

Date: 23 October 2015

File: 11471

Secretary
NSW Department of Planning and Environment
23-33 Bridge Street
Sydney NSW 2000

Att: Mr Malcolm McDonald

Dear Malcolm,

Exhibition of Draft Glenfield to Macarthur Strategy

We refer to the recent exhibition of the Draft Glenfield to Macarthur Strategy and write on behalf of The Village Centre Ingleburn Pty Ltd, which owns the land containing the Ingleburn Town Centre Shopping Centre and associated car park on Nardoo Street, and a separate property on Macquarie Road.

Firstly, we would like to thank the Department for accepting the late submission of comments on the draft Strategy.

Our comments are attached. Our response to the material in the Draft Strategy, and the basis for our requested amendments to the Plan are presented in comprehensive detail in the submission.

We believe that we demonstrate that the vision for Ingleburn can be achieved, and can actually be facilitated, by the application of planning controls that support a mix of land uses, higher densities and taller buildings than that proposed in the Strategy.

We welcome very opportunity to discuss this attached submission if it will assist and if you have any queries please contact me.

Yours sincerely,

INSPIRE URBAN DESIGN & PLANNING PTY LTD

A handwritten signature in black ink, appearing to read 'S. McMahon', with a long horizontal line extending to the right.

Stephen McMahon
Director

SUBMISSION ON DRAFT GLENFIELD to MACARTHUR URBAN RENEWAL CORRIDOR STRATEGY

Submission on behalf of The Village Centre Ingleburn Pty Ltd
and Associated Companies for Properties within the
Ingleburn Town Centre

22 October 2015



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1. Introduction

This submission has been prepared on behalf of *The Village Centre Ingleburn Pty Ltd* (owner of *Ingleburn Town Centre, Shopping Centre*). It responds to the Department's invitation to comment on the exhibition of the draft Glenfield to Macarthur Urban Renewal Corridor Strategy.

1.1 The Affected Properties

The Village Centre Ingleburn Pty Ltd owns the land containing the Ingleburn Town Centre Shopping Centre and associated car park on Nardoo Street and a separate property on Macquarie Road. The locations of the properties are presented in the aerial photograph in **Figure 1** below.

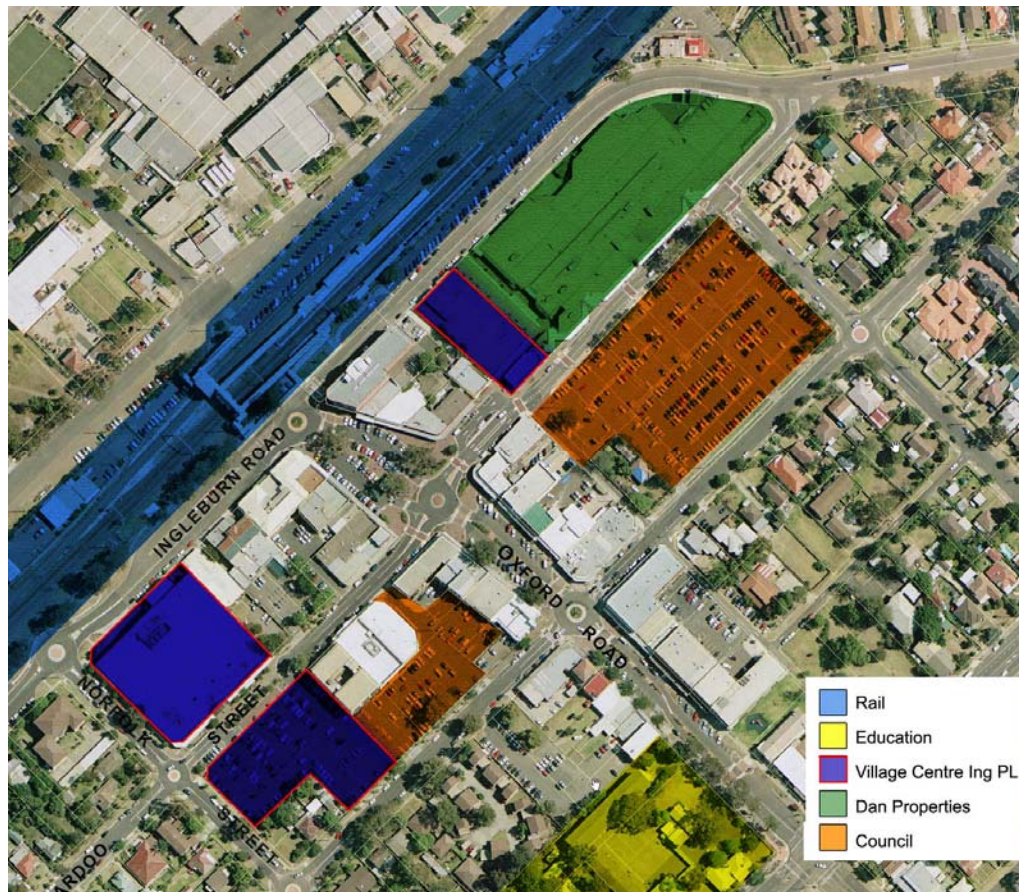


Figure 1: Location of the Sites that are the Subject of this Submission

Village Centre Ingleburn Pty Limited thus owns three major properties in the Ingleburn Town Centre. This makes it one of the largest private landowners in Ingleburn after Council and NSW Rail. As such it is vitally interested in the long term prosperity, economic viability, role and future of Ingleburn in the Campbelltown Local Government Area.

[illegible]

Put simply, no meaningful redevelopment and revitalisation of the town centre will be undertaken unless planning controls for viable redevelopment of these large landholdings are implemented.

Of significance in this regard, the two large properties in the south western part of the town centre owned by Village Centre Ingleburn Pty Ltd accommodate a small shopping centre anchored by a Woolworths Supermarket and its car park. Any financial model for the redevelopment of these properties would have to include the cost of disruption to rental income to the landowner and loss of trade to the supermarket operator.

1.3 Summary of This Submission and Requested Amendments

On behalf of Village Centre Ingleburn Pty Ltd we have reviewed the exhibition materials and make two requests to amend the draft strategies presented in the exhibition documentation as follows. The grounds that support our request are presented in the proceeding parts of this submission.

1. That all properties within the core of the Ingleburn Town Centre be given a “mixed use retail/residential” land use designation; and
2. That the building heights and floor space ratios identified in the Strategy be amended to the following:
 - a) “mixed use retail/residential” maximum 15 stories with a commensurate FSR to support a residential tower on a retail / commercial podium (including car parking) of 6:1,
 - b) “ high rise residential” as maximum 15 stories with commensurate FSR of 5:1;
 - c) “medium rise residential” as maximum 10 stories with commensurate FSR of 4:1;and
 - d) Whilst retaining the village scale and character of Oxford Street by setting back development at levels above a two storey podium

We consider that our requested changes to the Strategy are well founded on social, economic and environmental grounds and we request that the Strategy be amended accordingly.

2. Grounds for Requested Changes

2.1 Opportunities for Transit Oriented Development

While the draft Strategy rightly recognises the opportunities for increased development oriented around the high level of public (principally rail) transport service in the corridor, and in particular increased development densities around railway stations, it proposes only minor increases in building heights and floor space ratios compared to that currently included in Campbelltown Council's development controls (which are particularly low in Ingleburn).

As part of the analysis of the opportunities and constraints of the Ingleburn precinct; any planning for an increase in building density and height needs to be viewed in the context of Sydney's evolving housing development. The types and forms of Sydney's housing development have changed markedly over the last decade, and far more than was ever envisaged by the planning strategies of 10 years ago.

Apartment buildings of 15+ stories have now become common in railway station based suburban centres throughout Sydney.

The current trends indicate that the move to higher density apartment living will continue and there is no reason to doubt that this trend will end. It is a comparatively affordable and efficient form of housing. Improved design (courtesy of State Environmental Planning Policy No.65 and an appreciation by both the development industry and consumer preferences) only reinforces the increasing acceptance, and in many areas popularity, of high rise apartment living. Views are highly valued (and heavily marketed) as being part of the amenity offer of such housing (in addition to convenient access to transport and an urban character of living).

The Ingleburn Town Centre in particular, presents a significant opportunity to achieve recognised and commonly accepted social, amenity and economic planning goals and objectives inherent within the "Transit Oriented Development (TOD) approach to strategic planning and development. The TOD approach advocates higher densities with amenity, within a mixed use framework and walkable neighbourhoods anchored around a major public transport stop. It is 'good town planning.' This Planning philosophy, is robust, widely supported and logical. In urban renewal areas this is achieved through the application of higher building density and height controls to development.

In particular a higher density of development with taller building heights adjoining a railway station delivers a number of economic and social benefits:

- It improves the financial viability of mixed use development projects;
- It has the potential to deliver additional community Facilities / benefits due to the potential scope of redevelopment;
- It increases dwelling supply in a local centre with convenient access to rail based high order public transport;
- It would generate minimal overshadowing and overlooking (privacy) impacts due to the size and configuration of sites and the presence of neighbouring roads that separate residential use from the town centre core;

- It can result in substantial improvements to the character and presentation of Ingleburn's streetscapes, footpaths, shop fronts and public domain areas;
- Visual impact can be positive via sensitively designed buildings of high architectural quality. Additional design guidance in the DCP can facilitate this objective;
- It reinforces the role of the Centre. New housing opportunities and active street frontages can reinforce the economic viability and functionality of the centre; and
- In Ingleburn specifically, it capitalises on existing transport, community and open space facilities as well as upper level views to the Scenic Hills to the west and National Parks to the east; enhancing amenity.

The presence of the Ingleburn railway station and express trains to other parts of Sydney captures interest in a potentially large pool of households who may wish to locate to new housing in the town centre, increasing the range, choice and scope of housing, increasing the resident population and increasing retail and commercial expenditure in the centre. This would simultaneously improve the image of the centre as a genuine commercially and socially viable 'village heart' for the area.

The question to be asked is whether the current proposed heights (and FSRs) of mid-rise 3-6 storey and 7+ high rise truly capitalise on the opportunity in the *longer term*. We have emphasised "longer term" for, as we note above, apartment dwelling typologies have evolved significantly in the last decade towards higher rise and higher density; far more than was ever envisaged at the time and we expect this to continue.

It begs a second question. In a decade's time, as Sydney's growth continues, will such height controls (as currently proposed to be in place in Ingleburn) be viewed as conservative, and failing to capitalise on the opportunities that are offered?

2.2 Responding to the Plan for Growing Sydney

The new Metropolitan Strategy announced by the Department at the end of last year takes a strategic and less detailed approach to land use planning than its predecessor and identifies a number of relevant directions. With regard to housing it notes:

"The Plan's focus is on providing more housing, with a greater choice of dwelling types in well-serviced locations. This will help meet changing household needs, lifestyle choices, population growth and different household budgets. ... Residents should be able to age at home, if they wish, live close to families and friends, and travel easily to work, education and social activities. New housing will be supported by local infrastructure and services that reflect the demographic needs of a community."

It makes the following relevant directions:

- Accelerate housing supply and local housing choices.
- Undertake urban renewal in transport corridors which are being transformed by investment and around strategic centres.
- Require local housing strategies to plan for a range of housing types.

It identifies the following priorities for the Campbelltown Macarthur Subregion

1. *Identify suitable locations for housing, employment and urban renewal – particularly around established and new centres and along key public transport corridors including the Cumberland Line, the South Line, the Bankstown Line, the South West Rail Link and the Liverpool-Parramatta T-Way; and*
2. *Work with council to provide capacity for additional mixed-use development in Campbelltown-Macarthur including offices, retail, services and housing.*

These are relevant considerations for the Strategy for Ingleburn and it is appropriate that the Strategy maximises the opportunities it offers to respond to the Plan.

2.3 Responding to the NSW State Plan

Similar to the Plan for Growing Sydney above, the new NSW State Plan recognises the need to increase the amount of available housing is a priority for the Government. The Plan notes that responding to this priority makes it easier for people to find or build homes to suit their lifestyles and helps grow the economy, including additional employment opportunities for builders and tradespeople.

This is a relevant consideration for the Strategy for Ingleburn and it is appropriate that the Strategy maximises the opportunities it offers to respond to the State Plan.

2.4 Incentivising Viable Redevelopment while Meeting Urban Design Objectives

One of the characteristics of Ingleburn (which is not identified in the draft Strategy) is the decline in the population in the Town Centre's catchment. There has been minimal redevelopment (with relatively few new dwellings), which is particularly notable in the context of the current boom in Sydney's housing construction. Unlike a lot of railway station based suburban centres in Sydney, there are no tall cranes on the skyline of Ingleburn.

With the obvious attributes of the centre and the boom in construction around railway stations being experienced in all other parts of Sydney (including the Campbelltown CBD and Park Central) it begs the obvious questions:

- a) Why isn't Ingleburn enjoying the benefits of revitalisation being enjoyed by other comparable centres?
- b) What latent circumstances are holding back the redevelopment of Ingleburn?

The draft Strategy does not address these questions in a meaningful way. The Plan must seize every opportunity to reverse the lack of economic activity and population decline.

To achieve revitalisation as well as a desired village character (either preserved or promoted), planning controls must facilitate and incentivise the investment sought.

As we have stated earlier, in order to incentivise investment the adopted planning controls must facilitate increased yield and floor space (that is greater height and floor space ratios). However this does not need to be implemented to the detriment of character protection and the achievement of urban design objectives

The sensitive configuration of higher density built form, with attention to setbacks of tower forms on podiums can retain a village type character in public domain areas and within streetscapes.

To achieve the revitalisation objectives of the Strategy it would be logical to facilitate larger scale redevelopment on the larger properties that directly address the railway line on Ingleburn Road. These properties are the most capable of accommodating higher density residential towers, set back on podiums with minimal environmental impact. The larger sites, with towers sensitively configured and setback on podiums are efficient at absorbing within the site, and minimising external, environmental impacts such as shadow (solar), scale / streetscape, privacy and traffic.

This approach raises issues of compatibility of proposed built form, with that which exists within the area; an issue that has been raised by the community in the past.

In considering 'compatibility' in *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191, Senior Commissioner Roseth SC discussed the 'planning principle' applicable to a development's 'compatibility' in an urban environment. He notes:

"It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

It should be noted that compatibility between proposed and existing is not always desirable. There are situations where extreme differences in scale and appearance produce great urban design involving landmark buildings. There are situations where the planning controls envisage a change of character, in which case compatibility with the future character is more appropriate than with the existing. Finally, there are urban environments that are so unattractive that it is best not to reproduce them.

Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.

- *Are the proposal's physical impacts on surrounding development acceptable?*
- *Is the proposal's appearance in harmony with the buildings around it and the character of the street?"*

Physical impacts of the development can be assessed with objectivity. Such issues as noise, overlooking, overshadowing and traffic can be examined. In contrast, Senior Commissioner Roseth notes that to determine whether or not a new building appears to be in harmony with its surroundings is a more subjective task.

"For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment.

The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

Buildings do not have to be the same height to be compatible. Where there are significant differences in height, it is easier to achieve compatibility when the change is gradual rather than abrupt. The extent to which height differences are acceptable depends also on the consistency of height in the existing streetscape.

Front setbacks and the way they are treated are an important element of urban character. Where there is a uniform building line, even small differences can destroy the unity. Setbacks from side boundaries determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way."

The opportunities and potential minimal environmental impact that this approach offers in Ingleburn is illustrated in the sketch below.

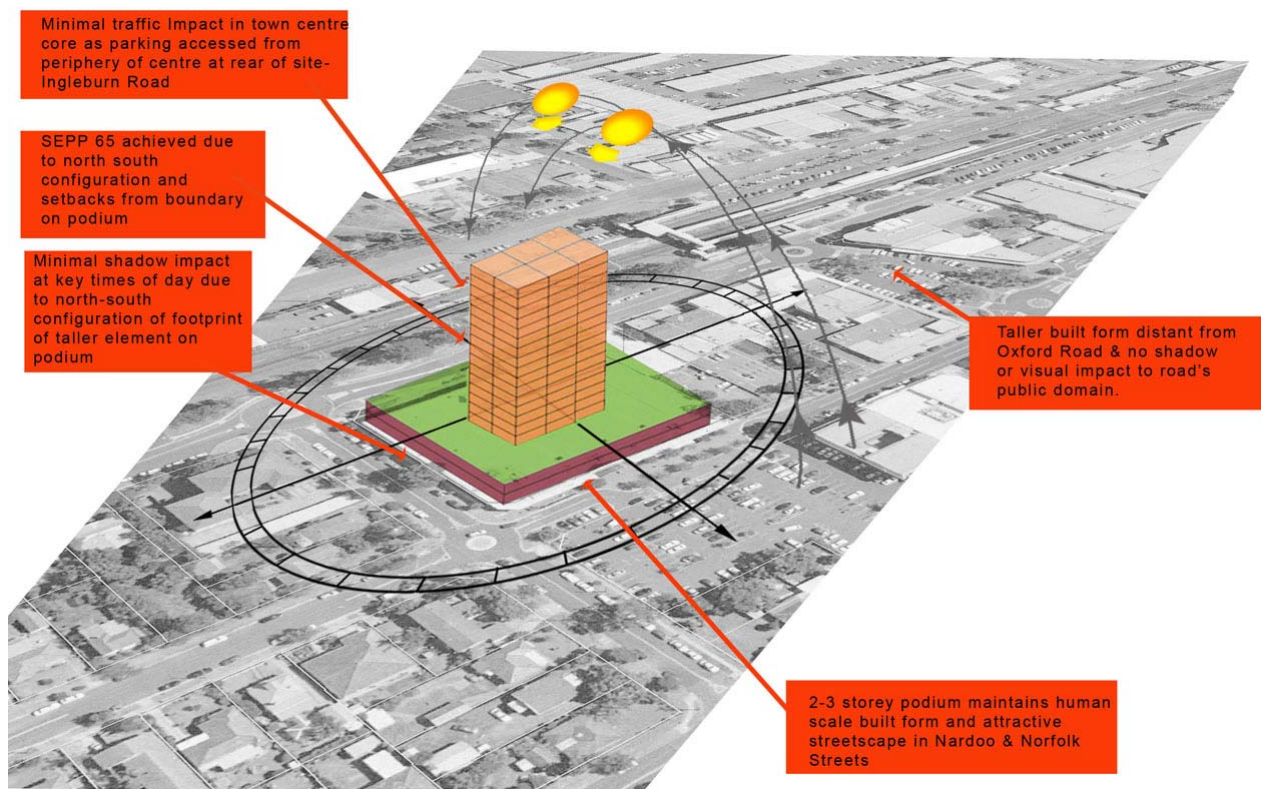


Figure 3: Redevelopment Opportunities of Larger Sites (Example Ingleburn Town Centre Shopping Centre Site)

To maximise the revitalisation opportunities within the centre, and minimise environmental impacts large property holdings on Ingleburn Road should enjoy opportunities for greater building heights.

3. Requested Amendments to Strategy

In light of the discussion above, we have reviewed the exhibition materials and make the following two requests to amend the planning strategy for Ingleburn.

3.1 Amendment 1: Land Use Designation

In the draft Strategy Village Centre Ingleburn's properties are variously identified as 'commercial retail core' 'High Rise Residential' or 'mixed use retail and residential. '

The location of the properties are illustrated in Figure 4.

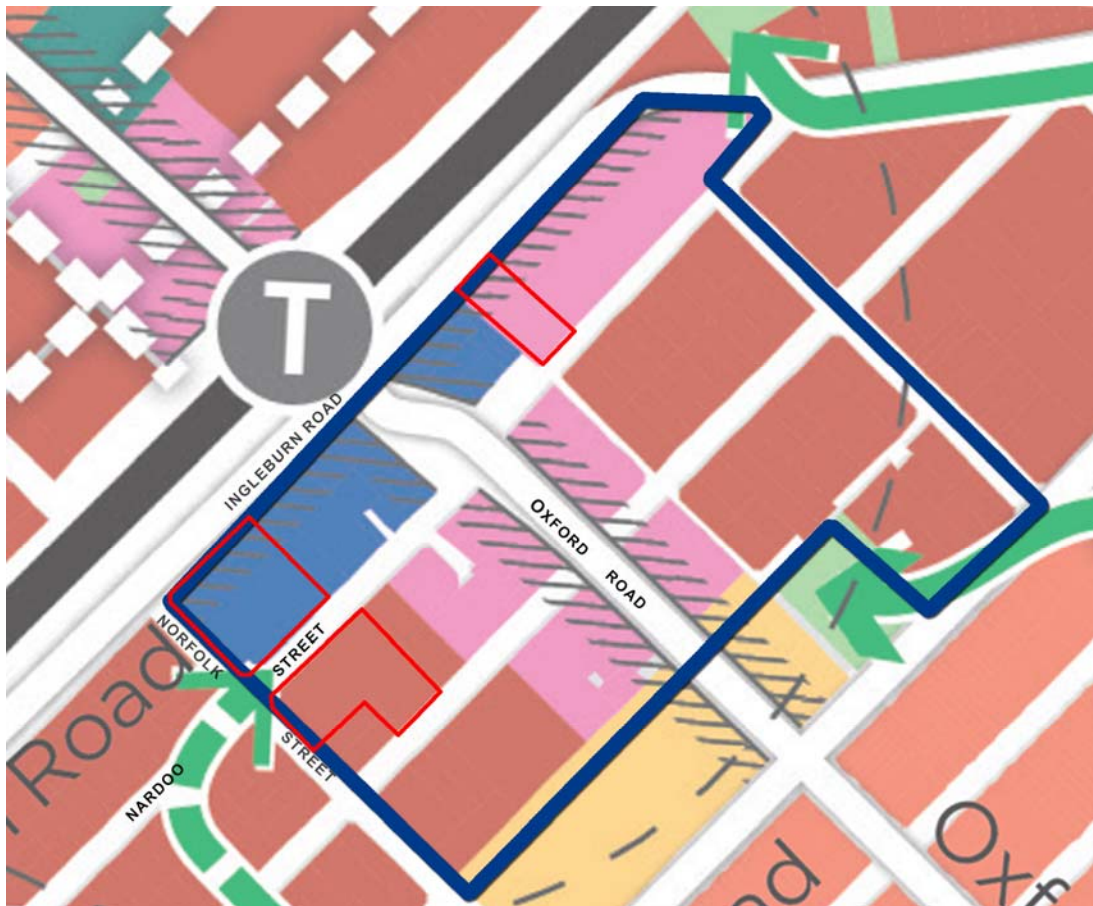


Figure 4: Sites in Proposed Strategy Plan

The proposed land use designations raise a number of matters:

1. They do not reflect the nature of the existing land use. For example the property designated as "High Rise Residential" currently accommodates the car park of the shopping centre and its current use would be more correctly identified as forming part of the 'commercial and retail core.' While the property identified as "mixed use retail and residential" currently contains a core retail use; and

-
2. We query the logic of the proposed land use designations in the Plan. In particular:
- i. We query the genuine difference in land use outcomes between a 'commercial/retail core' and a 'mixed use retail and residential development' designation in a contemporary commercial centre.
 - ii. We would expect the eventual separate zones that will be identified to allow for 'retail and commercial premises' and 'shop top housing' uses in both zones (adopting the standard instrument definitions).
 - iii. In particular, we would expect that the objectives of both land use designations to exhibit little differences in terms of practical applicability (as "core commercial and retail" use is difficult to define and we expect both to support retail uses and both not to exclude any particular scale of retail use).
 - iv. Both land use designations can place an emphasis on encouraging redevelopment and preserving village character.
 - v. It begs the question; 'at the end of the day, in the practical and functional management of the growth of a centre as Ingleburn, what benefit would be gained by distinguishing land use precincts in such a prescribed, inflexible micro manner?'
 - vi. That is, in truth, what different outcome would be achieved with this difference in designation?

Simplistic designation of different land use precincts on a 'block by block' basis at such a micro scale in a small traditional railway station based town centre core such as Ingleburn has long been proven to constrain redevelopment through the inherent inflexibility and unresponsiveness it generates. In fact contemporary town planning philosophy has moved away from the strict demarcation of different zones in a town centre environment in favour of the broad application of a flexible mixed use zoning.

Flexibility in land use designations with support for shop top housing in all parts of the Ingleburn Town Centre is the key to its revitalisation.

To meet contemporary and evolving retail and housing demands, and provide the framework for investment, all parts of the town centre core of Ingleburn should be designated "mixed use."

Design guidance can then follow to facilitate retention of the centre's village feel.

We request that the Strategy plan map designate the whole of town centre core as "mixed use" as indicated in **Figure 5** below.

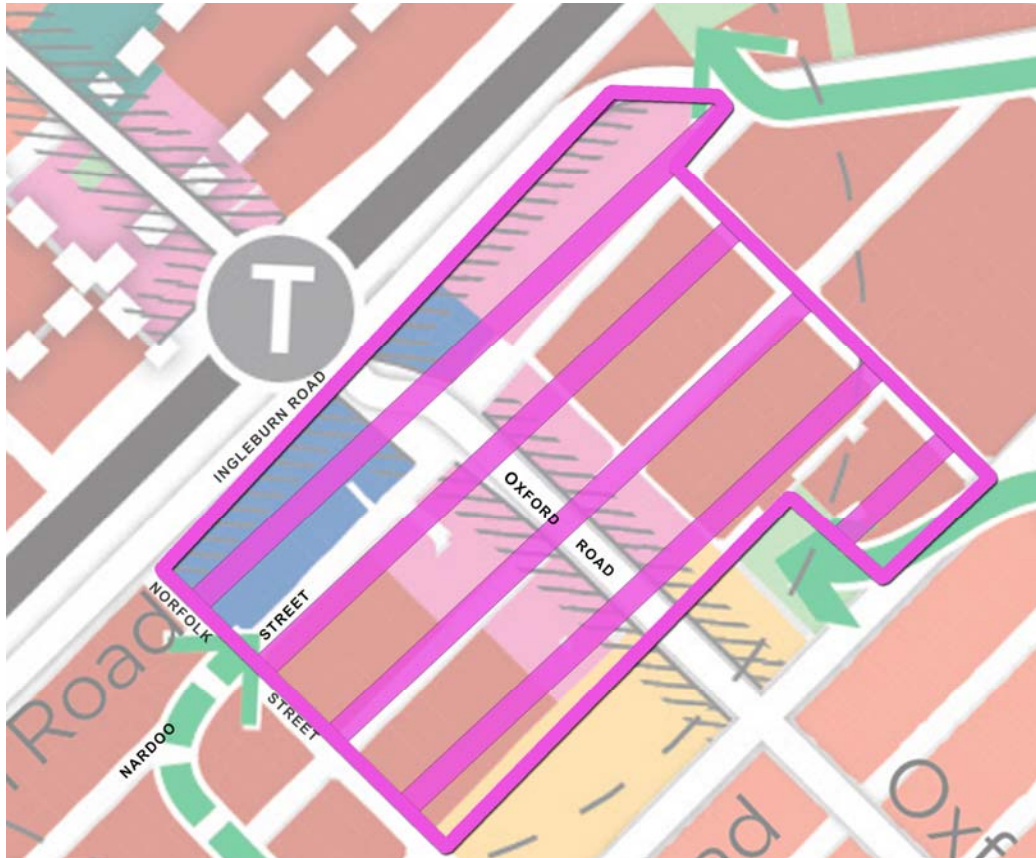


Figure 5: Requested Amendment to Structure Plan: Mixed Use Designation in Area within Pink Boundary and Hatch

3.2 Amendment 2: Height

We query the height designations that apply to the Village Centre Ingleburn Pty Ltd properties, and across Ingleburn generally. In particular:

- The larger sites with fewer land ownership encumbrances to redevelopment have a comparatively low height limit; and
- Large properties that are located at the periphery of the centre in sites that are of a size and configuration that can minimise environmental impacts on adjoining properties, road and public domain areas have with a low height limit.

We request that the draft heights maximise the opportunities to increase density around the railway station as follows:

- "mixed use retail/residential" maximum 15 stories with a commensurate FSR to support a residential tower on a retail / commercial podium (including car parking) of 6:1,
- " high rise residential" maximum 15 stories with commensurate FSR of 5:1;
- "medium rise residential" maximum 10 stories with commensurate FSR of 4:1;and
- Whilst retaining the village scale and character of Oxford Street by setting back development at levels above a two storey podium.