



ATTACHMENTS TO REPORTS

INDEPENDENT ADVISORY PLANNING ASSESSMENT PANEL MEETING

Wednesday 7 April 2021

COPIES CIRCULATED SEPARATELY HEREWITH

Attachments to Reports

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Item 5.1

**Development Application 21/0257 - Two (2) Lot Subdivision Part Lot 313
DP1245164, 27 Kimberley Drive Bowral**

Attachment 2

Plan of Subdivision

Attachment 3

DA/0257 - Locality Map

Attachment 4

DA21/0257 - Aerial image

Attachment 5

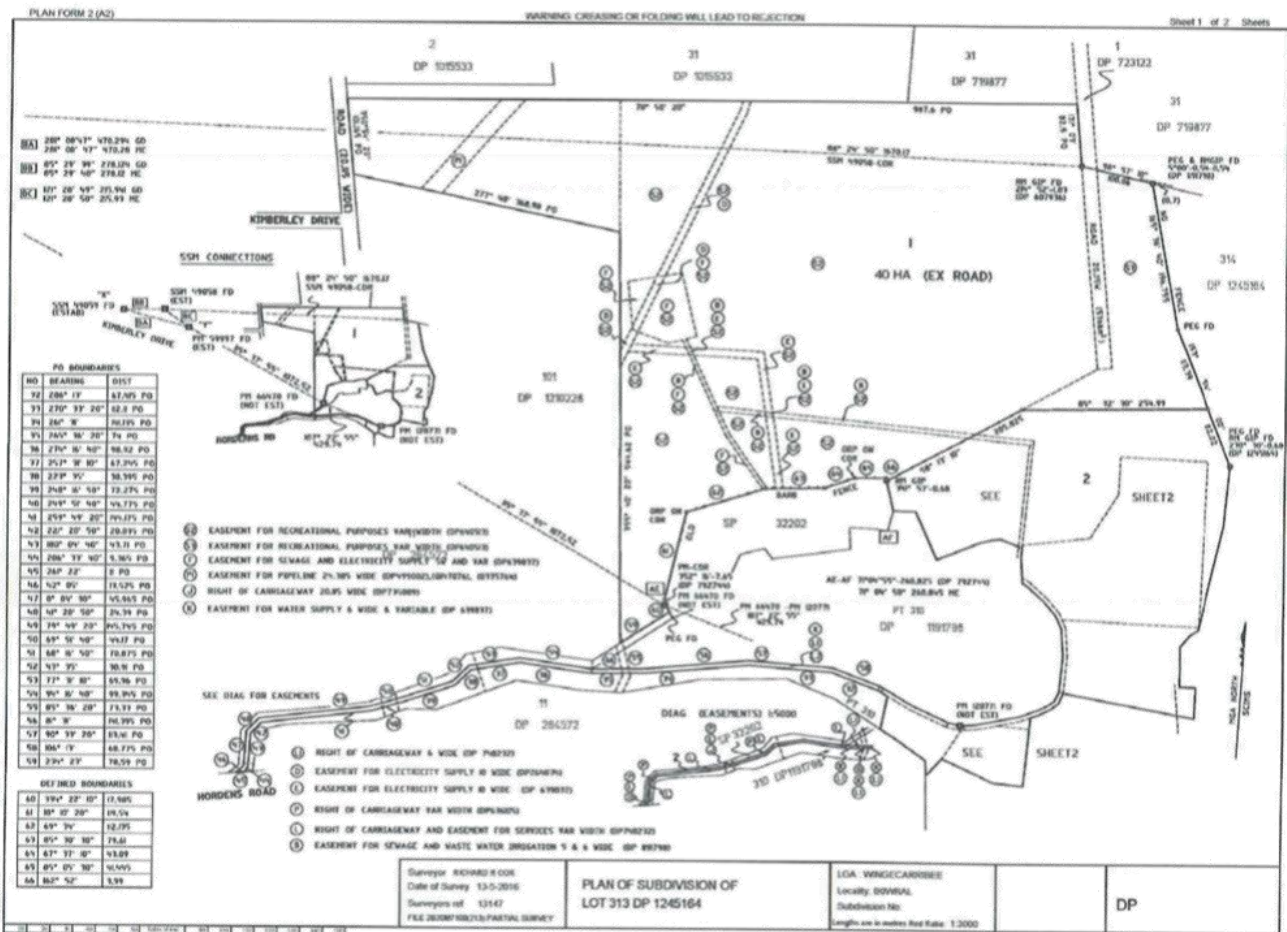
DA21/0257 - Aerial view of proposed Lot 2

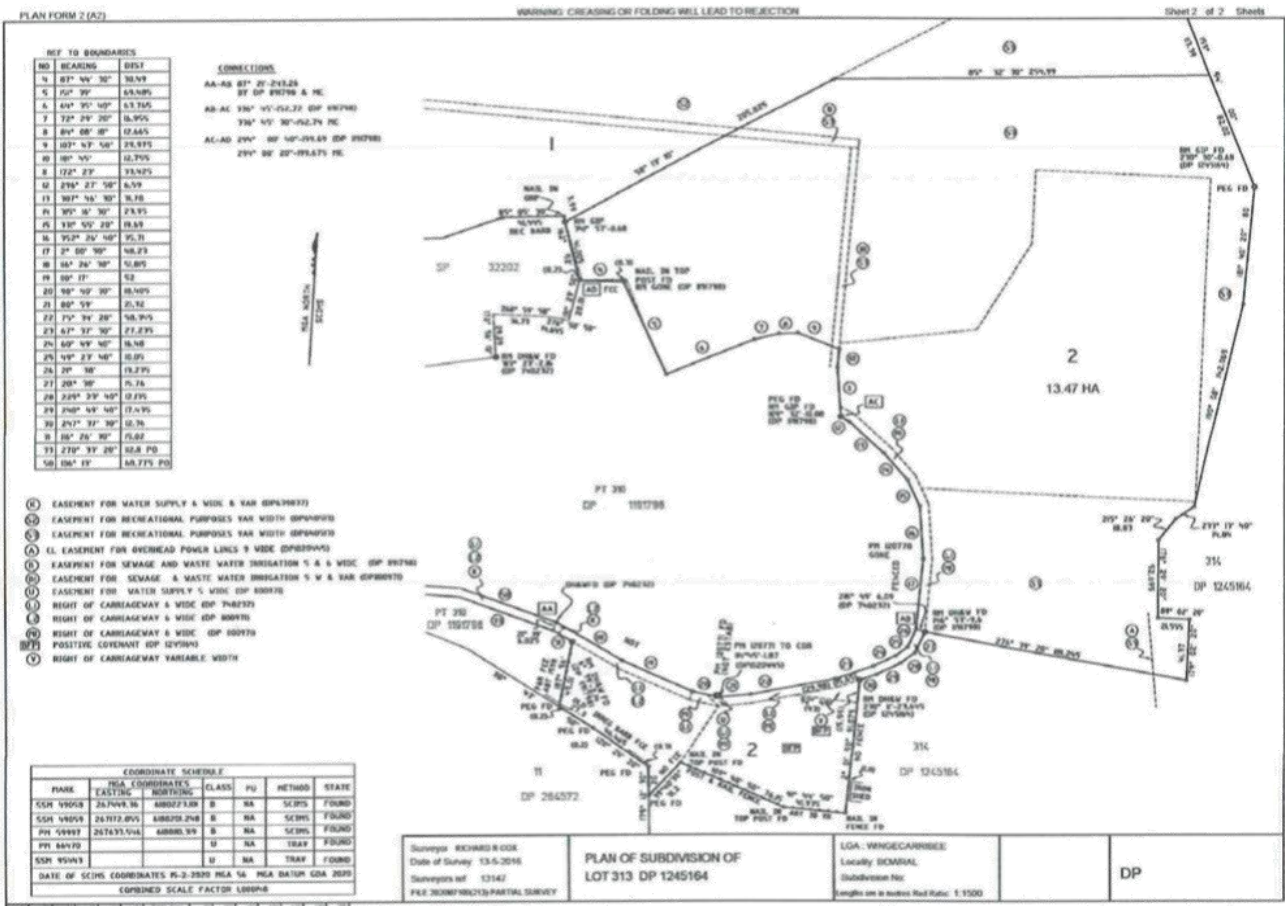
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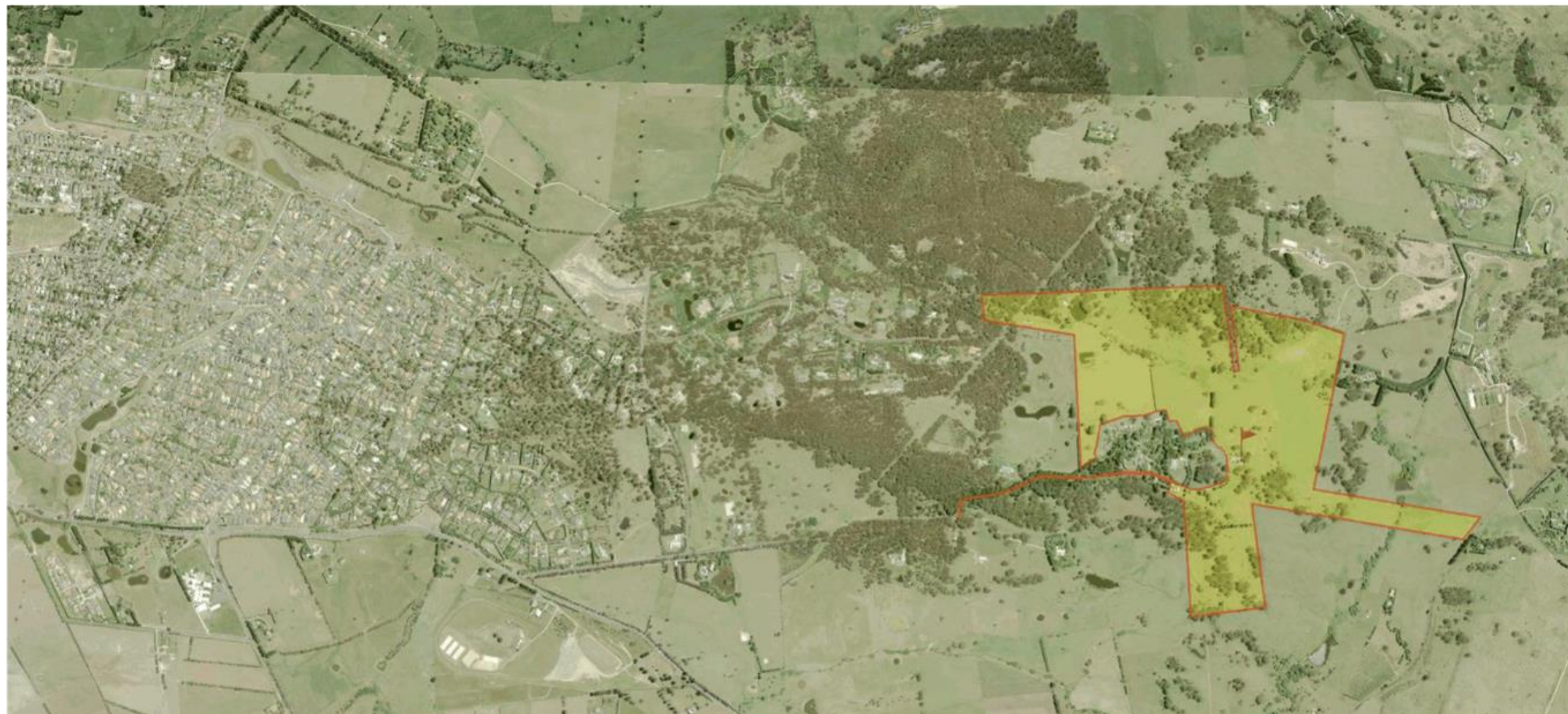
Attachment 7

DA21/0257 - Aerial view of existing dwelling that will be accommodated on proposed Lot 1





Attachment 3 – Locality Map



Attachment 4 – Aerial image



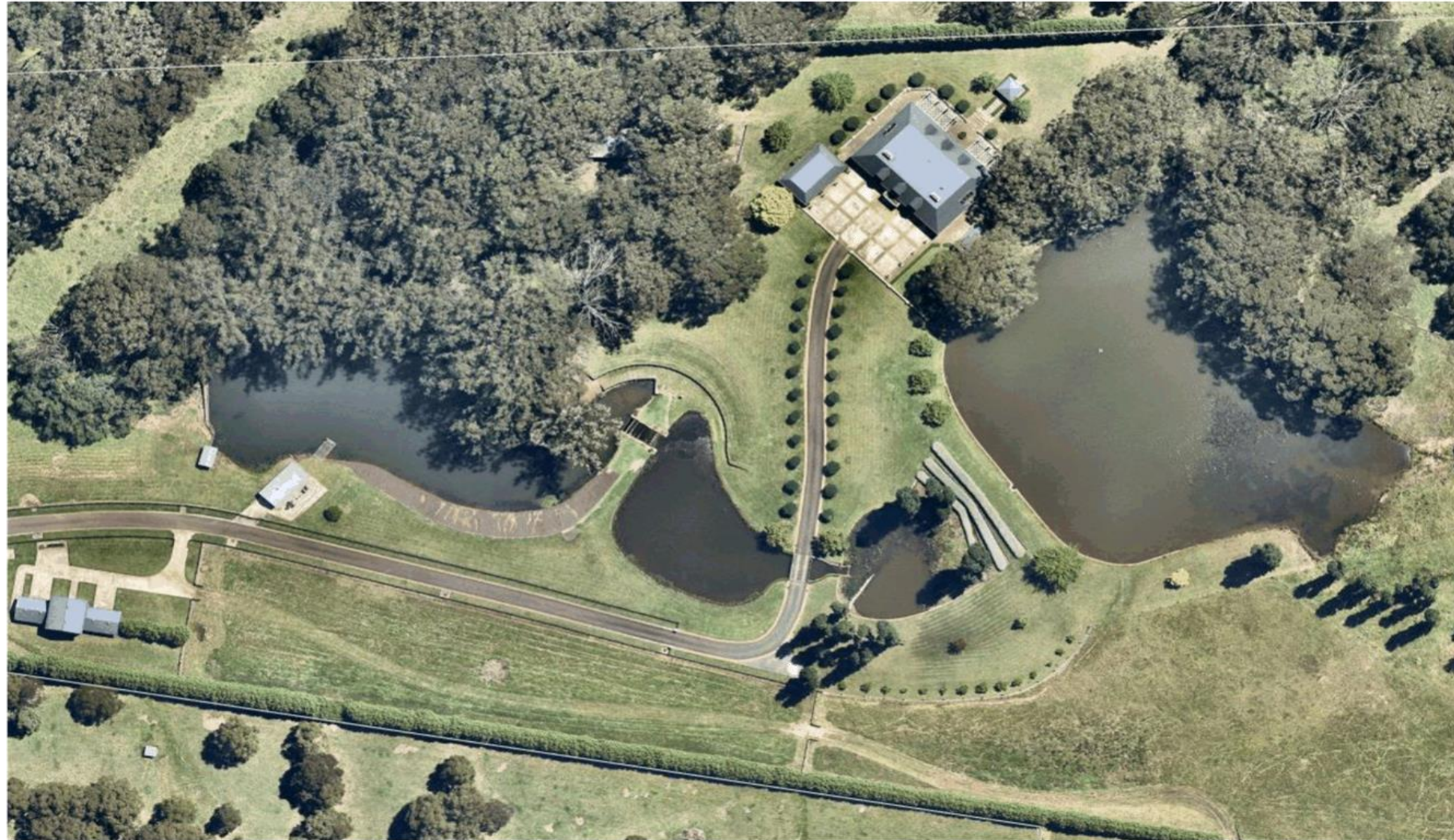
Attachment 5 – Aerial view of proposed Lot 2



Attachment 6 – Aerial view of Village 1



Attachment 7 – Aerial view of existing dwelling that will be accommodated on proposed Lot 1



ATTACHMENTS TO REPORT

Item 6.3

Planning Proposal to rezone land at 63-69 Kirkham Road Bowral from IN2 Light Industrial to B4 Mixed Use

Attachment 1

Planning Proposal - Kirkham Road Bowral



20 November 2020

Ref: WTJ20-281_Planning Proposal



Planning Proposal

Rezoning for Mixed Use Development and Introduction of Height and FSR Standards

63-69 Kirkham Road, Bowral

Lot 2 DP 1081770

Prepared by Willowtree Planning Pty Ltd on behalf of The
Village of Bowral

November 2020



PLANNING PROPOSAL

Rezoning for Mixed Use Development and Introduction of Height and FSR Standards
 63-69 Kirkham Road, Bowral (Lot 2 DP 1081770)

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6.3 Planning Proposal to rezone land at 63-69 Kirkham Road Bowral from IN2
Light Industrial to B4 Mixed Use
ATTACHMENT 1 Planning Proposal - Kirkham Road Bowral

**PLANNING PROPOSAL**

Rezoning for Mixed Use Development and Introduction of Height and FSR Standards
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- Appendix 2** Urban Design Report
- Appendix 3** Economic Impact Assessment
- Appendix 4** Transport Assessment
- Appendix 5** Flood Impact Assessment
- Appendix 6** Preliminary Site Investigation
- Appendix 7** Geotechnical Desktop Assessment
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63-69 Kirkham Road, Bowral (Lot 2 DP 1081770)

EXECUTIVE SUMMARY

This Planning Proposal has been prepared by Willowtree Planning Pty Ltd on behalf of The Village of Bowral, in relation to the site of 63-69 Kirkham Road, Bowral (Lot 2 DP 1081770). The Planning Proposal seeks to amend *Wingecarribee Local Environmental Plan 2010* (WLEP2010) to rezone the site to B4 Mixed Use and introduce standards for building height and Floor Space Ratio (FSR).

The proposed LEP amendments intend to facilitate the development and use of the site as a mixed use precinct offering a complementary suite of commercial and retail spaces and residential apartments, complemented by green open spaces and connections to Mittagong Creek and riparian corridor.

Compared to the current quasi industrial-commercial premises on the site, the proposal would provide 9.5% more employment-generating floor space, support higher densities of employment and offer more diverse business investment and job opportunities. This would support the creation of 233 jobs on the site (an 863% increase compared to the current 27 jobs). Accordingly, the proposal would promote significant economic benefits.

Economic impact assessment also concludes that a rezoning of the subject site would not unacceptably impact on industrial land supply within the Wingecarribee LGA, but instead would formalise the mixed use function already performed by the site and a significant proportion (72%) of the IN2-zoned precinct along Kirkham Road. Industrial growth within the LGA would be better accommodated within the Moss Vale Enterprise Corridor which offers 370ha of vacant industrial land.

With regard to the relationship of the proposal within the existing Bowral town centre, the economic assessment finds that the site would fulfil a role in providing larger, more flexible tenancies benefitting from loading facilities and car parking for customers and businesses, and therefore accommodating types of employment floor space and businesses that are not currently catered for in the established town centre. Therefore the proposal would complement, not compete with, the town centre.

The envisaged residential offering would inject additional housing supply and greater dwelling diversity into the local area, in direct response to the Priorities of the draft Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) which highlight the need for at least 3,300 new dwellings by 2036 (with 50% to be delivered as infill development), increased medium density development and smaller housing products.

Being situated in immediate proximity to the train station and close to the established town centre, the site is strategically located to be transformed into a mixed use precinct offering new workers and residents convenient access to public transport, jobs, shops and services.

The proposal also poses the opportunity to deliver significant public benefit through the inclusion of public car parking to service the adjacent train station and town centre. It is understood that there is a major need for additional public parking in this location.

The urban design concept for the site envisages a vibrant, pedestrian-focused mixed use precinct connecting new residents, workers and the general public to an enhanced blue-green network of pathways and open spaces focused on Mittagong Creek, with convenient access to the train station and established town centre. Diverse new employment and business opportunities (with more employment-generating floor space than the site currently supports), would be co-located with a range of housing types (including up to 203 dwellings), 6,300m² of public open space, green links, active networks and the rejuvenated riparian corridor. Buildings of up to four (4) storeys, would be stepped down from Kirkham Road following the natural topography of the land. The public domain would be activated by

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ground level commercial premises, whilst a variety of plazas, parks and the creek corridor would offer opportunities for passive and active recreation and invite the public into the precinct. Car parking for residents, workers and visitors, as well as public car parking, would be concealed through design that leverages the sloping topography and maximises the pedestrian-orientation of the precinct. Views toward, over and from the site, would continue to take in the rural and natural landscape.

The proposed B4 rezoning and envisaged mixed use concept overall, are strategically justified, delivering on the objectives and priorities of key Strategic Planning documents including the *South East and Tablelands Regional Plan 2036*, draft *Wingecarribee 2040 Local Strategic Planning Statement*, *Wingecarribee Local Housing Strategy 'Housing Our Community'*, *Wingecarribee 2031 Community Strategic Plan*, *Local Planning Strategy 2015-2031* and the draft *Southern Highlands Destination Plan*.

The proposed new building height and FSR standards to support multi-storey built form exhibit site-specific merit and are also strategically justified given their centrality to enabling the development of the envisaged mixed use precinct.

This Planning Proposal Report proceeds to introduce the site and its surrounds through context analysis and overview of current statutory planning controls, formulate strategic objectives for the future of the site, describe the proposed development and required amendments to WLEP2010, demonstrate the strategic justification for the proposal in the context of local and regional Strategic Plans, and comprehensively assess the economic, environmental and social impacts of the proposal. This rigorous approach to strategic planning for the site results in a proposal that exhibits significant strategic and site-specific merit. Therefore, it is requested that the Planning Proposal is supported.



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PART A LAND TO WHICH THIS PLANNING PROPOSAL APPLIES

1.1 SITE DESCRIPTION AND EXISTING DEVELOPMENT

The subject site is identified as 63-69 Kirkham Road, Bowral, being legally described as Lot 2 DP 1081770.

The site exhibits an approximate area of 25,186m² with a primary frontage to Kirkham Road to the east and a secondary frontage to Sherwood Avenue to the north.

To the north the site’s street frontage to Sherwood Avenue is punctuated by a detached dwelling situated on its own lot; to the east Bowral train station is situated on the opposite side of Kirkham Road; to the south the site adjoins a vehicle dealership; and to the west the site borders the Mittagong Creek riparian corridor.

In its existing state, the site comprises the ‘Village of Bowral’ commercial complex which includes three (3) single storey buildings occupied by a variety of tenants for retail, showrooms, a gym, dance studio, coffee roastery and Australia Post. At-grade car parking is provided around the buildings on the site.

A significant portion (55%) of the site remains undeveloped, with no history of previous employment use.

The vacant area of the site comprises predominantly of grass lawns. Other existing vegetation on the site includes mature trees and shrubs adjacent to all site boundaries.

The site is shown in **Figure 1** and **Figure 2** below.



Figure 1. Existing Site Development (SIX Maps 2020)



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Figure 2. Cadastral Map (SIX Maps 2020)

1.2 LOCAL AND REGIONAL CONTEXT

The subject site is located in the suburb of Bowral which forms part of Wingecarribee Local Government Area (LGA).

The immediate site context exhibits a transitional character, associated with the variety of land uses, built form and infrastructure in the immediate area. The site is considered to be located at the intersection of a number of distinct 'character areas', described as follows:

- Bowral train station, a commuter car park and the railway line are situated directly to the east of the site and form an infrastructure corridor which also serves to divide the town of Bowral into east and west sectors.
- The 'heart' of Bowral's established town centre is located directly to the east of the subject site, albeit separated by the railway line. Bowral town centre incorporates an extensive range of shops, cafes and restaurants. Very limited housing is provided within the town centre, with residential areas instead being situated further to the east.
- Mittagong Creek and riparian corridor form a green corridor to the west, and provide a natural buffer between the urban area to the east (including the subject site) and larger-lot rural residential lands to the west of the creek.
- A small congregation of detached dwelling houses is situated to the north of the site, interspersed with a small number of standalone light industrial premises. A distinct transition to rural-residential land is evident further to the north.



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- Land uses to the south are generally commercial or light industrial in nature, but also include a performing arts school.

The site is highly accessible by public transport, being directly opposite Bowral train station. The site is also well-served by established road infrastructure, given its immediate proximity to Wingecarribee Street which provides an over-rail link.

The local context is shown in **Figure 3**, and in indication of current land uses in the surrounding area is shown in **Figure 4**.

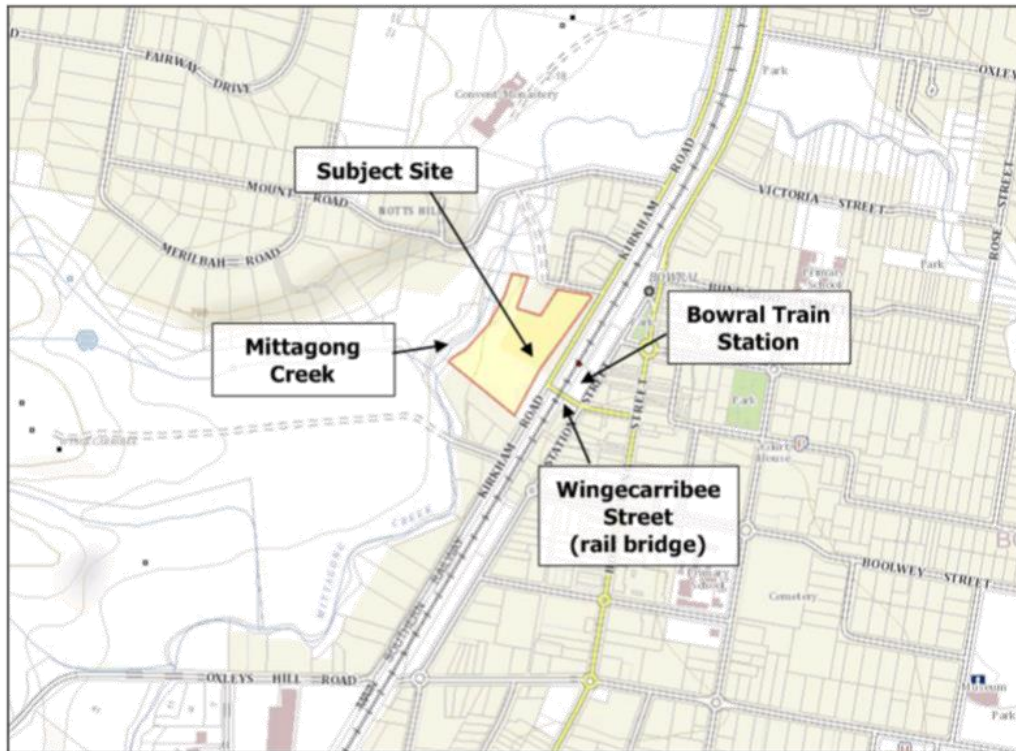


Figure 3. Site Context Map (SIX Maps 2020)



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Figure 4. Site Context Map (Roberts Day 2020)

1.3 PLANNING CONTEXT

1.3.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

A rezoning application must have consideration to the objectives of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The objectives are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- (c) to promote the orderly and economic use and development of land,
- (d) to promote the delivery and maintenance of affordable housing,
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- (g) to promote good design and amenity of the built environment,
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- (j) to provide increased opportunity for community participation in environmental planning and assessment.

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This Planning Proposal has considered, and is consistent with, the objects of the EP&A Act, as demonstrated in the following summary.

- The site is not identified in proximity of any area of mapped biodiversity, but would present opportunities to improve access to the adjoining Mittagong Creek riparian corridor as well as to 'green' the site through open space, landscaping and pedestrian and cycle links.
- The proposal would create opportunities for ecologically sustainable development that achieves economic, environmental and social objectives.
- The proposal would facilitate the orderly and economic use and development of strategically-located land by redeveloping underutilised facilities for higher employment densities, more diverse job and business opportunities and the delivery of diverse new housing supply. The site is ideally situated for a mixed use precinct in accordance with the principles of transit-oriented development.
- Through increased housing supply, including smaller housing products, the proposal would positively influence housing affordability.
- The proposal would support the local community by providing additional, and more diverse, housing supply, job opportunities and services, to accommodate current and projected growth.
- The subject site does not comprise non-Aboriginal heritage significance or any Aboriginal Heritage Information Management System (AHIMS) sites, and therefore presents significant opportunity for renewal.
- By supporting the future development of the site, the proposal would generate opportunities for the creation of a mixed use precinct that delivers high quality design and high levels of amenity.

Further consideration to these matters is provided throughout the various sections of this Report.

1.3.2 WINGECARRIBEE LOCAL ENVIRONMENTAL PLAN 2010

The site is subject to the provisions of *Wingecarribee Local Environmental Plan 2010* (WLEP2010). The aims of WLEP2010 are:

- (1) *This Plan aims to make local environmental planning provisions for land in Wingecarribee in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.*
- (2) *The particular aims of this Plan are as follows—*
 - (a) *to conserve and enhance, for current and future generations, the ecological integrity, environmental heritage and environmental significance of Wingecarribee,*
 - (b) *to maintain Wingecarribee's original settlement pattern of towns and villages dispersed throughout a rural and native vegetation landscape,*
 - (c) *to encourage the efficient use and development of urban land, minimising the spread of urban areas into rural and native vegetation environments, thereby increasing the accessibility of the population to urban facilities and services,*
 - (d) *to provide opportunities for development and land use activities that—*

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- (i) *make an effective contribution towards the economic wellbeing of the community in a socially and environmentally responsible manner, and*
- (ii) *do not adversely impact on natural systems and processes and the overall quality of Wingecarribee's natural environment, and*
- (iii) *retain the critical natural, rural and built environmental landscape elements that make up the scenic and cultural heritage value of Wingecarribee,*
- (e) *to provide opportunities for a range of new housing and housing choice in locations that have good access to public transport, community facilities and services, retail and commercial services and employment opportunities, including opportunities for the provision of adaptable and affordable housing,*
- (f) *to provide for a range of living opportunities that address differing lifestyle needs without compromising the environmental quality of Wingecarribee, and the value of its natural resources such as water, biodiversity and agricultural land,*
- (g) *to strengthen the viability of Wingecarribee's business centres as central places for investment, employment and cultural activity, and encourage a majority of future housing opportunities to be located in relatively close proximity to those centres,*
- (h) *to promote the economic wellbeing of the community in a socially and environmentally responsible way, focusing new employment growth at identified employment hubs like business centres and enterprise zones that can be better accessed by public and private transport,*
- (i) *to protect the primary production potential of suitable rural land, and prevent the fragmentation of agricultural holdings,*
- (j) *to conserve the Aboriginal and European cultural and environmental heritage of Wingecarribee,*
- (k) *to protect areas of high scenic landscape value,*
- (l) *to develop an ecologically sustainable future for Wingecarribee through the conservation, rehabilitation and regeneration of native vegetation (particularly threatened species populations and ecological communities), soil, waterways, riparian land and water quality (surface and groundwater),*
- (m) *to prevent loss of life and property by bush fires, by discouraging the establishment of incompatible uses in bush fire prone areas and incorporating as part of compatible developments protective measures that minimise bush fire risk without unacceptable environmental degradation,*
- (n) *to provide for a range of sustainable development opportunities in harmony with recreation and lifestyle choices, emerging markets and changes in technology, and capitalise on Wingecarribee's regional distinctiveness and existing tourism asset base,*
- (o) *to ensure that extractive resources and mineral deposits are not rendered sterile by future development, but at the same time ensuring that subsequent extraction, open cut mining and transportation activities are undertaken in a way that maintains residential amenity,*
- (p) *to protect and enhance waterways, riparian land and water quality in the drinking water catchments of Wingecarribee.*

The proposal is consistent with the aims of WLEP2010 as it seeks to facilitate the sustainable development and use of land for employment-generating activities co-located with new housing and complementary services, to meet the needs of growing local communities.

Relevant permissibility and development standards are summarised in the subsequent sections of this Report.

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Zoning and Permissibility

The site is zoned IN2 Light Industrial pursuant to WLEP2010 (**Figure 5**).

The objectives of the IN2 zone are:

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To allow a range of non-industrial land uses, including selected commercial activities, that provide direct services to the industrial activities and their workforce or that, due to their type, nature or scale, are appropriately located in the zone without impacting on the viability of business and commercial centres in Wingecarribee.
- To ensure that new development and land uses incorporate measures that take account of their spatial context and mitigate any potential impacts on neighbourhood amenity and character or the efficient operation of the local or regional road system.

The following permissibility applies within the IN2 zone:

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations

3 Permitted with consent

Agricultural produce industries; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Roads; Rural supplies; Specialised retail premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; **Business premises**; Camping grounds; Cemeteries; Correctional centres; Crematoria; Eco-tourist facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; **Health services facilities**; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industries; Open cut mining; Pond-based aquaculture; **Residential accommodation**; Restricted premises; **Retail premises**; Rural industries; Schools; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities*

Accordingly, the types of uses envisaged to be included in mixed use development on the site, are generally prohibited in the IN2 zone. Such prohibited uses include all types of residential accommodation, retail premises, business premises and potentially medical centres.

To permit such uses, a change of zone or introduction of Additional Permitted Uses (APUs) would be required. Further details of the proposed mix of land uses and required zoning provisions are provided in **Part C** of this Report.



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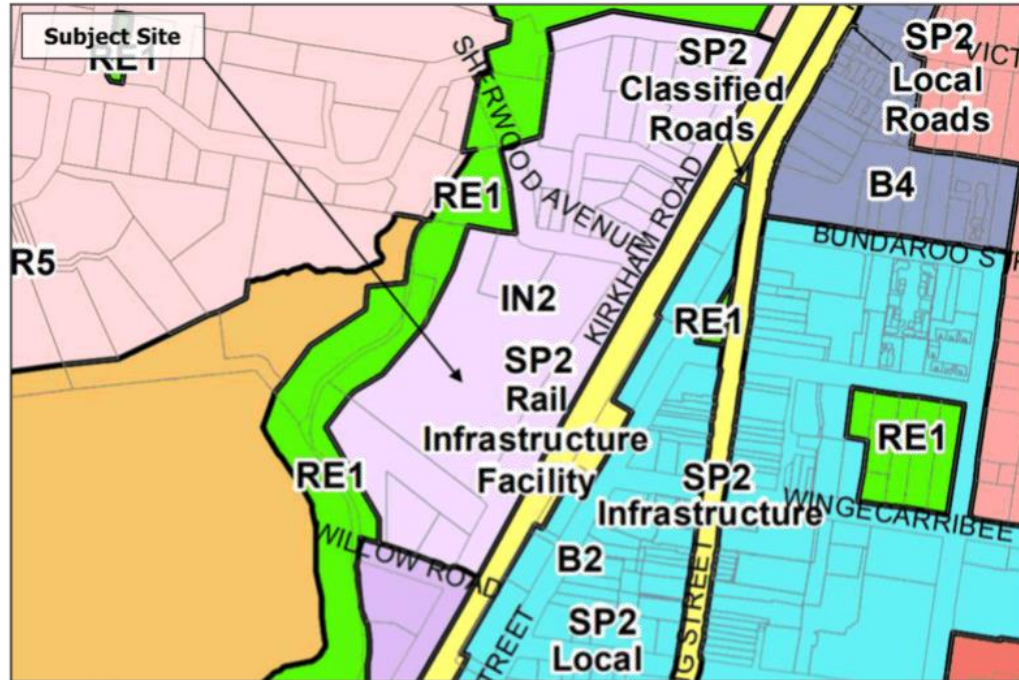


Figure 5. Zoning Map (NSW Legislation 2020)

Development Standards

The development standards applicable to the site and its surrounds are summarised in **Table 1**.

Table 1. WPLEP2010 Development Standards	
WLEP2010 Clause	Standard Applicable to Site
Minimum Lot Size	The site is not currently subject to a lot size standard. The proposal does not include any subdivision, and therefore no change to the lot size standard is required.
Maximum Building Height	The site is not currently subject to a building height standard. To promote the efficient and sustainable use of land it is proposed to amend the Height of Buildings standard, as described in Part C .
Maximum Floor Space Ratio (FSR)	The site is not currently subject to an FSR standard. To promote the efficient and sustainable use of land it is proposed to amend the FSR standard, as described in Part C .
Land Reservations	None.
Heritage	The subject site does not comprise any heritage items or conservation areas. Heritage listings on nearby sites include the following: <ul style="list-style-type: none"> I058- 'Bowral Railway Station' of local



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Table 1. WPLEP2010 Development Standards	
WLEP2010 Clause	Standard Applicable to Site
	<p>significance.</p> <ul style="list-style-type: none"> ▪ I392- 'Former Station Master's residence' of local significance. ▪ I1364- 'Former industrial buildings including former Milk Factory' of local significance. <p>The future development would be contained within the boundaries of the subject site and would not impact on any of the nearby heritage items. Given the separation afforded by the road, the downslope positioning of the site and the sympathetic design and scale of the future development, the proposal would maintain adequate amenity for, and an appropriate visual relationship with, the heritage items.</p>
Biodiversity	None.
Riparian Land	<p>The site's western boundary is identified as 'Category 2 Aquatic and Terrestrial Habitat (within 30m from the top of stream bank on each side)'.</p> <p>The future development would be significantly setback from the creek corridor and would incorporate measures as required to avoid any adverse environmental impact. Further consideration to Clause 7.5 of WLEP2010 would be provided as part of the future Development Application (DA).</p>
Extractive Resources	None.
Flood Planning Area	<p>The entire site is affected by the 100 year + 0.5m flood extent, based on the WLEP2010 maps.</p> <p>In accordance with Clause 7.9 of WLEP2010, flooding has been considered within the Flood Impact Assessment at Appendix 5.</p> <p>Bewsher concludes that <i>'the work which we have done to date and set out below is sufficient for us to be confident that a future development application consistent with the proposed rezoning and cognisant of the flood risks, could be supported on flood risk grounds. This includes an application which intensifies residential and commercial uses on the site as indicated in the Planning Proposal.'</i></p> <p>Further details are provided in Section 4.3.2 of this Report.</p>

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1.3.3 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft Environmental Planning Instruments (EPIs) applicable to the proposed development on the subject site.

1.3.4 WINGECARRIBEE DEVELOPMENT CONTROL PLAN 2010

Wingecarribee Development Control Plan 2010 (WDCP2010) complements WLEP2010 by providing more detailed controls to guide development.

Future development on the site would consider the objectives and provisions of WDCP2010.

1.4 PRE-LODGEMENT MEETING WITH WINGECARRIBEE SHIRE COUNCIL

A tele-meeting was held with Wingecarribee Shire Council on 16 July 2020, at which time the vision for the mixed use precinct and associated LEP amendments were discussed. Key feedback provided by Council related to the following matters:

- Council has just completed a draft Destination Plan which should be considered as part of the Planning Proposal. The LSPS would form another key consideration. Council's draft Destination Plan, LSPS and other relevant strategic plans have been addressed within this Planning Proposal Report and the Merit Test at **Appendix 1**.
- Council is planning to commence an Employment Lands Review. Notwithstanding that Council's Review has not yet been commenced, consideration to the effect of the proposal on the LGA's employment lands has been included within the Economic Impact Assessment at **Appendix 3**.
- Although Council's preference would be for the Planning Proposal to follow the Employment Lands Review, Council confirmed that the Planning Proposal may be lodged at any time and provided further comments affirming the matters that would need to be addressed as part of the Planning Proposal.
- An Economic Impact Assessment would need to justify that the land is not required to meet long term light industrial needs, and that any rezoning would not impact on the economic viability of Bowral town centre. It would not be adequate to seek to justify the rezoning on the sole basis that the existing premises could not be leased. An Economic Impact Assessment prepared accordingly is provided at **Appendix 3**.
- If the site is proposed to be rezoned in isolation, land use conflict would need to be considered in the context of both existing and potential future uses in surrounding zones. The relationship of the subject site with neighbouring sites and the surrounding context is considered within this Planning Proposal Report and the Urban Design Report at **Appendix 2**.
- Traffic studies would need to assess local network performance based on the increased density proposed. A Transport Assessment is provided at **Appendix 4**.
- Flooding would need to be modelled for the catchment and On-Site Detention (OSD) provided to support the future development. A Flood Impact Assessment is provided at **Appendix 5**.
- A draft Voluntary Planning Agreement (VPA) would be required in conjunction with the Planning Proposal. The Applicant would be willing to enter into discussion with Council and the State Government in relation to a VPA to secure the public benefit offered by the proposal.



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The form and content of this Planning Proposal have responded to those matters discussed.

**1.5 PRE-LODGEMENT MEETING WITH DEPARTMENT OF PLANNING, INDUSTRY
AND ENVIRONMENT**

No pre-lodgement consultation has been undertaken with the Department of Planning, Industry and Environment (DPIE).



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PART B OBJECTIVES OR INTENDED OUTCOMES

2.1 OBJECTIVES AND INTENDED OUTCOMES

The key objective of the proposed LEP amendments is to permit a complementary range of uses and allow an appropriate scale of built form, in order to support the creation of a mixed use precinct on the site. This intended outcome would be achieved with respect to the following secondary objectives:

- Introduce a development that complements the range of surrounding land uses, integrates with the variety of built form densities in the general area and responds to the strategic location of the site in immediate proximity to Bowral town centre and train station.
- Co-locate a complementary suite of commercial and retail spaces and residential apartments, complemented by green open spaces and connections to Mittagong Creek and riparian corridor.
- Deliver additional, and more diverse, housing supply to accommodate the growing local community.
- Generate employment, diversify job opportunities and retain a local workforce within Bowral.
- Promote the productive and sustainable use of land through appropriate development typologies and scales.
- Activate the site and public domain at street level through the provision of active ground floor uses, public open space and high quality architectural design.
- Create a green and active network through pedestrian and cycle links connecting the mixed use precinct, creek corridor, train station and established town centre.
- Augment the amenity of the subject site without compromising the ongoing operations of surrounding land uses or the environmental integrity of the adjoining riparian corridor.

The LEP amendments required to achieve these objectives are detailed in **Part C** of this Report.



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PART C EXPLANATION OF PROVISIONS

3.1 OVERVIEW

It is proposed to amend WLEP2010 to permit residential and commercial uses and to allow for additional building height and floor space, to support the creation of a mixed use precinct on the site.

3.2 PROPOSED LAND USES

A range of complementary land uses are envisaged to create a mixed use precinct, including urban services, creative industries, retail premises, business premises, office premises, medical centres, childcare centres, indoor recreational facilities, and residential accommodation.

The zoning changes required to enable the above land uses on the site are considered in **Section 3.3** below.

3.3 AMENDMENT TO WINGECARRIBEE LEP 2010 ZONING

The majority of the proposed land uses outlined in **Section 3.2** above, are currently prohibited in the IN2 zone pursuant to WLEP2010. Specifically, those uses currently prohibited include:

- Residential accommodation;
- Retail premises;
- Business premises; and
- Medical centres.

Yet, together, these additional uses would support the realisation of the vision for an integrated mixed use precinct offering a comprehensive suite of complementary services, jobs and living opportunities in a convenient, co-located and highly amenable setting.

Accordingly, it is proposed to rezone the site to B4 Mixed Use. The B4 Mixed Use zone would permit *all* of the proposed uses and it is considered that the proposal would be *entirely* consistent with the B4 zone objectives, as summarized in the following table.

Table 2. WLEP2010 B4 Zone Provisions and Objectives	
WLEP2010 Provisions	B4 Mixed Use Zone Comment
Permissibility within B4 Mixed Use Zone	
<p><i>2 Permitted without consent</i> Environmental protection works; Home-based child care; Home occupations</p> <p><i>3 Permitted with consent</i> Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care</p>	<p>The B4 Mixed Use zone would permit all of the proposed uses, including:</p> <ul style="list-style-type: none"> ▪ Urban services and creative industries (generally defined as light industry and warehouse or distribution centres). ▪ Residential accommodation, including shop top housing and residential flat buildings. ▪ Commercial premises, including retail, business and office premises. ▪ Indoor recreation facilities, such as gyms and dance schools. ▪ Other potential uses compatible with

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Table 2. WLEP2010 B4 Zone Provisions and Objectives	
WLEP2010 B4 Mixed Use Zone Provisions	Comment
<p><i>centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture: Any other development not specified in item 2 or 4</i></p> <p><i>4 Prohibited Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Camping grounds; Caravan parks; Cemeteries; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial training facilities; Industries; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities</i></p>	<p>the envisaged mixed use development, for example medical centres and childcare centres.</p> <p>In addition, the B4 zone would continue to permit light industry and warehouse/distribution centres, thereby allowing the current uses operating on the site to continue (or be re-provided as part of any future development).</p>
Objectives of B4 Mixed Use Zone	
<p><i>To provide a mixture of compatible land uses.</i></p>	<p>Future mixed use development on the site would incorporate a compatible mix of commercial and retail spaces and residential apartments.</p>
<p><i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</i></p>	<p>The envisaged commercial spaces in the future development would be designed to integrate a variety of urban services, creative industries, retail, business and office uses, co-located with residential apartments on the site.</p> <p>The site is highly accessible by public transport, being situated directly opposite Bowral train station. The site is also located in the immediate vicinity of the established Bowral town centre, and future residents and workers on the site would therefore benefit from being within easy walking distance of all the services and amenities required to support high quality, active lifestyles.</p> <p>The future development would also present opportunities to introduce new pedestrian and cycle links to the adjoining Mittagong</p>

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Table 2. WLEP2010 B4 Zone Provisions and Objectives	
WLEP2010 B4 Mixed Use Zone Provisions	Comment
	Creek riparian corridor.
<i>To ensure that new development has regard to the character and amenity of adjacent and nearby residential areas.</i>	<p>The fusion of residential and commercial uses within the envisaged mixed use development on the site would provide a transition between the residential area to the north and light industrial/commercial area to the south. Given the existence of these two (2) distinctly different 'character areas' to the north and south, the proposal would offer the opportunity to create a more appropriate transition that positively contributes to the overall character and quality of development in this location.</p> <p>The future built form would be designed to respect neighbouring amenity whilst also achieving a high standard of amenity for future residences on the site. Though subject to detailed design, this would be ensured through well-considered and stepped building heights, setbacks (including additional upper-level setbacks) and generous landscaping.</p>

Accordingly, the proposed rezoning of the site to B4 Mixed Use is considered appropriate, having regard to the following matters:

- As outlined in **Table 2**, the site and proposal would achieve the objectives of the B4 Mixed Use zone.
- All of the proposed uses are permitted with consent, demonstrating the primary suitability of the B4 zone for facilitating the envisaged mixed use precinct.
- The site is highly accessible by public transport and is also in close proximity to the established town centre. The provision of mixed use development on the site would be consistent with the principles of transit-oriented development.
- The proposed range of uses would be compatible with surrounding land uses and would offer a transition between residential areas to the north, light industrial areas to the south, the established town centre to the east and the creek corridor to the west.
- The proposal would support a higher density of employment on the site compared to the current light industrial facilities, and would create more diverse job and business investment opportunities.

For the reasons outlined above, the proposal is considered highly appropriate and desirable for the site and surrounding area.

The required amendment to the WLEP2010 Zoning Map (Sheet LZN_007F) is shown in **Figure 6**.



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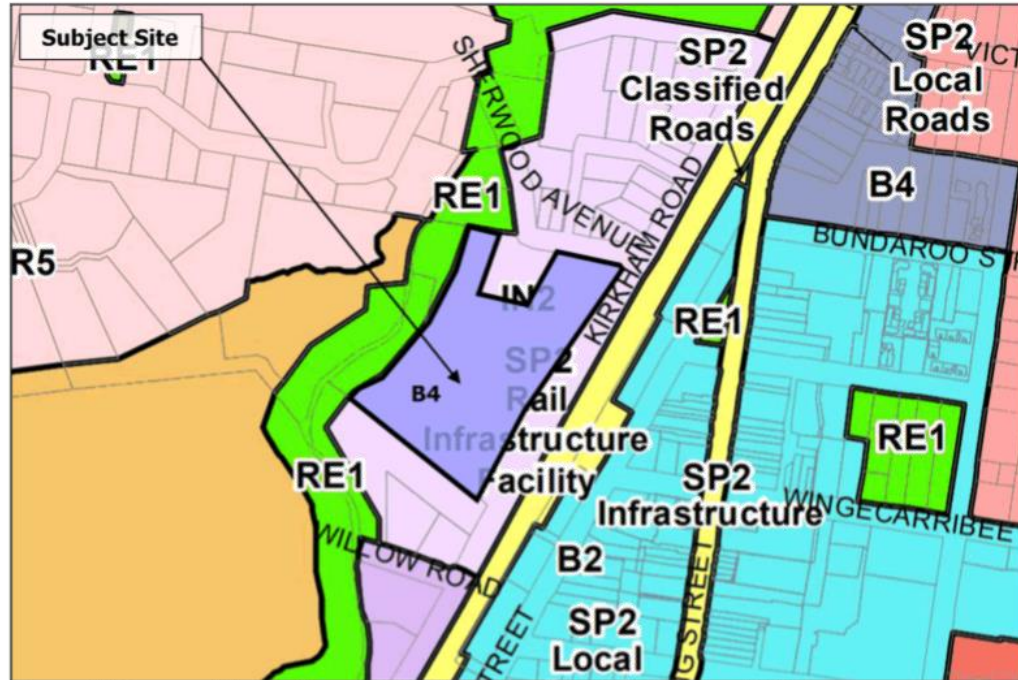


Figure 6. Proposed Amendment to Zoning Map (NSW Legislation 2020)

3.4 AMENDMENT TO WINGECARRIBEE LEP 2010 HEIGHT OF BUILDINGS

Amendment is sought to Clause 4.3 Height of Buildings of WLEP2010 in order to achieve the objectives of the proposal.

Pursuant to Clause 4.3 of WLEP2010 the site is currently not subject to a maximum building height.

To complement the proposed rezoning for mixed use development, it is proposed to introduce a 15m building height standard to support built form up to four (4) storeys.

As summarized in the following table, the proposal would achieve the WLEP2010 Clause 4.3 objectives.

Table 3. WLEP2010 Building Height Objectives	
WLEP2010 Clause 4.3 Objectives	Comment
<i>To identify maximum heights of buildings.</i>	As outlined in this Report, the proposal includes the introduction of a height standard to identify the maximum height of buildings on the site.
<i>To ensure that the heights of buildings are compatible with the character of the existing development within the surrounding area.</i>	Existing built form in the vicinity of the site is generally single or double storey. It is noted though that there are currently no maximum height controls for any sites on the western side of the railway. On the eastern side of the railway, including directly opposite the subject site, building heights of up to 15m are allowed.



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Table 3. WLEP2010 Building Height Objectives	
WLEP2010 Clause 4.3 Objectives	Comment
	<p>Accordingly, precedence has already been established in the WLEP2010 standards for development of 15m in height in immediate proximity to the train station.</p> <p>The subject site similarly benefits from immediate proximity to the train station and is also located in very close proximity to the town centre. As such, the proposed four (4) storey built form would integrate with the height and scale of future development in the locality.</p> <p>Further, the subject site drops substantially from Kirkham Road and therefore development on the site exhibits a reduced height appearance from the perspective of the street frontage and far-reaching viewing angles. It is envisaged that future buildings of up to four (4) storeys would be stepped down from Kirkham Road following the natural topography of the land.</p> <p>The future built form would be designed to respect neighbouring amenity through well-considered and stepped building heights, setbacks (including additional upper-level setbacks) and generous landscaping.</p>

As outlined in **Section 3.6** of this Report, built form massing and modelling has been undertaken as part of the Urban Design Report (refer **Appendix 2**) and demonstrates that four (4) storeys would be appropriate for the site having regard to the visual outcome, streetscape and neighbouring amenity.

The required extent of the LEP amendment for additional building height is shown in **Figure 7** which provides an extract from Sheet HOB_007C of the WLEP2010 Height of Buildings Map.



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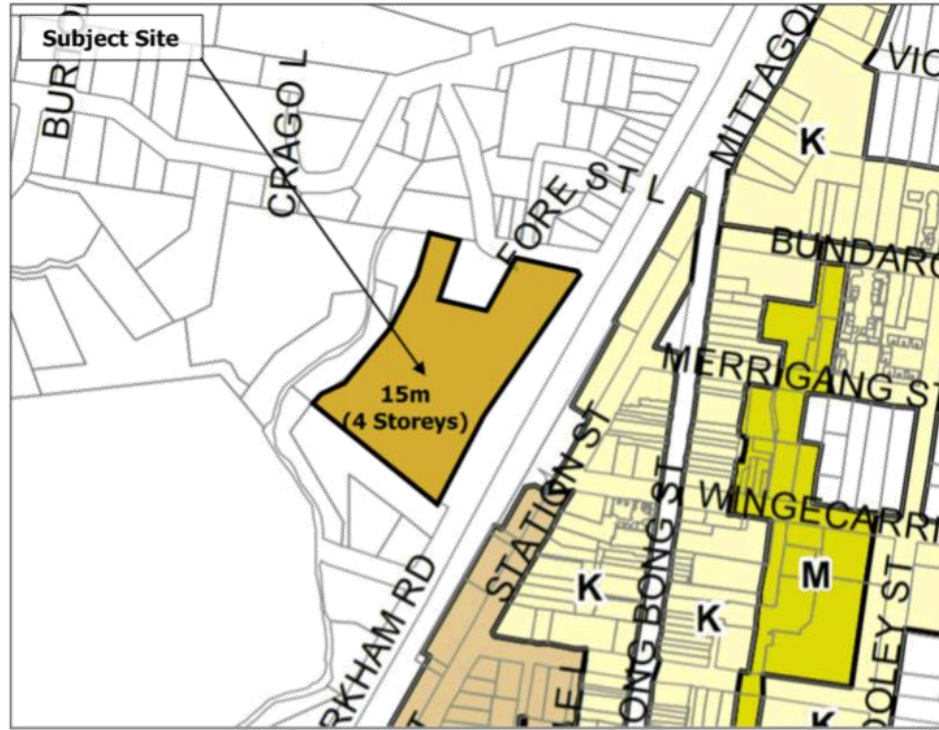


Figure 7. Proposed Amendment to Building Height Map (NSW Legislation 2020)

3.5 AMENDMENT TO WINGECARRIBEE LEP 2010 FLOOR SPACE RATIO

Amendment is sought to Clause 4.4 Floor Space Ratio of WLEP2010 in order to achieve the objectives of the proposal.

Pursuant to Clause 4.4 of WLEP2010 the site is currently not subject to a maximum FSR.

To complement the proposed rezoning for mixed use development, it is proposed to introduce an FSR standard to support an appropriate density of commercial space and residential accommodation on the site. Based on the preliminary floor space schedule (refer **Table 5** below) the concept design incorporates a total of 25,186m² floor space (including 20,866m² residential floor space and 4,320m² commercial floor space) which equates to an FSR of 1:1.

As summarized in the following table, the proposal would achieve the WLEP2010 Clause 4.4 objectives.

Table 4. WLEP2010 FSR Objectives	
WLEP2010 Clause 4.4 Objectives	Comment
To identify maximum floor space ratios in major centres.	As outlined in this Report, the proposal includes the introduction of an FSR standard to identify the maximum FSR for future development on the site. Given the site's strategic location in immediate proximity to Bowral train station and in very close proximity to the established

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Table 4. WLEP2010 FSR Objectives	
WLEP2010 Clause 4.4 Objectives	Comment
	heart of the town centre, the site is considered to offer significant potential to positively contribute to the Bowral centre. This should be reflected in Planning controls.
<i>To ensure that floor space ratios provide development opportunities that are compatible with building heights.</i>	<p>The floor space proposed for the site responds to the strategic opportunities identified for mixed use development. The proposed density of development would seek to increase the employment-generating capabilities of the site and deliver a variety of new housing options in response to identified needs and targets. Simultaneously, building densities would be balanced with new open spaces, green links and landscaping. Appropriate density would have regard to site constraints, local character, sensitive riparian environments and neighboring amenity.</p> <p>The required FSR has been determined in light of the proposed 15m building height as well as other key design parameters including setbacks, landscaping and open space.</p>
<i>To encourage development in locations readily accessible to public transport and services that will provide increased employment opportunities.</i>	<p>The site is highly accessible by public transport, being situated directly opposite Bowral train station. The site is also located in the immediate vicinity of the established Bowral town centre, and future residents and workers on the site would therefore benefit from being within easy walking distance of services and amenities.</p> <p>The commercial space incorporated within future mixed use development on the site would provide 9.5% more employment-generating floor space than the current premises, support higher densities of employment and offer more diverse business investment and job opportunities. Accordingly, the proposal would promote increased employment opportunities.</p>

The built form massing and modelling provided within the Urban Design Report at **Appendix 2** demonstrates that suitability of the proposed density of development for the site.

The required extent of the LEP amendment for additional FSR is shown in **Figure 8** which provides an extract from Sheet FSR_007B of the WLEP2010 FSR Map.



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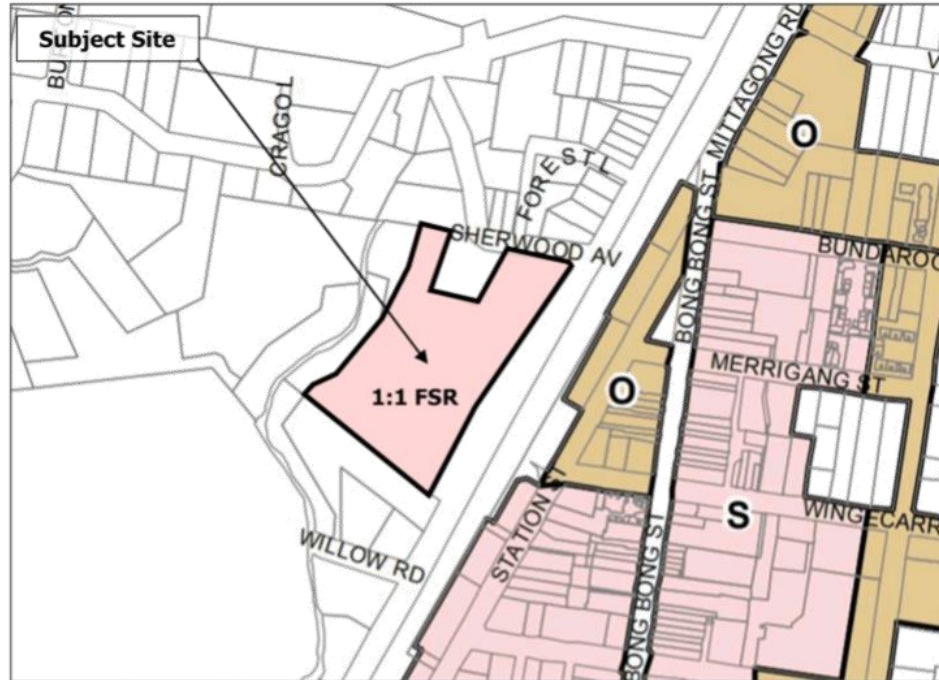


Figure 8. Proposed Amendment to FSR Map (NSW Legislation 2020)

3.6 CONCEPTUAL BUILT FORM AND URBAN DESIGN

The urban design concept for the site envisages a vibrant, pedestrian-focused mixed use precinct connecting new residents, workers and the general public to an enhanced blue-green network of pathways and open spaces focused on Mittagong Creek, with convenient access to the train station and established town centre.

Diverse new employment and business opportunities (with more employment-generating floor space than the site currently supports), would be co-located with a range of housing types (including up to 203 dwellings), 6,300m² of public open space, green links, active networks and the rejuvenated riparian corridor.

Buildings of up to four (4) storeys, would be stepped down from Kirkham Road following the natural topography of the land.

The public domain would be activated by ground level commercial premises, whilst a variety of squares, pocket plazas, parks and the creek corridor would offer opportunities for passive and active recreation and invite the public into the precinct.

Car parking for residents, workers and visitors, as well as public car parking, would be concealed through design that leverages the sloping topography and maximises the pedestrian-orientation of the precinct.

Views toward, over and from the site, would continue to take in the rural and natural landscape.

An indicative floor space schedule is provided in the following table.

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Table 5. Indicative Floor Space Schedule	
Aspect of Development	Concept Proposal
Site Area	25,186m ²
Residential Floor Space	20,866m ² (203 dwellings)
Commercial Floor Space	4,320m ²
Total Floor Space	25,186m ²
Total FSR	1:1
Building Height	Up to 4 storeys (15m)
Car Parking	598 spaces
Public Car Parking	150 spaces
Open Space and Public Domain	6,300m ²

To demonstrate the envisaged diversity of housing that would be supported within the mixed use precinct, an indicative dwelling schedule is provided in the following table.

Table 6. Indicative Dwelling Schedule	
Unit Type	Unit Mix
1 bedroom apartment	20 x dwellings (10%)
2 bedroom apartment	61 x dwellings (30%)
3 bedroom apartment	122 x dwellings (60%)
Total Residential Yield	203 dwellings, 20,866m ² residential GFA

The urban design vision for the site is demonstrated in **Figures 9-13**.



Figure 9. Concept Masterplan (Roberts Day 2020)



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Figure 10. Urban Design Concept (Roberts Day 2020)



Figure 11. The Upper Square (Roberts Day 2020)



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Figure 12. The Grand Steps (Roberts Day 2020)



Figure 13. Active Streets and Pocket Plazas (Roberts Day 2020)

Further to the above, it is important to note that the proposal has been designed with consideration to the existing flooding conditions (**Figure 14**). The high flood risk precinct would not be built upon, instead serving as public open space and pathways. Built form within the low and medium flood precincts would integrate freeboard into building design. Further details of flooding are provided in **Section 4.3.2** of this Report and **Appendix 5**.



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Figure 14. Flood Conditions (Roberts Day 2020)

3.7 GREEN LINKS, LANDSCAPE AND PUBLIC DOMAIN

The mixed use precinct sought to be delivered through the proposed LEP amendments, would provide opportunities to 'green' the site, create new and more accessible public spaces, and improve the quality of the adjoining public domain.

Responding to the natural context of the site with its frontage to the Mittagong Creek corridor, the proposal would offer the opportunity to create new green links and an improved quality natural environment that is also more accessible to the local community. A Creekside park and natural trail are envisaged, as shown in **Figure 15**.

The site presents the opportunity to expand the existing blue-green grid network along Mittagong Creek. Whilst the blue-green band encompasses the town centre today, the site has an opportunity to unlock the western creek corridor for public use. The site is envisioned as a main connector, destination and gathering place along the western corridor of Mittagong Creek. This is visually demonstrated in **Figure 16**.



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Figure 15. Creekside Park (Roberts Day 2020)

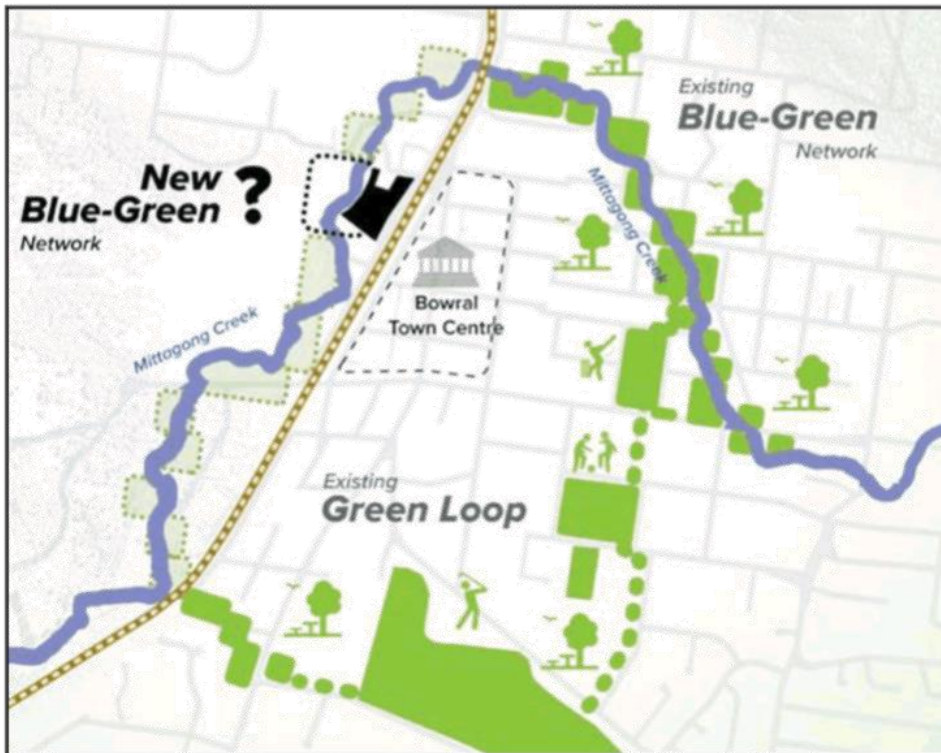


Figure 16. Existing and Envisioned Blue-Green Network (Roberts Day 2020)



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3.8 DESIGN PARAMETERS AND ADG COMPLIANCE

The capability of the concept design complying with the solar objectives of the Apartment Design Guide (ADG) has been confirmed within the Urban Design Report at **Appendix 2**.

Whilst detailed assessment of a proposed development for the site would be undertaken at the DA stage, the concept design demonstrates that future mixed use development on the site can be designed to provide a high level of amenity for residents of the subject and neighbouring sites.

3.9 VOLUNTARY PLANNING AGREEMENT

The Applicant would be willing to enter into discussion with Council and the State Government in relation to a VPA to secure the public benefit offered by the proposal.

Subject to discussion with Council, this may include a public car park offering up to 150 parking spaces in immediate proximity to the train station and town centre. It is understood that there is a major need for additional public parking in this location.



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PART D JUSTIFICATION FOR PROPOSED LEP AMEDMENT

4.1 NEED FOR THE PLANNING PROPOSAL

The DPIE document *A Guide to Preparing Planning Proposals* includes the following questions in describing the need for the Planning Proposal.

4.1.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The proposed amendments to WLEP2010 to rezone the site to B4 Mixed Use, introduce a height standard and introduce an FSR standard, to support a mixed use precinct on the site, align with state, regional and local strategic studies and reports, as outlined in the following sections.

4.1.1.1 SOUTH EAST AND TABLELANDS REGIONAL PLAN 2036

The *South East and Tablelands Regional Plan 2036* (Regional Plan) encompasses the vision, goals and actions that will deliver greater prosperity for those who live, work and visit the region. The region is envisaged as 'a borderless region in Australia's most geographically diverse natural environment with the nation's capital at its heart'. The Regional Plan's aims include:

- *A connected and prosperous economy*
- *A diverse environment interconnected by biodiversity corridors*
- *Healthy and connected communities*
- *Environmentally sustainable housing choices*

In light of these aims, the Regional Plan seeks to deliver greater housing supply and choice (Direction 24). Greater housing choice in existing centres is needed to cater for the decrease in the average household size. Planning will need to cater for a rise in the number of single person households, a decrease in the number of occupants in each household, more affordable housing, the needs of tourists and an ageing population. Focusing growth in existing centres rather than isolated land releases is a sustainable option because it takes advantage of existing job markets, commercial and retail opportunities, and infrastructure such as public transport.

The proposed rezoning for mixed use development would provide additional housing supply and choice, particularly of smaller housing products in response to the particular needs of the local community. The location of the site reflects the Regional Plan's criteria for growth in existing centres, with the subject site benefiting from direct proximity to the train station and established town centre.

The Local Government Narrative for Wingecarribee estimates that the population is expected to grow by 4,050 people by 2036, requiring an additional 3,300 dwellings. By 2036, 27% of the population will be aged over 65. This requires strategic planning for residential growth in existing urban areas and greenfield areas, with Bowral (together with Moss Vale and Mittagong) specifically nominated as a location for increased housing. The variety of housing options is to be enhanced to cater for an ageing population. At the same time, economic and employment growth is to be promoted, and Bowral (together with Moss Vale and Mittagong) is to continue servicing the needs of its residents for government administration, education, health and retail opportunities.

Accordingly, the proposed mixed use rezoning would contribute to meeting the housing targets for Wingecarribee, by providing additional housing options (including smaller housing products to suit the needs of the ageing population) within the established urban area of



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Bowral. Jointly, mixed use development (with higher employment-generating capacity than the existing premises on the site) would create local job opportunities to meet the employment needs of the growing population.

4.1.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES OR IS THERE A BETTER WAY?

It is considered that the Planning Proposal is the best means of achieving the objectives stipulated in **Section 2.1** of this Report.

The proposed B4 Mixed Use zone would accommodate *all* the envisaged uses, including a diverse mix of urban services, business, retail and office space, and housing. The proposal would support a higher density of employment on the site compared to the current light industrial facilities, and would create more diverse job and business investment opportunities. New housing supply, including smaller housing products, would be co-located, providing future residents and workers with accessible, well-connected and highly amenable living and working opportunities. Given the site’s strategic location directly adjacent to Bowral train station and in immediate proximity to the established Bowral town centre, the proposal would reflect principles for transit-oriented development and achieve the strategic objectives and priorities of key Strategic Planning documents.

The proposed additional building height and FSR are required to support an appropriate density of development, accommodate a diverse offering of commercial space (with associated jobs and services) and housing within the mixed use precinct to meet the needs of the local community, and optimise the employment generating potential of the site. By facilitating a higher density of employment-generating activities and housing, the proposed WLEP2010 amendments would ensure the efficient and sustainable use of land in a strategic location, consistent with the objectives of strategic policy.

Therefore an amendment to WLEP2010 is required to permit the intended future creation of a mixed use precinct on the site.

4.1.3 IS THERE A NET COMMUNITY BENEFIT?

Net community benefit has been assessed in accordance with relevant guidelines and as outlined in the following table.

Table 7. Net Community Benefit		
Criteria	Y/N	Proposal
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Y	The proposal is consistent with key elements of the <i>South East and Tablelands Regional Plan 2036</i> , as discussed above.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	N	The site does not form part of a strategic centre or corridor, but notably is within the existing urban area of Bowral which is identified as a focus for growth and development by the draft LSPS and LHS. The site is also in immediate proximity to Bowral train station and the established town centre. Responding to strategic policy, the proposal would

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Table 7. Net Community Benefit		
Criteria	Y/N	Proposal
		provide jobs and housing as infill development in a highly accessible location to meet the specific needs of local community.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	Y	<p>The site may catalyse the redevelopment of other, currently-underutilised sites that are not used for light industrial purposes and that similarly benefit from immediate access to the train station and town centre.</p> <p>The site is however unique given its large area, with other IN2-zoned land in the vicinity generally having already been subdivided and developed accordingly.</p> <p>Infill opportunities in proximity to the site would also be limited by the riparian corridor to the west, which creates a natural buffer between the urban area and rural-residential land further to the west. The creation of any precedence would similarly be relatively contained to the north, with the IN2 zone comprising only a small area before transitioning to rural-residential land.</p> <p>Overall, the site represents a relatively <i>unique</i> opportunity for infill development on land that is strategically-located with respect to public transport and the town centre, and of a large-size so as to offer significant potential for job creation, business establishment and new housing.</p> <p>Any changing land use expectations would therefore be limited and associated only with land that offered equivalent strategic opportunities.</p>
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Y	<p>The area surrounding the site is not known to have been subject to any recent spot rezonings.</p> <p>It is noted that on the eastern side of the railway, including directly opposite the subject site, the B2 zone permits shop top housing (as well as many other types of residential accommodation) and all types of commercial premises. Land zoned B4 Mixed Use is located only a short distance further to the north and south, and similarly directly adjoins the railway line.</p> <p>Further, building heights of up to 15m and FSRs of 1.5:1, are allowed on land directly opposite the site on the eastern side of the railway.</p> <p>Accordingly, precedence has already been established in the WLEP2010 standards for commercial, residential and shop top housing development, with heights of 15m and FSRs of 1.5:1, in immediate proximity to the train station.</p>



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Table 7. Net Community Benefit		
Criteria	Y/N	Proposal
		The subject site similarly benefits from immediate proximity to the train station and is also located in very close proximity to the town centre. As such, the proposed mix of uses and four (4) storey built form would integrate with the types of uses and scale of future development in the locality.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Y	<p>Compared to the current quasi industrial-commercial premises on the site, the proposal would provide 9.5% more employment-generating floor space, support higher densities of employment and offer more diverse business investment and job opportunities. This would support the creation of 233 jobs on the site (an 863% increase compared to the current 27 jobs). Accordingly, the proposal would promote additional employment generation, notwithstanding the rezoning from IN2 to B4.</p> <p>Further, the Economic Impact Assessment (Appendix 3) concludes that a rezoning of the subject site would not unacceptably impact on industrial land supply within the Wingecarribee LGA.</p> <p>Given that only 2% of the current floor space within the existing 'Village of Bowral' premises is light industrial in character (with the remaining 98% including a mix of local services, community uses and retail/showrooms), there is considered to be greater demand for other types of employment-generating floor space in this location. This is also supported at a broader precinct scale which reveals that only 28% of existing floor space within the IN2-zoned precinct along Kirkham Road is used for light industrial purposes. The IN2-zoned land therefore effectively already operates as a <i>mixed use</i> precinct.</p> <p>In total, Wingecarribee LGA comprises 1,214ha of zoned industrial land. Of this industrial land supply, 399ha (33%) is vacant. The proposal would therefore not unacceptably impact on industrial land supply within the Wingecarribee LGA.</p> <p>Further, 93% of the vacant industrial land (370ha) is situated within Moss Vale, and this is therefore considered to be a more appropriate strategic focus for industrial growth within the LGA. Moss Vale Enterprise Corridor is also considered more appropriate than the subject site for industry given its 20-30% lower land price and additional separation from sensitive residential areas. Again, this suggests that a rezoning of the subject site would not unacceptably impact on industrial land supply within the Wingecarribee LGA.</p>

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Table 7. Net Community Benefit		
Criteria	Y/N	Proposal
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	Y	The proposed rezoning and future mixed use development would provide medium density, infill development in immediate proximity of Bowral train station and all the services, amenities and job opportunities of Bowral town centre. A mix of apartment styles and sizes would provide the housing choice and smaller housing products required to meet the needs of the local community. The delivery of additional housing supply and greater choice, particularly of smaller housing typologies, would also assist in promoting housing affordability.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Y	<p>The site is serviced by existing infrastructure that is anticipated to be capable of servicing the envisaged mixed use precinct. Any required service upgrades would be addressed as part of the future DA.</p> <p>With respect to transport infrastructure, the site is highly accessible by public transport, being situated directly opposite Bowral train station. The site is also located in the immediate vicinity of the established Bowral town centre, and future residents and workers on the site would therefore benefit from being within easy walking distance of all the services and amenities required to support high quality, active lifestyles.</p> <p>Kirkham Road already incorporates pedestrian paths and is identified as a cycle route, and the proposal would create opportunities to include new pedestrian and cycle links connecting to the riparian corridor. This would provide the opportunity to create a more comprehensive network of active and green links.</p> <p>As further detailed in Section 4.3.2 and Appendix 4, the Traffic Assessment and SIDRA modelling confirm that key and local intersections will continue to operate at similar and satisfactory Level of Service (LoS) in the Weekday AM, PM and Weekend peak hour periods. The average delay and degree of saturation would increase but remain at acceptable levels. Accordingly, the local road network would adequately accommodate the traffic volumes with sufficient spare capacity, without the need for road upgrades.</p>
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road	Y	<p>By co-locating commercial spaces, jobs, services and housing, in a highly-accessible location directly adjacent to Bowral train station and in immediate proximity to the established town centre, the proposal would promote active travel modes and an overall reduced need to travel at all.</p> <p>By reducing the number and distance of trips, and</p>

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Table 7. Net Community Benefit		
Criteria	Y/N	Proposal
safety?		promoting the adoption of active travel modes, the proposal would promote reduced road congestion, reduced pollution, reduced expenditure related to car travel, more sustainable use of resources, enhanced productivity and a higher standard of living for residents, workers and visitors.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	N	There is no publicly-available information suggesting significant government investment in Bowral or the Wingecarribee LGA. Notwithstanding, local and regional strategic plans promote job creation and new housing to respond to population growth targets, demographic trends and the need to ensure a prosperous Southern Highlands into the future.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	N	<p>The proposal would not impact on land that the government has identified a need to protect.</p> <p>With respect to environmental constraints, the suitability of the site for mixed use development has been confirmed through the flooding, contamination, geotechnical, ecological and bushfire, investigations carried out as part of this Planning Proposal.</p> <p>Site design is considered capable of suitably mitigating risk associated with the flood planning area and bushfire prone land, and protecting the adjoining riparian corridor. Detailed assessment would be undertaken in association with the future DA.</p>
Will the LEP be compatible/complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Y	<p>The envisaged mixed use precinct would be complementary to and supportive of surrounding land uses.</p> <p>The fusion of residential and commercial uses within the envisaged mixed use development on the site would provide a transition between the residential area to the north and light industrial/commercial area to the south. Given the existence of these two (2) distinctly different 'character areas' to the north and south, the proposal would offer the opportunity to create a more appropriate transition that positively contributes to the overall character and quality of development in this location.</p> <p>The future built form would be designed to respect neighbouring amenity whilst also achieving a high standard of amenity for future residences on the site. Though subject to detailed design, this would be ensured through well-considered and stepped building heights, setbacks (including additional upper-level setbacks) and generous landscaping.</p> <p>The envisaged mixed use precinct would additionally</p>

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Table 7. Net Community Benefit		
Criteria	Y/N	Proposal
		benefit the community and enhance the public domain through new public open space, green links, improved public access to the creek corridor and new pedestrian and cycle 'active' links. By providing jobs, services and housing, the proposal would also assist in meeting the needs of the local residential and working community. The proposed mixed use precinct would <i>complement</i> the role of Bowral town centre by providing a different offering of commercial/business space and housing product compared to what is currently available.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Y	The proposal would deliver a range of commercial spaces to accommodate a variety of urban services, creative industries, retail premises, business premises, office premises, medical centres, childcare centres and indoor recreational facilities. Accordingly, the proposal would contribute to meeting the needs of the local community in a co-located, convenient and highly amenable setting. The proposed uses would also generate employment, diversify job opportunities, retain a local workforce, create business opportunities and stimulate economic activity in the local area.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N	The proposal envisages a mixed use precinct, but is not intended to function as a centre. Whilst a comprehensive range of commercial premises are envisaged, the proposal does not include all types of uses that would be anticipated within a centre. The site would serve a <i>unique</i> function, complementary to the surrounding industrial and residential areas and the established town centre. The economic assessment also considers the impact of the proposed rezoning on the existing town centre of Bowral. The subject site would accommodate types of employment floor space and businesses that are not currently catered for in the established town centre, owing to smaller size premises, lack of access for loading, and lack of customer and business parking. The site would fulfil a role in providing larger, more flexible tenancies benefitting from loading facilities and car parking for customers and businesses. Therefore the proposal would complement, not compete with, the town centre.
What are the public interest reasons for preparing the draft plan? What are the implications of not	Y	The future mixed use precinct would activate an underutilised site through a complementary mix of commercial space and housing. This would create jobs and business opportunities, deliver services, and



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Table 7. Net Community Benefit		
Criteria	Y/N	Proposal
proceeding at that time?		<p>inject additional and more diverse housing supply designed in accordance with the specific needs of the local population.</p> <p>Given the benefits arising from the proposal for local residents, workers and businesses, it is considered to be completely in the public interest with no adverse impacts anticipated. As demonstrated in the Economic Impact Assessment (Appendix 3), the proposal would not unacceptably impact on the industrial land supply or the established town centre.</p> <p>Were the proposal not to proceed at this time, jobs and housing would not be provided. The site would forgo its opportunity to complement the growth and revitalisation envisioned for Bowral and the Southern Highlands.</p> <p>Rather, the site would remain underutilised and fail to offer a more substantial contribution to the local economy or community.</p>

4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?

As previously discussed in **Section 4.1**, the Planning Proposal is consistent with the *South East and Tablelands Regional Plan 2036*.

4.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OR OTHER LOCAL STRATEGIC PLAN?

4.2.2.1 LOCAL STRATEGIC PLANNING STATEMENT

The draft *Wingecarribee 2040 Local Strategic Planning Statement (LSPS)* sets out a 20 year land use vision and provides a long term planning framework to meet the economic, housing, social and environmental needs of the community. In accordance with the Regional Plan, planning is required to accommodate 4,050 people and 3,300 dwellings by 2036.

Planning Priority 3.1 within the LSPS focuses on supporting businesses and jobs in order to sustain a healthy local economy. In particular, Council needs to support existing businesses and actively encourage new businesses, a more diverse population and a larger workforce to support the economy into the future. Bowral (together with Mittagong and Moss Vale) will form the economic, cultural and social 'Heart of the Shire', providing increased employment opportunities.

In accordance with Priority 3.1, a mixed use precinct on the site would deliver additional employment-generating floor space and support a higher density of employment than would be possible under the current zone. Whilst still permitting the continuance (or re-provision) of the existing businesses, the proposed rezoning and future mixed use development would also

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attract new businesses, create additional and more diverse jobs, and deliver the housing needed to accommodate a growing local workforce.

Planning Priority 4.1 promotes infill development and increased densities in appropriate locations, and a greater mix of housing types to ensure housing stock is reflective of the needs of the community. To address the current disconnect, smaller housing types (including medium density, small-lot housing and 1-2 bedroom dwellings) are required to meet the needs of the ageing population, shrinking household sizes and increase in single-person households. Increased densities and these types of housing options will be encouraged in appropriate locations close to public transport, employment options and higher-level services, particularly in the main town of Bowral (together with Mittagong and Moss Vale), in order to reduce car dependency and provide equitable access to services for all residents.

Further, the Actions underpinning Priority 4.1 establish targets for 20% of all new dwellings to be medium density or small lot housing options, and for 50% of new housing to be delivered through infill development. Council seeks to ensure the Wingecarribee planning framework facilitates a mix of housing types and lot sizes and provides certainty to the community and development industry. Incentives may be considered to promote quality medium density development in the Bowral strategic centre, including bonus provisions for affordable housing and good design outcomes.

Entirely consistent with these Housing Priorities of the LSPS, the proposed rezoning and future mixed use development would provide medium density, infill development in immediate proximity of Bowral train station and all the services, amenities and job opportunities of Bowral town centre. A mix of apartment styles and sizes would provide the housing choice and smaller housing products required to meet the needs of the local community. The delivery of additional housing supply and greater choice, particularly of smaller housing typologies, would also assist in promoting housing affordability, reflecting the aims of Planning Priority 4.2.

By co-locating housing with commercial premises within mixed use development, the proposal would dually increase opportunities for residents to work close to home and access services without needing to travel. Coupled with the site's proximity to Bowral train station and town centre, the proposed mixed use precinct would encourage active travel and reduced car dependency.

Planning Priority 6.1 emphasises the importance of maintaining the unique character of towns and villages, separated by rich natural areas and rural landscapes. Physical and visual separation is to be maintained and a defined 'edge' of towns defined. Rezoning outside of the areas identified in the LSPS and Local Housing Strategy (LHS) are not to be supported.

The subject site already forms part of the urban area and therefore is appropriately located for a rezoning, particularly given its immediate proximity to Bowral train station and town centre, which, as outlined above, are to be the focus for new housing and jobs. In accordance with Priority 6.1, the proposal would reinforce the separation between the defined urban area (which includes the subject site) and the natural/rural landscapes situated on the western side of Mittagong Creek. The proposal would create opportunities to transform the site into a vibrant, architecturally-designed, high quality mixed use precinct that would positively contribute to the character of Bowral.

In addition, the LSPS includes a specific Precinct Plan for Bowral. Bowral's aging population and shrinking household sizes present an opportunity to provide a broader range of housing choice in close proximity to the town centre and train station, supported by improved infrastructure and services and a connected community. Further opportunities for improvement include a stronger focus on the 'core' with mixed use transition areas, and increased densities and housing choice around the railway station and town centre.

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In direct response to the LSPS Precinct Plan for Bowral, the proposal would deliver medium density development around the railway station and town centre in order to create a 'mixed use transition area'. A broader range of housing choice, including smaller housing products, would respond to the particular needs of the local community. Accordingly, the proposal would positively contribute to meeting the LSPS priorities and vision for Bowral and the wider Wingecarribee LGA.

4.2.2.2 LOCAL HOUSING STRATEGY

Wingecarribee Local Housing Strategy 'Housing Our Community' (LHS) provides a long-term planning framework to meet the housing needs of the community, including more 4,050 people and 3,300 new dwellings by 2036. The Strategy will guide the decisions that Council, the private sector and the community will make to deliver new living areas and a greater diversity of housing types to accommodate the growing population and changing demographics.

Planning Priority 1 of the LHS reflects Priority 4.1 of the LSPS. As discussed above, the proposed rezoning and future mixed use development would achieve these Priorities by enabling medium density, infill development in immediate proximity of Bowral train station and all the services, amenities and job opportunities of Bowral town centre. A mix of apartment styles and sizes would provide the housing choice and smaller housing products required to meet the needs of the local community.

Priorities 1 and 2 of the LHS acknowledge that providing greater diversity in housing and increasing the proportion of smaller housing products, will provide greater choice in the housing market and have a positive influence on housing affordability. A greater housing mix will also promote and support social and cultural diversity across the Shire and assist in retaining and attracting residents on lower incomes, families with children, students, long-term renters, people living alone, shared households and more. The proposal would therefore contribute to meeting the LHS' aims of ensuring 'that no cohort of our community is disadvantaged and that all groups have access and equity in housing within the Wingecarribee Shire'.

4.2.2.3 WINGECARRIBEE 2031 COMMUNITY STRATEGIC PLAN

Wingecarribee 2031 Community Strategic Plan (CSP) was adopted in 2017 to assist in shaping the future of the Shire and enable a collective response to emerging challenges and opportunities, and deliver outcomes that benefit the whole community.

The 'Place' chapter promotes the revitalisation of town and villages, whilst ensuring design is sensitive to heritage and the local environment. A diversity of housing choice is required to allow residents to meet their housing needs at different stages of their lives. At the same time, development and growth must preserve the unique qualities of the built and natural environment including inter-urban breaks or 'the green between'. Public transport use and shared pathways are to be expanded.

Reflecting these objectives, the proposal would revitalize the site through a complementary mix of economic and residential uses, including a range of housing to meet the needs of the local community. By providing mixed use development in immediate proximity to Bowral train station and town centre, the proposal would promote active and sustainable travel (including public transport use, walking and cycling). Given the site has been historically developed for light industry and forms part of the existing urban area, the proposal would maintain 'the green between' and would not compromise any sensitive environments or heritage assets.

The 'Economy' chapter seeks to broaden the economic base to provide a variety of jobs locally, and attract and retain people to live and work in the area. In response, the proposal

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would create additional, and more diverse, job and business investment opportunities on the site. Whilst still allowing for light industrial uses, a broader range of commercial and retail uses would be enabled.

4.2.2.4 LOCAL PLANNING STRATEGY 2015-2031

On 28 April 2010, Wingecarribee Shire Council resolved to prepare a new Local Planning Strategy to identify a long term direction for the future development of the Shire. The Local Planning Strategy provides a 'snapshot' of the Shire in 2015, identifies the key issues likely to most affect the Shire over the next 16 years to 2031 and offers land use options which meet regional development obligations while also respecting community priorities and goals.

Whilst consideration to the Local Planning Strategy is provided in this section, it is noted that the draft LSPS and LHS provide more up-to-date priorities and directions for the LGA. This is particularly the case with respect to population and dwelling projections and housing strategies. It is noted that the approach to balancing infill and greenfield development in particular has shifted in accordance with the outcomes of Council's engagement with DPIE.

Key economic recommendations of the Strategy include monitoring the take-up and use of business and industrial zoned land to better understand key drivers and ensure an adequate supply of economic land. The distribution of Business-zoned land across the Shire is to be reviewed. As documented in this report and the economic analysis (refer **Appendix 3** and overview in **Section 4.3.3** below), the proposal would promote the more productive use of land for employment-generating purposes.

Based on the Bowral Town Centre Master Plan, land on the western side of the railway line (directly to the south of the subject site) is identified as a potential site for public car parking. Subject to discussion with Council, it is considered that the proposal would create opportunities for the incorporation of public car parking on the site to service the adjacent train station and town centre.

4.2.2.5 DESTINATION PLAN

The draft *Southern Highlands Destination Plan 2020-2030* (Destination Plan) seeks to 'chart a new course' to ensure the Southern Highlands remain a 'special place' into the future. The Destination Plan is built on the foundation of four (4) 'pillars'; People, Place, Prosperity and Partnerships.

Significant opportunities exist in some traditional industries as well as emerging sectors, including tourism and attractions, agribusiness, equine, professional business services, creative industries, healthcare, advanced manufacturing, and education. These 'opportunities' would create new jobs, attract young families to the area, rebalance demographics into the future, and diversify the local economy.

In accordance with the 'People pillar', the proposal would support new jobs and business opportunities, in turn attracting and supporting new people. Simultaneously, the proposal would provide the new housing to meet their living needs.

By attracting new people and business investment, the proposal would also support the goals and actions under the 'Place pillar'. As a result of the proposal, the site would be activated and recreated as a vibrant mixed use precinct complementing the existing Bowral town centre.

The 'Prosperity pillar' would likewise be achieved through the proposal as it would add jobs and value to the local economy. The commercial spaces incorporated within the mixed use precinct would be capable of supporting a wide variety of retail, office and business activities,

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including professional business services and creative industries which are identified as a key industry.

Reflecting the 'Partnership pillar', the proposal represents a key opportunity to deliver a catalytic project and create a local environment that is conducive to economic and investment growth.

Accordingly, the proposal would be consistent with the Destination Plan and would promote the realisation of a prosperous and sustainable future for the Southern Highlands.

4.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs), as outlined in **Table 8**.

Table 8. State Environmental Planning Policies	
Policy	Details
<i>State Environmental Planning Policy No 1 – Development Standards (SEPP 1)</i>	The Planning Proposal will not contain provisions that contradict or hinder the application of the SEPP.
<i>State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)</i>	<p>The relevant matters under SEPP 55 have been considered in the Preliminary Site Investigation (PSI) (Appendix 6).</p> <p>The assessment did <i>not</i> identify the potential for gross or widespread contamination which may preclude rezoning or redevelopment. The site is capable of being suitable for the proposed range of uses.</p> <p>Identified potential impacts are considered representative of common contaminants and potentially contaminating land use activities, which can be readily dealt with at the DA stage through a Detailed Site Investigation (DSI).</p>
<i>State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)</i>	Any signage associated with future premises on the site would be assessed and approved in accordance with SEPP 64.
<i>State Environmental Planning Policy 65 – Design Quality of Residential Apartments Buildings (SEPP 65)</i>	The residential component of the future mixed use development would be designed in accordance with the requirements of SEPP 65 and the ADG. Preliminary assessment of the conceptual building envelopes has been undertaken within the Urban Design Report at Appendix 2 .
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPP BASIX)</i>	The residential component of the future mixed use development would be designed in accordance with the requirements of SEPP BASIX.
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	The relevant approvals pathway for future development would be determined in light of the relevant LEP and Exempt and Complying Development Codes.



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Table 8. State Environmental Planning Policies	
Policy	Details
(Codes SEPP)	
<i>State Environmental Planning Policy (Koala Habitat Protection) 2019 (Koala SEPP)</i>	<p>Wingecarribee LGA is identified within the 'Central and Southern Tablelands' and 'Central Coast' Koala Management Areas. As shown in the extract in Figure 17, the subject site comprises patches of land identified as 'Koala Development Application Map' and 'Site Investigation Area for Koala Plans of Management'.</p> <p>It is understood that there is no approved koala plan of management for Wingecarribee. Therefore, Clause 9 of the Koala SEPP would be applicable to a future DA. As part of the future DA, Council would be required to take into account the requirements of the Koala Habitat Protection Guideline or information prepared in accordance with the Guideline demonstrating that:</p> <ul style="list-style-type: none"> (i) <i>the land does not include any trees belonging to the feed tree species listed in Schedule 2 for the relevant koala management area, or</i> (ii) <i>the land is not core koala habitat.</i> <p>The Ecological Report (Appendix 8) acknowledges the requirement for a Koala Habitat Assessment Report as part of the future DA.</p>
<i>State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)</i>	<p>The ISEPP provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.</p> <p>Referral may be required for the erection of new premises, or the enlargement or extension of existing premises where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development.</p> <p>Any requirement for the referral of the future DA to RMS would be confirmed at this stage, following the rezoning of the land.</p>
<i>State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)</i>	<p>The relevant approvals pathway for future development would be determined having regard to the SRD SEPP.</p>
<i>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (SDWC SEPP)</i>	<p>Bowral and the subject site are situated within the Wingecarribee River sub-catchment of the Sydney Water Drinking Catchment.</p> <p>Pursuant to Part 2 of the DSWC SEPP, any development or activity proposed to be carried out on land to which the policy applies, should incorporate Water NSW's current</p>



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Table 8. State Environmental Planning Policies	
Policy	Details
	<p>recommended practices and standards. Consent must not be granted for development under Part 4 of the EP&A Act unless the proposed development would have a neutral or beneficial effect on water quality (assessed using the NorBE Tool). The concurrence of the Regulatory Authority is also required (unless the consent authority is satisfied that the proposed development has no identifiable potential impact on water quality).</p> <p>The future DA for development on the site would include a Water Cycle Management Study incorporating a NorBE assessment. Stormwater and wastewater infrastructure and management would ensure no unacceptable impacts on the Sydney Water Drinking Catchment.</p> <p>It is noted that the SDWC SEPP does not establish any requirements with respect to rezonings, and therefore no further assessment is required in conjunction with this Planning Proposal.</p>

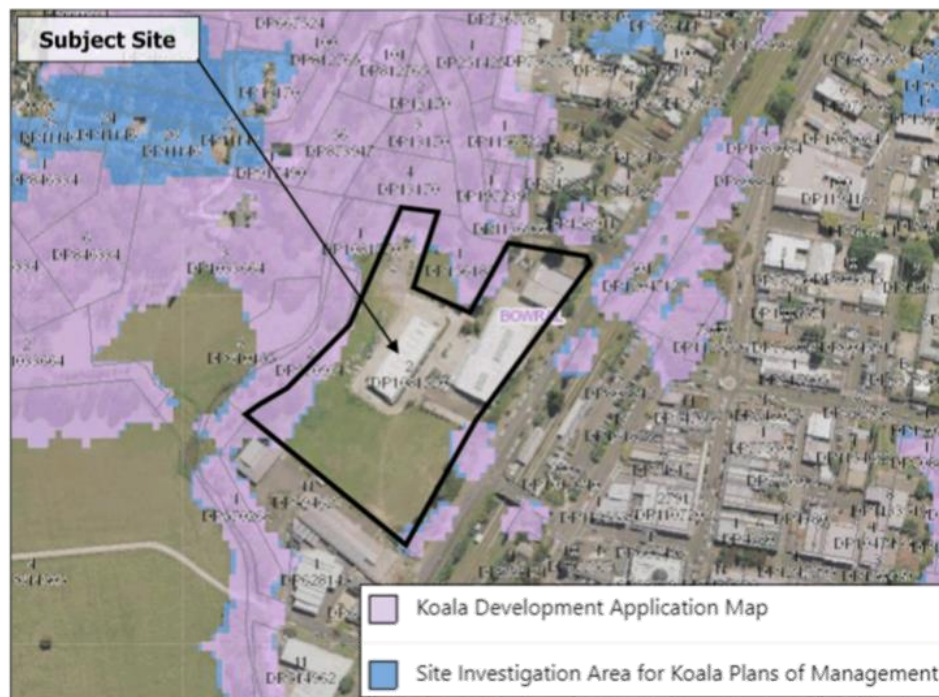


Figure 17. Koala SEPP Map (NSW DPIE 2020)

4.2.4 IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS (SECTION 9.1 DIRECTIONS)?

The Planning Proposal has been assessed against the Section 9.1 Ministerial Directions and is consistent with each of the relevant matters, as outlined in **Table 9**.



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Table 9. Section 9.1 Ministerial Directions	
Direction	Comment
<p>1. Employment and Resources</p> <p>1.1 Business and Industrial Zones</p>	<p>Compared to the current quasi industrial-commercial premises on the site, the proposal would provide 9.5% more employment-generating floor space, support higher densities of employment and offer more diverse business investment and job opportunities. This would support the creation of 233 jobs on the site (an 863% increase compared to the current 27 jobs). Accordingly, the proposal would promote additional employment generation, notwithstanding the rezoning from IN2 to B4.</p> <p>Further, the Economic Impact Assessment (Appendix 3) concludes that a rezoning of the subject site would not unacceptably impact on industrial land supply within the Wingecarribee LGA.</p> <p>Given that only 2% of the current floor space within the existing 'Village of Bowral' premises is light industrial in character (with the remaining 98% including a mix of local services, community uses and retail/showrooms), there is considered to be greater demand for other types of employment-generating floor space in this location. This is also supported at a broader precinct scale which reveals that only 28% of existing floor space within the IN2-zoned precinct along Kirkham Road is used for light industrial purposes. The IN2-zoned land therefore effectively already operates as a <i>mixed use</i> precinct.</p> <p>In total, Wingecarribee LGA comprises 1,214ha of zoned industrial land. Of this industrial land supply, 399ha (33%) is vacant. The proposal would therefore not unacceptably impact on industrial land supply within the Wingecarribee LGA.</p> <p>Further, 93% of the vacant industrial land (370ha) is situated within Moss Vale, and this is therefore considered to be a more appropriate strategic focus for industrial growth within the LGA. Moss Vale Enterprise Corridor is also considered more appropriate than the subject site for industry given its 20-30% lower land price and additional separation from sensitive residential areas. Again, this suggests that a rezoning of the subject site would not unacceptably impact on industrial land supply within the Wingecarribee LGA.</p> <p>The economic assessment also considers the impact of the proposed rezoning on the existing town centre of Bowral. The subject site would accommodate types of employment floor space and businesses that are not currently catered for in the established town centre, owing to smaller size premises, lack of access for loading, and lack of customer</p>

6.3 Planning Proposal to rezone land at 63-69 Kirkham Road Bowral from IN2 Light Industrial to B4 Mixed Use
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Table 9. Section 9.1 Ministerial Directions	
Direction	Comment
	and business parking. The site would fulfil a role in providing larger, more flexible tenancies benefitting from loading facilities and car parking for customers and businesses. Therefore the proposal would complement, not compete with, the town centre.
1.2 Rural Zones	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable.
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable.
2.2 Coastal Management	Not applicable.
2.3 Heritage Conservation	Not applicable.
2.4 Recreation Vehicle Areas	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
2.6 Remediation of Contaminated Land	<p>A PSI has been prepared to support this Planning Proposal (Appendix 6). The assessment did <i>not</i> identify the potential for gross or widespread contamination which may preclude rezoning or redevelopment. The site is capable of being suitable for the proposed range of uses.</p> <p>Identified potential impacts are considered representative of common contaminants and potentially contaminating land use activities, which can be readily dealt with at the DA stage through a DSI.</p>
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The residential component of the envisaged mixed use development would inject additional housing supply and greater dwelling diversity into the local area, in direct response to the Priorities of the draft LSPS and LHS which highlight the need for at least 3,300 new dwellings by 2036 (with 50% to be delivered as infill development), increased



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Table 9. Section 9.1 Ministerial Directions

Direction	Comment
	<p>medium density development and smaller housing products.</p> <p>Being situated in immediate proximity to the train station and close to the established town centre, the site is strategically located to be transformed into a mixed use precinct offering new workers and residents convenient access to public transport, jobs, shops and services.</p>
3.2 Caravan Park and Manufactured Home Estates	Not applicable.
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	<p>The site is highly accessible by public transport, being situated directly opposite Bowral train station. The site is also located in immediate walking distance of the established Bowral town centre. Mixed use development on the site would therefore be consistent with principles of transit-oriented development.</p> <p>The proposal also offers the opportunity to create new pedestrian and cycle links promoting active travel for residents and workers in the surrounding area.</p>
3.5 Development Near Regulated Airports and Defence Airfields	Not applicable.
3.6 Shooting Ranges	Not applicable.
3.7 Reduction in Non-Hosted Short Term Rental Accommodation Period	Not applicable.
4. Hazard and Risk	
4.1 Acid Sulfate Soils	The site is not identified as comprising acid sulfate soils by WLEP2010.
4.2 Mine Subsidence and Unstable Land	The site is not known to be affected by mine subsidence.
4.3 Flood Prone Land	<p>Flooding has been considered within the Flood Impact Assessment at Appendix 5. Bewsher concludes that <i>'the work which we have done to date and set out below is sufficient for us to be confident that a future development application consistent with the proposed rezoning and cognisant of the flood risks, could be supported on flood risk grounds. This includes an application which intensifies residential and commercial uses on the site as indicated in the Planning Proposal.'</i> Further details are provided in Section 4.3.2 of this Report.</p>

6.3 Planning Proposal to rezone land at 63-69 Kirkham Road Bowral from IN2
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Rezoning for Mixed Use Development and Introduction of Height and FSR Standards
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Table 9. Section 9.1 Ministerial Directions

Direction	Comment
4.4 Planning for Bushfire Protection	The site is not identified within a designated bushfire prone area based on the NSW Rural Fire Service (RFS) maps. In any case, the Ecological Report (Appendix 8) has considered any bushfire risk affecting the site and has established the bushfire protection measures required to comply with <i>Planning for Bushfire Protection 2019</i> and <i>AS3959 (2018) Construction of buildings in Bushfire Prone Areas</i> .
5. Regional Planning	
5.1 Implementation of Regional Strategies.	Not applicable.
5.2 Sydney Drinking Water Catchments	As outlined in Table 8 above, Bowral and the subject site are situated within the Wingecarribee River sub-catchment of the Sydney Water Drinking Catchment based on the SWDC SEPP maps. The future DA for development on the site would include a Water Cycle Management Study incorporating a NorBE assessment. Stormwater and wastewater infrastructure and management would ensure no unacceptable impacts on the Sydney Water Drinking Catchment.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not applicable.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	Not applicable.
5.9 North West Rail Link	Not applicable.

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Table 9. Section 9.1 Ministerial Directions	
Direction	Comment
Corridor Strategy	
5.10 Implementation of Regional Plans	As described in Section 4.1.1.1 of this Report, the proposal is consistent with the <i>South East and Tablelands Regional Plan 2036</i> .
5.11 Development of Aboriginal Land Council land	Not applicable.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Not applicable.
6.2 Reserving Land for Public Purposes	Not applicable.
6.3 Site Specific Provisions	In accordance with Clause 4(b), this Planning Proposal seeks to rezone the site to B4 Mixed Use, being an existing zone already applying in WLEP2010, to allow all of the envisaged commercial and residential uses on the site. Other B4-zoned land in WLEP2010 is subject to height and FSR standards, and therefore this Planning Proposal seeks to introduce consistent development standards.
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	Not applicable.
7.2 Implementation of Great Macarthur Land Release Investigation	Not applicable.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and	Not applicable.



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Table 9. Section 9.1 Ministerial Directions	
Direction	Comment
Infrastructure Implementation Plan	
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.

4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

4.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OF THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The site is zoned for employment-generating activities and has been historically developed for light industry and commercial purposes. As such, part of the site is highly disturbed. The site is not identified as comprising any critical habitat or biodiversity.

The site’s western boundary is identified as ‘Category 2 Aquatic and Terrestrial Habitat (within 30m from the top of stream bank on each side)’ pursuant to WLEP2010. The proposal would present opportunities to rehabilitate the adjoining Mittagong Creek riparian corridor as well as to improve public access to the corridor and ‘green’ the site through open space, landscaping and pedestrian links.

The future development would also be significantly setback from the creek corridor and would incorporate measures as required to avoid any adverse environmental impact. It is acknowledged that any development within 40m of the creek would required a Controlled Activity Approval pursuant to the *Water Management Act 2000* (Water Management Act).

Accordingly, the proposal would achieve positive environmental outcomes.

Further to the above, a Constraints Assessment has been undertaken by Travers and is incorporated in the Ecological Report at **Appendix 8**. As shown in **Figure 18**, the site following vegetation communities occur within and adjacent to the site:

- PCT 1228 - Swamp Gum - Ribbon Gum open forest on flats of the coastal and hinterland lowlands, southern South East Corner Bioregion
- Derived native vegetation
- Exotic vegetation

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PCT 1228 forms part of the endangered ecological community *River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*. PCT 1228 occurs largely outside of the study area, within the riparian zone of Mittagong Creek. There are a few established trees in the northern portion, and some areas where tree canopies overhang the lot boundary. In total, there is 0.022ha within the study area.

The derived native vegetation is restricted to the south-east of the study area and comprises native species which have self-established following previous disturbance. This vegetation mostly occurs outside of the lot boundary, with a few shrubs and overhanging trees covering 0.035ha. Due to its derived nature, this vegetation does not form part of any threatened ecological community, but it does contain the threatened species *E. macarthurii*.

Exotic vegetation occurs in various parts of the study area, and comprises managed lawn and exotic trees and shrubs planted within garden beds surrounding the buildings and adjacent the street frontage.

In addition to surveying vegetation communities, threatened species were surveyed within the study area. One (1) threatened flora species, *Eucalyptus macarthurii*, was recorded on-site, with three (3) individuals recorded within the subject lot boundary and several more outside the lot, within the riparian zone. Based on the current concept plan, these individuals are likely to be impacted by the development. The design of the site plan should consider avoiding impacts on these trees such that they can be retained. An arboricultural assessment should be undertaken to determine tree protection and structural root zones around these trees, which will inform on the likely impacts and retention possibility.

Other threatened flora and fauna species have been noted as having low likelihood of occurrence, and detailed seasonal surveys would be required in accordance with the recommendations of the Ecological Report.

As the site is mapped in the Koala Development Application Map for the purpose of the Koala SEPP, a Koala Habitat Assessment Report would also be required.

The Ecological Report also offers preliminary consideration to future triggers of a Biodiversity Offsets Scheme (BOS). The site is not mapped in the Biodiversity Values Map, and the area of native vegetation clearing would not exceed the 0.5ha threshold applicable to the site. The only other trigger for a BOS would be if the Test of Significance indicates a significant impact. Whilst the Test of Significance would be influenced by the final layout of the proposal, it is considered unlikely that any future proposal would constitute a significant impact given the low amount of native vegetation and habitat on-site. Any impact on the small number of recorded *E. macarthurii* is unlikely to be considered significant, although avoidance of impacts on these individuals is recommended.

Further to this constraints assessment, a Biodiversity Development Assessment Report (BDAR) would be prepared in conjunction with the future DA.

The Ecological Report concludes that the concept architectural scheme is sound and is not likely to meet major ecology or bushfire constraints.



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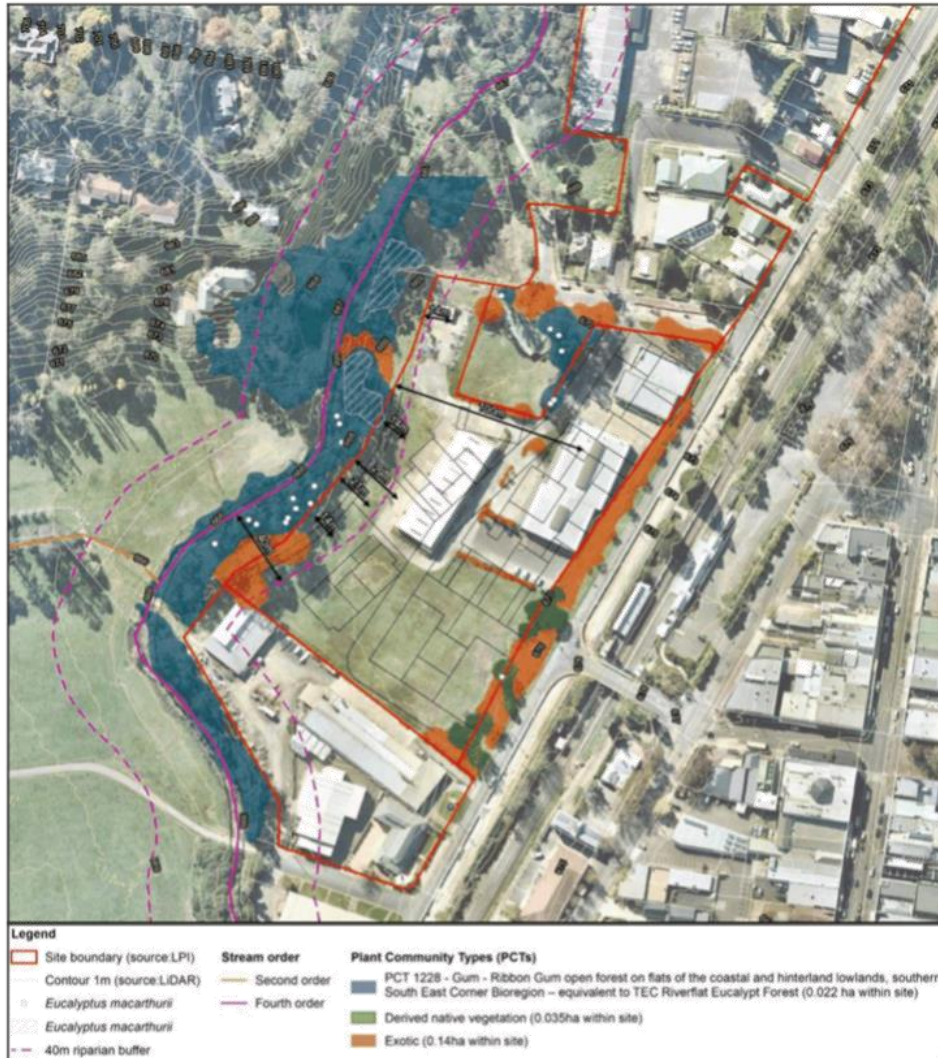


Figure 18. Ecological Constraints (Travers 2020)

4.3.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

Design, Appearance and Public Domain

- The urban design concept for the site envisages a vibrant, pedestrian-focused mixed use precinct connecting new residents, workers and the general public to an enhanced blue-green network of pathways and open spaces focused on Mittagong Creek, with convenient access to the train station and established town centre.
- Diverse new employment and business opportunities (with more employment-generating floor space than the site currently supports), would be co-located with a range of housing types (including up to 203 dwellings), 6,300m² of public open space, green links, active networks and the rejuvenated riparian corridor.

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- Buildings of up to four (4) storeys, would be stepped down from Kirkham Road following the natural topography of the land.
- The public domain would be activated by ground level commercial premises, whilst a variety of squares, pocket plazas, parks and the creek corridor would offer opportunities for passive and active recreation and invite the public into the precinct.
- Car parking for residents, workers and visitors, as well as public car parking, would be concealed through design that leverages the sloping topography and maximises the pedestrian-orientation of the precinct.
- Views toward, over and from the site, would continue to take in the rural and natural landscape.
- The proposal has been designed with consideration to the existing flooding conditions. The high flood risk precinct would not be built upon, instead serving as public open space and pathways. Built form within the low and medium flood precincts would integrate freeboard into building design.
- The mixed use precinct sought to be delivered through the proposed LEP amendments, would provide opportunities to 'green' the site, create new and more accessible public spaces, and improve the quality of the adjoining public domain.
- Responding to the natural context of the site with its frontage to the Mittagong Creek corridor, the proposal would offer the opportunity to create new green links and an improved quality natural environment that is also more accessible to the local community. A Creekside park and natural trail are envisaged.
- The site presents the opportunity to expand the existing blue-green grid network along Mittagong Creek. Whilst the blue-green band encompasses the town centre today, the site has an opportunity to unlock the western creek corridor for public use. The site is envisioned as a main connector, destination and gathering place along the western corridor of Mittagong Creek.
- The capability of the concept design complying with the solar objectives of the ADG has been confirmed within the Urban Design Report at **Appendix 2**.
- Whilst detailed assessment of a proposed development for the site would be undertaken at the DA stage, the concept design demonstrates that future mixed use development on the site can be designed to provide a high level of amenity for residents of the subject and neighbouring sites.

Traffic and Parking

- A Transport Assessment (**Appendix 4**) has been prepared by Ason Group to assess the traffic, transport and parking implications of the proposal.
- Council is currently leading multiple road upgrade projects in the immediate vicinity of the site, including the Station Street Upgrade Project and Kirkham Road (South) Upgrade. The upgrades to Kirkham Road are nearing completion, and include full-width rehabilitation of the road pavement, road widening, construction of a new roundabout at Sherwood Avenue, new kerb and guttering, new footpaths, new lighting, and the formalisation of on-street car parking.
- Surveys were carried out in 2018 to determine the existing traffic volumes and vehicle classifications for the surrounding roads and the subject site. SIDRA modelling was

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carried out to assess the current performance of key intersections, as summarised in the following table. The analysis demonstrates that the intersections currently operate satisfactorily.

Intersection	Control Type	Period	Intersection Delay (seconds)	Degree of Saturation (v/c)	Level of Service (LoS)
Kirkham Rd/ Wingecarribee St Bridge	Priority	AM	5.7	0.455	A
		PM	6.0	0.507	A
		Sat	5.2	0.280	A
Station St/ Wingecarribee St	Signals	AM	34.5	0.839	C
		PM	33.3	0.846	C
		Sat	31.5	0.815	C

- The traffic impacts of the proposed development have been assessed based on the traffic generation rates for residential development in the *RMS Technical Direction TDT 2013/04a* and the rates for commercial development in the *RMS Guide to Traffic Generating Development (RMS Guide)*. For the public car park, a trip generation rate of 1 trip/space within either of the peak hour periods, has been adopted (reflecting full occupancy of the public car park). The total estimated traffic generation of the development is summarised in the following table.

Period	Residential	Commercial	Public Car Park	Combined	Net
AM Peak	79	86	150	316	271
PM Peak	85	86	150	322	276
Weekend Peak	79	0	150	229	210

- The impacts of this trip generation have been assessed based on SIDRA modelling of the cumulative scenario, as outlined in the following table. The SIDRA analysis indicates that the key intersections (as well as local intersections) will continue to operate at similar and satisfactory LoS in the Weekday AM, PM and Weekend peak hour periods. The average delay and degree of saturation would increase but remain at acceptable levels. Accordingly, the local road network would adequately accommodate the traffic volumes with sufficient spare capacity, without the need for road upgrades.

Intersection	Control Type	Period	Intersection Delay (seconds)	Degree of Saturation (v/c)	Level of Service (LoS)
Kirkham Rd/ Wingecarribee St Bridge	Priority	AM	6.0	0.553	B
		PM	6.5	0.668	A
		Sat	5.5	0.454	A
Station St/ Wingecarribee St	Signals	AM	35.7	0.866	C
		PM	36.0	0.885	C
		Sat	34.8	0.901	C
Kirkham Rd/ Sherwood Ave	Roundabout	AM	5.3	0.192	A
		PM	4.8	0.142	A
		Sat	5.3	0.138	A
Sherwood Ave/ Forest	Priority	AM	4.3	0.117	A
		PM	4.3	0.063	A



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Table 12. SIDRA Intersection Modelling of Proposal (Ason 2020)

Intersection	Control Type	Period	Intersection Delay (seconds)	Degree of Saturation (v/c)	Level of Service (LoS)
Lane/ Site Access		Sat	4.3	0.104	A
Kirkham Rd/ Site Egress	Priority	AM	1.9	0.134	A
		PM	2.6	0.240	A
		Sat	2.2	0.124	A

- Based on WDCP2010, 537 car parking spaces would be required, and the Transport Assessment advises that 598 spaces would be achievable for the site. In addition, subject to discussion with Council, opportunity has been identified to provide a public car park offering up to 150 parking spaces in immediate proximity to the train station and town centre. It is understood that there is a major need for additional public parking in this location.
- It is proposed that bicycle provision would comply with *Planning Guidelines for Walking and Cycling* (NSW Government 2004) (noting that WDCP2010 does not prescribe bike parking rates).
- The Traffic Assessment concludes that the Planning Proposal is supportable on traffic planning grounds.

Flooding and Stormwater

- A Flood Risk Assessment has been prepared by Bewsher, in accordance with the Government’s *Flood Prone Land Policy*, the *NSW Floodplain Development Manual* and the Ministerial Directions under Section 9.1 of the EP&A Act, and is provided at **Appendix 5**.
- Based on data extracted from the flood modelling for the Bowral Floodplain Risk Management Study and Plan, key flood hazards and levels for the site are shown in **Figures 19** and **20**. This demonstrates that nearly the entire site is inundated in a 100 year ARI flood although the depths and velocities over most of the site are not hazardous in this event. These less hazardous conditions are reflected in the ‘Medium’ flood risk precinct (FRP) classification which comprises about 71% of the site. The more dangerous ‘High’ FRP which is an area of high hazard in a 100 year ARI flood, is on the western extremity of the site and occupies approximately 18% of the site.
- The Flood Report recommends that, whilst the DCP does allow development in the High FRP in some limited circumstances, as a general rule compliance with the DCP will necessitate new development remaining clear of the High FRP. The Concept Plan has been prepared accordingly, with all built form located outside of the High FRP.
- The Flood Report recognizes the opportunities to enhance the riparian corridor through removal of past fill, recontouring and revegetation. It is acknowledged that any works within 40m of the riverbank would require a Controlled Activity Approval pursuant to the Water Management Act. Whilst Bewsher highlights the need for flood modelling to ensure there are no adverse flooding or erosion impacts, including as a result of minor changes to the extent of the High FRP, Bewsher states *‘nevertheless we are confident that these objectives could be achieved.’*
- With respect to off-site impacts of the future development, Bewsher confirms *‘given that the site is already developed, in our opinion there will be a variety of development layouts which would have no adverse off-site impacts...When a development application is eventually lodged, we are confident that these building footprints, or minor variations*

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to these and consistent with the proposed rezoning, could be demonstrated to have no adverse off-site impacts, and would be fully consistent with Council's DCP controls.'

- Considering flood planning levels (FPLs) for the new development, Bewsher states *'in our opinion development of the rezoned site will be able to satisfy these FPL requirements' (of the DCP)*. As the FPLs of the proposed development would generally be higher than the existing buildings and car park, the proposal would create the opportunity for flood damages to be reduced relative to the existing situation.
- Further to the above, Bewsher note that the Probable Maximum Flood (PMF) is approximately 2m above the level of the 100 year ARI flood. The PMF is a very rare event with an ARI of approximately 100,000 years. During large and extreme floods, evacuation to a safe area above the reach of the PMF is necessary. Redevelopment of the site provides the opportunity to reduce personal safety risks by:
 - (a) providing direct access for vehicles and pedestrians onto the adjacent high ground of Kirkham Road near to the railway station which is well above the PMF;
 - (b) establishing elevated refuge areas within the upper storeys of the proposed development which are above the PMF and could be designed and constructed to comply with Council's DCP controls for a 'refuge on site';
 - (c) minimising the risks of persons becoming trapped on inundated building floors within the site as can occur within the existing development during large floods.
- Further, as part of any redevelopment of the site there would be the opportunity to develop a flood emergency response plan (FERP) which provides the procedures to manage any flood emergency on the site. This would further improve the safety on the site relative to the existing development.
- Resulting from the above factors as addressed in the Flood Report, the rezoning and subsequent redevelopment would be consistent with the primary objective of the Government's Flood Prone Land Policy which is *'to reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods'*.
- In addition, Bewsher confirms that the flood characteristics of the site and the layout of the proposed rezoning ensure the Planning Proposal satisfies the objectives and provisions of the Section 9.1 Ministerial Directions.
- Bewsher concludes that *'the work which we have done to date and set out below is sufficient for us to be confident that a future development application consistent with the proposed rezoning and cognisant of the flood risks, could be supported on flood risk grounds. This includes an application which intensifies residential and commercial uses on the site as indicated in the Planning Proposal.'*



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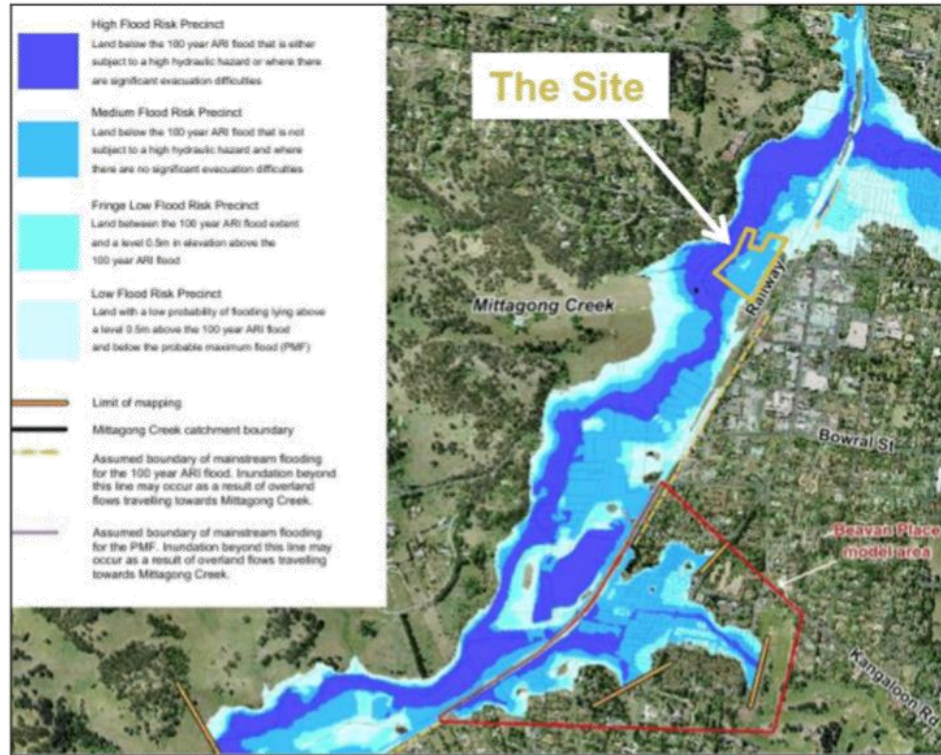


Figure 19. Bowral Flood Risk Precincts (Bewsher 2020)

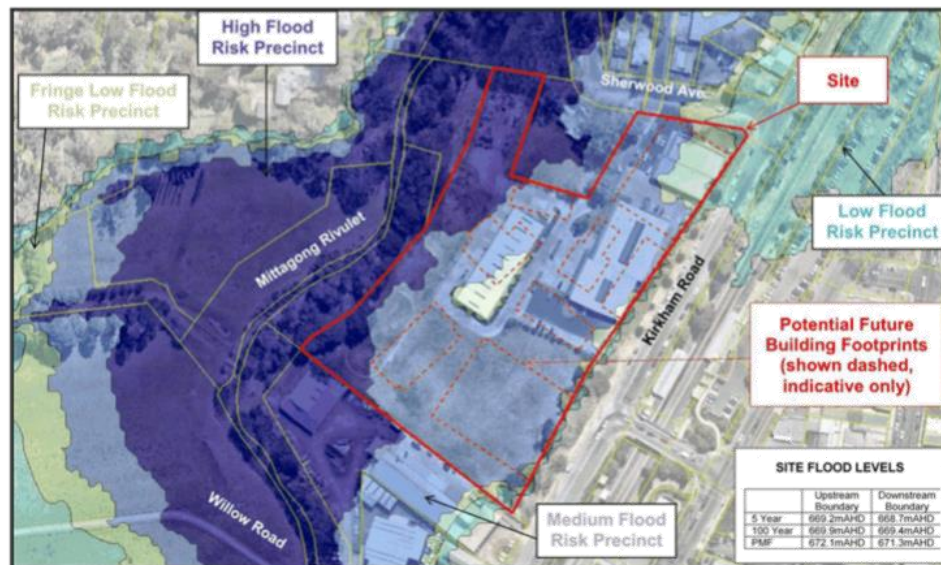


Figure 20. Flood Characteristics of the Site (Bewsher 2020)

Contamination

- A PSI has been prepared by JBS&G and is provided at **Appendix 6**. In accordance with the National Environment Protection Council (NEPC) *Assessment of Site Contamination*

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Measure (2013), guidelines made or approved by the Environment Protection Authority (EPA) and relevant Australian Standards, the PSI identifies areas of environmental concern (AECs) and contaminants of potential concern (COPCs).

- Based on assessment of the site history and environmental setting, as well as a detailed site inspection, potentially contaminating activities were identified to include the use of pesticides, demolition of former structures, possible introduction of fill, storage of hazardous substances in the north-western storage area, and underground water storage by the fire brigade.
- The assessment did *not* identify the potential for gross or widespread contamination which may preclude rezoning or redevelopment. The site is capable of being suitable for the proposed range of uses.
- Given the absence of gross or widespread contamination, the requirements of the DUAP/EPA (1998) SEPP 55 Planning Guidelines for this type of rezoning, are considered to have been satisfied and the rezoning can proceed *'provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposed are made'*.
- Identified potential impacts are considered representative of common contaminants and potentially contaminating land use activities, which can be readily dealt with at the DA stage through a DSI.

Geotechnical Engineering

- A Geotechnical Desktop Assessment has been prepared by Douglas Partners and is provided at **Appendix 7**.
- Based on regional mapping, topography and previous investigations undertaken in the area (locations shown in **Figure 21**), it is expected that the subsurface profile on site will generally comprise the following:
 - Fill: possibly sandy, silty or clayey fill on some parts of the site; overlying
 - Residual clay: clay with varying consistencies (soft to hard) to estimated depths of 1m to 3m; overlying
 - Weathered bedrock: very low to low strength, weathered sandstone or siltstone, typically grading to stronger, less weathered, rock with depth. Shale bedrock may also be present in the area.
- The residual clays are expected to be moderately to highly reactive, that is, moderately to highly susceptible to shrink-swell movements caused by moisture changes.
- Due to the close proximity of the site to a watercourse or drainage depression (Mittagong Creek), groundwater seepage may be present within the clay soils and at the soil-rock interface.
- The actual ground conditions could vary substantially from the interpreted geotechnical model and should be confirmed with geotechnical investigations at the site.
- Reference to the salinity hazard report for Catchment Action Plans (CAPs) upgrade produced for the Hawkesbury-Nepean Catchment Management Authority and published by NSW Department of Primary Industries in February 2013 indicates that the site is within an area or landscape formation (Triassic sandstones) with very low salinity hazard.



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However, the site is located close to Moss Vale, which shale landscapes are known to have high salinity hazard.

- Reference to the 1:25 000 Acid Sulphate Soils Risk map indicates that the site is an area of no known occurrence of acid sulphate soils. The nearest mapped occurrences of acid sulfate soils are near Lake Illawarra, which is several kilometres away from the site.
- Based on its findings, the Geotechnical Report provides preliminary recommendations for site preparation, excavation, groundwater management, foundations, pavements, further salinity testing, and seismic loading.
- In accordance with the recommendations of the Geotechnical Report, intrusive geotechnical investigations would be carried out at the future DA stage to obtain specific information on the site. The investigations would include:
 - Boreholes for soil and rock identification;
 - Groundwater observations during drilling and installation of groundwater monitoring wells to measure groundwater levels; and
 - Laboratory testing for soil reactivity, salinity, aggressivity to buried structural elements, and for soil and rock classification.



Figure 21. Previous Geotechnical Investigations (Douglas Partners 2020)

Bushfire

- The site is not identified within a designated bushfire prone area based on the NSW RFS maps.

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- In any case, the Ecological Report (**Appendix 8**) has considered any bushfire risk affecting the site and has established the bushfire protection measures required to comply with *Planning for Bushfire Protection 2019* and *AS3959 (2018) Construction of buildings in Bushfire Prone Areas*.
- Whilst it is recommended that a further assessment (field verification) is undertaken to determine the bushfire prone nature of the site, the assessment has assumed the vegetation associated with the creek line to the west may be a 'remnant' bushfire hazard. In this circumstance future development on site would require assessment against *Planning for Bushfire Protection 2019*.
- The Bushfire Chapter of the Ecological Report provides preliminary recommendations for Asset Protection Zones (APZs), hazard management, construction standards, access, water supply and gas supply.
- It is acknowledged that a Bushfire Protection Assessment Report would be required as part of the future DA.
- The Ecological Report concludes that the concept architectural scheme is sound and is not likely to meet major bushfire constraints.

Aboriginal and Non-Aboriginal Heritage

- The subject site does not comprise any non-Aboriginal heritage significance and therefore presents significant opportunity for renewal.
- The future development would be contained within the boundaries of the subject site and would not impact on any nearby heritage items. Given the separation afforded by the road, the downslope positioning of the site and the sympathetic design and scale of the future development, the proposal would maintain adequate amenity for, and an appropriate visual relationship with, the heritage items related to the railway station.
- Notwithstanding, the Aboriginal and Non-Aboriginal Desktop Heritage Constraints Assessment prepared by Biosis (**Appendix 9**), recommends that a Statement of Heritage Impact should be undertaken at the DA stage, to confirm archaeological potential, and determine visual impacts to the heritage items in the vicinity.
- As recorded in the Aboriginal and Non-Aboriginal Desktop Heritage Constraints Assessment prepared by Biosis (**Appendix 9**), an AHIMS search identified 61 Aboriginal archaeological sites within a 3km search area, centred on the subject site. None of these registered sites are located *within* the site.
- The desktop assessment concludes that there is moderate potential for Aboriginal objects or areas of archaeological potential to be present within the site. It is recommended that a formal Aboriginal Due Diligence Assessment is undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010) prior to DA.

Construction Management

- To ensure the carrying out of future development protects the quality of the environment and amenity of adjoining properties, a Construction Environmental Management Plan would be developed prior to the commencement of works.

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Waste Management

- A comprehensive Waste Management Plan would be prepared as part of the future DA, including measures to minimise waste generation and manage waste/recyclables through all phases of the development.

4.3.3 HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED SOCIAL AND ECONOMIC EFFECTS?

An economic analysis has been undertaken to assess the potential economic impacts of the proposed rezoning from IN2 Light Industrial to B4 Mixed Use.

The proposal would support 9.5% more commercial floor space on the site compared to the existing 'Village of Bowral' (4,320m² new commercial GFA compared to 3,945m² existing GFA) which, together with higher employment densities, would create 233 jobs on the site (representing an 863% increase compared to the current 27 jobs).

As well as direct employment through potential jobs, the proposal has the potential to create the following investment stimulus:

- Creation of 225 construction jobs (including 90 direct and 135 indirect jobs) over 1.5 years.
- Generation of \$44 million Gross Value Added (GVA) during construction.
- Creation of 160 direct jobs plus 73 indirect jobs, annually during operation.
- Generation of \$13.4 million per annum in direct and indirect GVA through ongoing operations.
- \$268.3 million value added over a 20 year operational period.
- An ability to stimulate and attract further investment to the immediate area by raising the profile of Bowral as a place to live, work and invest.

With respect to policies relating to the management of industrial land, it is noteworthy that the B4 Mixed Use zone would continue to permit light industries and warehousing, together with allowing for a more diverse range of employment-generating uses (including those capable of supporting higher employment densities, as outlined above). Given that only 2% of the current floor space within the existing 'Village of Bowral' premises is light industrial in character (with the remaining 98% including a mix of local services, community uses and retail/showrooms), there is considered to be greater demand for other types of employment-generating floor space in this location. This is also supported at a broader precinct scale which reveals that only 28% of existing floor space within the IN2-zoned precinct along Kirkham Road is used for light industrial purposes. The IN2-zoned land therefore effectively already operates as a *mixed use* precinct.

In total, Wingecarribee LGA comprises 1,214ha of zoned industrial land. Of this industrial land supply, 399ha (33%) is vacant. The proposal would therefore not unacceptably impact on industrial land supply within the Wingecarribee LGA.

Further, 93% of the vacant industrial land (370ha) is situated within Moss Vale, and this is therefore considered to be a more appropriate strategic focus for industrial growth within the LGA. Moss Vale Enterprise Corridor is also considered more appropriate than the subject site for industry given its 20-30% lower land price and additional separation from sensitive residential areas. Again, this suggests that a rezoning of the subject site would not unacceptably impact on industrial land supply within the Wingecarribee LGA.

The economic assessment also considers the impact of the proposed rezoning on the existing town centre of Bowral. The subject site would accommodate types of employment floor space and businesses that are not currently catered for in the established town centre, owing to

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smaller size premises, lack of access for loading, and lack of customer and business parking. The site would fulfil a role in providing larger, more flexible tenancies benefitting from loading facilities and car parking for customers and businesses. Therefore the proposal would complement, not compete with, the town centre.

The economic analysis therefore concludes that the proposal would have important economic benefits, and *no* unacceptable economic impacts.

4.4 STATE AND COMMONWEALTH INTERESTS

4.4.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

The site is serviced by existing infrastructure that is anticipated to be capable of servicing the envisaged mixed use precinct. Any required service upgrades would be addressed as part of the future DA.

With respect to transport infrastructure, the site is highly accessible by public transport, being situated directly opposite Bowral train station. The site is also located in the immediate vicinity of the established Bowral town centre, and future residents and workers on the site would therefore benefit from being within easy walking distance of all the services and amenities required to support high quality, active lifestyles.

Kirkham Road already incorporates pedestrian paths and is identified as a cycle route, and the proposal would create opportunities to include new pedestrian and cycle links connecting to the riparian corridor. This would provide the opportunity to create a more comprehensive network of active and green links.

As further detailed in **Section 4.3.2** and **Appendix 4**, the Traffic Assessment and SIDRA modelling confirm that key and local intersections will continue to operate at similar and satisfactory Level of Service (LoS) in the Weekday AM, PM and Weekend peak hour periods. The average delay and degree of saturation would increase but remain at acceptable levels. Accordingly, the local road network would adequately accommodate the traffic volumes with sufficient spare capacity, without the need for road upgrades.

4.4.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH GATEWAY DETERMINATION?

No consultation with Commonwealth authorities has been carried out to date.

It is acknowledged that Wingecarribee Shire Council would consult with relevant public authorities following the Gateway determination.



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PART E COMMUNITY CONSULTATION

Schedule 1 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination. It is anticipated that the Planning Proposal would be required to be publicly exhibited for 28 days in accordance with the requirements of DPE guidelines *A guide to Preparing Local Environmental Plans*.

It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s);
- A notice on the Wingecarribee Shire Council website;
- Written correspondence to adjoining and surrounding landowners.

The Gateway determination, Planning Proposal and specialist studies would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

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PART F CONCLUSION

The proposed amendment to WLEP2010 to rezone the site to B4 Mixed Use and introduce standards for building height and FSR, would support the creation of a mixed use precinct on the site, which is strategically justified on the following basis:

- The proposed LEP amendments would enable the creation of a mixed use precinct on the site offering a complementary suite of urban services, commercial and retail spaces and residential apartments, complemented by green open spaces and connections to Mittagong Creek and riparian corridor.
- Being situated in immediate proximity to Bowral train station and the established town centre, the site is strategically located to be transformed into a mixed use precinct offering new workers and residents convenient access to public transport, jobs, shops and services. The location of the site reflects the Regional Plan, draft LSPS, LHS and CSP criteria for growth in existing centres, and the proposal would maintain 'the green between' and would not compromise any sensitive environments or heritage assets.
- Mixed use development would provide a transition between the town centre to the east, riparian corridor to the west, residential area to the north, and light industrial/commercial area to the south. Given the existence of these distinctly different 'character areas', the proposal would offer the opportunity to create a more appropriate transition that positively contributes to the overall character and quality of development in this location.
- The proposal would promote significant economic benefits associated with the delivery of 9.5% more employment-generating floor space than the current premises, higher employment densities and more diverse job and business investment opportunities. This would support the creation of 233 jobs on the site (an 863% increase compared to the current 27 jobs) and retain a local workforce.
- Economic impact assessment also concludes that a rezoning of the subject site would not unacceptably impact on industrial land supply within the Wingecarribee LGA, but instead would formalise the mixed use function already performed by the site and a significant proportion (72%) of the IN2-zoned precinct along Kirkham Road. Industrial growth within the LGA would be better accommodated within the Moss Vale Enterprise Corridor which offers 370ha of vacant industrial land.
- With regard to the relationship of the proposal within the existing Bowral town centre, the economic assessment finds that the site would fulfil a role in providing larger, more flexible tenancies benefitting from loading facilities and car parking for customers and businesses, and therefore accommodating types of employment floor space and businesses that are not currently catered for in the established town centre. Therefore the proposal would complement, not compete with, the town centre.
- The proposal would provide additional housing supply and greater dwelling diversity, including smaller housing products to meet the identified needs of the local area. Specifically, the Regional Plan, draft LSPS and LHS highlight the need for at least 3,300 new dwellings by 2036 (with 50% to be delivered as infill development), increased medium density development and smaller housing products.
- The proposal also poses the opportunity to deliver significant public benefit through the inclusion of public car parking to service the adjacent train station and town



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centre. It is understood that there is a major need for additional public parking in this location.

- Overall, the proposal is consistent with the regional and local strategic planning framework. As described through this report, the proposal is specifically consistent with the Regional Plan, draft LSPS, LHS, CSP and draft Destination Plan.
- The primary suitability of the B4 Mixed Use zone is demonstrated as the proposal would be consistent with *all* the B4 zone objectives. In addition, the B4 zone would continue to permit light industry and warehouse/distribution centres, thereby allowing the current uses operating on the site to continue (or be re-provided as part of any future development).
- The proposed four (4) storey building height and density of development would achieve the objectives of the WLEP2010 building height standard and FSR standard, respectively. The scale of future development would have regard to the natural topography of the land which drops down away from Kirkham Road, site constraints, local character, sensitive riparian environments and neighboring amenity. Building densities would be balanced with new open spaces, green links, setbacks and landscaping.

It is therefore recommended that the Planning Proposal is approved by Wingecarribee Shire Council and that the necessary steps are pursued to enable it to proceed to Gateway Determination under Section 3.34 of the EP&A Act.



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Appendix 1 Strategic and Site-Specific Merit Test



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Appendix 2 Urban Design Report



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Appendix 3 Economic Impact Assessment



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Appendix 4 Transport Assessment



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Appendix 5 Flood Impact Assessment



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Appendix 6 Preliminary Site Investigation



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Appendix 7 Geotechnical Desktop Assessment



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Appendix 8 Ecological Report



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Appendix 9 Desktop Heritage Constraints Assessment