2024	Pre-exhibition
8 January 2024 – 16 February 2024 (PP) 6 May 2024 – 10 June 2024 (DCP)	Commencement and completion of public exhibition period
March – June 2024	Consideration of submissions
March – June 2024	Post-exhibition review and additional studies
July 2024	Submission to the Department for finalisation (where applicable)
August 2024	Gazettal of LEP amendment