

## 8.4 St Helens Park - Outcome of Public Exhibition - Planning Proposal

### Reporting Officer

Executive Manager Urban Centres  
City Development

### Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.1 - Support the resilience, growth and diversity of the local economy

### Officer's Recommendation

1. That Council forward to the Minister for Planning and Public Spaces, the Appin Road and Kellerman Drive - St Helens Park Planning Proposal at attachment 1 to this report, and request that the amendment to the Campbelltown Local Environmental Plan 2015 be made.
2. That affected land owners and all those who made a submission during the public exhibition period be advised of Council's decision.

### Purpose

The purpose of this report is:

1. To advise Council of the outcome of the public exhibition of the subject Planning Proposal in accordance with the Council resolution of 12 May 2020.
2. To seek Council's endorsement to make the requested amendments to Campbelltown Local Environmental Plan 2015 (CLEP 2015).

**Property Description:** Lot 6202 DP 1203930 (Historic Lot 1112 DP 1025751)  
Corner of Appin Road and Kellerman Drive, St Helens Park.

**Applicant:** Premise Consulting Group

**Owner:** GM Amalgamated Investments Dulwich Hill Pty Ltd and  
JM Associated Investments Pty Ltd

### Executive Summary

- This report relates to a Planning Proposal (PP) the south eastern corner of Appin Road and Kellerman Drive, St Helens Park. The PP seeks to rezone the land under CLEP 2015, from the R2 Low Density Residential zone to the B1 Neighbourhood Centre zone so as to allow the opportunity for a future neighbourhood retail and shop top housing development on the site.

- The site is partly developed with a service station and convenience store. The development consent for this use was issued in accordance with the Schedule 1 'Additional permitted uses' provisions of CLEP 2015 that permits on the land a 'service station' and 'neighbourhood shop' as additional land uses, not otherwise permitted in the R2 Low Density Residential zone.
- The PP also requests the amendment of the associated development standard provisions of CLEP 2015 to align with the B1 Neighbourhood Centre zone, including an increase in the maximum permissible height from 8.5 m to 9.0 m and the consequential deletion of the additional permitted uses clause that applies to the site, as this clause would become redundant given that a 'service station' and 'neighbourhood shop' are permissible land uses in the B1 Neighbourhood Zone.
- At its meeting on 12 May 2020 Council resolved to proceed with the public exhibition of the PP subject to a successful Gateway Determination and an updated traffic study.
- A Gateway Determination (attachment 3) was issued by the Department of Planning, Industry and Environment (DPIE) on 9 August 2020. The traffic and site contamination studies were undertaken by the proponent to satisfy the requirements of the Gateway Determination.
- The PP was publicly exhibited from 10 May 2021 to 7 June 2021 on Council's website and the NSW Planning Portal in accordance with the Gateway Determination.
- All affected and adjacent landowners were notified in writing of the public exhibition, including the nearby Ambarvale High School and Rosemeadow Market Place. The NSW Environment Protection Authority (EPA) and Transport for NSW (TfNSW) were also separately notified in accordance with the Gateway Determination conditions.
- Three submissions were received in response to the public exhibition of the PP:
  - One submission from the EPA (attachment 4), advising that it had no comments or concerns regarding the PP
  - One submission was received from TfNSW (attachment 5) advising that it did not support the proposal for traffic safety reasons and
  - One submission was received from a resident of St Helens Park (attachment 6) opposing the construction of shops given concerns of additional vehicles at the intersection of Kellerman Drive and Appin Road.
- The traffic concerns raised by TfNSW and the local resident have been considered in the traffic and parking assessment accompanying the PP, and it is acknowledged that future road and driveway works would need to be undertaken to provide safe vehicular access to future development of the site. This would need to be resolved at the DA stage. Given the proximity of the site with Appin Road (a state classified road), further consultation with TfNSW would be required at the DA stage to ensure all proposed road design treatments are adequate for any proposed development on the site.

- The Gateway Determination originally granted Council with delegated authority to make the Plan, however as there is at least one unresolved agency submission, Council is not able to exercise the delegated authority provided to it, and therefore the PP will need to be forwarded to the DPIE for finalisation.
- It is of note that the issue raised by TfNSW is a DA matter that could be resolved to its satisfaction, through the normal DA process, following the making of the Plan. The matter raised by TfNSW is not a matter that should be used to hinder the progression or making of the Plan.
- Having regard to the broad strategic merits of the proposal, it is recommended that Council endorse the making of the proposed amendments to CLEP 2015, and forward the PP to the DPIE for finalisation.

## Background

At its Ordinary Meeting held on 12 May 2020, Council considered a detailed report on the subject PP and resolved the following:

1. That Council endorse the attached draft Planning Proposal (the Proposal) which seeks to make amendments to the CLEP 2015 and forward the proposal to the Minister for Planning and Public Spaces for a Gateway determination.
2. That subject to a successful Gateway determination, further in depth traffic studies be required and consultation with the NSW Roads and Maritime Service (RMS) be undertaken given the location of the subject land in proximity to Appin Road.
3. That subject to satisfying the requirements of the Gateway determination, the Proposal be placed on public exhibition and the outcome of that exhibition be reported to the Council.

The above resolution of Council has been addressed as follows:

- The PP was forwarded to the DPIE on 18 May 2020.
- A Gateway Determination (attachment 3) was issued by DPIE on 9 August 2020.
- An updated traffic study (attachment 8) was prepared by the proponent in consultation with RMS/TfNSW and submitted to Council on 5 March 2021.
- A site contamination report was undertaken by the proponent and submitted to Council on 27 April 2021 in accordance with the Gateway Determination conditions.
- The PP was updated having regard to the above studies provided by the proponent and publicly exhibited from 10 May 2021 to 7 June 2021 in accordance with the Gateway Determination.
- The outcome of the exhibition period is reported below for Council's consideration.

## Report

The PP was publically exhibited from 10 May 2021 to 7 June 2021 in accordance with the Gateway Determination conditions (attachment 3) and Council resolution of 12 May 2020 (attachment 7).

All land owners affected by the PP were individually notified in writing. Exhibition materials were made available for public viewing on Council's website and on the DPIEs Planning Portal website, satisfying the requirements for public exhibition under the COVID-19 provisions of the *Environmental Planning and Assessment Act 1979*.

Notification letters were also sent to the Ambarvale High School, Rosemeadow Market Place and adjacent land owners on the western side of Appin Road.

The EPA and TfNSW were also notified in writing in accordance with the requirements of the Gateway determination.

### **Public Submissions**

One submission from a resident of St Helens Park was received (attachment 6) raising concerns about the impact of more vehicles entering and exiting the main intersection of Kellerman Drive and Appin Road, and opposing the construction of these shops.

CLEP 2015 currently permits neighbourhood shops on the land, and in this respect there is a reasonable expectation that additional traffic will be generated from future development on the site adjacent to the existing service station. The traffic concerns raised by the local resident have been considered in the traffic and parking assessment accompanying the PP, and it is acknowledged that future road and driveway works would need to be undertaken to provide safe vehicular access to a development concept as shown by the proponent.

The traffic assessment has identified that a new seagull intersection treatment with Kellerman Drive would need to be constructed to safely accommodate the indicative development concept, and this would need to be resolved at the DA stage prior to any future development of this nature occurring on the site. Given the proximity of the site with Appin Road, further consultation with TfNSW would be required at the DA stage to ensure all proposed road design treatments are adequate for any proposed development on the site.

### **Government Agency Submissions**

Details of consultation with Government agencies is provided below.

- EPA

EPA has confirmed in writing (attachment 4) that it has no comments or concerns regarding the PP.

- RMS/TfNSW)

A written submission was received following the close of the public exhibition period from TfNSW (attachment 5) advising that for safety reasons the PP cannot be supported based on current information provided. The safety issues provided in the submission relate to the lack of detailed design information provided for the required 'seagull intersection' treatment to Kellerman Drive.

Council and the RMS/TfNSW have previously granted development consent for the construction of the service station/convenience store on the land, which included separate entry and exit driveways to Appin Road, and a combined driveway crossover to Kellerman Drive. This approved

design caters for semi-trailers entering and leaving the site for deliveries, as well as cars accessing the existing service station/convenience store. It is anticipated that this existing driveway design would also serve additional neighbourhood shops and residential development on the vacant portion of the site that could reasonably be developed under the existing provisions of CLEP 2015.

The traffic study provided to support the subject PP has identified that an upgrade to the Kellerman Drive access should be provided to safely accommodate traffic for the indicative shop-top housing concept development submitted with the PP. Such a road access upgrade would improve the existing vehicular access arrangements to the service station/convenience store already occupying the site.

However, similar to the DA issued for the existing service station/convenience store, this level of detail would need to be provided at DA stage for any future shop-top housing development in consultation with TfNSW to ensure all proposed road design treatments are satisfactory. It is not considered appropriate to provide this level of design detail at the PP stage as there is no certainty to the content of any future DA and any indicative plans provided with the PP are conceptual in nature and not a guaranteed future development outcome for the site.

Accordingly, the issues raised by TfNSW are considered to be resolvable at the DA stage and should not warrant deferral of the subject PP.

### Gateway Determination Conditions

Gateway Condition	Response
1. The PP is to be amended prior to public exhibition to address Section 9.1 Direction 2.6 Remediation of Contaminated Land.	The exhibited PP (attachment 1) was amended to address Section 9.1 Direction 2.6 Remediation of Contaminated Land, having regard to the Preliminary Site Investigation Report (attachment 9) undertaken by the proponent dated 27 April 2021.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:  (a) the PP is classified as low impact as described in A guide to preparing local environmental plans (Department of Planning and Environment, 2018) and must be made publicly available for a minimum of 28 days; and (b) the PP authority must comply with the notice requirements for public exhibition of PP and the specifications for material that must be made publicly available along with PP as identified in section 6.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).	The PP was exhibited for 29 days from Monday 10 May 2021 to Monday 7 June 2021.

<p>3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions: • TfNSW – RMS Services; and • EPA.</p> <p>Each public authority/organisation is to be provided with a copy of the PP and any relevant supporting material and given at least 21 days to comment on the proposal.</p>	<p>TfNSW and the NSW EPA were provided with a copy of the PP and all relevant supporting material, and given 28 days for a response.</p> <p>Details of the submissions are outlined in the body of this report.</p>
<p>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).</p>	<p>Noted. No public hearing required.</p>
<p>5. The PP authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:</p> <p>(a) the PP authority has satisfied all the conditions of the Gateway determination; (b) the PP is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and (c) there are no outstanding written objections from public authorities.</p>	<p>Noted.</p> <p>The conditions of the Gateway determination and consistency with Section 9.1 Directions have been satisfied, except for one outstanding written objection from Transport for NSW. Accordingly, Council is not authorised to exercise the functions as the local plan-making authority in this instance.</p>
<p>6. The time frame for completing the LEP is by 18 May, 2022. (note the original Gateway determination required the LEP to be completed within 9 months of the date of the Gateway determination and this was modified by DPIE on 21 May, 2021).</p>	<p>Satisfactory.</p>

**Conclusion**

The subject Planning Proposal is owner initiated and seeks to amend the provisions of Campbelltown Local Environmental Plan 2015 relating to land located at the south eastern corner of Appin Road and Kellerman Drive, St Helens Park.

The Planning Proposal seeks to rezone the subject corner allotment from R2 Low Density Residential zone to B1 Neighbourhood Centre zone under CLEP 2015, to allow the development of a neighbourhood retail development to complement the existing service station development on the land.

The Planning Proposal also seeks to amend the related development standard provisions of Campbelltown Local Environmental Plan 2015 to be consistent with the provisions of the B1 zone, including an increase in maximum permissible height from 8.5 m to 9.0 m and the consequential removal of the current additional permitted use of the land as a service station and neighbourhood shop from Schedule 1 of the Campbelltown Local Environmental Plan 2015.

At its meeting on 12 May 2020 Council considered a detailed report on the merits of the proposal, and resolved to proceed with public exhibition subject to a successful Gateway Determination and an updated traffic study. A conditional Gateway Determination was issued by the Department of Planning, Industry and Environment on 9 August 2020. Additional traffic and site contamination studies have been undertaken by the proponent as required by the Council resolution and Gateway Determination conditions.

The Planning Proposal was publicly exhibited from 10 May 2021 to 7 June 2021 in accordance with the Council resolution and Gateway Determination conditions. Three submissions were received including a submission from the NSW EPA advising that it had no comments or concerns with the proposal.

One submission was received from a local resident objecting to the construction of shops on the basis of increased traffic. One submission was received from TfNSW advising that it does not support the PP for safety reasons, relating to a lack of design detail provided for the identified road upgrade works to Kellerman Drive. This detailed design information would reasonably and normally be required at DA stage, when there is certainty as to the development type, the location of driveways and the traffic volumes generated. It is at the DA stage where further consultation with TfNSW would be undertaken, on the basis of the actual development, to ensure all future road design upgrades are satisfactory and respond to the needs or burdens brought by the DA proposal.

Given the strategic merits of the proposal, and the matters that will need to be managed through the appropriate DA process, it is recommended that Council endorse the Planning Proposal (attachment 1) and forward to Department of Planning, Industry and Environment for making of the amendment to Campbelltown Local Environmental Plan 2015.

## **Attachments**

1. Updated Planning Proposal as exhibited (contained within this report)
2. Concept Development Outcome (contained within this report)
3. Gateway Determination (contained within this report)
4. Submission - NSW Environment Protection Authority (contained within this report)
5. Submission - Transport for NSW (contained within this report)
6. Submission - St Helens Park Resident (contained within this report)
7. Council Report 12 May 2020 (contained within this report)
8. Revised Traffic and Parking Study March 2021 (due to size) (distributed under separate cover)
9. Site Contamination Report April 2021 (due to size) (distributed under separate cover)





**Planning Proposal PP-2020-3108**

**Amendment of Campbelltown Local Environmental Plan 2015**

**Corner Appin Road and Kellerman Drive, St Helens Park**

**Rezoning of Subject Land to B1 Neighbourhood Centre Zone, and  
Associated Amendments.**

**April 2021**



## 1. Introduction

The subject Planning Proposal (PP) is owner initiated and seeks to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) to allow the establishment of a local neighbourhood centre on land located at the south eastern corner of Appin Road and Kellerman Drive, St Helens Park.

The subject land is approximately 7,617m<sup>2</sup> in area and zoned R2 Low Density Residential zone under CLEP 2015. The site is partly developed with a service station and convenience store constructed under Development Application DA 39/2013, issued by Campbelltown City Council on 10 December 2013. This DA consent was issued by Council in accordance with the Schedule 1 'Additional permitted uses' provision of CLEP 2015 that permits on the land a 'service station' and 'neighbourhood shop' as additional land uses, not otherwise permitted in the R2 Low Density Residential zone.

The PP seeks to rezone the subject corner allotment from R2 Low Density Residential zone to B1 Neighbourhood Centre zone under CLEP 2015, to allow the development of a neighbourhood retail development to complement the existing service station development on the land.

The intended development outcome for the site is a 3-storey development comprising small scale retail and business activities at ground level and shop top housing above, as illustrated in the conceptual plans submitted by the proponent (attachment 1). Should the PP be supported, then this development concept would be subject to a separate detailed assessment through the development application process.

## 2. Background

In July 2005, Campbelltown City Council completed the "Campbelltown City – Business Centres Strategy" with its primary aims being:

- to nominate a preferred hierarchy of retail/commercial centres for the City area; and
- to recommend sustainable policies for the future location, extent and make up of retail, commercial, entertainment/recreation/cultural and other complementary development opportunities, in business centres, throughout the City of Campbelltown.

The 2005 Business Centres Strategy acknowledged the improved commercial viability for a retail based local centre on the subject land, and that any rezoning of the land to a neighbourhood business zone would need to be supported by a detailed economic analysis, including an assessment of any potential impacts to the commercial hierarchy of nearby centres.

During the preparation of CLEP 2015, the owner of the subject land made a submission to Council requesting consideration be given to rezoning the subject corner lot to facilitate a local business and retail centre on the site. At the meeting of 28 April 2015, Council considered the submission as part of the broader assessment of the Draft LEP process, however did not progress the rezoning request given that it was outside the scope of the planning work being undertaken by Council at that time, and there was no supporting retail/economic analysis.

The PP as outlined in this report was originally submitted to Council by the landowner on 15 July 2015, including an economic impact assessment, however was deferred by Council on 11 August 2015, 23 October 2015 and 16 May 2016 due to a number of deficiencies and ambiguities in the information provided at that time. An updated PP was re-submitted by the landowner to Council on 31 May 2019 in response to the initial concerns and issues raised by Council. A supplementary economic assessment report was submitted to Council in August 2019, and traffic and site contamination assessment reports were provided by the applicant in March and April 2021 respectively, responding to the conditional requirements of the Gateway Determination.

### 3. The Site

The site is located at the south eastern corner of Appin Road and Kellerman Drive in the locality of St Helens Park, approximately five kilometres south of the Campbelltown City Centre.

The subject land is shown below in Figure 1 and legally described as follows:

- Lot 6202 DP 1203930, comprising the corner lot to Appin Road and Kellerman Drive, St Helens Park. The PP seeks to rezone this lot from R2 Low Density Residential zone to B1 Neighbourhood Centre zone, as outlined in Section 5 of this report. This corner lot is approximately 7,617m<sup>2</sup> in area and is partly developed with a service station and ancillary convenience store constructed under Development Application DA 39/2013, issued by Campbelltown City Council on 10 December 2013.
- Lot 1112 DP 1025751, comprising the historic superlot referenced under the Schedule 1 'Additional use provisions' of CLEP 2015 that permits a 'service station' and 'neighbourhood shop' on the land. This historical lot has been progressively subdivided over time to form the existing corner allotment (Lot 6202) and surrounding housing lots in St Helens Park.

**Figure 1: Subject site**

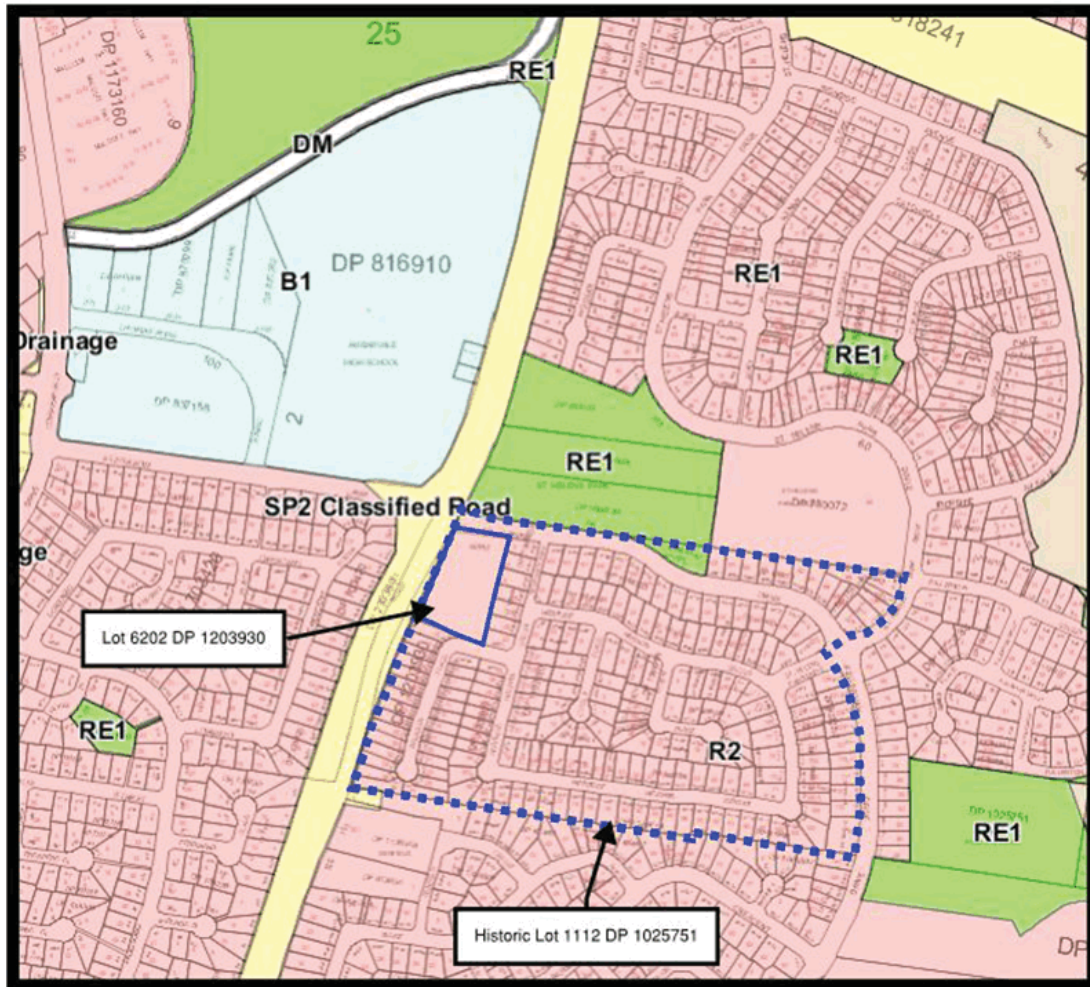




**4. Campbelltown Local Environmental Plan 2015 - Relevant Provisions**

Zoning

The site is zoned R2 Low Density Residential zone under CLEP 2015 as shown in Figure 2 below.



**Figure 2: CLEP 2015 Zoning**

The PP seeks the rezoning of the corner lot (Lot 6202 DP 1203930) to B1 Neighbourhood Centre zone, and removal of the associated Schedule 1 Additional permitted uses provisions of CLEP 2015 that references the historic lot (Lot 1112 DP 1025751). A full description of proposed amendments is provided in Section 5 of this PP.

Schedule 1 - Additional Permitted Use Provisions for a 'Service Station' and 'Neighbourhood Shop'

Lot 1112 DP 102575 is listed under the Schedule 1 'Additional permitted uses' provisions of CLEP 2015 that permits a 'service station' and 'neighbourhood shop' on the land with consent, being land uses not otherwise permitted in the R2 Low Density Residential zone. This historical lot has been progressively subdivided to form the existing corner lot (Lot 6202) partly developed with a service station, and surrounding residential lots of St Helens Park as shown in Figure 1.

The additional permitted uses provisions are relevantly listed at No.38 in 'Schedule 1 Additional permitted uses' of CLEP 2015 as follows:

*38 Use of certain land at Appin Road, St Helens Park*

*(1) This clause applies to land at Appin Road, corner of Appin Road with northern end of Kellerman Drive, St Helens Park, being Lot 1112, DP 1025751.*

*(2) Development for the purpose of a service station and neighbourhood shop is permitted with development consent.*

The PP seeks the removal of the Additional permitted uses provisions described above, as these provisions would become redundant should the proposed rezoning of the existing corner lot (Lot 6202 DP 11293930) to B1 Neighbourhood Centre Zone occur.

Principal Development Standards

Other Principal Development Standards of Campbelltown LEP 2015 that apply to the Lot 6202 are detailed below in Table 1. These development standards relate to residential development permitted under the current R2 Low Density Residential zoning of the land.

**Table 1: CLEP 2015 - Principal Development Standards Applying to the Site**

Development Standard	Numerical Standard
Minimum Lot Size	500m <sup>2</sup>
Lot Size for Dual Occupancy (minimum)	700m <sup>2</sup>
Height of Buildings	8.5m

## **5. The Planning Proposal**

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

The primary objective of the PP is to allow the development of a local neighbourhood centre on the subject corner lot that assimilates with the existing service station development on the land, and provides improved servicing, employment and housing opportunities for the St Helens Park locality.

The owner of the corner site has submitted a conceptual development design (attachment 1) with the PP request for a future neighbourhood centre on the land, comprising 1,710m<sup>2</sup> of additional business / retail floor space and 2 levels of shop top housing. This development outcome would be permitted with development consent under the proposed rezoning of the corner lot to B1 Neighbourhood Business zone. This submitted design is indicative only and would be subject to separate assessment through the development application process, should the PP be successful.

To facilitate this indicative development outcome, the PP also requests amendment of the corresponding development standards of the CLEP 2015 to be consistent with the provisions of the B1 Neighbourhood Centre zone. In this regard, the current development standards relating to building heights, lot sizes and dual occupancy restrictions for the R2 Low Density Residential zone are proposed to be amended as outlined in Section 5.2. The PP also seeks to remove the Schedule 1 Additional permitted uses provisions of CLEP 2015 relating to a 'service station' and 'neighbourhood shop' for the land, as this provision would become redundant given that these land use types are permitted with consent in the B1 Neighbourhood Centre zone.

The intended development outcome, as put forward by the proponent (attachment 1), would provide increased housing diversity, new job opportunities, and enhanced services and facilities for the local St Helens Park community and users of the adjacent St Helens Park Reserve. This development concept would also integrate with the layout and driveways of the existing service station development, and provide an improved urban design interface with the public street frontage compared to housing development currently permitted under the R2 Low Density Residential zone.

The economic impact assessment submitted with the PP demonstrates the viability of the land to function as local neighbourhood centre in accordance with the B1 Neighbourhood Centre zone objectives of CLEP 2015, complementing higher order commercial facilities at the Rosemeadow Shopping Centre and the Campbelltown/Macarthur Regional Centre.

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

The objectives and intended outcomes of the planning proposal would be achieved by amending the CLEP 2015 as detailed in the following Section and summarised as follows:

- Amendments to the following CLEP 2015 maps relating to Lot 6202 DP 1203930:
  - Land Zoning Map: Amend current zoning of 'R2 Low Density Residential' applying to the Lot 6202 DP 1203930 to zone 'B1 Neighbourhood Centre'.

- Lot Size Map: Remove the lot size annotation of "I" which applies a minimum lot size of 500m<sup>2</sup>, from the area being rezoned to B1.
  - Height of Buildings Map: Amend the Maximum Building Height from 8.5m to 9.0m for the area being rezoned to B1.
  - Lot Size for Dual Occupancy Map: Remove the lot size annotation of "Q", which applies a minimum lot size of 700m<sup>2</sup>, from the area being rezoned to B1
  - Additional Permitted Uses Map - remove the reference on the map to Lot 6202 DP 120930.
- Removal of the Schedule 1 Additional Permitted Uses listing No.38 from CLEP 2015, that permits the additional uses of a 'service station' and 'neighbourhood shop' on the historical lot (Lot 1112 DP 1025751). Current listing No.39 would then be renumbered to No.38.



**5.2.1 Amendment to Land Zoning Map**

The subject site is currently zoned R2 Low Density Residential under the Campbelltown LEP 2015.

The proposed amendment to the land use zoning map is to rezone the corner allotment (Lot 6202 DP 120930) to B1 Neighbourhood Centre zone, as shown in Figure 3 below.

**Figure 3: Proposed Land Zoning Map**



**5.2.2 Amendment to Lot Size Map**

The lot size annotation "I" on the CLEP 2015 Lot Size Map currently applies a minimum lot size of 500m<sup>2</sup> to the site. As minimum lot size requirements do not apply to the areas zoned B1 Neighbourhood Centre under CLEP 2015, it is proposed to remove the minimum lot size annotation from the area being rezoned to B1 Neighbourhood Centre.

The proposed amendment to the land use zoning map is shown in Figure 4 below.

**Figure 4 - Proposed Lot Size Map**



**5.2.3 Amendment to Height of Buildings Map**

The height of building annotation "I" currently applies a maximum building height of 8.5m to the site. To align the site with other B1 zoned land within the locality and facilitate the delivery of a future local neighbourhood centre with shop top housing, the Planning Proposal seeks to amend the maximum building height to 9m.

The proposed amendment to the height of buildings map is shown in Figure 5 below.

**Figure 5 – Proposed Height of Buildings Map**





**5.2.4 Amendment to Lot Size for Dual Occupancy Development Map**

The lot size for dual occupancy annotation of "Q", which applies a minimum lot size of 700m<sup>2</sup>, currently applies to the subject site given the existing R2 Low Density Residential zoning of the land. As minimum lot size for dual occupancy requirements do not apply to the areas zoned B1 Neighbourhood Centre under CLEP 2015, it is proposed to remove the minimum lot size for dual occupancy annotation from the area being rezoned to B1 Neighbourhood Centre.

The proposed amendment to the Lot Size for Dual Occupancy map is shown in Figure 6 below.

**Figure 6 – Proposed Lot Size for Dual Occupancy Development Map**



### 5.2.5 Amendment to Schedule 1 Additional Permitted Uses

Listing No.38 in the 'Schedule 1 Additional Permitted Uses' clause of CLEP 2015 applies to the land by reference to the historical corner lot (Lot 1112 DP 1025751) and permits with consent a 'service station' and 'neighbourhood shop' as land uses that would otherwise be prohibited in the R2 Low Density Residential zone. This additional permitted uses listing at No.38 is proposed to be deleted as it would become redundant in the circumstances that the corner lot is rezoned to B1 Neighbourhood Centre zone, as these uses would be permitted with consent in the B1 zone.

As the subject listing under No.38 is the second last listing in Schedule 1, the proposed deletion of No.38 will therefore require renumbering of the additional permitted use No.39 to No.38. The existing and proposed text in Schedule 1 is as follows:

Existing text in Schedule 1:

**38 Use of certain land at Appin Road, St Helens Park**

- (1) *This clause applies to land at Appin Road, corner of Appin Road with northern end of Kellerman Drive, St Helens Park, being Lot 1112, DP 1025751.*
- (2) *Development for the purpose of a service station and neighbourhood shop is permitted with development consent.*

**39 Use of certain land at Woodland Road, St Helens Park**

- (1) *This clause applies to land at Woodland Road, St Helens Park, being Lot 2, DP 746511.*
- (2) *Development for the purpose of a place of public worship is permitted with development consent.*

Existing text above to be replaced with:

**38 Use of certain land at Woodland Road, St Helens Park**

- (1) *This clause applies to land at Woodland Road, St Helens Park, being Lot 2, DP 746511.*
- (2) *Development for the purpose of a place of public worship is permitted with development consent.*

For clarity, the proposed amendment of the Schedule 1 Additional Permitted Uses provisions of CLEP 2015 is summarised as follows:

- Deletion of Additional Permitted Use No.38 under Schedule 1 of CLEP 2015
- Renumbering of Schedule 1 of CLEP 2015 Additional Permitted Use No.39 to No.38
- Removal of the Additional Permitted Uses Map that identifies the subject land.

## **6. Part 3 – Justification**

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

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

In July 2005, Campbelltown City Council completed the “Campbelltown City – Business Centres Strategy” with its primary aims being:

- to nominate a preferred hierarchy of retail/commercial centres for the City area; and
- to recommend sustainable policies for the future location, extent and make up of retail, commercial, entertainment/recreation/cultural and other complementary development opportunities, in business centres, throughout the City of Campbelltown.

The 2005 Business Centres Strategy acknowledged the improved commercial viability for a retail based local centre on the subject land, however no amendments to the R2 Low Density Residential zoning of the land were proposed or made. Rather, the Strategy identified that any rezoning of the land to a neighbourhood business zone would need to be supported by a detailed economic analysis, including an assessment of any potential impacts to the commercial hierarchy of nearby centres.

During the preparation of the Campbelltown Local Environmental Plan 2015, the owner of the subject land made a submission to Council requesting consideration be given to rezoning the subject land parcel to facilitate a local business and retail centre on the site. At the meeting of 28 April 2015, Council considered the submission as part of the broader assessment of the Draft LEP, however the rezoning request was not progressed given that it was outside the scope of the planning work being undertaken by Council at that time, and there was no supporting retail/economic analysis.

The subject PP provides the required site specific assessment and economic analysis as identified by Council in the 2005 Business Centres Strategy and preparatory work undertaken for CLEP 2015. The PP has been prepared to rationalise the planning controls under CLEP 2015 for the existing service station development and provide opportunity for the intended local business and shop top housing activities on the site envisaged by the landowner. The accompanying conceptual development design integrates with the existing service station development, indicating the potential for approximately 1,700m<sup>2</sup> of additional floorspace for retail and business uses, in addition to shop top housing.

The PP would provide opportunity to improve the amenity for the local St Helens Park community by providing convenient access to daily shopping needs in walking distance to their homes. The PP is supported by an economic analysis that identifies the proposal would have negligible impact on the operation of other nearby commercial centres, while providing the benefit of additional services and employment opportunities for the local area. The addition of shop top housing as permitted in the B1 Neighbourhood Centre zone would improve housing choice and affordability in

the area and create opportunities for improved environmental design outcomes to the public street frontage.

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

Rezoning the land to B1 Neighbourhood Centre is considered to be the best means in achieving the objectives and intended outcomes of this planning proposal, providing opportunity for additional local services and facilities on the land to improve service provision and amenity for the surrounding community of St Helens Park and users of St Helens Park Reserve.

The land is currently zoned R2 Low Density Residential and is subject to an Additional Permitted Uses provision under Schedule 1 of CLEP 2015 that permits with consent a ‘service station’ and ‘neighbourhood shop’. The rezoning of the land to B1 Neighbourhood Centre would better align the existing service station development on the land with the commercial objectives of the B1 zone, and establish a clear understanding of intent for the development of a local scale neighbourhood centre on the subject land.

Additionally, the rezoning would facilitate greater flexibility in the type of retail and commercial uses permitted on the site, whilst providing greater certainty that the intended local neighbourhood centre can be undertaken on the land to service the growing servicing needs of the locality. The attached development concept plans indicate that a local business centre could be undertaken to assimilate with the service station development on the land, and provide an improved interface and presentation to the street corner than the development of standard housing lots as permitted in the R2 Low Density Residential zone.

**6.3.2 Section B – Relationship to strategic planning framework**

**3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

Yes. The Planning Proposal is considered to be consistent with the relevant objectives and actions outlined in the Greater Sydney Region Plan and the Western City District Plan. Tables 2 and 3 below demonstrate the consistency of the Planning Proposal with the relevant provisions of the Greater Sydney Region Plan and the Western City District Plan.

**Table 2: Greater Sydney Region Plan**

Greater Sydney Region Plan Priority	Compliance Statement
<b>Infrastructure and Collaboration</b>	
<p><b>Objective 1: Infrastructure supports the three cities</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Prioritise infrastructure investment to support the vision of a metropolis of three cities.</li> </ul>	<p>Not applicable to a Planning proposal of this scale.</p>



<ul style="list-style-type: none"> <li>Sequence growth across the three cities to promote north-south and east-west connections.</li> </ul>	
<p><b>Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Align forecast growth with infrastructure.</li> <li>Sequence infrastructure provision across Greater Sydney using a place-based approach.</li> </ul>	Not applicable to a Planning proposal of this scale.
<p><b>Objective 3: Infrastructure adapts to meet future needs</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans.</li> </ul>	Not applicable to a Planning proposal of this scale.
<p><b>Objective 4: Infrastructure use is optimised</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Maximisation of the utility of existing infrastructure assets and consideration to the strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptable and flexible regulations to allow decentralised utilities.</li> </ul>	Not applicable to a Planning proposal of this scale.
<p><b>Objective 5: Benefits of growth realised by collaboration of governments, community and business</b></p>	The site is ideally located to provide the local services to meet the daily needs of the surrounding community, as permitted within the B1 zone proposed through this Planning Proposal. Through collaboration with Council and the community, maximum community benefit can be achieved on the site as advocated through the submitted concept plan and proposed rezoning.
<b>Liveability</b>	
<p><b>Objective 6: Services and infrastructure meet communities changing needs</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Deliver social infrastructure to reflect the needs of the community now and in the future.</li> </ul>	Not applicable to a Planning proposal of this scale.

<ul style="list-style-type: none"> <li>Optimise the use of available public land for social infrastructure.</li> </ul>	
<p><b>Objective 7: Communities are healthy, resilient and socially connected.</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Deliver inclusive places for people of all ages and abilities that support healthy, resilient and socially connected communities by:             <ul style="list-style-type: none"> <li>Providing walkable places with active street life and a human scale.</li> <li>prioritising opportunities for people to walk, cycle and use public transport.</li> <li>co-locating schools, social, health, sporting, cultural and shared facilities.</li> <li>promoting local access to healthy fresh food and supporting local fresh food production.</li> </ul> </li> </ul>	<p>The Planning Proposal would facilitate a land use outcome that promotes public activity and social interaction adjacent to a public open space asset delivered for the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place built on the guidelines of <i>Crime Prevention Through Environmental Design</i>. The proposal will facilitate a low scale development offering everyday conveniences for people of all ages and abilities, and allow a suitable mix of business and retail uses together with residential shop top housing. This will encourage walking and a socially connected community.</p>
<p><b>Objective 8: Greater Sydney’s communities are culturally rich with diverse neighbourhoods</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Incorporate cultural and linguistic diversity in strategic planning and engagement.</li> <li>Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations.</li> </ul>	<p>The Planning Proposal, through the delivery of shop top housing, will provide for increased housing diversity and choice within St Helens Park assisting in the creation of a more culturally diverse neighbourhood.</p>
<p><b>Objective 10: Greater housing supply</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Prepare housing strategies</li> <li>Develop 6-10-year housing targets</li> </ul>	<p>The proposal is consistent with improved housing choice and diversity outcomes within local neighbourhood centres as promoted by the Campbelltown Local Housing Strategy.</p>
<p><b>Objective 11: Housing is more diverse and affordable</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Prepare Affordable Rental Housing Target Schemes.</li> <li>State Agencies, are required to address housing diversity when disposing of land.</li> </ul>	<p>This Planning Proposal seeks to increase the diversity of residential housing in Western Sydney which will have positive impacts on housing affordability.</p>

<p><b>Objective 12: Great Places that bring people together</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Deliver great places by prioritising people friendly public realms, balancing the function of streets, providing fine grain urban form and walkability, encourage contemporary heritage where possible and used a placed based approach.</li> <li>• In Collaboration Areas, Planned Precincts and Planning for Centres investigate the need for precinct based provision of adaptable car parking and infrastructure in lieu of private provision of car parking. Ensure parking availability takes into account the level of public transport and consider the capacity for places to change and evolve to accommodate different activities over time.</li> </ul>	<p>The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset delivered for the community. A local neighbourhood centre will better address the street corner and enhance surveillance, territorial reinforcement and space management for the adjacent St Helens Park Reserve, helping to build a safe community with a strong sense of place.</p> <p>Car parking is able to be provided on site in a manner that assimilates with the existing layout of the service station development.</p>
<p><b>Objective 13: Environmental heritage is conserved and enhanced</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Conserve and enhance environmental heritage by engaging with the community early in the planning process to understand Aboriginal, European and natural heritage values.</li> <li>• Conserve and interpret Aboriginal, European and natural heritage to foster distinctive local spaces.</li> </ul>	<p>The land is not identified as a site of environmental heritage significance. The site has been assessed as being suitable for development.</p>
<p><b>Productivity</b></p>	
<p><b>Objective 14: A metropolis of three cities – integrated land use and transport creates walkable and 30-minute cities</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Integrate land use and transport plans to deliver the 30-minute city.</li> <li>• Investigate, plan and protect future transport and infrastructure corridors.</li> <li>• Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network.</li> </ul>	<p>The Planning Proposal would contribute to local job growth and provide opportunities for people to live and work in their community. The planning proposal will allow for a local neighbourhood centre to be developed that complements the residential growth of St Helens Park, and users of the adjacent St Helens Park Public Reserve. The delivery of the Concept Plan business, retail and shop top housing outcomes is consistent with the principles of the 30-minute city.</p>
<p><b>Objective 16: Freight and logistics network is competitive and efficient</b></p>	<p>This Planning Proposal has considered the interface with the residential land</p>

<p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Manage the interfaces of industrial areas, trade gateways and facilities by land use activities that protect sensitive receivers, and do not encroach on commercial, residential and other non-compatible land uses.</li> </ul>	<p>surrounding the proposal, and is compatible with the existing service station development on the land. Future development comprising shop top housing above business and retail uses can be undertaken without adversely impacting upon adjoining residential land uses, and would be subject to detailed analysis under a separate development application.</p>
<p><b>Objective 22: Investment and business activity in centres</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Provide access to jobs, goods and services in centres</li> <li>• Create new centres in accordance with the principles for Greater Sydney's centres.</li> </ul>	<p>The proposed rezoning will rationalise the existing service station development on the land and facilitate a neighbourhood centre to provide improved access to jobs, goods and services for local residents and users of St Helens Park Public Reserve. The proposed rezoning would have negligible trade impact on the closest local centres of Rosemeadow, Airds, Bradbury, Ambarvale and Ruse along with the Regional Centre of Campbelltown-Macarthur. The proposal will facilitate the delivery of local convenience shopping and employment within walking distance of the local community, supporting liveability outcomes of the region plan.</p>
<b>Sustainability</b>	
<p><b>Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Supporting landscape-scale biodiversity conservation and the restoration of bushland corridors.</li> <li>• Managing urban bushland and remnant vegetation as green infrastructure.</li> <li>• Managing urban development and urban bushland to reduce edge- effect impacts.</li> </ul>	<p>The subject land is clear of vegetation and will not impact local biodiversity.</p>
<p><b>Objective 30: Urban tree canopy cover is increased.</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Expand urban tree canopy in the public realm.</li> </ul>	<p>The site is currently cleared of all vegetation. Development of the site will require landscape objectives and outcomes to be delivered adding to the surrounding urban tree canopy. Landscape details will form part of future development application(s) and</p>

	would be subject to separate assessment and approval processes.
<b>Objective 31: Public open space is accessible, protected and enhanced</b>	The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place. The proposed neighbourhood centre is located to encourage people to walk to the site and will be of benefit to those utilising the open space adjacent.
<b>Objective 32: The Green Grid links parks, open spaces, bushland and walking and walking paths</b>	The subject land does not form part of the Green Grid, however would improve amenity and conveniences for users of the adjacent St Helens Park Public Reserve which has the potential to be utilised as part of the broader Green Grid.

Table 3 below outlines how this proposal meets the relevant requirements of the Western City District Plan.

**Table 3: Response to Western City District Plan Priorities**

<b>Western City District Plan Priority</b>	<b>Compliance Statement</b>
<b>Infrastructure and Collaboration</b>	
<b>Planning Priority W1: Planning for a city supported by infrastructure</b> Applicable Actions: <ul style="list-style-type: none"> <li>• (2) Infrastructure aligns with forecast growth – growth infrastructure compact</li> <li>• (4) Infrastructure use is optimised.</li> </ul>	The planning proposal will deliver a neighbourhood centre that complements the growth and evolution of the existing established residential neighbourhood, including the embellished St Helens Park Reserve. The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place. The proposed neighbourhood centre is located to encourage people to walk to the site and will be of benefit to those utilising the open space adjacent.
<b>Planning Priority W2: Working through collaboration</b>	The site is ideally located to provide the local services to meet the daily needs of the surrounding



	community, as permitted within the B1 zone proposed through this Planning Proposal. Through collaboration with Council and the community, maximum benefit can be achieved on the site as indicated in the accompanying concept plan for a future local neighbourhood centre and shop top housing on the land.
<b>Liveability</b>	
<p><b>Planning Priority W3: Providing services and social infrastructure to meet people’s changing needs</b></p> <p>Applicable Actions:</p> <ul style="list-style-type: none"> <li>• (9) Deliver social infrastructure to reflect the needs of the community now and in the future.</li> </ul>	<p>The Planning Proposal will generate new employment opportunities within the St Helens Park community. A neighbourhood centre would provide youth employment opportunities close to home, improving productivity of the local economy. The delivery of a neighbourhood centre at the site would encourage local residents to walk to their local convenience store or café, making these everyday activities easier and more enjoyable. The Planning Proposal would facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place built on the guidelines of <i>Crime Prevention Through Environmental Design</i>.</p>
<p><b>Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities</b></p> <p>Applicable Actions:</p> <ul style="list-style-type: none"> <li>• (11) Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by: <ul style="list-style-type: none"> <li>a. providing walkable places at a human scale with active street life</li> <li>b. prioritising opportunities for people to walk, cycle and use public transport</li> <li>c. co-locating schools, health, aged care, sporting and cultural facilities</li> <li>d. promoting local access to healthy fresh food and supporting local fresh food production.</li> </ul> </li> </ul>	<p>The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place built on the guidelines of <i>Crime Prevention Through Environmental Design</i>. The delivery of a neighbourhood centre at the site will encourage local residents to walk to their local convenience store or café, making these everyday activities easier and more enjoyable. The co-location of the neighbourhood centre adjoining the St Helens Park Reserve will enhance the community benefit of these two land uses, while further encouraging the use of local pedestrian and cycle paths.</p>
<p><b>Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs and services</b></p>	<p>The Planning Proposal will facilitate the delivery of a neighbourhood centre which caters for the needs of the local community whilst facilitating an</p>

<p>Applicable Actions:</p> <ul style="list-style-type: none"> <li>• (15) Prepare local or district housing strategies that address the following:             <ul style="list-style-type: none"> <li>a. the delivery of five-year housing supply targets for each local government area</li> <li>b. the delivery of 6-10 year (when agreed) housing supply targets for each local government area</li> <li>c. capacity to contribute to the longer term 20-year strategic housing target for the District</li> <li>d. the housing strategy requirements outlined in Objective 10 of the A Metropolis of Three Cities that include:                 <ul style="list-style-type: none"> <li>i. creating capacity for more housing in the right locations</li> <li>ii. supporting planning and delivery of growth areas and planned precincts as relevant to each local government area</li> <li>iii. supporting investigation of opportunities for alignment with investment in regional and district infrastructure</li> <li>iv. supporting the role of centres.</li> </ul> </li> </ul> </li> </ul>	<p>increase in employment opportunities, housing supply and improving housing choice. The site will make use of existing public transport options. The site will generate new jobs and services for the local community, including a mix of neighbourhood shop uses.</p> <p>A local neighbourhood centre would promote walkability and a sense of community, enhancing opportunities for people to interact. The coexistence of multiple uses including retail and residential would contribute to the vibrancy and viability of the centre.</p> <p>The location of the site at the corner of Appin Road and Kellerman Drive ensures maximum convenience improving productivity, liveability and sustainability of the local community.</p>
<p><b>Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage</b></p> <p>Applicable Actions:</p> <p>(19) Deliver great places by:</p> <ul style="list-style-type: none"> <li>a. prioritising a people-friendly public realm and open spaces as a central organising design principle</li> <li>b. recognising and balancing the dual function of streets as places for people and movement</li> <li>c. providing fine grain urban form, high amenity and walkability</li> <li>d. integrating social infrastructure to support social connections and provide a community hub</li> <li>e. encouraging contemporary interpretation of heritage where possible</li> <li>f. using a place-based and collaborative approach throughout planning, design, development and management.</li> </ul>	<p>The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place built on the guidelines of <i>Crime Prevention Through Environmental Design</i>.</p> <p>The proposal will facilitate an appropriate development addition to the neighbourhood, offering everyday convenience for people of all ages and abilities and a mix of land uses including business and retail uses together with shop top housing.</p>



<p>(21) Identify, conserve and enhance environmental heritage by:</p> <ul style="list-style-type: none"> <li>a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place applying adaptive re-use and interpreting of heritage to foster distinctive local places</li> <li>b. managing and monitoring the cumulative impact of development on the heritage values and character of places.</li> </ul>	
<b>Productivity</b>	
<p><b>Planning Priority W7: Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City</b></p> <p>Applicable Actions:</p> <ul style="list-style-type: none"> <li>• (24) Integrate land use and transport plans to deliver the 30- minute city.</li> </ul>	<p>The proposal is consistent with the 30 minute city vision through the integration of housing and employment land use outcomes.</p>
<p><b>Planning Priority W9: Growing and strengthening the metropolitan city cluster</b></p> <p>Campbelltown-Macarthur is developing into Greater Sydney's newest health and medical hub with research and specialist community based care in paediatrics and gastrointestinal disorders. It contains Campbelltown public and private hospitals, Western Sydney University Campbelltown Campus, and TAFE NSW Western Sydney. Collectively, these elements form the health and education precinct and the Collaboration Area also includes Macarthur Square, Campbelltown Mall and surrounding government services. The Collaboration Area will enable a focus on opportunities to generate growth in economic activity, employment and investment. There are opportunities to:</p> <ul style="list-style-type: none"> <li>• protect and grow core health and education activity</li> <li>• provide new research facilities and related commercial premises</li> <li>• plan for complementary uses and increased cultural, creative, digital or technology businesses and employees</li> <li>• establish, enhance and promote the interdependencies between health and education to grow innovation, start-up and creative industries</li> </ul>	<p>The proposal would complement high level government initiatives in the Campbelltown-Macarthur region, by facilitating a local centre delivering improved liveability outcomes, housing diversity and job creation.</p>

<ul style="list-style-type: none"> <li>improve east-west connections and liveability of the area</li> <li>support affordable housing opportunities for students and moderate-income households.</li> </ul>	
<p><b>Planning Priority W11: Growing investment, business opportunities and jobs in strategic centres</b>                  The growth, innovation and evolution of centres will underpin the economy of the Western City District. Centres provide important services and jobs for local residents and places for communities to meet. Well-planned centres help to stimulate economic activity and innovation through the co-location of activities, provide jobs closer to where people live and use infrastructure more efficiently.</p>	<p>The Planning Proposal is supported by an Economic Impact Assessment (produced by MacroPlan Dimasi), as attached. The proposed neighbourhood centre would provide local convenience shopping which would complement the hierarchy of business centres of Rosemeadow, Airds, Bradbury, Ambarvale and Ruse along with the Regional centre of Campbelltown.                  The proposal will facilitate the delivery of convenience shopping for the local community, while also supporting jobs growth within the local area. A neighbourhood centre at the site will enhance the community benefit and public domain outcomes given the site context on Appin Road and adjacent to the St Helens Park Reserve.</p>
Sustainability	
<p><b>Planning Priority W12: Protecting and improving the health and enjoyment of the District's waterways</b></p>	<p>Waterway health will be maintained through the process of development in accordance with Councils relevant controls.</p>
<p><b>Planning Priority W15: Increasing urban tree canopy cover and delivering Green Grid connections</b></p>	<p>The existing site is generally clear of vegetation, with landscape improvement would be required as part of the holistic development of the site.</p>
<p><b>Planning Priority W18: Delivering high quality open space</b></p>	<p>Not applicable. However, the site will provide amenity for the users of the adjacent public open space of St Helen's Park Reserve.</p>

**4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

**Campbelltown Community Strategic Plan – Campbelltown 2027**

The overarching Campbelltown Community Strategic Plan 2027 (CSP) represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

Campbelltown 2027 focusses on delivering four key outcomes over the next 10 years:

- a vibrant, liveable city
- a respected and protected natural environment
- a thriving, attractive city
- a successful city.

The planning proposal is consistent with the following relevant strategies of the CSP relevant to the achievement of the above key outcomes:

3.1- Support the resilience, growth and diversity of the local economy

3.2- Ensure that service provision supports the community to achieve and meets their needs.

4.3- Responsibly manage growth and development, with respect for the environment, heritage and character of our city.

The Planning Proposal would permit land uses such as neighbourhood shops, local businesses, and shop top housing opportunities to enhance service provision, employment opportunities and increased housing choice for local residents. . As such, the proposal is consistent with the above strategies and broader outcomes identified by the CSP.

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

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

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

Its purpose is to:

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

Four related themes comprise the community's vision for the City of Campbelltown as a vibrant place to live, a successful, thriving and attractive city that respects and protects its heritage and natural environment. These themes will be monitored against identified measures over time and implemented through 16 planning priorities.

The proposed CLEP 2015 amendments are consistent with the following planning priorities of the LSPS:

- Planning Priority 1 - :Creating a great place to live, work, play and visit
- Planning Priority 2 -Creating high quality, diverse housing
- Planning Priority 10 Creating strong and vibrant centres
- Planning Priority 11 - Striving for increased local employment

The subject proposal will strengthen the local centre of St Helens Park by providing the opportunity for a viable local centre that will provide local employment opportunities and promote housing diversity outcomes through shop top housing in a highly accessible location to the St Helens Park locality. The promotion of a local centre at this location will allow a better urban design outcome orientated to address the public domain, and provide optimum access for local residents.

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

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the Planning Proposal.

<b>State Environmental Planning Policies</b>	<b>Comment</b>	<b>Consistency</b>
<i>SEPP (Aboriginal Land) 2019</i>	The policy aims to provide development delivery for land owned by the Local Aboriginal Land Council (LALC).  The site is not owned by the LALC.	N/A
<i>SEPP (Activation Precincts) 2020</i>	The aims of the policy is to promote economic development in identified activation precincts.  The site is not located within an Activation Precincts.	N/A
<i>SEPP (Affordable Rental Housing) 2009</i>	The aims of the policy are to provide planning and delivery of affordable rental housing.  Any future development would be required to adhere to the requirements under this SEPP.	Consistent.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	The proposal allows future development to meet the requirements under this SEPP.	Consistent.
<i>SEPP (Coastal Management) 2018</i>	The aims of the policy is to promote an integrated and coordinate approach to land use planning in costal zones.  The site is not located within a Coastal Management Zone.	N/A
<i>SEPP (Concurrences and Consents) 2018</i>	The policy allows Planning Secretary to elect to be the concurrence authority for certain development under the nominated SEPP such as Infrastructure SEPP.  The proposal would not interfere with the application of this SEPP.	Consistent.
<i>SEPP (Educational Establishments and Child Care Facilities) 2017</i>	The policy aims to facilitate the delivery of education establishments and early education and care facilities.	Consistent.

	The proposal does not include the provision of education or child care facilities. Any future development would be required to adhere to the requirements under this SEPP.	
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	The policy aims to provide development which complies with specified standards, in particular Part 5 Commercial and Industrial Alterations Code.  The proposal allows future development to meet the requirements under this SEPP.	Consistent.
<i>SEPP (Gosford City Centre) 2018</i>	The policy aims to promote economic and social revitalisation of Gosford City Centre.  The site is not located within Gosford City Centre, therefore this policy does not apply.	N/A
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	The policy aims to encourage the provision of housing for senior or people with a disability.  The proposal does not include provisions for housing for seniors or people with a disability.	N/A
<i>SEPP (Infrastructure) 2007</i>	The policy aims to facilitate the delivery of infrastructure across the State.  The site fronts Appin road which is a classified Road. The proposal allows for future development to meet the requirements of the SEPP.	Consistent.
<i>SEPP (Koala Habitat Protection) 2020, and SEPP (Koala Habitat Protection) 2021</i>	This policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline— (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and (b) by encouraging the identification of areas of core koala habitat, and (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.  The site does not contain core koala habitat.	N/A
<i>SEPP (Kosciusko National Park - Alpine Resorts) 2007</i>	The policy aims to protect and enhance the natural environment of the alpine resorts in the context of Kosciusko National Park.	N/A



	The site is not located within the Kosciusko National Park.	
<i>SEPP (Kurnell Peninsula) 1989</i>	The policy aims to conserve the natural environment of the Kurnell Peninsula.  The site is not located within the Kurnell Peninsula.	N/A
<i>SEPP (Major Infrastructure Corridors) 2020</i>	The policy aims to identify land intended to be use in the future as an infrastructure corridor.  As the site abuts Appin Road, the proposal would not impede any upgrades of the road. Appin road is not identified as being a Major Infrastructure Corridor.	N/A
<i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i>	The policy aims to recognise the importance of mining, petroleum production and extractive industries.  The proposal does not intend to facility the provision of mining, petroleum production or extractive industries.	N/A
<i>SEPP 19 – Bushland in Urban Areas</i>	The site does not contain bushland.	N/A
<i>SEPP 21 – Caravan Parks</i>	The proposal does not pertain to a Caravan Park.	N/A
<i>SEPP 33 – Hazardous and Offensive Development</i>	The policy aims to amend the definitions of hazardous and offensive industries whilst require consent for the development to be carried out in the Western Division.  The proposal does not intend to construct a Hazardous or Offensive Development.	N/A
<i>SEPP 36 – Manufactured Home Estates</i>	The policy aims to facilitate the establishment of manufactured homes estate.  The proposal does not intend to develop a manufacture homes estate.	N/A.
<i>SEPP 47 – Moore Park Showground</i>	The policy aims to enable redevelopment of the Moore Park Showground.  The site is not located within Moore Park Showground.	N/A.
<i>SEPP 50 – Canal Estate Development</i>	The policy aims to prohibit canal estate development.  The site is not located within a canal estate.	N/A

<p><i>SEPP 55 – Remediation of Land</i></p>	<p>The policy aims to promote the remediation of contaminated land for the purpose of reducing risk to harm to human health.</p> <p>The site is currently zoned R2 Low Density Residential. A contamination report has been prepared and is submitted with the PP in compliance with the conditions of the Gateway Determination.</p>	<p>Consistent.</p>
<p><i>SEPP 64 – Advertising and Signage</i></p>	<p>The policy aims to ensure signage is compatible with desired amenity and visual character of the area.</p> <p>The proposal allows future development to meet the requirements under this SEPP.</p>	<p>Consistent.</p>
<p><i>SEPP 65 – Design Quality of Residential Apartment Development</i></p>	<p>The policy aims to improve the design quality of residential apartments.</p> <p>The proposal does not intend to construct a residential flat building.</p>	<p>N/A</p>
<p><i>SEPP 70 – Affordable Housing (Revised Scheme)</i></p>	<p>The aims of the policy is to identify the need for affordable housing across the State.</p> <p>The proposal does not intend to develop housing for affordable housing.</p>	<p>N/A</p>
<p><i>SEPP (Penrith Lakes Scheme) 1989</i></p>	<p>The policy aims to provide development control processes to ensure environmental and technical matters are considered in the Penrith Lakes Scheme.</p> <p>The site is not located within the Penrith Lakes Scheme.</p>	<p>N/A</p>
<p><i>SEPP (Primary Production and Rural Development) 2019</i></p>	<p>The policy aims to facility the orderly economic us and development of lands for primary production.</p> <p>The site is not located on land zoned for Primary Production or rural development.</p>	<p>N/A</p>
<p><i>sepp (state and regional development) 2011</i></p>	<p>The policy aims to identify development which is of State significance.</p> <p>The site is not identified as being State Significant Development.</p>	<p>N/A</p>
<p><i>SEPP (State Significant Precincts) 2005</i></p>	<p>The policy aims to facilitate the development and redevelopment or protection of important urban, coastal and regional sites.</p>	<p>N/A</p>



	The site is not identified as being within a State Significant Precinct.	
<i>SEPP (Sydney Drinking Water Catchment) 2011</i>	The policy aims to provide health water catchments.  The site is not identified as being within a water catchment.	N/A
<i>SEPP (Sydney Region Growth Centres) 2006</i>	The policy aims to coordinate the release of land for residential, employment and urban development.  The site does not reside within a growth centre.	N/A
<i>SEPP (Three Ports) 2013</i>	The policy aims to provide consistent planning for development of infrastructure in Port Botany, Port Kembla and Port of Newcastle.  The site does not reside in one of the above listed ports.	N/A
<i>SEPP (Urban Renewal) 2010</i>	The policy aims to establish a process for assessing and identifying sites as urban renewal precincts.  The site is not identified as an Urban Renewal Precinct.	N/A
<i>SEPP (Vegetation in Non-Rural Areas) 2017</i>	The policy aims to protect biodiversity values of trees and other vegetation.  The site in its current form does not depict vegetation or trees of significant value.	Consistent.
<i>SEPP (Western Sydney Aerotropolis) 2020</i>	The policy aims to facilitate the development of the Western Sydney Aerotropolis.  The Site is not located within the Western Sydney Aerotropolis area.	N/A
<i>SEPP (Western Sydney Employment Area) 2009</i>	The policy aims to protect and enhance land which reside in the Western Sydney Employment Area.  The site is not identified to reside within the Western Sydney Employment Area.	N/A
<b>Consideration of Deemed SEPPs</b>	<b>Comment</b>	<b>Consistency</b>
Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment	The proposal would not impact on the water quality and river flows of the Georges River and its tributaries. The proposal is designed to mimic the Georges River and thereby will provide greater community affinity with the River and its qualities	Consistent

**6. Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?**

A review of the consistency of this planning proposal with the relevant Ministerial Directions under Section 9.1 has been undertaken. Each Ministerial Direction is listed below with an annotation stating whether it is relevant to the planning proposal and confirming consistency.

Consideration of S9.1 Directions	Comment	Consistency
<b>1. Employment and Resources</b>		
1.1 Business and Industrial Zones	The Proposal will facilitate increased retail and business floor space to service local community needs.	Consistent
1.2 Rural Zones	Not relevant to the Proposal. The Proposal does not propose any amendments to rural zones.	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable	Not applicable
1.4 Oyster Aquaculture	Not applicable	Not applicable
1.5 Rural Lands	This direction does not apply to Campbelltown Local Government Area.	Not applicable
<b>2. Environment and Heritage</b>		
2.1 Environment Protection Zones	This direction does not apply as the Planning Proposal does not proposed any modification to the permissibility or operational restrictions relating to Environmental Protection Zones.	Not applicable
2.2 Coastal Protection	Not applicable	Not applicable
2.3 Heritage Conservation	This direction does not apply as no listed heritage items or conservation areas exist within the subject site.	Not applicable
2.4 Recreation Vehicle Areas	Not applicable	Not applicable
<b>3. Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	The proposal seeks the delivery of shop top housing which will improve housing choice, diversity and affordability in the area. The nature of shop top housing as a mixed-use development, also ensure the efficient use of existing infrastructure and services while reducing the consumption of land for housing and associated urban development. Further, the proposal seeks the delivery of a landmark building located at a prominent corner, with good design a feature of the proposed concept. Accordingly the proposal meets the ministerial direction.	Consistent
3.2 Caravan Parks and Manufactured Homes	Not applicable	Not applicable

3.3 Home Occupations	Not applicable	Not applicable
3.4 Integrating Land Use and Transport	The proposal integrates land uses and transport as it will significantly improve access to services for the St Helens Park community to the east of Appin Road. This proposal has been prepared in consideration of the embellished St Helens Park Reserve to the north and Service Station which is an approved use within the site. The proposal will reduce the local community's dependence on cars as they will be provided with services such as cafes and convenience stores within walking distance and provide an alternative to Rosemeadow Marketplace. The proposal has considered modifications to the existing road network and is ideally located adjoining Appin Road.	Consistent
3.5 Development Near Licensed Aerodromes	Not applicable	Not applicable
3.6 Shooting Ranges	Not applicable	Not applicable
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable	Not applicable
<b>4. Hazard and Risk</b>		
4.1 Acid Sulfate Soils	The site is zoned for residential purposes. The site is not identified as being subject to risk on the Acid Sulfate Soils Planning Maps held by the Department of Planning Industry & Environment, and therefore this Ministerial Direction is not relevant to the proposal.	Not applicable
4.2 Mine Subsidence and Unstable Land	Not applicable	Not applicable
4.3 Flood Prone Land	The site is zoned R2 Low Density Residential and is not identified as flood prone by any study or existing environmental planning instrument.	Consistent
4.4 Planning for Bushfire Protection	The subject land is not identified as bush prone on Campbelltown Council's bushfire prone land map.	Consistent
<b>5. Regional Planning</b>		
5.1 Implementation of Regional Strategies	The Ministerial Direction was revoked on the 17th of October 2017.	Not applicable
5.2 Sydney Drinking Water Catchments	The Site is not within a Sydney Drinking water catchment listed in this Ministerial Direction.	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	Not applicable
5.4 Commercial and Retail Development along the	Not applicable	Not applicable

Pacific Highway, North Coast		
5.5 - 5.7	Revoked	Not applicable
5.8 Second Sydney Airport	Not applicable	Not applicable
5.9 North West Rail Link Corridor Strategy	Not applicable	Not applicable
5.10 Implementation of Regional Plans	Refer to Tables 2 and 3 of this proposal for an assessment of consistency with the relevant actions and priorities of the Greater Sydney Region Plan and Western City District Plan.	Consistent
<b>6. Local Plan Making</b>		
6.1 Approval and Referral Requirements	The planning proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.	Consistent
6.2 Reserving Land for Public Purposes	This direction is not applicable as it does not affect land identified under the SEPP to be reserved for public purposes.	Not applicable
6.3 Site Specific Provisions	This direction does not propose any site specific provisions.	Consistent
<b>7. Metropolitan Planning</b>		
7.1 Implementation of a Plan for Growing Sydney	Revoked 9 November 2020	Not applicable
7.2 Implementation of Greater Macarthur Land Release Investigation	Revoked 28 November 2019	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable

7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	The proposal is outside of the nominated precincts between Glenfield and Macarthur	Not applicable
7.8 Implementation of the Western Sydney Aerotropolis Plan	The subject land is outside the land application map of the Western Sydney Aerotropolis Plan	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable	Not applicable
7.12 Implementation of Greater Macarthur 2040	The subject land is outside of the nominated precinct boundary of Greater Macarthur 2040	Not applicable

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

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

No.

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

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

No.

The subject land is cleared and is currently zoned for urban development. It is anticipated that there would be no adverse environmental effects as a result of the planning proposal.

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

Yes.

The planning proposal is supported by a site specific economic assessment which highlights the benefits of commercial facilities at the site, as opposed to the existing B1 zoned site on the eastern side of Kellerman Drive where no retail development has occurred.

It has been demonstrated that the retail expenditure within the vicinity is expected to grow, contributed to by the various residential developments which are planned for the area. This growth will contribute to the proposal having a negligible impact on the surrounding centres and therefore the proposal will not adversely impact on the viability of other commercial premises in the region.



Further, food catering facilities (restaurants, fast food/takeaway, etc.) are all generally contained with the Campbelltown-Macarthur Regional City except for some facilities at Rosemeadow incorporating McDonalds and Pizza Hut. Therefore, these are the only catering services available to the St Helens Park community unless they travel to the Regional City centre. The site is appropriately located to support local services for residents within St Helens Park to the east of Appin Road. The proposal will also allow for commercial services that complement the approved service station at the site and allow for a better urban design outcome that addresses the frontage to Appin Road and the adjacent St Helens Park Reserve.

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

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

Yes.

The planning proposal will not result in a need for additional public infrastructure.

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

Consultation will occur with relevant State Government authorities identified in the Gateway Determination.

#### **Part 4 – Mapping**

The Planning Proposal seeks to amend the relevant CLEP 2015 maps for Lot 6202 DP 1203930 as detailed in Section 5.2 and summarised as follows:

- **Land Zoning Map:** Amend current zoning of 'R2 Low Density Residential' to 'B1 Neighbourhood Centre' zone.
- **Lot Size Map:** Remove the lot size annotation of "I" which applies a minimum lot size of 500m<sup>2</sup>, from the area being rezoned to B1.
- **Height of Buildings Map:** Amend the maximum building height from 8.5m to 9.0m for the area being rezoned to B1.
- **Lot Size for Dual Occupancy Map:** Remove the lot size annotation of "O", which applies a minimum lot size of 700m<sup>2</sup>, from the area being rezoned to B1
- **Additional Permitted Uses Map** – remove the reference on the map to Lot 6202 DP 120930.

**Part 5 – Community consultation**

In accordance with ‘A Guide to Preparing Local Environmental Plans’ prepared by the Department of Planning and Environment (2016), and the relevant Gateway Determination, the consultation strategy is for a period of 28 days as follows:

- A notice and all relevant documentation forming the PP to be placed on Council’s website and the NSW Planning Portal
- Letters to affected landowners (within the historic Lot 1112 DP 1025751).

Consultation with the following Stage Government agencies is also proposed:

- NSW Environment Protection Authority
- Transport for NSW / Roads and Maritime Services.

**Part 6 – Project Timeline**

The anticipated timeline for finalising the LEP amendment is provided as follows:

<b>Date</b>	<b>Item</b>
9 August 2020	Date of Gateway Determination
27 April 2021	Completion of required studies and additional information
10 May 2021	Commencement of public exhibition period and government agency consultation
7 June 2021	Completion of public exhibition period and government agency consultation
21 June 2021	Consider submissions and complete post-exhibition report
13 July 2021	Council meeting to consider post exhibition report
19 July 2021	Forward endorsed PP to DPIE for 8 week finalisation process
31 July 2021	Finalise drafting of proposed amendments with DPIE
19 September 2021	Making of LEP amendment

# Concept Package

January 2019

## MIR GROUP

Cnr Appin Rd & Kellerman Dr,  
Campbelltown NSW 2560







### Development Locality

Cnr Appin Rd & Kellerman Dr,  
Campbelltown NSW 2560





### Precedent Images

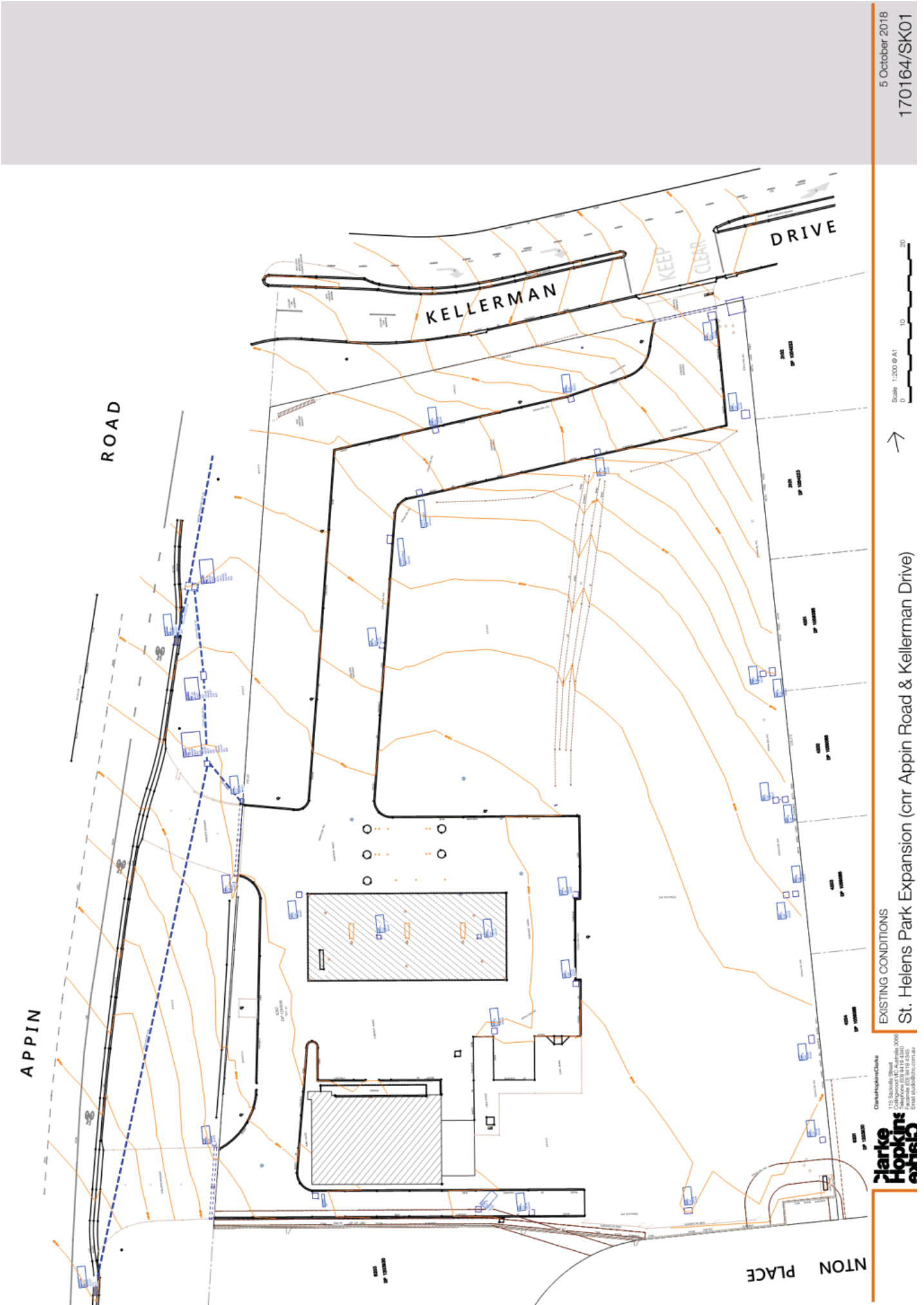
Mixed use and sculptural form



Integrated residential and public realm





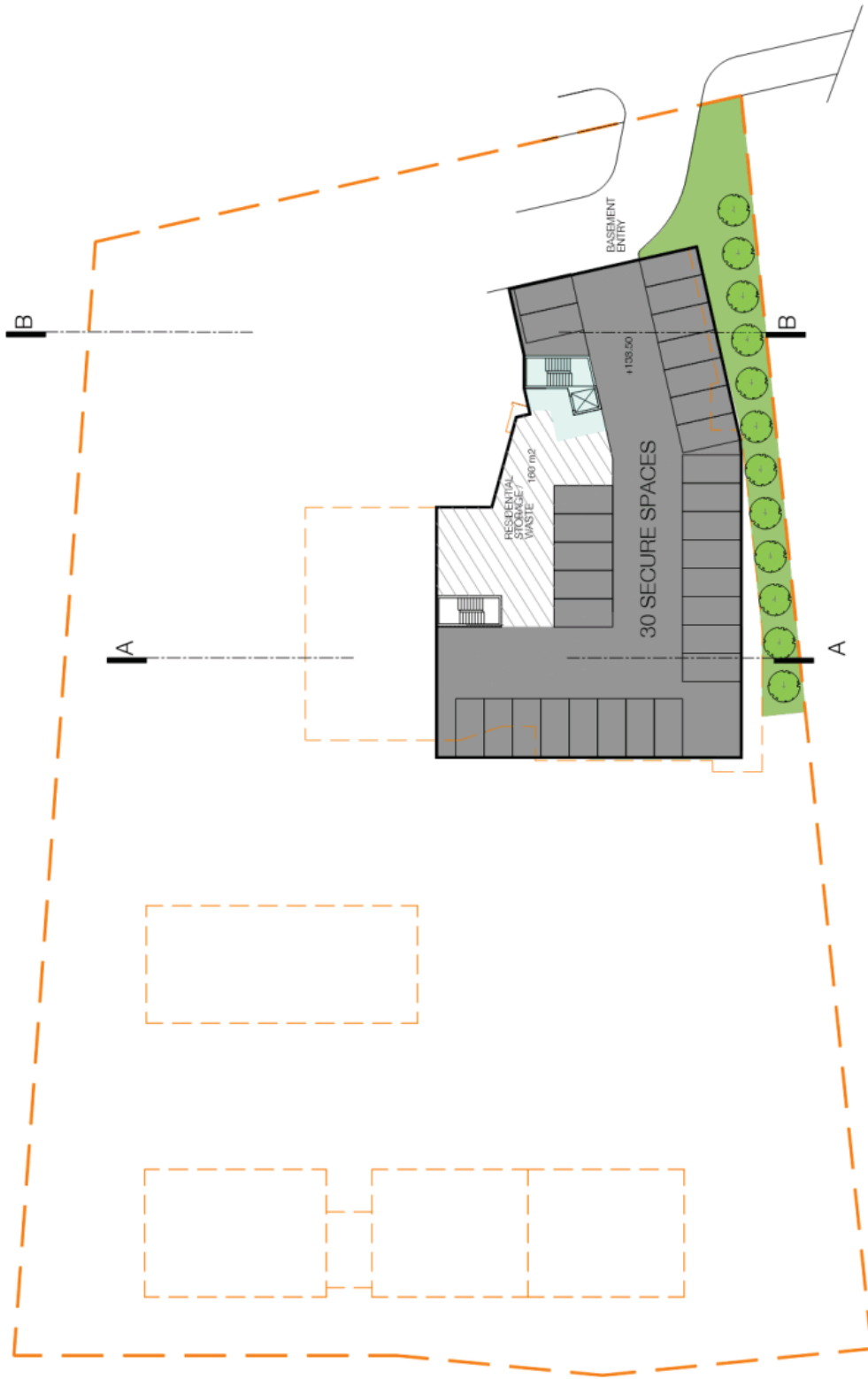


5 October 2018  
170164/SK01

Scale 1:200 @ A1  
0 10 20  
↑

EXISTING CONDITIONS  
St. Helens Park Expansion (cnr Appin Road & Kellerman Drive)

Clarke Hopkins Architects  
115 St. Johns Street  
Collingwood VIC 3066  
Phone: 03 9417 4300  
Email: studio@ch.com.au



January 2019  
170164/SK02



LOWER GROUND  
St. Helens Park Expansion (cnr Appin Road & Kellerman Drive)

Clarke Hopkins  
Hopkins  
Clarke  
115 York Street  
Sydney NSW 2000  
Tel: (02) 9231 4333  
www.clarkehopkins.com.au



January 2019  
170164/SK03

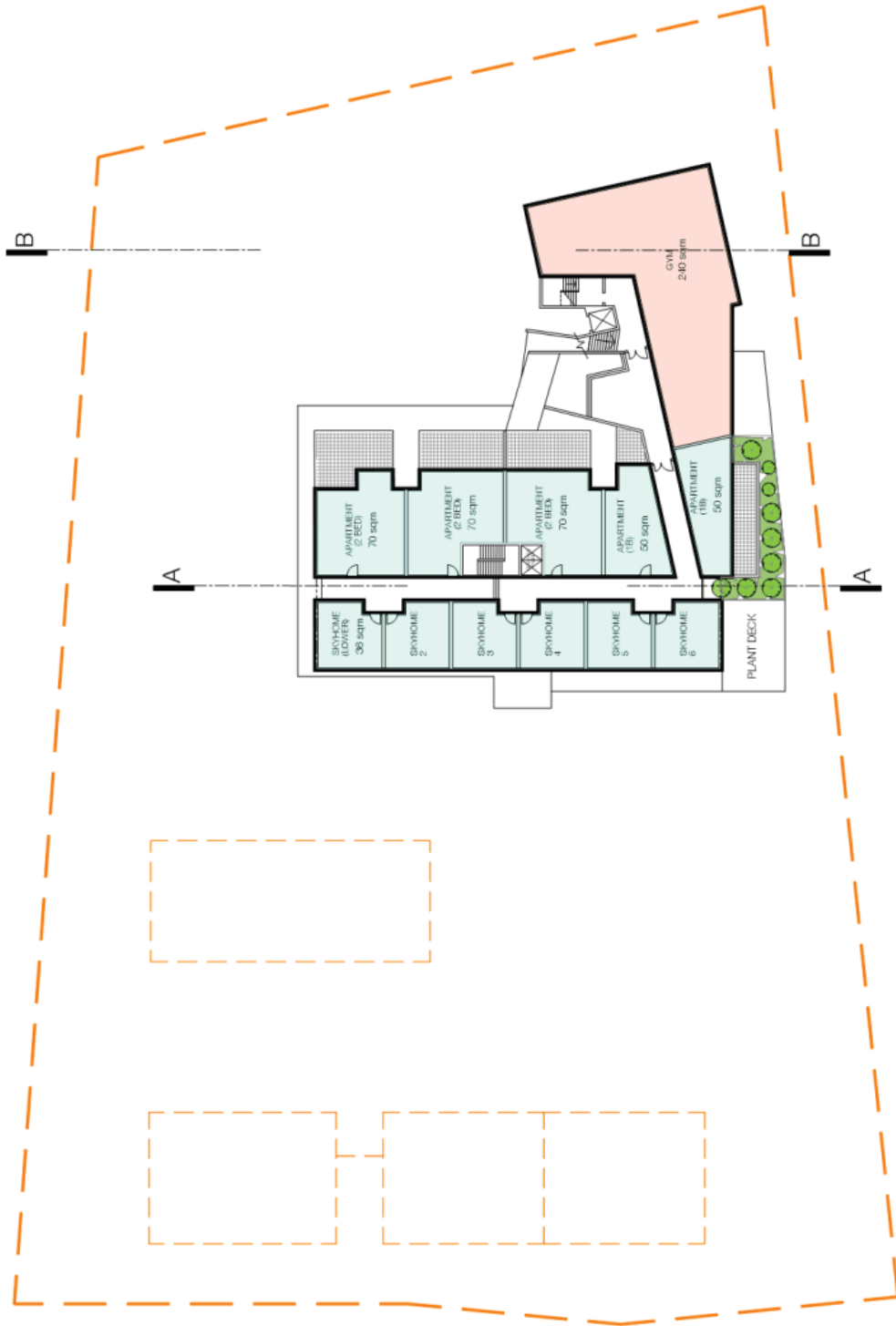
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CONCEPT DESIGN\_Ground Floor  
St. Helens Park Expansion (cnr Appin Road & Kellerman Drive)

Clarke Hopkins & Field  
115 South Street  
Christchurch 8011  
Tel: 03 378 2222  
www.clarkehopkinsandfield.co.nz

**FIRST FLOOR SCHEDULE**

6 NO. SKYHOMES (LOWER LEVEL)	36m <sup>2</sup> EA
3 NO. 2 BED APARTMENTS	70m <sup>2</sup> EA
2 NO. 1 BED APARTMENTS	50m <sup>2</sup> EA
GYM	240m <sup>2</sup>



Scale 1:200 @ A1  
0 10 20



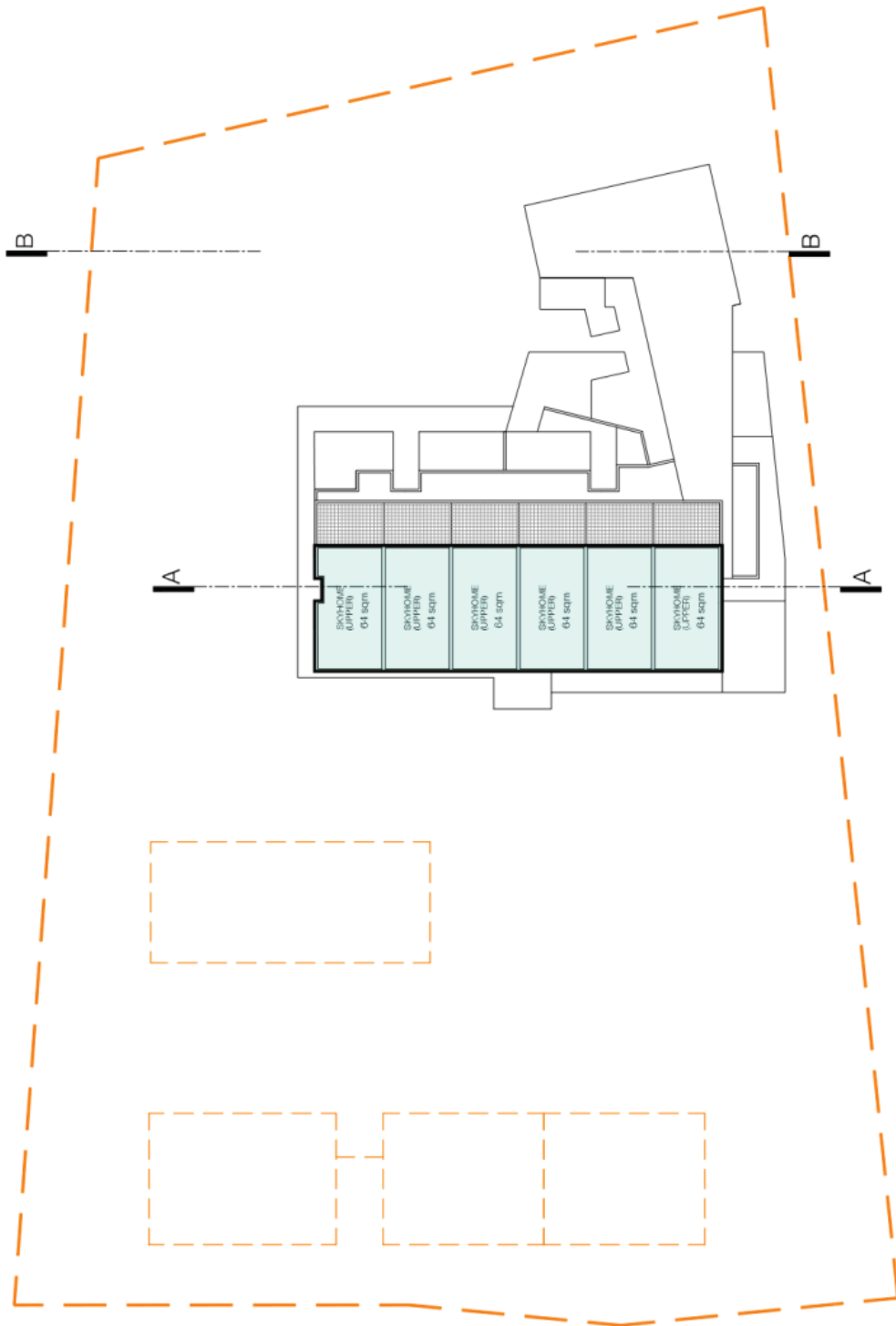
CONCEPT DESIGN\_First Floor  
St. Helens Park Expansion (cnr Appin Road & Kellerman Drive)

Clarke Hopkins Clarke  
115 York Street  
Sydney NSW 2000  
Phone: (61) 2 9231 4333  
Email: info@chc.com.au



January 2019  
170164/SK04

SECOND FLOOR SCHEDULE  
6 NO. SKYHOMES  
(UPPER LEVEL) 64m<sup>2</sup> EA



January 2019  
170164/SK05

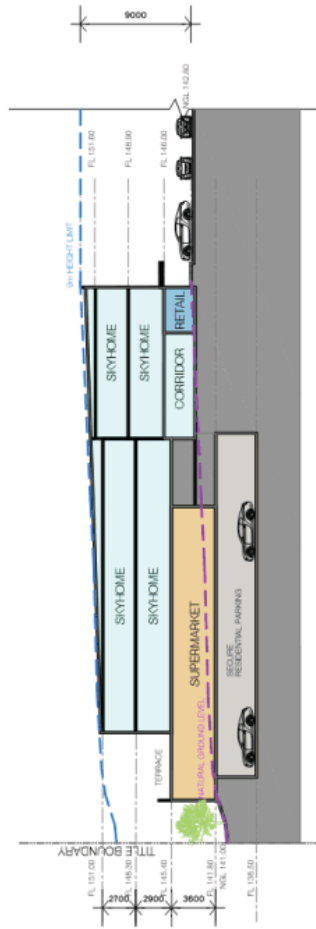


CONCEPT DESIGN\_Second Floor  
St. Helens Park Expansion (cnr Appin Road & Kellerman Drive)

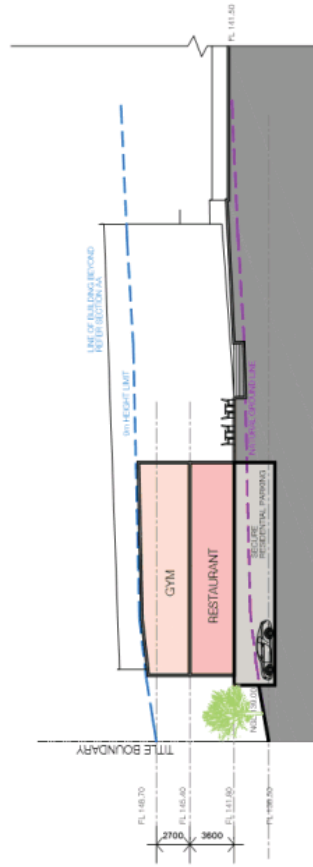
Clarke Hopkins  
115 York Street  
Sydney NSW 2000  
Tel: (61) 2 9231 4333  
www.clarkehopkins.com.au

**Clarke Hopkins**  
**Hopkins**  
**Clarke**





SECTION AA



SECTION BB

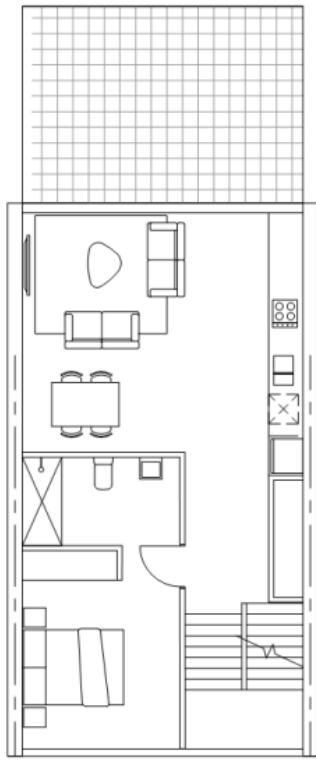


Development Schedule		CAR PARKING			
MIXED USE		COMPLIANT WITH CONSULTATION 2.1.105		DESIGNED	ENGINEERED
SITE AREA (approximate)	m <sup>2</sup>	RATE	REQ/D		
	7560				
SERVICE STATION (existing)	200	1/25	8	8	-
NEIGHBOURHOOD SUPERMARKET	660	1/25	27	20	-
TAKE AWAY (160 x 2)	320	1.5/20	24	20	-
NEIGHBOURHOOD SHOPS	270	1/25	11	8	-
RESTAURANT	210	1.5/10	32	28	-
GYM	240	1/25	10	7	-
TOTAL AREA	1,900	-	-		
<b>TOTAL SPACES REQUIRED</b>			<b>112</b>	<b>91</b>	<b>-</b>

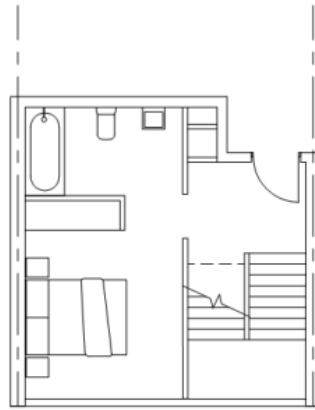
Development Schedule		CAR PARKING			
RESIDENTIAL		COMPLIANT		DESIGNED	ENGINEERED
SITE AREA (approximate)	m <sup>2</sup>				
	7560				
RESIDENTIAL	100	1EA	6	12	-
6# 2-BED SKYHOMES	70	1EA	3	6	-
3# 2-BED APARTMENTS	50	1EA	2	2	-
2# 1-BED APARTMENTS					
<b>TOTAL SPACES REQUIRED</b>			<b>11</b>	<b>20</b>	<b>-</b>

Development Schedule		CAR PARKING	
		DESIGNED	ENGINEERED
BASEMENT		30	-
GROUND		91	-
<b>TOTAL SPACES REQUIRED</b>		<b>121</b>	<b>-</b>





UPPER LEVEL



LOWER LEVEL



LOWER LEVEL

# TYPICAL SKYHOME LAYOUT

# TYPICAL 2 BED LAYOUT



Clarke Hopkins Architects  
115 York Street  
Christchurch 8011  
New Zealand  
Phone: +64 3 366 2222  
Email: info@clarkehopkins.com

TYPICAL APARTMENT LAYOUTS  
St. Helens Park Expansion (cnr Appin Road & Kellerman Drive)



Scale 1:50 @ A1  
0 10 20

January 2019  
170164/SK08

Massing Images: View from Appin Road



KEY PLAN



**Massing Images: View from Kellerman Drive**



KEY PLAN





**Massing Images: View from Main Intersection**



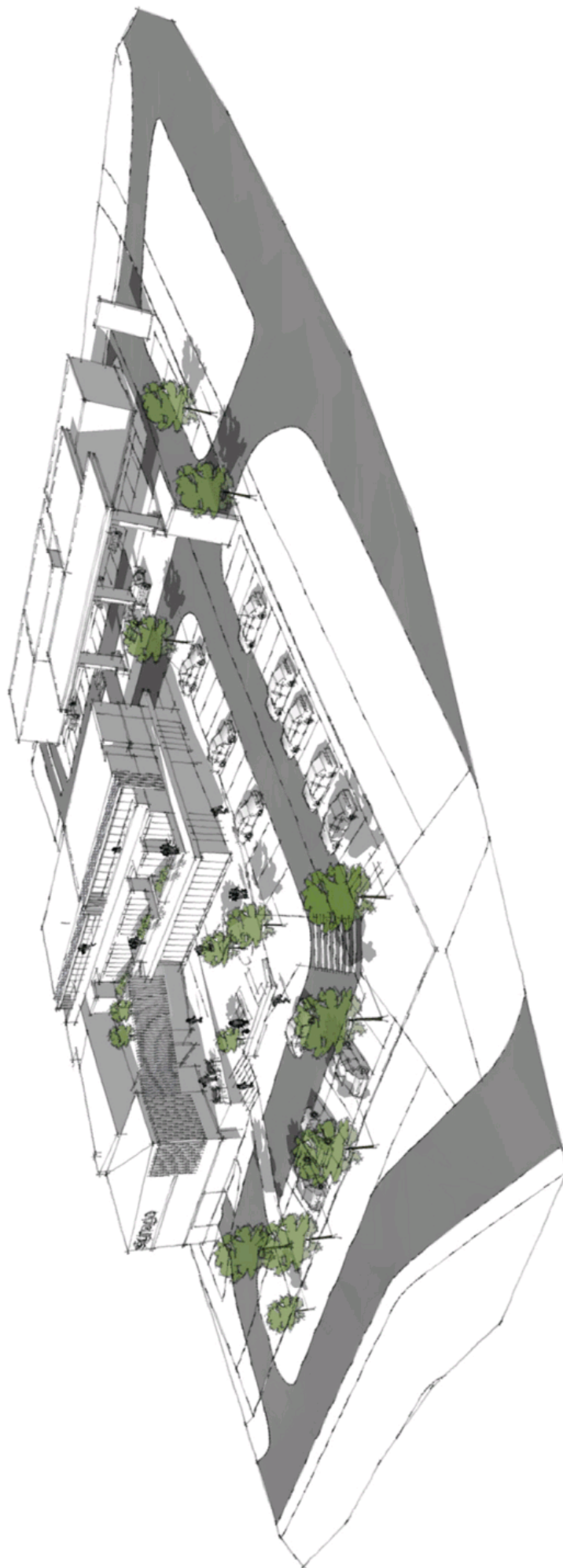
KEY PLAN



Massing Images: Aerial Perspective



KEY PLAN

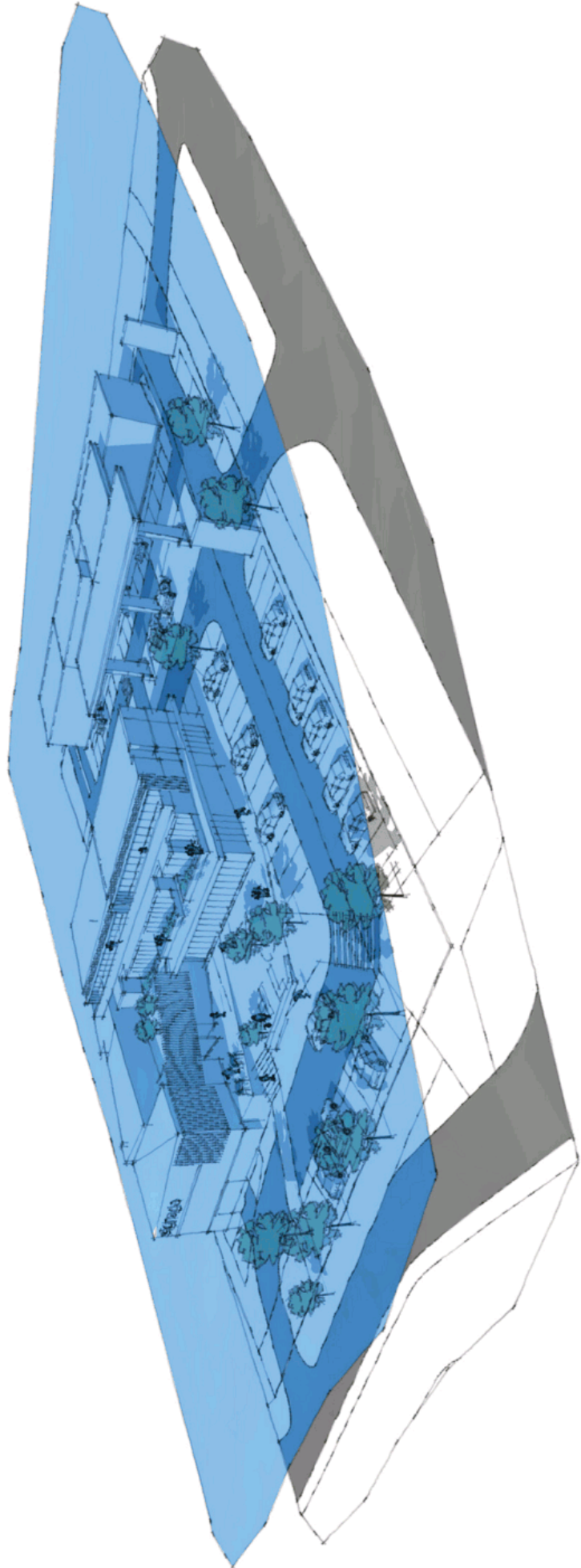


### Height Restrictions

- 9m Height Restriction for B1 Zoning



KEY PLAN





## Gateway Determination

**Planning proposal (PP\_2020\_CAMPB\_005\_00):** *The proposal is to amend the Campbelltown Local Environmental Plan (LEP) 2015 to amend the existing planning controls applying to the site at Lot 6202 DP 1203930 Brunton Place, St Helens Park.*

I, the Acting Director Western, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) 2015 to amend the existing planning controls applying to the site at Lot 6202 DP 1203930 Brunton Place, St Helens Park should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to public exhibition to address Section 9.1 Direction 2.6 Remediation of Contaminated Land.
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 classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018) and must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Transport for NSW – Roads and Maritime Services; and
  - NSW Environment Protection Authority.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 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 authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated                    9<sup>th</sup> day of August 2020.

**Eleanor Robertson  
Acting Director Western, Central  
River City and Western Parkland City  
Greater Sydney, Place and  
Infrastructure  
Department of Planning, Industry and  
Environment**

**Delegate of the Minister for Planning  
and Public Spaces**

PP\_2020\_CAMPB\_005\_00 (IRF20/2500)





**Planning,  
Industry &  
Environment**

## **Alteration of Gateway Determination**

***Planning proposal (Department Ref: PP-2020-3108)***

I, Director Western, Central River & Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 9 August 2020 for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Delete condition 6 and replace it with a new condition 6 stating:

“The time frame for completing the LEP is by 18 May 2022.”

21 May 2021

**Adrian Hohenzollern  
Director, Western  
Central River & Western Parkland City  
Department of Planning, Industry and  
Environment**

**Delegate of the Minister for Planning  
and Public Spaces**

PP-2020-3108 (IRF21/1986)



DOC21/355372-2

Mr Jeff Burton  
Senior Strategic Planner  
City Development Division  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Email: [jeff.burton@campbelltown.nsw.gov.au](mailto:jeff.burton@campbelltown.nsw.gov.au)

7 May 2021

### No Comment to Planning Advice Request

Dear Mr Jeff

Thank you for the request for advice, requesting input from the Environment Protection Authority (EPA) on the Planning Proposal (PP-2020-3108) for the Amendment of Campbelltown Local Environmental Plan 2015 (CLEP 2015) at the land located at south-eastern corner of Appin Road and Kellerman Drive, St Helens Park.

The Planning Proposal includes following amendments to the CLEP 2015:

- Rezoning from R2 Low Density Residential to B1 Neighbourhood Centre;
- Increase in the height limit permitted for the site, to facilitate the delivery of the envisaged shop top housing; and
- Other associated amendments.

Based on the information provided, the proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997*. Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities other activities for which the EPA is the appropriate regulatory authority.

In view of these factors, the EPA has no comments to provide on this project and no follow-up consultation is required.

If you have any questions about this request, please contact Asif Khan on 02 8289 6955 or via email at [asifqbal.khan@epa.nsw.gov.au](mailto:asifqbal.khan@epa.nsw.gov.au).

Yours sincerely

**STEVE BEAMAN PSM**  
**Executive Director Regulatory Operations**  
**NSW Environment Protection Authority**

**Phone** 131 555

**Phone** +61 2 9995 5555  
(from outside NSW)

**TTY** 133 677

**ABN** 43 692 285 758

Locked Bag 5022

Parramatta  
NSW 2124 Australia

4 Parramatta Square

12 Darcy St, Parramatta  
NSW 2150 Australia

[info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)



10 June 2021

TfNSW Reference: SYD20/01226/02

Ms Lindy Dietz  
Chief Executive Officer  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

Attention: Stuart McIntosh

Dear Ms Dietz,

**PLANNING PROPOSAL FOR CORNER APPIN ROAD AND KELLERMAN DRIVE, ST HELENS PARK**

Transport for NSW (TfNSW) appreciates the opportunity to comment on the above planning proposal referred through the ePlanning Portal.

This planning proposal seeks to amend the Campbelltown Local Environmental Plan (LEP) 2015 to facilitate the future development of a local neighbourhood centre on the subject corner lot that integrates with the existing service station development on the land.

In particular, the following amendments are proposed for the site:

- rezoning from R2 Low Density Residential to B1 Neighbourhood Centre
- increasing the maximum permitted building height from 8.5m to 9.0m;
- minimum lot size (currently 500m<sup>2</sup>) to align with the height limit of other B1 zoned land in the locality
- upon rezoning the existing Additional Permitted Uses applicable to the site for a 'service station' and 'neighbourhood shop' would become redundant and accordingly are also sought to be removed.

The owner of the corner site has submitted a conceptual development design with the PP request for a future neighbourhood centre on the land, comprising 1,710m<sup>2</sup> of additional business / retail floor space and 2 levels of shop top housing (11 units), with a total of 121 car spaces.

TfNSW has reviewed the submitted documentation in relation to this planning proposal and provides comments at **Attachment A** for Council's consideration, noting for safety reasons it can not be supported based on current information provided.

Should you have any questions or further enquiries in relation to this matter, Tricia Zapanta would be pleased to assist you via email at [Development.Sydney@transport.nsw.gov.au](mailto:Development.Sydney@transport.nsw.gov.au)

Yours sincerely,

Cheremie Marsden  
**Senior Manager Strategic Land Use**

**Transport for NSW**  
27-31 Argyle Street, Parramatta NSW 2150 | PO Box 973, Parramatta CBD NSW 2124  
P 131782 | W [transport.nsw.gov.au](http://transport.nsw.gov.au) | ABN 18 804 239 602

**Land Use, Network & Place Planning, Greater Sydney**  
**Attachment A: TfNSW Comments on the Planning Proposal for cnr Appin Road**  
**and Kellerman Drive, St Helens Park**  
(Provided 7 June 2021)

B1 zone

The permissible uses in the current B1 zone includes neighbourhood shops, neighbourhood supermarkets, restaurants or cafes, shop top housing and service stations.

We note that the Department of Planning, Industry and Environment is considering removing B1 zones and incorporating them into a new 'Local Centre' zone. This zone is proposed to have much wider permissible uses including commercial premises, places of public workshop, and tourist and visitor accommodation.

It is just noted that Council should be mindful that if these amendments to the Standard Instrument proceed, potential intensification of traffic generating uses could then occur if the B1 zoning proceeds and then is converted to a Local Centre zone.

Safety issues

As included in the traffic report, the site distance does not meet the Australian Standard requirements for the right turn out of the site into Kellerman Drive. This is an existing safety issue.

The traffic report recommends that the turning traffic is separated from through traffic along Kellerman Drive by constructing a "seagull" treatment including a 110m acceleration lane. There are no plans showing this treatment so the proposal cannot be adequately assessed without showing how the proposed treatment operates. A plan showing dimension, turning paths and any traffic control devices should be provided.

The intensification of this site has the potential for the right turn bay into the site from Kellerman Drive to queue out and result in queuing into the intersection which would not be acceptable.

Intersection of Appin Road and Kellerman Drive

As Council would be aware, there are ongoing discussions on the solution for the intersection of Appin Road and Kellerman Drive to the driveway location for the existing development having safety concerns, which is currently being worked through. It appears that this proposal conflicts with the works for the upgrade of Appin Road. For further information please contact Peta Smith, Senior Manager HAF Development at: [Peta.A.Smith@transport.nsw.gov.au](mailto:Peta.A.Smith@transport.nsw.gov.au)

SIDRA analysis

The cycle length for the future intersection layout/conditions to be used in SIDRA analysis to be revised to 140 secs.

Car Parking

It is noted that total car parking spaces proposed to be provided is 121 spaces, which has been calculated using Council's DCP parking rates. Whilst this meets Council's parking requirements, there has been little assessment of the role of public transport services (bus, walking and cycling) along Appin Road and the potential reduction in parking spaces associated with nearby public transport services and multi-use trips, noting proximity of the site to Rosemeadow marketplace and its location within walking distance to Ambervale High School, St Helens Park reserve and local neighbourhoods.

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**From:**  
**Sent:** Thursday, 17 June 2021 11:47 AM  
**To:** Jeff Burton <jeff.burton@campbelltown.nsw.gov.au>  
**Subject:** IRIS: PP-2020-3108

As a resident of St Helens Park I am concerned about the impact of having more vehicles entering and exiting the main intersection of Kellerman & Appin Road. I have frequently had cars pull in and out of the Seven-Eleven driveway with little or no warning. I feel that we are well catered for with shops just across the road at Rosemeadow. I oppose the construction of these shops.

Regards

Sent from [Mail](#) for Windows 10





### 8.3 Planning Proposal to rezone Land at the corner of Appin Road and Kellerman Drive, St Helens Park

#### Reporting Officer

Executive Manager Urban Centres  
City Development

#### Community Strategic Plan

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

#### Officer's Recommendation

1. That Council endorse the attached draft Planning Proposal (the Proposal) which seeks to make amendments to the Campbelltown Local Environmental Plan 2015 (LEP2015) and forward the proposal to the Minister for Planning and Public Spaces for a Gateway determination.
2. That subject to a successful Gateway determination, further in depth traffic studies be required and consultation with the NSW Roads and Maritime Service be undertaken given the location of the subject land in proximity to Appin Road.
3. That subject to satisfying the requirements of the Gateway determination, the Proposal be placed on public exhibition and the outcome of that exhibition be reported to the Council.

#### Executive Summary

- Council has received a planning proposal request relating to land at the corner of Appin Road and Kellerman Drive, St Helens Park. The site is clear of trees and occupied by an existing service station development.
- The site is currently zoned R2 Low Density Residential under Campbelltown Local Environmental Plan 2015 (CLEP 2015).
- Despite the current R2 Low Density Residential zoning, the specific business type uses of a 'service station' and 'neighbourhood shop' are also currently permitted with consent on the land, under the Schedule 1 'additional permitted uses' provisions of CLEP 2015.
- The site is currently being used for the purposes of a service station with the sale of other products considered ancillary to the dominant use as a service station.

- The proposal seeks to change the zone to B1 Neighbourhood Centre Zone under CLEP 2015 to more closely align with those use currently permissible on the land.
- The proposal also seeks to increase the maximum permissible height of building under Clause 4.3 of the CLEP 2015 from 8.5m to 9.0m.
- Should the land be rezoned as requested, the existing Additional Permitted Uses applicable to the site for a 'service station' and 'neighbourhood shop' would become redundant and are therefore it is requested that they be removed from CLEP 2015.
- The Proposal is supported by a concept design to illustrate how a future development may be undertaken on the vacant portion of the site should the land be rezoned as requested. This design is indicative only and would be subject to separate assessment under a development application should the land be rezoned in accordance with the proposal.
- The Proposal is considered to have sufficient planning merit to be recommended for a Gateway Determination.

## Purpose

The purpose of the report is to inform the Council of a planning proposal request to amend the Campbelltown Local Environmental Plan 2015 (LEP2015) to rezone land at the corner of Appin Road and Kellerman Drive St Helens Park to B1 Neighbourhood Centre Zone, and to request Council's endorsement for a draft Planning Proposal (the Proposal) to be forwarded to the Minister for Planning and Public Spaces for a Gateway Determination.

## History

The Proposal the subject of this report was originally submitted to Council by the owner of the land on 15 July 2015. Following the initial assessment by Council staff, the Proposal was deferred on 11 August 2015, 23 October 2015 and again on 16 May 2016 seeking further information.

The current proposal (attachment 3) comprises an updated proposal that was re-submitted by the landowner on 31 May 2019 and includes supplementary traffic and economic reports provided by the applicant on 27 September 2019. The proposal includes architectural plans to illustrate the potential development outcome intended by the owner of the subject land should the land be rezoned as requested.

On 26 February 2020, the Campbelltown Local Planning Panel (LPP) considered the proposal in accordance with Section 2.19 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and were generally supportive of Council advancing the proposal to the Department of Planning and Infrastructure and Environment for a Gateway Determination, subject to further traffic assessment being undertaken post-Gateway. Further details of the advice provided by the LPP is outlined in the body of this report.

## Report

Council has received a planning proposal request relating to a 7625sqm allotment located at the south eastern corner of the intersections of Appin Road and Kellerman Drive, St Helens Park. The site is clear of trees and occupied by an existing service station development.

The site is currently zoned R2 Low Density Residential under Campbelltown Local Environmental Plan 2015 (CLEP 2015). Development for the purpose of a 'service station' and 'neighbourhood shop' is permitted with consent on the land under the Schedule 1 'additional permitted uses' provisions of CLEP 2015.

The planning proposal request seeks to change the zoning of the site from the R2 Low Density Residential Zone to B1 Neighbourhood Centre Zone under Campbelltown Local Environmental Plan 2015. The request also seeks an increase in the maximum permissible height of building under Clause 4.3 of the CLEP 2015 for the site from the current 8.5m to 9.0m to align with the height limit of other B1 zoned land in the Campbelltown LGA.

Should the land be rezoned as requested, the existing Additional Permitted Uses applicable to the site for a 'service station' and 'neighbourhood shop' would become redundant and therefore it is proposed to remove these from Schedule 1 of the CLEP 2015.

A service station with convenience store, vehicle access to Appin Road and Kellerman Drive, and internal roads was approved by Campbelltown City Council under Development Consent 39/2013, dated 10 December 2013 and has since been constructed on the southern part of the lot. The portion of the allotment adjacent to the corner of Appin Road and Kellerman Drive remains vacant.

The application is supported by a concept design to illustrate how a future development may be undertaken on the vacant portion of the site should the land be rezoned as requested. This design is indicative only and would be subject to further assessment under a separate future development application should the land be rezoned in accordance with the request.

The proponent's planning proposal request was considered to have sufficient strategic planning merit when lodged and as such, the subject draft Planning Proposal (the Proposal) has been developed in order to seek the Council's endorsement for further investigation and studies, and for the reasons outlined in this report, having particular regard to the social and economic benefits that would likely result for the growing population of St Helens Park, for forwarding to the Gateway for its consideration and determination.

## 2. Assessment – Gateway Determination

The State Government's - A Guide to Preparing Planning Proposals – issued under s3.33 (3) of the EP&A Act provides guidance and information for the preparation and assessment of draft Planning Proposals.

The Guide states that a draft planning proposal should contain enough information to identify relevant environmental, social, economic and other site specific considerations. The assessment of the subject proposal has been undertaken in accordance with the latest version of the guide, having regard to the key issues identified for assessment of the initial Gateway determination.

The purpose of this Gateway determination stage is to ensure there is sufficient justification early in the process to proceed with a draft planning proposal. It enables draft planning proposals that lack strategic merit to be stopped early in the process before time and significant human and financial resources are committed.

This report provides an overview of the proposal to Council to assist the decision on whether the proposal should be forwarded by Council to the Department of Planning, Infrastructure and Environment (DPIE) for a Gateway Determination. If issued, and subject to a positive Gateway determination, additional information, detailed studies or consultation including more in depth traffic studies/analysis will be required before the Proposal can be finalised and placed on public exhibition.

## **2.1 Intended Outcome**

The intended outcome of the proposal is to facilitate the development of a local neighbourhood centre on the land as illustrated in the accompanying concept design plans. This concept design indicates the potential for approximately 1700sqm of additional business and retail floor space, in addition to shop-top housing above.

## **2.2 Site Description**

The subject land is located at the south eastern corner of Appin Road and Kellerman Drive, St Helens Park and is legally described as Lot 6202 in Deposited Plan 1203930. The allotment is 7,625sqm in area with a street frontage to Appin Road of 103 metres, and street frontage to Kellerman Drive of 61 metres. The site is clear of trees and occupied by an existing service station development on the southern portion of the land. Low density residential development of St Helens Park adjoins the site on the eastern and southern boundaries.

The site is served with regular public and school bus routes serving the site along Appin Road and Kellerman Drive. These routes connect the site to Campbelltown railway station and the Central Business District.

A service station development has been built on the southern portion of the lot under the benefit of Development Consent 39/2013/DA-C, conditionally approved by Council on 10 December 2013 under the 'additional permitted use' provisions of Council's Local Environmental Plan which permits a service station and neighbourhood shop on the land. Details of the relevant zoning and planning provisions applying to the site are detailed in the later section of this report.

The existing service station development includes a convenience store, petrol dispensing facilities, canopy and associated concrete vehicular circulation areas. Vehicular access is provided via a combined entry/exit driveway to Kellerman Drive and an exit only driveway to Appin Road. The land is relatively flat as a result of previous earthworks associated with the construction of the service station development, with a slight fall to the north-east towards Kellerman Drive.



### 2.3 Surrounding Area

St Helens Park is bounded by Woodland Road and the linear parkland of Airds to the north, the Georges River to the east, the locality of Gilead to the south, and Appin Road to the west. St Helens Park is one of the more recently developed residential suburbs of Campbelltown, with the vast majority of new development in the suburb comprising low density detached housing.

The 2020 population estimate for St Helens Park is 6948 and is forecast to grow by 13.32 percent to 7874 by 2036. There are two existing primary schools in the suburb, being Woodland Road Public at the northern end of the suburb and St Helens Park Public to the south. The nearest secondary school is Ambarvale High located in to the north-east within the suburb of Rosemeadow on the opposite side of Appin Road.

The immediate area is characterised by low density residential development within the R2 Low Density Residential zone of St Helens Park, with the public recreation area of St Helens Park Reserve to the north. This recreational space incorporates a recently constructed skate facility. There are three allotments of land on Kellerman Drive zoned B1 Neighbourhood Centre located approximately 1.1km from the subject site that are occupied by a neighbourhood centre and public school.

The suburb of St Helens Park has limited retail facilities to serve the resident population. The closest retail centre is located at Rosemeadow Market Place located on the western side of Appin Road, with a smaller agglomeration of shops and service station located to the north on Woodland Road.

#### The Proposal

The proposal (attachment 3) seeks to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) so as to permit the development of a local neighbourhood centre in conjunction with the existing approved service station development on the land. The development type is proposed to serve the local residential catchment of St Helens Park, users of the adjacent St Helens Park Reserve, as well as passing vehicular trade from Appin Road.

For the purpose of understanding what a future potential development could look like if the Proposal was approved, a conceptual design of the potential development outcome that could potentially be facilitated by the proposed rezoning has been provided by the proponent and is included within attachment 3.

The endorsement or approval of this Planning Proposal does not approve any actual development on the land, and any conceptual design would be subject to further assessment under a separate development application (DA).

The concept provided with the Proposal by the proponent, has been provided to indicate how they believe a local neighbourhood centre might be developed on the subject land, where the Planning Proposal was approved.



Should the proposed amendments to CLEP 2015 be made, any future development proposal for a local neighbourhood centre on the land would be subject to public exhibition and a detailed environmental assessment under a separate development application. Such an assessment would include a detailed analysis of the building design, traffic generation, and local environmental impacts on neighbouring residential properties. As such, the concept design included with the proposal should only be read as an indicative development outcome that would be subject to separate DA assessment.

Details of the specific amendments proposed to CLEP 2015 under the draft proposal are provided below.

## **Zoning**

Amendment of the current zoning of 'R2 Low Density Residential' applying to the site to 'B1 Neighbourhood Centre'. An extract of the land use table for each zone under CLEP 2015 is provided below for comparison.

### **Zone R2 Low Density Residential**

#### **1. Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale.
- To minimise overshadowing and ensure a desired level of solar access to all properties.
- To facilitate diverse and sustainable means of access and movement.

#### **2. Permitted without consent**

Home occupations

#### **3. Permitted with consent**

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Schools; Semidetached dwellings; Tank-based aquaculture

**4. Prohibited**

Any development not specified in item 2 or 3

**Zone B1 Neighbourhood Centre****1. Objectives of zone**

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To support public transport patronage and encourage walking and cycling.
- To achieve an accessible, attractive and safe public domain.
- To allow small-scale residential development in conjunction with retail, business and commercial uses in a manner that increases the vitality of the surrounding neighbourhood.

**2. Permitted without consent**

Nil

**3. Permitted with consent**

Boarding houses; Business premises; Car parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Hardware and building supplies; Home businesses; Home occupations; Information and education facilities; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Service stations; Shop top housing; Signage; Take away food and drink premises; Tank-based aquaculture; Veterinary hospitals

**4. Prohibited**

Pond-based aquaculture; any other development not specified in item 2 or 3

**Schedule 1 - Additional Permitted Uses**

Removal of the 'Additional Permitted Uses' clause under Schedule 1 of CLEP 2015 that permits a 'service station' and 'neighbourhood shop' with development consent on the land. It is noted that these land uses would otherwise be prohibited in the R2 Low Density Residential Zone.

The additional permitted uses clause under Schedule 1 of CLEP 2015 that applies to the land is replicated as follows:

**38 Use of certain land at Appin Road, St Helens Park**

- (1) This clause applies to land at Appin Road, corner of Appin Road with northern end of Kellerman Drive, St Helens Park, being Lot 1112, DP 1025751.
- (2) Development for the purpose of a service station and neighbourhood shop is permitted with development consent.

The additional permitted uses clause relates to Lot 1112 DP 1025751, which is the larger historical allotment that captures the subject site, in addition to surrounding land that has been subdivided and developed for low density residential development. In this regard, the operation of the clause is redundant for surrounding residential land that is technically within the boundaries of the historical Lot 1112.

Should the proposed rezoning of the subject land come into effect, the additional permitted uses clause applying to the subject land would become redundant as a 'service station' and 'neighbourhood shop' are permitted with development consent within the B1 Neighbourhood Centre zone.

**Lot Size**

Removal of the existing minimum lot size control of 500sqm for the subject land.

The lot size control that currently applies to R2 Low Density Residential zoned land under CLEP 2015 specifies a minimum lot size of 500sqm for residential lots. The proposal seeks to remove this minimum lot size control given that minimum lot size requirements for residential purposes do not apply to the areas zoned B1 Neighbourhood Centre under CLEP 2015. Other B1 zones have no minimum lot size.

**Building Height**

Amendment of the maximum building height from 8.5m to 9.0m for the subject land.

The building height control of 8.5m that applies to the site is consistently applied under CLEP 2015 to R2 Low Density Residential zoned land. The proposed amendment to increase the height limit to 9.0m aligns with other B1 zoned land within the Campbelltown LGA, and has been requested by the proponent to ensure the feasibility of developing a neighbourhood centre with the provision of 'shop top housing' on the upper level.

**Dual Occupancy Lot Size**

Removal of the minimum lot size control of 700sqm relating to subdivision of dual occupancy developments.

The existing lot size control for dual occupancy under CLEP 2015 applies a minimum lot size of 700sqm for R2 zoned land. As minimum lot size for dual occupancy requirements do not apply to the areas zoned B1 Neighbourhood Centre under Campbelltown LEP 2015, the proposal seeks to remove this control.

#### **4. Assessment of the draft Planning Proposal**

##### **4.1 Strategic Context – State Planning Policy**

The following State Plans and strategic planning policies are relevant to the consideration of the PPR as discussed below.

##### **Greater Sydney Region Plan**

The Greater Sydney Region Plan has been prepared by the NSW State Government to guide land use planning decisions over the next 40 years in order to achieve a common goal of having a metropolis of three cities, Eastern, Central and Western. The plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 725,000 additional homes and create 817,000 jobs by 2036. The plan identifies that the most suitable locations are in locations close to jobs, public transport, community facilities and services.

The proposal is generally consistent with the requirements of the Greater Sydney Region Plan by promoting employment within a local commercial centre that is accessible to the residents of St Helens Park, and facilitating an increased diversity of housing to meet the needs of the population.

##### **Western City District Plan**

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

The District Plan is identified to assist councils to plan for and support growth and change, and align their local planning strategies to place based outcomes. It guides the decisions of State Agencies and informs the private sector and wider community of approaches to manage growth and change.

The proposal is considered to be consistent with the planning priorities of the Western City District Plan through improved liveability outcomes, housing affordability and job creation. The proposal also aligns with the priorities of the plan by facilitating a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community.

##### **State Environmental Planning Policies**

The following State Environmental Planning Policies (SEPPs) are applicable to the Proposal:

- SEPP 55 – Remediation of Land
- SEPP 64 – Advertising and Signage
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP (Vegetation in Non-Rural Areas) 2017



- SEPP (Koala Habitat protection) 2019
- Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment

An assessment of the Proposal against all relevant SEPPs has confirmed that the proposal is not inconsistent with those SEPPs. Further detail in relation to the relevant SEPPs is outlined in the proposal included as attachment 3 to this report.

SEPP (Koala Habitat protection) 2019 commenced on 1 March 2020 and repeals SEPP 44 – Koala Habitat protection. The proposal is consistent with the provisions of the new Koala Habitat Protection SEPP as the subject land does not comprise koala habitat.

### **Greater Macarthur 2040**

The Department of Planning, Infrastructure and Environment has prepared Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area which sets out the strategic planning framework for the Growth Area.

The primary aim of this Plan is to focus on the urban renewal of the Glenfield to Macarthur rail corridor and the development of land for release areas from Menangle Park to Appin and:

- provide new homes and local centres
- create local jobs
- Develop Collaborative Planning
- improve transport connections
- provide open spaces and parks
- protect the koala population

Through the aims, the Greater Macarthur 2040 Plan also sets out actions that will help meet the vision identified within the document.

The proposal is considered to be consistent with Greater Macarthur 2040 as it would facilitate greater housing diversity outcomes, increased employment opportunities and service provision for the local community.

### **4.2 Section 9.1 Local Planning Directions**

Section 9.1 of the EP&A Act allows the Minister for Planning to give directions to councils regarding principles, aims, objectives or policies to be achieved, or give effect to, in the preparation of draft local environmental plans. All relevant Directions must be satisfactorily addressed by Council (as the relevant planning authority) as part of the planning proposal process.

The directions of most relevance to the assessment of the proposal are considered below.

#### **Direction 1.1 Business and Industrial Zones**

The objectives of this direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified centres.



The proposal is considered to be consistent with this Direction given that it will promote increased employment and business activities within a suitable location to service the needs of the growing population of St Helens Park. The proposal is supported by an economic impact assessment that identifies no potential adverse impacts to the viability of existing commercial centres in the surrounding locality.

### **Direction 3.1 Residential Zones**

The relevant objectives of this Direction are to encourage a variety and choice of housing types to provide for existing and future housing needs, and make efficient use of existing infrastructure and services.

The proposal would facilitate a greater diversity of housing choice through the delivery of shop top housing on land that is supported by existing infrastructure and services. Accordingly, the proposal is considered to be consistent with this Direction.

### **Direction 3.4 – Integrating Land Use and Transport**

The objectives of this Direction relate to the improved integration of urban development and transport access options to housing, jobs and services in order to reduce dependence on car travel.

The proposal is considered to be consistent with this Direction given that it would facilitate improved housing and retail options within a highly accessible location in close proximity to the existing St Helens Park residential catchment.

Direction 4.4 states that a planning proposal may only be inconsistent with the terms of the Direction if the NSW RFS does not object to the progression of the planning proposal.

### **Direction 4.3 – Flood Prone Land**

The site is not identified as flood prone by any Council Flood Study or relevant environmental planning instrument. Accordingly, the proposal is considered to be consistent with this Direction.

### **Direction 4.4 – Planning for Bushfire Protection**

The site is not identified as bush fire prone land by Campbelltown City Council's Bushfire Prone Land Map under section 146 of the EP&A Act. Accordingly, the proposal is considered to be consistent with this Direction.

### **Direction 5.4 – Implementation of Regional Plans**

The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.

This direction applies to land to which a Regional Plan has been released by the Minister for Planning. The Greater Sydney Region Plan has been considered and no inconsistencies have been identified.

**Direction 6.1 – Approval and Referral Requirements**

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

The proposal is consistent with this direction as it does not alter any approval or referral requirements.

**Direction 6.3 – Site Specific Provisions**

The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

The proposal is consistent with this direction as it removes the Schedule 1 additional permitted uses clause applying to the land, so as to permit development in accordance with the land use table of the B1 Neighbourhood Centre Zone.

**Direction 7.1 – Implementation of a Plan for Growing Sydney**

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

The proposal is consistent with this Ministerial Direction as it aligns with the objectives of the Metropolitan Strategy by facilitating housing diversity and employment generating development in an accessible location.

**4.3 Strategic Context – Local Planning Policy**

The following Council plans and strategic planning policies are relevant to the consideration of the proposal as discussed below.

**Campbelltown Community Strategic Plan 2027**

The Campbelltown Community Strategic Plan 2027 (CSP) is a 10 year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP will guide the development of Campbelltown through a series of goals and strategies including, but not limited to, housing choice, strengthening the local economy and promoting the use of public spaces.

The proposal is considered to align with the above goals and strategies of the CSP.

### **Campbelltown Local Strategic Planning Statement**

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area over 20 years and aims to achieve the following:

- provide a 20 year land use vision
- outline the characteristics that make our city special
- identify shared values to be enhanced and maintained
- direct how future growth and change will be managed
- prioritise changes to planning rules in the LEP 2015 and DCP
- implement the Region and District Plans as relevant to the LGA
- identify where further detailed strategic planning may be needed

The proposal has been considered in accordance with the relevant provisions of the LSPS, and is consistent with the following actions identified in the LSPS:

- Action 2.12 - Promote housing diversity through local planning controls and initiatives
- Action 10.13 - Ensure that new centres are located in accessible and economically viable locations, are orientated to address the public domain, and provide optimum access for local residents

In addition to the abovementioned actions, the proposal is considered to be generally consistent with the broader intent of the LSPS to strategically manage growth and change in the community to ensure sustainable planning outcomes for the Campbelltown LGA.

#### **4.4 Economic Impact Assessment**

An assessment of the economic impacts associated with the rezoning of land have been undertaken by MacroPlan Dimasi in their report titled 'Appin Road, St Helens Park Economic Impact Assessment, May 2019' (refer attachment 3). Supplementary information and assessment has been provided by separate cover (attachment 2)

The Economic Impact Assessment (EIA) has reviewed the potential for an additional 1,700sqm of retail commercial and business floor space under a B1 zoning, in the context of nearby local service centres and the Campbelltown-Macarthur Regional City.

The existing B1 zoned land located on Kellerman Drive within St Helens Park is occupied by the St Helens Park Public School and the St Helens Park Community Centre. There is one vacant allotment within the B1 zone that is under the same ownership as the land the subject of this proposal. The advantages of the subject site are also discussed within the Economic Impact Assessment which identifies the increased viability of the subject land to support a local commercial development given the ability to service a larger trade area, exposure to passing trade along Appin Road, and reduced commercial risk.

The Appin Road Economic Impact Assessment (EIA) by Macroplan Dimasi provides a review of the need and demand for a proposed retail and convenience store at St Helen Park. The assessment includes a detailed review of the plans for the site, a potential catchment area, possible tenancy mix and sales and an indicative estimate of impacts on existing local centres.

The EIA has been reviewed by Council's Economic Analytics and Policy Coordinator and the following analysis provided:

- The concept development design is for approximately 1700sqm of commercial floor space, including an anchor tenant of a small scale supermarket of 660sqm. The centre is intended to provide convenience based retail services for the surrounding population.
- A trade area has been defined that includes the suburb of St Helens Park as well as parts of Rosemeadow and Bradbury. The trade area generally extends around 2km around the site, which is typical of a convenience based centre.
- The indicative centre is proposed to include a retail component of 1330sqm and achieve indicative sales of \$9.5m, including \$5m in supermarket sales. These sales are considered to be conservative but are feasible based on the indicative tenancy mix.
- The proposed impacts as outlined in the EIA are plausible with the largest impacts occurring on Rosemeadow Marketplace and the Campbelltown City Centre. These impacts are well within the competitive range of 10 percent or less.
- Indicative employment generation is in-line with industry benchmarks.
- Having regard to the above analysis, the economic benefits that would likely be realised by the development of a local commercial centre under a B1 Neighbourhood Centre zone are summarised as follows.
- Increased choice and amenity for the population of the main trade area as well as likely increased competition for the benefit of consumers.
- More convenient access to new convenience-oriented amenities, to serve both the main trade area population, as well as passing traffic along Appin Road.
- Reduced travel distances, leading to savings on time for main trade area residents, due to a better provision of retail and non-retail facilities at the local level.
- Additional employment opportunities near residential areas and consequent economic multiplier benefits.

#### **4.5 Social Impact Assessment**

The social effects resulting from the proposal are considered to be positive for the local St Helens Park community. The proposed rezoning of the land would provide new employment opportunities for local residents, estimated to be around 39 additional jobs.

The establishment of a small local neighbourhood centre will also provide greater access to local services and facilities for the St Helens Park community and users of the adjacent St Helens Park Reserve. The site is within walking distance for the majority of the St Helens Park community, which would reduce car usage and have a positive effect on general health and wellbeing.



#### **4.6 Traffic Impact Assessment**

Transport and Urban Planning Pty Ltd has been engaged by the applicant to assess the potential traffic and access aspects of the concept plan design accompanying the proposal.

The concept plan design is indicative only and would therefore be subject to a separate development application and environmental assessment should the proposed rezoning be made.

However, the concept proposal indicates the addition of 1710sqm retail, commercial and business use floor space on the site, in addition to 11 residential units in a 'shop top' housing form. A total of 121 parking spaces is shown on the concept plan, comprising 30 basement and 91 on grade parking spaces. A loading dock for the supermarket is also provided for on the plan.

Based on that provided by the proponent, the traffic assessment indicates that the concept proposal would constitute a moderate traffic generating development, with a maximum traffic generation of 440 vehicle trips per hour during the PM peak hours if both commercial and residential trips occur within the same one hour. The assessment of the additional traffic associated with the concept proposal indicates that traffic conditions on the road network adjacent the site would remain satisfactory post development.

Council's Traffic Engineers have reviewed the traffic impact assessment and have identified additional issues that will require further in depth investigation should the proposal be recommended for a Gateway Determination.

As part of the assessment of the Proposal, consultation with the NSW Roads and Maritime Service (RMS) will be required regarding planned upgrades to the adjoining intersection of Appin Road and Kellerman Drive, with in depth consideration to be given to such critical aspects as future pedestrian and driver safety, signals operation and traffic network implications.

Subject to a successful Gateway determination, additional documentation and updated traffic modelling data in the vicinity of the site will be required in order to demonstrate compliance with relevant Austroads Guidelines.

It is therefore considered appropriate that further in depth traffic assessment and formal consultation with the RMS be undertaken and as such, recommended to be included as a condition of any successful future Gateway determination.

#### **Campbelltown Local Planning Panel**

On 26 February 2020, the Campbelltown Local Planning Panel (LPP) considered the planning proposal request and was generally supportive of the proposal being advanced by Council for a Gateway determination.

The following advice to Council has been provided by the LPP in accordance with Section 2.19 of the EP&A Act:

The proposed change of zoning from R2 low density residential to B1 Neighbourhood Centre is reflective of the current use of the site.



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Ordinary Council Meeting

12/05/2020

Given the site's location on the intersection of Appin Road and Kellerman Drive, a business/commercial land use is more suitable than a residential land use permissible under the current zone.

It is understood that Council is preparing an employment lands study. In the absence of a strategic planning framework justification which may result from this study, the merits of the site having regard to its existing use are sufficient to allow the advancement of this proposal to gateway. It is recommended that Council request a Gateway condition that requires the planning proposal to be considered in the context of the employment lands study once finalised.

The proposed change to the height of buildings map reflects the change to the land use zone. The removal of the minimum lot size control is appropriate and provides consistency with other B1 zones under the Campbelltown Local Environmental Plan, 2015.

The resultant removal of the additional permitted uses of a service station and neighbourhood shops on the site from Schedule 1 of the Campbelltown Local Environmental Plan, 2015 is logical as they will be permitted with consent in the B1 zone.

Council should ensure that further work is done to assess the issues raised by Council's traffic engineers post gateway, should the proposal be supported by Council.

In providing this advice to Council, the Panel is not providing an opinion of any kind to the suitability of the submitted concept plan.

### **Public Consultation**

Should the Proposal be endorsed for a Gateway Determination, consultation with the public and relevant agencies will be undertaken in accordance with S 3.34 of the EP&A Act, and any specific requirements for community consultation prescribed in the Gateway determination. This would normally involve a 28 day exhibition period.

### **Conclusion**

Council received an owner initiated planning proposal request that seeks to amend Campbelltown LEP 2015 to allow the establishment of a local neighbourhood centre to complement the existing service station constructed at the corner of Appin Road and Kellerman Drive, St Helens Park.

A draft Planning Proposal has since been developed to articulate and support a change in the current land use zone of the site from R2 Low Density Residential to B1 Neighbourhood Centre under Campbelltown Local Environmental Plan 2015. The Proposal also seeks an increase in the permitted Building Height limit for the site from the current 8.5m to 9.0m to align with the height limit of other B1 zoned land in the locality.

If rezoned, the existing Additional Permitted Uses currently applying to the site for a service station and neighbourhood shop would become redundant and accordingly should be removed.

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The Proposal includes a conceptual design for a local neighbourhood centre that illustrates a potential development outcome for the site comprising retail floor space generating 39 additional jobs, in addition to increased housing diversity through the provision of shop-top housing. Such development is expected to have some minor trading impacts on existing commercial centres in the region, however, the impacts are not considered to threaten any existing facility's ability to continue operating successfully.

The Proposal is considered to be consistent with the objectives of the Greater Sydney Region Plan and Western City District Plan, and actions of the Campbelltown Local Strategic Planning Statement. A range of economic and social benefits are likely to arise from the proposed development, particularly for the local population of St Helens Park. It is therefore concluded that a net community benefit would likely result from the proposed rezoning.

Section 3.34 of the EP&A Act requires Council to consider the advice of the Campbelltown Local Planning Panel (LPP) on a draft Planning Proposal before it considers whether or not to forward it for a Gateway determination. The LPP has considered the matter and is generally supportive of the Proposal being endorsed by Council for a Gateway Determination.

### **Attachments**

1. Economic Report Addendum (contained within this report)
2. Traffic Report (contained within this report)
3. Planning Proposal - due to size (117 pages) (distributed under separate cover)