



PCU023892

Blacktown City Council

Growing with Pride

File No: RZ-10-1963

29 June 2011

Peter Goth
Regional Director
Sydney West Region
Department of Planning
Locked Bag 5020
PARRAMATTA NSW 2124

Dear Peter,

Planning Proposal to amend Clause 46 of Blacktown Local Environmental Plan 1988 to Permit the Development of a New Service Centre on Sunnyholt Road and Additional Restaurant Facilities in the Existing Service Centre on Old Windsor Road - Part of Lot 100, DP 1092236, Sunnyholt Road, Glenwood (on the Parklea Market Site)

Council is in receipt of a request to amend Clause 46 of Blacktown Local Environmental Plan (BLEP) 1988. The Application relates to part of Lot 100, DP 1092236, Sunnyholt Road, Glenwood – land predominantly occupied by the Parklea Markets. The Applicant wishes to develop a Service Centre on land off Sunnyholt Road that presently functions as an overflow carpark for Parklea Markets and to accommodate additional restaurant facilities within the existing Service Centre off Old Windsor Road.

Whilst a Parking Assessment Report has been provided a technical **Traffic Study has not been submitted** specifically for the Sunnyholt Road portion of the site.

The Traffic Management Services (TMS) Section of Council has reviewed the Parking Assessment Report and has found inconsistencies with some of the figures and hence the discrepancy in parking figures needs to be further investigated. Council's TMS section indicates that a separate Traffic Study should be submitted by the Applicant, as a detailed analysis of the potential cumulative economic and traffic impacts would provide a more substantive basis for consideration of the Planning Proposal. Both a revised Parking Report and Traffic Study should be submitted to Council prior to the exhibition of the proposal in the event that a Gateway Determination is issued by the Minister for Planning.

Department of Planning
Received
5 JUL 2011
Scanning Room

Council Chambers • 62 Flushcombe Road • Blacktown NSW 2148

Telephone: (02) 9839 6000 • **Facsimile:** (02) 9831-1961 • **DX** 8117 Blacktown

Email: council@blacktown.nsw.gov.au • **Website:** www.blacktown.nsw.gov.au

All correspondence to: The General Manager • PO Box 63 • Blacktown NSW 2148

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It is noted that Council has required **Traffic Study** to accompany previous proposed amendments (i.e. Old Windsor Road Service Centre and the proposed Service Centres on Sunnyholt Road) to ensure that the proposals would not result in unacceptable traffic delays or have a great impact on the operation of intersections in the vicinity. It is noted that this is also a **statutory requirement of Clause 47(1)(b) of BLEP 1988**, viz:

Service centres

- 47 (1) *The council shall not grant consent to the carrying out of development for the purpose of a service centre in any zone unless it is satisfied that:*
- (a) *there is a separation distance of at least 2 kilometres between the proposed service centre and any established service centre or service station, or proposed service centre or service station that has received development consent, except where any such established or proposed service centre or service station is located on the opposite side of the road within Zones Nos. 5(b) or 5(c) adjoining the proposed service centre; and*
 - (b) *the proposal would not result in unacceptable traffic delays or have a great impact on the operation of intersections in the vicinity, and provides safe access to and from the site, based on a comprehensive traffic study prepared by a suitably qualified person*
- (2) *In determining an application to carry out development for the purpose of a service centre, the council must consider the following*
- (a) *the potential cumulative impact of the proposed service centre on like uses such as service stations in the locality*
 - (b) *whether the operation of and access to and from the service centre is likely to cause disturbance to residents or impinge on existing lawful uses in the vicinity; an*
 - (c) *whether or not the service centre is likely to substantially alter the character of its locality.*
- (3) *Notwithstanding the provisions of subclauses (1) and (2), where the council is of the opinion that the local community is not likely to be provided with adequate convenience retail facilities in the foreseeable future, the council may grant consent to a service centre which is at variance with the criteria set out in subclauses (1) and (2).*

Council consulted the RTA regarding access arrangements for the proposal, particularly as the Applicant had submitted a Concept Plan in 2005 which showed 3 access points into the Service Centre. The RTA responded by raising no objection to the Planning Proposal to allow a Service Centre at this location, but noting that it does not support additional access to/from Sunnyholt Road. Therefore access into the site will be limited to the existing 2 signalised intersections. Consideration will need to be given at the Development Application stage to providing sufficient queuing areas at these intersections in order to get back onto Sunnyholt Road.

It is noteworthy that the Applicant for the Service Centre and KFC is the same Applicant for the Motel Planning Proposal on the eastern fringe of the subject site. Mr Polvere has, in an earlier deputation to Council's Planning and Development Committee in February 2011 (dealing with the Motel Planning Proposal), undertaken to provide all the necessary studies and supporting information to facilitate an holistic assessment for the site.

In accordance with Section 147(3) of the Act a Disclosure Statement **has been submitted** to Council in respect of the subject Planning Proposal, a copy of which is attached.

Also attached for your reference and information are:

- ☐ A copy of the report to Council (SD310042, considered on 1 June 2011) regarding the subject Planning Proposal; and
- ☐ A copy of the Planning Proposal itself (dated January 2011), which contains a detailed justification and deals with the issues relating to this draft LEP.

In consideration of the report Council resolved to forward the Applicant's Planning Proposal to the Minister for Planning seeking a Gateway Determination to undertake a clause amendment to Blacktown Local Environmental Plan 1988 to allow the development of a new Service Centre on Sunnyholt Road and additional restaurant facilities within the existing Service Centre on Old Windsor Road. Council also resolved to advise the Minister for Planning that a Traffic Report and revised Parking 
 Report are recommended to be required to be submitted by the Applicant to Council prior to exhibition of the proposal occurring.

Accordingly it is requested that the Gateway Determination confirms that these studies and investigations are required prior to formal exhibition of the Planning Proposal.

Should you require any further information regarding this matter, please contact Council's Team Leader Planning Policy, Ms Sue Galt on 9839 6216.

Yours faithfully,



Trevor Taylor
MANAGER DEVELOPMENT POLICY & REGULATION

