

BLACKTOWN CITY COUNCIL

PLANNING PROPOSAL

Corner Great Western Highway & Reservoir Road, Huntingwood

August 2012

INTRODUCTION

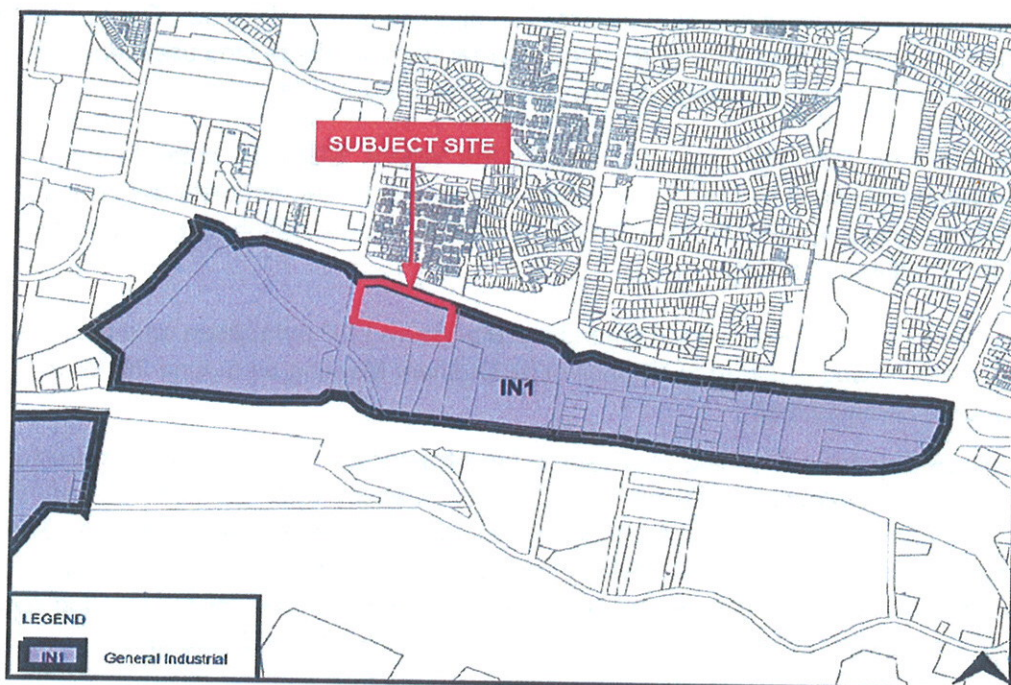
Blacktown City Council has received a request from Don Fox Planning (on behalf of Bunnings Group Limited) to amend *Blacktown Local Environmental Plan 1988* (the Blacktown LEP) to facilitate an amendment to *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (the WSEA SEPP) by including “hardware and building supplies” and “garden centre” as additional permissible uses in the WSEA SEPP on certain land at the corner of the Great Western Highway and Reservoir Road, Huntingwood (the Subject Site).

The land is currently zoned IN1 – General Industrial under the WSEA SEPP. “Hardware and building supplies” and “garden centre” are prohibited uses in the IN1 zone under the WSEA SEPP.

The purpose of the Planning Proposal is to facilitate the development of a Bunnings Warehouse on the Subject Site. The core function of a Bunnings Warehouse can be best described as a combination of these two definitions, “hardware and building supplies” and “garden centre”. The Subject Site is located on the corner of the Great Western Highway and Reservoir Road, Huntingwood, within the Blacktown LGA. The site is legally described as:

Lot 101, DP1166084 (H/No. 183) Reservoir Road, Huntingwood.

The site has an area of approximately 3.9 hectares, with a northern frontage to the Great Western Highway of approximately 270m and a western frontage to Reservoir Road of approximately 170m.



Location of Subject Site within Huntingwood Precinct – Precinct 3 under WSEA SEPP

The land is zoned IN1 – General Industrial under the WSEA SEPP and is located within Precinct 3 – Huntingwood. A limited range of land uses are currently permissible with development consent in the IN1 zone under clause 11 of the WSEA SEPP. There are no land uses identified as permissible without consent, and all other land uses not listed are prohibited.

A Bunnings Warehouse is best defined under the *Standard Instrument - Principal Local Environmental Plan* (the Standard Instrument) as a combination of the following two definitions:

hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may, if ancillary to the principal purpose for which the building or place is used, include a restaurant or café and the sale of any of the following:

- a) outdoor furniture and furnishings, barbeques, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,
- b) pets and pet supplies,
- c) fresh produce.

Neither of these uses is identified as a permissible land use in the IN1 zone. Consequently an amendment to the WSEA SEPP is required in order to make these land uses, and hence a Bunnings Warehouse development, permissible on the Subject Site.

Whilst the Planning Proposal seeks to amend the WSEA SEPP in order to permit a Bunnings Warehouse on the Subject Site, any proposed future development will be subject to a separate Development Application (DA) to Council for consideration and is not included as part of this Planning Proposal.

The request from Don Fox Planning to amend the Blacktown LEP to facilitate an amendment to the WSEA SEPP was reported to Council at its Ordinary Meeting on 6 June 2012. At the meeting Council resolved that:

"Council forward a Planning Proposal to the Minister for Planning and Infrastructure seeking a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979 to amend Schedule 1 of the State Environmental Planning Policy (Western Sydney Employment Area) 2009 to include "hardware and building supplies" and "garden centre" as additional permitted land uses on Lot 101, DP 1166084, H/No. 183 Reservoir Road, Huntingwood."

Accordingly, this Planning Proposal has been prepared by Council Officers with the assistance of information provided by Don Fox Planning, and in accordance with the

Department of Planning and Infrastructure's (DP&I) format for Planning Proposals as outlined in *A guide to preparing planning proposals* dated July 2009.

This Planning Proposal is accompanied by the following supporting document which have been commissioned by Don Fox Planning/Bunnings Group Limited:

- Assessment of Traffic and Parking Implications, prepared by Transport and Traffic Planning Associates.

THE PLANNING PROPOSAL

Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to expand the range of permissible uses on certain land at the corner of the Great Western Highway and Reservoir Road, Huntingwood, to enable the future development of a Bunnings Warehouse.

Part 2 – Explanation of Provisions

The effect of the Planning Proposal would be to amend the Blacktown LEP to facilitate an amendment to the WSEA SEPP by listing “*hardware and building supplies*” and “*garden centre*” as permissible land uses on Lot 101, DP 1166084 under Schedule 1 – Additional permitted uses of the WSEA SEPP.

There would be no change to the land use table for the underlying IN1 – General Industrial Zone that applies generally across the Western Sydney Employment Area (the WSEA) under the SEPP.

Part 3 – Justification

Section A – Need for the planning proposal

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

Strategic work was undertaken in the preparation of the former *State Environmental Planning Policy (SEPP) No. 59 – Central Western Sydney Economic Employment Area* to determine appropriate land use zones for the WSEA. However, this work did not consider in detail individual land uses for specific sites.

The WSEA SEPP came into force in August 2009 and had the effect (amongst other things) of repealing the provisions of SEPP 59 as they applied to the Huntingwood Precinct and the subject site.

Furthermore, since the preparation of the WSEA SEPP the definitions included in the Standard Instrument have been reviewed and refined through an amendment to the Standard Instrument in February 2011. This has resulted in more appropriate land use definitions that can apply to the likes of a Bunnings Warehouse.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

An amendment to the WSEA SEPP is required in order to make a Bunnings Warehouse permissible on the Subject Site, as the current land use table for the IN1 – General Industrial zone under the SEPP does not permit this type of use.

This Planning Proposal seeks to amend Schedule 1 – Additional permitted uses of the WSEA SEPP by adding “hardware and buildings supplies” and “garden centre” as additional permitted uses on the Subject Site only.

Alternatively, “hardware and buildings supplies” and “garden centre” could be listed as permissible land uses in the IN1 – General Industrial zone. However, this is not considered appropriate as the IN1 zone applies across the WSEA generally and would potentially result in DAs being lodged with Council for these uses, which may not be appropriate at the given location. On this basis, amending Schedule 1 of the SEPP is considered to be the most appropriate mechanism to permit these land uses on the site.

SEPPs, and any amendments thereto, are typically proposed and prepared by the DP&I for the Minister’s consideration and ultimate approval by the Governor. Notwithstanding, Section 74 of the *Environmental Planning and Assessment Act 1979* provides that:

An environmental planning instrument may be amended in whole or in part by a subsequent planning instrument whether of the same or a different type.

This clause provides Council with an ability to propose amendments to a SEPP via its LEP.

A Planning Proposal is an established process that will allow consideration of the request for amendment to the SEPP by both Council and the Department through the LEP Gateway. This approach is considered to be appropriate given the manner in which the SEPP, and particularly the zoning and land use table, operate in Blacktown is similar to an LEP.

The alternate way without needing a Planning Proposal would be to create a SEPP to include these as site specific additional land uses. Don Fox Planning, on behalf of Bunnings Group Limited, initially requested DP&I for its consideration of this SEPP. The DP&I responded via a letter to Don Fox Planning advising that it has no objections in principle regarding the proposed amendment however, recommended to seek a planning proposal via the LEP Gateway process through Council. A copy of DP&I’s letter is enclosed. The DP&I also wrote to Council on 18 March 2012 confirming that a SEPP amendment via a LEP planning proposal amendment by Council is the preferred process for the assessment of the proposal. A copy of DP&I’s letter to Council is also enclosed.

3. Is there a net community benefit?

The possible net community benefits that will result from the Planning Proposal are as follows:

- i. Improved traffic outcomes arising from the lower number of large freight and warehouse deliveries in comparison to logistics and freight uses permissible in the IN1 zone and promoted for the area.
- ii. A comparable if not higher level of employment generation relative to the industrial, transport and warehouse type uses permissible and promoted in the zone.
- iii. The ability to contribute to the local economy and support other industrial and residential land uses in the locality.
- iv. Lower amenity impacts on the nearby residential community given that Bunnings Warehouses are not 24 hour, 7 day a week operations, unlike freight, logistic and warehouse uses promoted in the zone.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Metropolitan Strategy for Sydney 2036 and the draft North West Subregional Strategy identify the WSEA as an employment hub with the potential to create up to 36,000 jobs. The key functions of the Huntingwood Precinct are for freight and logistics, and local industry.

The Huntingwood Precinct is identified as Category 1 land through the *Employment Lands for Sydney: Action Plan* dated March 2007. Category 1 land is described in the draft North West Subregion Strategy as:

*"sites which presently function as industrial areas and provide a regional/national economic role (including heavy and light manufacturing or major freight facilities) or subregional role (such as manufacturing and distribution links in supply chains or utilities such as bus depot and water supply) or even a local role (such as auto repairs, local business services and **trade supplies including building and plumbing**)" [emphasis added]."*

Category 1 land has also been identified as being appropriate for uses serving a local role such a trade supplies including building and plumbing. A Bunnings Warehouse would perform such a local role, not only for other businesses within the Huntingwood Precinct but also surrounding residential areas.

As noted above, the employment generating capacity of a Bunnings Warehouse would double that of the freight, logistics and warehouse uses envisaged for the Huntingwood Precinct ensuring that the proposal achieves consistency with the employment generating aims of the Strategies for the WSEA.

The proposed amendment to the WSEA SEPP would therefore not be inconsistent with the Metropolitan Strategy for Sydney 2036 or the draft North West Subregional Strategy.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Council adopted "*Blacktown City 2025*" in 2008, which is Council's long term Community Strategic Plan. The Plan identifies "*strategies and trigger projects which have been developed to achieve our vision to be a vibrant, healthy and safe City - A City of Excellence*". The Plan also identifies management priority areas, including economic development wherein the Plan states that:

"Council is committed to the creation and promotion of economic development within the City in partnership with public and private agencies so that the range of business, employment, education and tourism opportunities is maximised."

The identified Strategies and Trigger Projects in the Plan include:

- i. A creative friendly and inclusive City
- ii. Environmental sustainability
- iii. Vibrant commercial centres
- iv. A smart economy
- v. Urban living and infrastructure
- vi. Clean green spaces and places
- vii. Getting around
- viii. A sporting City.

The Smart Economy Strategy is of relevance to the Planning Proposal. The Strategy Statement is:

"to work with industry to identify strategic economic opportunities that will help underpin sustainable economic growth, and to work collaboratively with education providers to deliver education and training for the economy of the 21st century."

This Strategy contains a number of focus areas and the Planning Proposal would be consistent with the following two:

- i. Focus strategies and efforts on targeted growth industries that are likely to have significant economic and employment benefits in the future.
- ii. Facilitate the development of sectors of advanced manufacturing, business services, logistics, building and construction.

This Planning Proposal, which seeks to permit a Bunnings Warehouse and its employment generating capacity, can achieve consistency with this economic strategy of the Community Strategic Plan.

6. Is the planning proposal consistent with the applicable state environmental planning policies?

The consistency of the Planning Proposal with the applicable state environmental planning policies is summarised in **Attachment 1**. The main state environmental planning policy of relevance to the Planning Proposal is the WSEA SEPP.

The aims of the WSEA SEPP as set out in clause 3(2) are:

- a) to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development including major warehousing, distribution, freight transport, industrial, high technology and research facilities,*
- b) to provide for the co-ordinated planning and development of land in the Western Sydney Employment Area,*
- c) to rezone land for employment or environmental conservation purposes,*
- d) to improve certainty and regulatory efficiency by providing a consistent planning regime for future development and infrastructure provision in the Western Sydney Employment Area,*
- e) to ensure that development occurs in a logical, environmentally sensitive and cost-effective manner and only after a development control plan (including specific development controls) has been prepared for the land concerned,*
- f) to conserve and rehabilitate areas that have a high biodiversity or heritage or cultural value, in particular areas of remnant vegetation.*

The objectives of the IN1 – General Industrial zone under the SEPP are:

- i. To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.*
- ii. To encourage employment opportunities along motorway corridors, including the M7 and M4.*
- iii. To minimise any adverse effect of industry on other land uses.*
- iv. To facilitate road network links to the M7 and M4 Motorways.*
- v. To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment.*
- vi. To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.*

Council submits that the proposed amendment would not be inconsistent with the aims of the SEPP or the objectives of the IN1 zone for the following reasons:

- i. A Bunnings Warehouse will have higher employment generating capacity than typical employment generating land uses permissible in the zone.*
- ii. In turn the employment generating capacity of a Bunnings Warehouse would then assist in promoting the economic development of the area and provide a complementary land use to other businesses that establish in the area.*

- iii. A Bunnings Warehouse would locate employment proximate to transport corridors including the Great Western Highway, M4 and M7 Motorways.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table outlines the consistency of the Planning Proposal to relevant Section 117 Directions.

Section 117 Direction	Consistency of Planning Proposal
1. Employment and Resources	
1.1 Business and Industrial Zones	The Proposal is consistent with the Direction as it will facilitate a higher employment generating development that in turn will promote economic activity and employment in close proximity to transport corridors including the Great Western Highway, M4 and M7.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	The Direction applies, however the Subject Site has been identified for future industrial development and identified accordingly in the draft North West Subregion Strategy and zoned accordingly under WSEA SEPP
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 Protection	Not applicable
2.3 Heritage Conservation	Not applicable
2.4 Recreation Vehicle Areas	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Not applicable
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Not applicable
3.4 Integrating Land Use and Transport	Capable of consistency
3.5 Development Near Licensed Aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable

Section 117 Direction	Consistency of Planning Proposal
4. Hazard and Risk	
4.1 Acid Sulphate Soils	The land is already zoned IN1 and the intent of Planning Proposal would not result in intensification of the land. If acid sulphate soils are present, then this issue can be investigated as part of the DA process.
4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flood Prone Land	The land is not indentified on Council's on-line mapping as being flood prone.
4.4 Planning for Bushfire Protection	The land is not indentified on Council's on-line mapping as being bushfire prone land.
5. Regional Planning	
5.1 Implementation of Regional Strategies	There are no Regional Strategies that apply. The Proposal is consistent with the draft North West Subregional Strategy which identifies the WSEA as an employment hub, and further defines the Huntingwood Precinct as Category 1 land which provides (amongst others) a local role such as trade supplies including building and plumbing.
5.2 Sydney Drinking Water Catchments	Not applicable
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
5.6 Sydney to Canberra Corridor	Revoked 10 July 2008. See Direction 5.1
5.7 Central Coast	Revoked 10 July 2008. See Direction 5.1
5.8 Second Sydney Airport: Badgerys Creek	Not applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	Capable of consistency
6.2 Reserving Land for Public Purposes	The Planning Proposal would not involve the reservation of land for public purposes. Not applicable.

Section 117 Direction	Consistency of Planning Proposal
6.3 Site Specific Provisions	The Proposal is consistent with this Direction as the additional land uses will enhance the employment category of the Precinct which is identified as Category 1 land, being appropriate for uses serving a local role such as trade supplies including building and plumbing. A Bunnings Warehouse would perform such a local role, not only for other business within the Huntingwood Precinct but also surrounding residential areas.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	The Proposal is consistent with the Metropolitan Strategy for Sydney 2036 which identifies the WSEA as an employment hub with the potential to create up to 36,000 jobs. The employment generating capacity of a Bunnings Warehouse would be double that of the freight, logistics and warehouse uses envisaged for the Precinct.

Section C – Environmental, Social and Economic Impact

- 8. Is there any likelihood that Critical Habitat or Threatened Species populations or ecological communities or their habitats, will be adversely affected as a result of the proposal?**

A previous Development Application (DA-11-1320) for the Subject Site, approved on 23 December 2011, authorised the clearing of land and earthworks. Ecological considerations have been addressed as part of the development assessment process for that DA. There is no need for further ecological assessments to be undertaken as part of this Planning Proposal.

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

The land has already been zoned for industrial purposes and many of the environmental impacts (eg. water management, acoustic, visual, landscape etc.) relevant to a Bunnings Warehouse would be similar to other forms of permissible development and are most appropriately addressed at the DA stage.

Other potential environmental impacts resulting from the Planning Proposal are considered below:

Traffic Impact

The traffic report prepared by Transport and Traffic Planning Associates (TTPA) in support of this Planning Proposal includes details of previous traffic modelling associated with the Huntingwood Precinct, namely:

- i. Huntingwood Precinct Development Transport Management and Accessibility Plan (October 2004)
- ii. Huntingwood Precinct Paramic Micro Simulation Report (June 2010)

The report by TTPA notes that the projected traffic generation of the envisaged Bunnings Warehouse development was incorporated into this previous modelling.

The report notes that as a result of the previous traffic modelling and assessments, a number of agreements have been reached with the Roads and Maritime Services (RMS) and Council in relation to detailed road works and improvements to facilitate further development on the Subject Site. In particular, these agreements include the creation of a new access road, with signalised intersection from the Great Western Highway, along the eastern site boundary. Specific conditions concerning the provision and construction of this access road have been provided via Council's Notice of Determination No. 11-1320 (23 December 2011).

Accordingly, the report generally concludes that the previous modelling (with road improvements) presents an acceptable operational outcome to consider a Bunnings Warehouse development on the Subject Site. Therefore, there will not be adverse traffic implications as a result of the Planning Proposal.

10. How has the Planning Proposal adequately addressed any social and economic effects?

The social and economic benefits of the Planning Proposal are as follows:

- i. Key aims of the WSEA SEPP and objectives of the IN1 – General Industrial zone include the promotion of economic activity and the creation of employment. The Department of Planning and Infrastructure's (DP&I) Employment Lands Development Program 2010 contains job densities per hectare for employment lands per hectare by subregion. The North West Subregion has a target job density of 31 persons per hectare and the South West at 23 persons per hectare. A Bunnings Warehouse has a typical employee density of 1 person per 100m², with an overall density of 37 to 40 employees per hectare, which is above the target density required by the DP&I. Higher levels of employment generation will result in a positive outcome for the WSEA.

- ii. The proposed amendment to the SEPP is only seeking to facilitate the use of the site for the purpose of a Bunnings Warehouse. The development will then be subject to a separate DA which will consider the proposal in greater detail, should the amendment be gazetted.
- iii. A Bunnings Warehouse on the subject site will contribute to the local economy and support other industrial, transport and residential land uses in the locality.
- iv. Lower amenity impacts on the residential community situated to the north of the Great Western Highway, given Bunnings Warehouse is not a 24 hour, 7 day a week operation, unlike freight, logistics and warehouse uses promoted in the zone.
- v. The Planning Proposal is consistent with the overall objectives of the IN1 – General Industrial zone, including “to encourage employment opportunities along motorway corridors, including the M7 and M4” and “to facilitate road network links to the M7 and M4 Motorways”. The Subject Site is located on the corner of Reservoir Road and the Great Western Highway, and therefore is in close driving distance to the M4 and M7 Motorways.
- vi. A Bunnings Warehouse is likely to support other business and trades in the locality and provide convenient access to hardware and building supplies to the surrounding residential areas.

Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the Planning Proposal?

The Huntingwood Precinct Development Control Plan (DCP) addresses the provision of infrastructure services and assesses the existing conditions as follows:

- Water – There is sufficient capacity within the Prospect Hill elevated water supply system to service the precinct.
- Sewerage – The site is within the western catchment which drains to the Quakers Hill Sewerage Treatment Plant which has sufficient capacity to cater of the Precinct.
- Electricity – There is capacity for a minor increase in demand which will suffice for the short term. Upgrades will be required.
- Telecommunications – There is sufficient capacity to service the precinct.
- Gas – There will be minimal consumption of gas in the Precinct and the supply is adequate

The DCP provides controls that requires developers of the Precinct to comply with certain requirements of service authorities and the delivery of certain services and infrastructure as part of the development approvals.

The Planning Proposal simply introduces additional land uses to the already zoned land and no further investigation of services has been undertaken or considered necessary at this stage. Provision of services will be a more detailed matter for future DAs.

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

Consultation with relevant State and Commonwealth public authorities can be undertaken in conjunction with the exhibition of the Planning Proposal following the Gateway Determination.

Part 4 – Community Consultation

Public consultation will take place in accordance with the Gateway Determination made by the Minister for Planning in accordance with Sections 56 & 57 of the *Environmental Planning & Assessment Act 1979*.

ATTACHMENT 1

CONSISTENCY WITH SEPPs

Environmental Planning Instrument	Consistency
SEPP 1 Development Standards	The proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP 4 Development Without Consent and Miscellaneous Exempt and Complying Development	The proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP 6 Number of Storeys in a Building Consistent	The Planning Proposal does not propose controls for numbers of storeys.
SEPP 14 Coastal Wetlands	Not applicable.
SEPP 15 Rural Landsharing Communities	Not applicable.
SEPP 19 Bushland in Urban Areas	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP. Huntingwood Precinct DCP has controls in place consistent with SEPP 19.
SEPP 21 Caravan Parks	Not applicable.
SEPP 22 Shops and Commercial Premises	Not applicable.
SEPP 26 Littoral Rainforests	Not applicable.
SEPP 29 Western Sydney Recreation Area	Not applicable.
SEPP 30 Intensive Agriculture	Not applicable .
SEPP 32 Urban Consolidation (Redevelopment of Urban Land)	Consistent with the objectives of the Planning Proposal.
SEPP 33 Hazardous and Offensive Development	Consistent with the proposed permissible land uses.
SEPP 36 Manufactured Home Estates	Not applicable.
SEPP 39 Spit Island Bird Habitat	Not applicable.
SEPP 41 Casino Entertainment Complex	Not applicable.
SEPP 44 Koala Habitat Protection	Not applicable.
SEPP 47 Moore Park Showground	Not applicable
SEPP 50 Canal Estate Development	Not applicable
SEPP 52 Farm Dams, Drought Relief and Other Works	Not applicable
SEPP 53 Metropolitan Residential Development	Not applicable
SEPP 55 Remediation of Land.	Capable of consistency

Environmental Planning Instrument	Consistency
SEPP 59 Central Western Sydney Regional Open Space and Residential	Not applicable
SEPP 60 Exempt and Complying Development	The proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP 62 Sustainable Aquaculture	The proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP 64 Advertising and Signage	The proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP 65 Design Quality of Residential Flat Development	Not applicable
SEPP 70 Affordable Housing (Revised Schemes)	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP 71 Coastal Protection	Not applicable
SEPP (Affordable Rental Housing) 2009	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable
SEPP (Infrastructure) 2007	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Major Development) 2005	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP (Rural Lands) 2008	Not applicable
SEPP (SEPP 53 Transitional Provisions) 2011	Not applicable
SEPP (State and Regional Development) 2011	The proposal is not state significant development or state significant infrastructure.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable

Environmental Planning Instrument	Consistency
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Temporary Structures) 2007	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
SEPP (Western Sydney Employment Area) 2009	Refer discussion in Part 3 Section B Clause 6
SEPP (Western Sydney Parklands) 2009	Not applicable
Sydney REP 9 Extractive Industry (No 2-1995)	Not applicable
Sydney REP 11 Penrith Lakes Scheme	Not applicable
Sydney REP 16 Walsh Bay	Not applicable
Sydney REP 18 – Public Transport Corridors	Not applicable
Sydney REP 19 Rouse Hill Development Area	Not applicable
Sydney REP 20 Hawkesbury–Nepean River (No. 2-1997)	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.
Sydney REP 24 Homebush Bay Area	Not applicable
Sydney REP 25 Orchard Hills	Not applicable
Sydney REP 26 City West	Not applicable
Sydney REP 28 Parramatta	Not applicable
Sydney REP 30 St Marys	Not applicable
Sydney REP 33 Cooks Cove	Not applicable
Sydney Regional Environmental Plan (Sydney Harbour Catchment)	The Planning Proposal will not contain provisions that would be inconsistent with or hinder the application of the SEPP.



**Planning &
Infrastructure**

Office of the Director General

Mr David Kettle
PO Box 230

11/09564

PENNANT HILLS NSW 1715

Dear Mr Kettle

I refer to your letter to your letter of 1 June 2011 concerning a proposed amendment to State Environmental Planning Policy (Western Sydney Employment Area), 2009 – Bunnings Warehouse Proposal. The Director General has asked me to respond on his behalf.

Your letter recommends that the *Department give consideration to an amendment to Schedule 1 of SEPP (Western Sydney Employment Area) 2009 to include hardware and building supplies and garden supplies as a permissible land use for this site.*

The Department has considered process options available for the assessment of your request and has no objections in principle with your proposed amendments. It is recommended that Bunnings discuss the proposal with Blacktown City Council and seek a planning proposal amendment. This is an established process that will allow the consideration of the proposal by both Council and the Department through the LEP Gateway process.

Your letter indicates that Blacktown City Council's Manager of Planning is supportive of the proposed amendment to Schedule 1 of State Environmental Planning Policy (Western Sydney Employment Area) 2009. It is recommended that you discuss the formal planning proposal process with Council.

Should you have any further enquiries about this matter, I have arranged for David Fitzgibbon, , Office of Director General - Project Delivery Unit, of the Department of Planning and Infrastructure to assist you. He can be contacted on telephone number (02) 9228 6169.

Yours sincerely

Robert Black
Executive Director Land Release (Planning and Delivery)

Cc: Phillip Drew, Development Approvals Manager, Bunnings.