



PLANNING PROPOSAL JUSTIFICATION REPORT

ADDITIONAL PERMITTED USES AT LOTS A
& B KOOKABURRA ROAD, PRESTONS

PREPARED FOR LOGOS PROPERTY



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Project Code	SA7442
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1. INTRODUCTION

This report has prepared on behalf on Logos Property (the Proponent) to initiate an amendment to the *Liverpool Local Environmental Plan 2008* (LLEP 2008). The planning proposal request is to make the necessary amendments to Schedule 1 to include *vehicle sales and hire premises* as an additional permitted use on the site (Lots A & B Kookaburra Road, Prestons). This will allow Volvo Commercial Vehicle Facility (Volvo) to provide retail services to local and regional industrial businesses to boost the commercial success of the Prestons Industrial Estate and encourage employment opportunities.

The main function of the site is for the repair and servicing of vehicles as well as ancillary vehicle parts storage and distribution, and ancillary office. The vehicle sales component is subordinate to those land uses.

The site is located in proximity to the M5 and M7 Motorways providing excellent access for the distribution of vehicles and movement of employees. The Prestons Industrial Estate accommodates approximately one third of Liverpool Local Government Areas (LGA) industrial employment land with the majority of the jobs in manufacturing, construction, transport, distribution, warehousing and wholesaling sectors. The planning proposal seeks to leverage the precinct's economic and locational characteristics and support its regional role as an economic and employment hub by providing a facility to service the surrounding industrial businesses. The planning proposal also accords with Department of Planning and Environment (DPE) strategic directions to facilitate employment generating development and economic activities near major transport corridors.

1.1. PROJECT BACKGROUND

On 13 February 2018 DPE approved SSD 7155 MOD 3 which involved the construction of a warehouse building to be used for the Volvo operation. The use of the Volvo facility will be used as part warehouse and distribution and part vehicle servicing both of which are permitted with consent in the sites IN3 Heavy Industrial zoning.

There is also a small component of Volvo's operation that involves activities that are considered to be defined as a type of 'vehicle sales and hire premises' under LLEP 2008, a land use currently prohibited on site. SSD 7155 approved the construction of the warehouse building and associated works and the warehouse and distribution component of the operation.

The Volvo facility building is complete and Volvo have lodged a temporary use of land development application (DA) to permit vehicle sales and hire premises use temporarily (52 days in a year), whilst the planning proposal is being considered by Council and the Department of Planning and Environment (DPE).

1.2. COUNCIL CONSULTATION

The Proponent and representatives of Volvo met with Senior Strategic and Statutory Planning Officers on 27 August 2018 regarding the planning proposal and the temporary use of land DA. The following provides a summary of the issues:

Table 1 – Response to Issues (27 August 2018 meeting)

Issues	Response
Generally, there is a need to clearly identify the long term future uses within the industrial precinct and how any proposed use would be compatible with the objectives of the IN3 zone, which include offensive uses (and vice versa).	<p>As stated in Section 3.1.1, the proposed 'vehicle sales and hire premises' use is compatible with the objectives of the IN3 Heavy Industrial zone for the following reasons:</p> <ul style="list-style-type: none">The proposed vehicle sales activities will encourage employment opportunities for sale staff on site. The use also supports the vehicle servicing component to ensure the commercial success of the business and ongoing employment of service and administrative employees.

Issues	Response
	<ul style="list-style-type: none"> • The predominant land use is industrial (vehicle servicing and repair) supported by minor vehicle sale activities. Permitting the minor retail use would not reduce the land available for industrial development in the area given the site is predominantly used for industrial related activities. • In most cases, sales staff will deliver vehicles to customers. The site is ideal for this service and will support surrounding uses (manufacturing, construction, transport, distribution, warehousing and wholesaling) in the Prestons Industrial Estate to maintain its regional employment role. • Given the minor nature and frequency of the sales activities, the typical adverse impacts of a vehicle and sales premises are unlikely to be experienced to the same degree. • The proposed approach to include a Schedule 1 amendment ensures that the permissibility is site-specific, allowing for other IN3 zoned sites to be developed in accordance with the land use table.
<p>Any justification should include evidence that there is a need within the greater area for the proposed use (catchment analysis), that there are no suitably zoned lands within the broader catchment to support the proposed uses, and explain how the subject site meets that need without creating adverse impacts, anomalies or conflict with other land uses within the precinct.</p>	<p>Given the predominant land use of the facility is industrial (vehicle servicing and repair) supported by the proposed minor retail activities, permitting the minor retail use would not reduce the land available for industrial development in the area. The minor nature of the retail activities also reduces the potential land use conflict between the site and surrounding uses. As noted in Council's draft industrial land study, Prestons primarily involves <i>transport and logistics, and manufacturing businesses</i>. These land uses would not create environmental impacts beyond what is acceptable for the Volvo operation as the business is largely industrial.</p> <p>As detailed in Section 6.3.3, the introduction of the vehicle sales uses will not erode the industrial and economic function of the Prestons Industrial Estate nor will it result in land use conflict. The land uses which immediately surround the site are either light industry or warehouse and distribution and accordingly do not generate unacceptable impacts (noise, odour etc) above what is ordinarily anticipated in a light industrial precinct.</p> <p>As detailed in the catchment analysis at Section 6.1.2, there is limited land within the Prestons Industrial Estate which permits vehicle sales. The only land use zones which permit vehicle sales and hire premises under LLEP 2008 is B5 Business</p>

Issues	Response
	Development and IN2 Light Industrial zones. There are no B5 zones and all of the IN2 zoned land in the Estate has been developed meaning there is limited sites left that could accommodate the proposed use.
It is requested that the planning proposal for the additional use (vehicle sales or hire premises) be accompanied by the concurrent submission of a DA.	A DA for the temporary use of the site as a vehicle sales and hire premise was lodged with Council in October 2018.
<p>Submission requirements</p> <p>Council would expect the following documents to be submitted as part of any application for a planning proposal:</p> <ul style="list-style-type: none"> • Planning proposal, written in accordance with the NSW Department of Planning and Environment's 'A guide to preparing planning proposals' • Written statements expressing consistency with all relevant Section 9.1 directions (Environmental Planning and Assessment Act 1979) 	<p>This planning proposal is prepared in accordance with DPE's 'A guide to preparing planning proposals'.</p> <p>Refer to Section 6.2.4 for an assessment of the planning proposal against section 9.1 directions.</p>

1.3. REPORT STRUCTURE

This Planning proposal has been prepared in accordance with Section 3.33 of the EP&A with consideration of DPE's *A guide to preparing Planning proposals* (August 2016). Accordingly, the proposal is discussed in the following parts:

- Site Description
- Statutory Planning Framework Overview
- Part 1 – A statement of the objectives and intended outcomes
- Part 2 – An explanation of the provisions that are to be included in the proposed LEP
- Part 3 – The justification for the planning proposal and the process for the implementation
- Part 4 – Mapping
- Part 5 – Details of community consultation that is to be undertaken for the planning proposal
- Part 6 – Project timeline

2. SITE DESCRIPTION

2.1. SITE

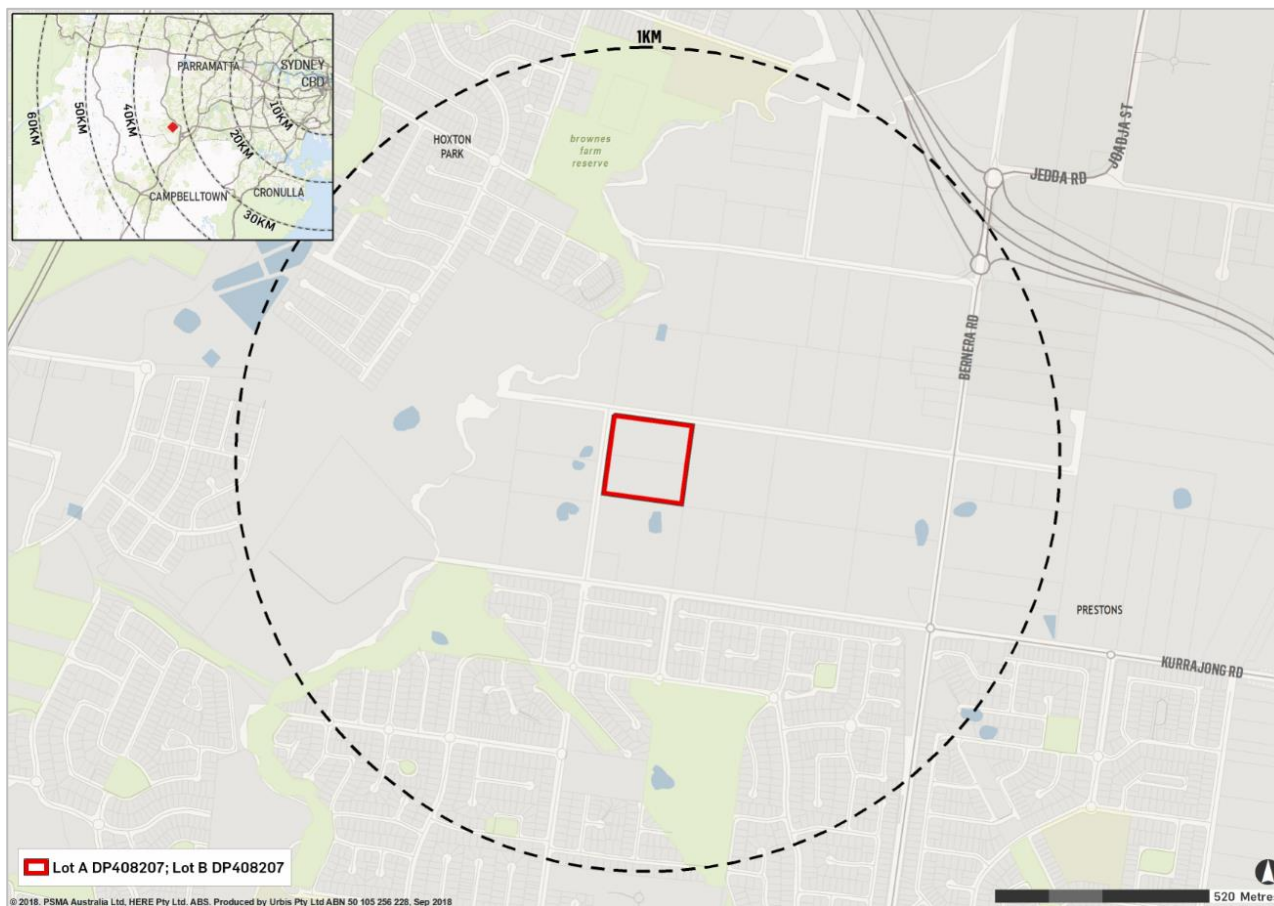
- **Address:** 36-36A Kookaburra Road, Prestons
- **Legal description:** Lot A DP408207; Lot B DP408207
- **Site area:** Lot A: 2.022ha; Lot B: 2.023ha
- **Road network:** bound by Yarrunga Street to the north, Bernera Road to the east, Kurrajong Road to the south, and Walbunga Street.

Figure 1 – Site Location



Source: Urbis GIS

Figure 2 – Regional Context



Source: Urbis GIS

2.2. CONTEXT

The following properties and development surround the site.

Table 2 – Surrounding Development

Direction	Surrounding Development
North	Yarrunga Street, Favelle Favco Cranes Pty Ltd. Large industrial warehouse and storage yards. Directly opposite the access driveway for Warehouse 1, 2 and 5 is a site currently under construction. One residential property is located to the north however the site zoned industrial and surrounded by industrial land uses. Each site is being developed for industrial uses.
South	Warehousing and distribution centres located directly to the south of site and the opposite side of Walbunga Street. Kurrajong Road, low density residential development ranging from one to two storey detached houses. The majority of the residential properties are orientated away from the subject site.
East	Bernera Road and the LDN Distribution Centre are located directly to the east. There is also significant quantum's of vacant land towards to the east of site.
West	Directly to the west beyond the Logos Industrial Estate sits vacant land and small industrial uses. Further west is Cabramatta Creek and the suburb of Hoxton Park.

The following photos illustrate the development surrounding the site.

Figure 3 – Development to the North



Picture 1 – Residential Property to the North on Yurrunga Street



Picture 2 – Development site to the North on Yurrunga Street

Source: Google Maps

Figure 4 – Development to the South



Picture 3 – Residential Properties to the South on Kurrajong Road



Picture 4 – Development at the Corner of Kurrajong Road and Bernera Road

Source: Google Maps

Figure 5 – Development to the East



Picture 5 – Industrial Development to the East on Bernera Road (adjacent to site)



Picture 6 – Vacant Lot to the East at Corner of Bernera Road and Kurrajong Road

Source: Google Maps

Figure 6 – Development to the West



Picture 7 – Vacant lot on the corner of Kookaburra Road North and Kurrajong Road – looking North-East



Picture 8 – Kookaburra Road North and lots adjacent to Volvo site – looking North

Source: Google Maps

3. STATUTORY PLANNING FRAMEWORK

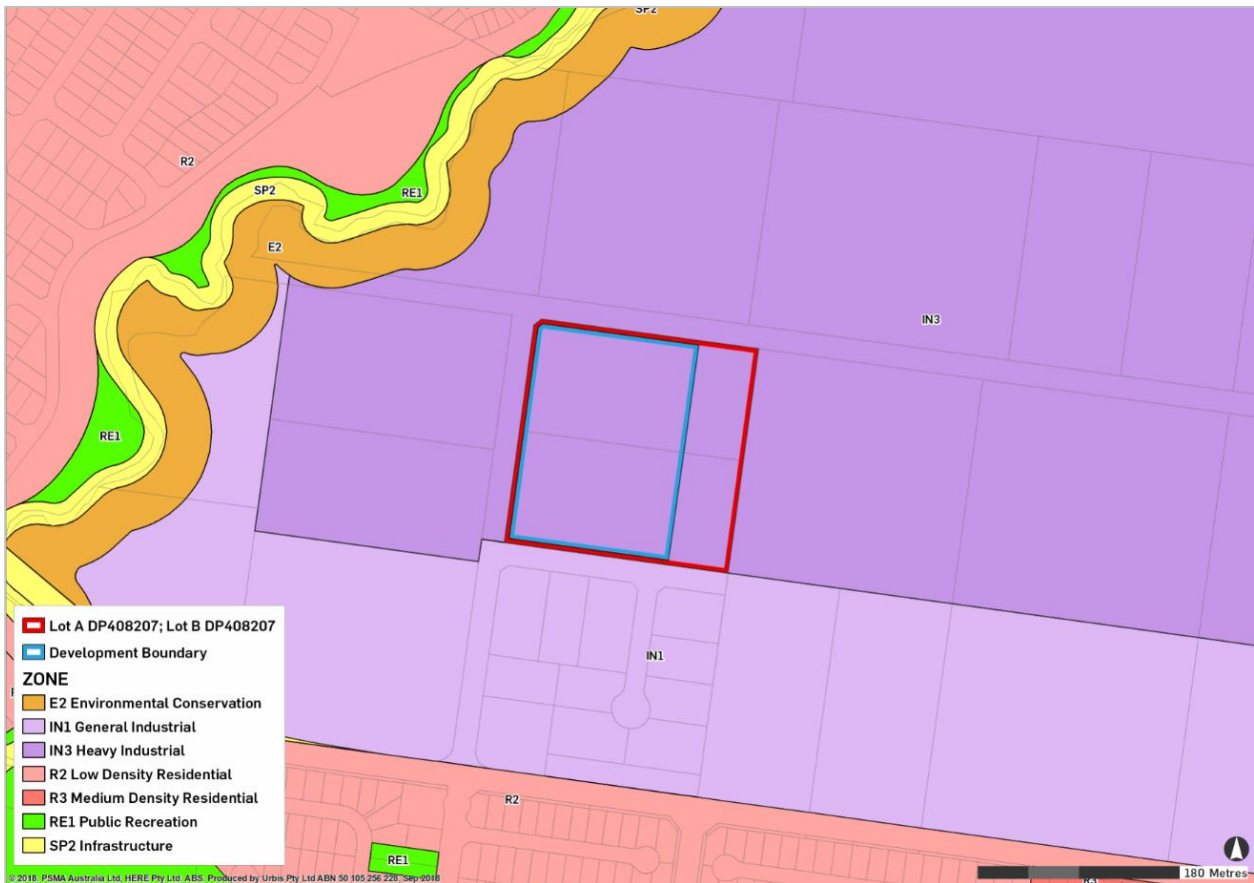
3.1. LIVERPOOL LOCAL ENVIRONMENTAL PLAN 2008

The principal statutory planning instrument applying to the site is the *Liverpool Local Environmental Plan 2008* (LLEP 2008).

3.1.1. Zoning and Permissibility

The site is zoned IN3 Heavy Industrial under LLEP 2008 as illustrated in Figure 7.

Figure 7 – Zoning Map



Source: NSW Legislation

The existing zoning controls applying to the site are summarised in Table 2 below.

Table 3 – Summary of Zoning Provisions

Provisions	IN3 Heavy Industrial
Zone Objectives	<ul style="list-style-type: none"> To provide suitable areas for those industries that need to be separated from other land uses. To encourage employment opportunities. To minimise any adverse effect of heavy industry on other land uses. To support and protect industrial land for industrial uses. To preserve opportunities for a wide range of industries and similar land uses by prohibiting land uses that detract from or undermine such opportunities.

Provisions	IN3 Heavy Industrial
Permitted without consent	<i>Nil</i>
Permitted with consent	<i>Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Cemeteries; Crematoria; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; General industries; Hazardous storage establishments; Heavy industrial storage establishments; Heavy industries; Helipads; Horticulture; Kiosks; Light industries; Mortuaries; Offensive storage establishments; Passenger transport facilities; Recreation areas; Recreation facilities (outdoor); Resource recovery facilities; Roads; Rural industries; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres</i>
Prohibited	<i>Any development not specified above</i>

vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

The proposed 'vehicle sales and hire premises' use is compatible with the objectives of the IN3 Heavy Industrial zone for the following reasons:

- The proposed vehicle sales activities will encourage employment opportunities for sale staff on site. The use also supports the vehicle servicing component to ensure the commercial success of the business and ongoing employment of service and administrative employees.
- The predominant land use is industrial (vehicle servicing and repair) supported by minor vehicle sale activities. Permitting the minor retail use would not reduce the land available for industrial development in the area given the site is predominantly used for industrial related activities.
- In most cases, sales staff will deliver vehicles to customers. The site is ideal for this service and will support surrounding uses (manufacturing, construction, transport, distribution, warehousing and wholesaling) in the Prestons Industrial Estate to maintain its regional employment role.
- Given the minor nature and frequency of the sales activities, the typical adverse impacts of a vehicle and sales premises are unlikely to be experienced to the same degree.
- The proposed approach to include a Schedule 1 amendment ensures that the permissibility is site-specific, allowing for other IN3 zoned sites to be developed in accordance with the land use table.

4. PART 1 – OBJECTIVE & INTENDED OUTCOME

4.1. OBJECTIVE

The key objective of the Planning proposal is to obtain the necessary amendments to Schedule 1 of *Liverpool Local Environmental Plan 2008* to:

- Include *vehicle sales and hire premises* as an additional permitted use on the site in order to enable retail activities to occur on site.

4.2. INTENDED OUTCOME

The intended outcomes of this planning proposal are to:

- Enable vehicle sale activities to occur on site to support the dominant use of the site (vehicle servicing and repair).
- Deliver opportunities for employment growth to support the overall growth of the precinct and district, including the achievement of identified job targets.

5. PART 2 – EXPLANATION OF THE PROVISIONS

The objectives of this planning proposal can be achieved through the inclusion of the following amendments to LLEP 2008:

- Addition to 'Schedule 1 Additional Permitted Uses':

Use of certain land at Prestons in Zone IN3

(1) This clause applies to Lot A and B, DP 408207 in Zone Heavy Industrial at Lot A and B Kookaburra Road, Prestons.

(2) Development for the purposes of a Vehicle Sales or Hire Premises is permitted with consent as an ancillary component to the dominant industrial use of the site.

(3) The proposed additional permitted use of vehicle sales or hire premises is to be confined to within the existing warehouse building and limited to 500 square metres of the hardstand area;

(4) The external storage area shall not be used for the display of vehicles for sales and no sales of vehicles is allowed to be conducted from the site other than from the inside of the warehouse building and within the nominated 500 square metres of the hardstand area.

Vehicle sales or hire premises is a defined term within LLEP 2008. Its definition is extracted below:

vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

6. PART 3 – JUSTIFICATION

6.1. NEED FOR THE PLANNING PROPOSAL

6.1.1. Q1 - Is the planning proposal a result of any strategic study or report?

The planning proposal is not the direct result of a strategic study or report. The planning proposal aligns with state and regional strategic documents that set out goals seeking to protect, increase and enhance industrial and urban services land. These documents include the following:

- A Metropolis of Three Cities
- Western Sydney District Plan
- Draft industrial land study

Further detail in respect of the alignment with these documents is set out in Section 6.2.

6.1.2. Q2 - Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal is the only means of achieving the objectives and intended outcomes for the site as the proposed vehicle sale use is prohibited within the existing IN3 zone and there is limited land within the Prestons catchment which permits vehicle sales.

The only land use zones which permit vehicle sales and hire premises is B5 Business Development and IN2 Light Industrial zones. As shown in Figure 8, there is limited land within the Prestons Industrial Estate which is zoned to permit vehicle sales and hire premises. Accordingly, there are no B5 zones and all IN2 zoned land has been developed. There are not sites left that could accommodate the proposed use.

Without an amendment to the planning controls, the opportunity to provide a supporting sale use to the surrounding industrial uses (the sale of heavy vehicles) within the precinct would be lost.

Figure 8 – Land in the Prestons Industrial Estate permitting vehicle sales and hire premise



Source: GIS Urbis

6.2. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

DPE's Planning Circular (PS 16-004) notes that a key factor in determining whether a proposal should proceed to Gateway determination should be its strategic merit and site specific merit. It is considered that the planning proposal meets these tests as outlined in the following sections.

6.2.1. Q3 - Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

a) Does the proposal have strategic merit?

The strengthened strategic merit test criteria require that a planning proposal demonstrate strategic merit against (at least one of) the following three criteria:

1. *Consistent with the relevant district plan, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.*
2. *Consistent with a relevant local council strategy that has been endorsed by the Department.*
3. *Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.*

The planning proposal demonstrates strategic merit in relation to Criteria 1 above as set out below.

Table 4 – Strategic Plan Merit Test

Criteria	Planning Proposal Response
Regional / District Plan	<p>The proposal will respond to the key priorities and directions which underpin the following strategic planning documents:</p> <ul style="list-style-type: none"> • Greater Sydney Region Plan (GSRP) • Western Sydney District Plan <p>The key Priorities of relevance to the Planning proposal are outlined below:</p> <p>Greater Sydney Region Plan (2018)</p> <p>Objective 23 Industrial and urban services land is planned, protected and managed</p> <p>The GSRP provides principles for managing industrial land, including the retention and management of industrial land to safeguard it from competing pressures, especially residential and mixed-use zones. The principle maintains that the approach retains industrial land for economic activities for Greater Sydney's operation. Further, GSRP states, <i>specifically these industrial lands are required for economic and employment purposes. Therefore, the number of jobs should not be the primary objective – rather a mix of economic outcomes that support the city and population.</i></p> <p>The planning proposal is highly consistent with this principle for the following reasons:</p> <ul style="list-style-type: none"> • The overall use of the site provides a range of different land uses (vehicle servicing and repair, parts warehousing and distribution and vehicle sales) and as such will provide a mix of economic outcomes. • The planning proposal supports the Volvo business and encourages employment opportunities.

Criteria	Planning Proposal Response
	<ul style="list-style-type: none"> The planning proposal will not impact on IN3 land as the introduction of the vehicle sales uses will not erode the industrial and economic function of the Prestons Industrial Estate nor will it result in land use conflict. The land uses which immediately surround the site are either light industry or warehouse and distribution and accordingly do not generate unacceptable impacts (noise, odour etc) above what is ordinarily anticipated in a light industrial precinct. <p>Objective 24 Economic sectors are targeted for success</p> <p>All three levels of government in Australia are working together to create a highly skilled workforce that has access to high quality local jobs. The NSW Department of Industry is leading the development and coordination of sector-specific industry development strategies to grow and globally position key sectors of the economy.</p> <p>This planning proposal encourages a diverse range of employment opportunities on land already adequately serviced, and therefore meets this objective.</p> <p>Western Sydney District Plan (2018)</p> <p>As per Objective 23 and 24, the Planning proposal will enable employment opportunities, encourage positive economic outcomes for the District, and will not erode the industrial nature of the Prestons Industrial Estate.</p>
Local Plan	<p>Draft Liverpool Industrial Land Study (2018)</p> <p>SGS Economics and Planning was engaged by Council to investigate Liverpool LGA's industrial land and to provide various recommendations to ensure the sufficient supply of industrial land; to effectively manage existing industrial precincts; and to encourage economic development initiatives. Relevant findings of the draft study include:</p> <ul style="list-style-type: none"> The Prestons industrial estate accounts for almost a third of the Liverpool LGA's employment within industrial lands. The majority of jobs within the estate are in manufacturing, construction, transport, postal and warehousing and wholesaling sectors. The estate is a large precinct which is developing a strong cluster of transport and logistics, and manufacturing businesses. The precinct plays a significant regional role and scores above average across a number of economic indicators including investment, site range, and rental yields. <p>The planning proposal, albeit a minor amendment to the LEP, leverages the characteristics of the site and Estate as follows::</p> <ul style="list-style-type: none"> The proposed vehicle sales use supports the Volvo business by diversifying the range of commercial services on site. The vehicle sales use will encourage employment opportunities for sale staff on site. The use also supports the vehicle servicing land use to ensure the commercial success of the business and ongoing employment of service and administrative employees.

Criteria	Planning Proposal Response
	<ul style="list-style-type: none"> The predominant land use of the facility is industrial (vehicle servicing and repair) supported by minor vehicle sales activities. Permitting the minor vehicle sales use would not reduce the land available for industrial development in the area given the site is predominantly used for industrial related uses. The vehicle sales activities support surrounding industrial businesses by providing an opportunity to purchase trucks in a convenient and accessible location. Generally, sales staff will deliver vehicles to customers. The location of the site is ideal for this service and it will support surrounding uses (manufacturing, construction, transport, distribution, warehousing and wholesaling) in the Prestons Industrial Estate to maintain its regional employment role.
Change in circumstances	Not applicable.

b) Does the proposal have site-specific merit?

In addition to meeting at least one of the strategic merit criteria, a Planning proposal is required to demonstrate site-specific merit against the following criteria:

Table 5 – Site Specific Merit Test

Criteria	Planning Proposal Response
<i>Does the planning proposal have site specific merit with regard to:</i>	The biodiversity and environmental values of the site were assessed in detail during the assessment of SSD 7155 MOD 3. All relevant management and biodiversity offsets were conditioned as part of the approval and subsequent modifications.
<i>the natural environment (including known significant environmental values, resources or hazards)?</i>	
<i>the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal?</i>	The planning proposal is consistent with this criterion because it proposed to permit minor retail activities on site to support the primary use of the site (vehicle servicing and repair), which is consistent with the prevailing industrial character of the locality and the objectives of various strategic documents, as outlined above.
<i>the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision?</i>	A full review of available services infrastructure was undertaken during SSD 7155 (as modified) and concluded all utilities are available at the site. The Traffic Impact Statement submitted with this planning proposal finds that the traffic impacts associated with the retail component of the development were assessed during SSD 7155 (MOD 3) and <i>there were no resultant adverse traffic implications for the site accesses or the surrounding road network.</i>

6.2.2. Q4 - Is the planning proposal consistent with a council's local strategy or other local strategic plan?

As noted in the pre-planning proposal meeting minutes (Appendix A), an industrial land study was commissioned by Liverpool Council. Whilst the study has only recently been completed and is still in draft, some of the findings from that investigation which are relevant for any consideration of a proposal to amend the LEP are outlined here:

- *The Prestons industrial estate accounts for almost a third of the Liverpool LGA's employment within industrial lands.*

The Planning proposal encourages employment opportunities for sale staff on site.

- *The majority of jobs within the estate are in manufacturing, construction, transport, postal and warehousing, wholesaling sectors.*

The use also supports the vehicle servicing land use to ensure the commercial success of the business and ongoing employment of service and administrative employees.

- *The estate is a large precinct which is developing a strong cluster of transport and logistics, and manufacturing businesses.*

Although the vehicle sales use is subordinate to the vehicle servicing use, the proposed use provides a facility for surrounding transport, logistics and industrial businesses to purchase heavy vehicles in a convenient location. As shown in the catchment analysis, there are no sites available in the Estate for this use and industrial businesses in the Estate need to travel further to purchase heavy vehicles.

- *The precinct plays a significant regional role and scores above average across a number of economic indicators including investment, site range, and rental yields.*

The Planning proposal supports the regional role of the Prestons Industrial Estate.

- *The employment precinct incorporates on its northern boundary, land that is zoned IN2 Light Industrial and ~~B6 Enterprise Corridor~~ [B5 Business Development] to accommodate lighter uses, including retail.*

The only land use zones which permit vehicle sales and hire premises is B5 Business Development and IN2 Light Industrial zones. As shown in Figure 8 earlier in this report, there is limited land within the Prestons Industrial Estate which is zoned to permit vehicle sales and hire premises. There are no B5 zoned sites in the Estate and all IN2 zoned land in the Estate has been developed meaning there are no sites left that could accommodate the proposed use.

The Planning proposal is highly consistent with the draft industrial land study.

6.2.3. Q5 - Is the planning proposal consistent with applicable State Environmental Planning Policies?

The relevant of the current State Environmental Planning Policies (SEPPs) are Regional Environmental Plans (REPs) for the Sydney and Greater Metropolitan Regions, which are deemed SEPPs, is summarised in Table 6 and Table 7.

Table 6 – Consistency with State Environmental Planning Policies

State Environmental Planning Policy	Comment / Consistency
SEPP (Educational Establishments and Child Care Facilities) 2017	Not applicable.
SEPP Amendment (Child Care) 2017	Not applicable.
SEPP (State and Regional Development) 2011	Not applicable.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable.

State Environmental Planning Policy	Comment / Consistency
<i>SEPP (Urban Renewal) 2010</i>	Not applicable.
<i>SEPP (Affordable Rental Housing) 2009</i>	Not applicable.
<i>SEPP (Western Sydney Parklands) 2009</i>	Not applicable.
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	Not applicable.
<i>SEPP (Western Sydney Employment Area) 2009</i>	Not applicable.
<i>SEPP (Rural Lands) 2008</i>	Not applicable.
<i>SEPP (Kosciuszko National Park – Alpine Resorts) 2007</i>	Not applicable.
<i>SEPP (Infrastructure) 2007</i>	Not applicable.
<i>SEPP (Miscellaneous Consent Provisions) 2007</i>	Not applicable.
<i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i>	Not applicable.
<i>SEPP (Sydney Region Growth Centres) 2006</i>	Not applicable.
<i>SEPP (State Significant Precincts) 2005</i>	Not applicable.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	Not applicable.
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	Not applicable.
<i>SEPP (Penrith Lakes Scheme) 1989</i>	Not applicable.
<i>SEPP (Kurnell Peninsula) 1989</i>	Not applicable.
<i>SEPP No. 1 Development Standards</i>	Not applicable.
<i>SEPP No. 14 Coastal Wetlands</i>	Not applicable.
<i>SEPP No. 19 Bushland in Urban Areas</i>	Not applicable.
<i>SEPP No. 21 Caravan Parks</i>	Not applicable.
<i>SEPP No. 26 Littoral Rainforests</i>	Not applicable.
<i>SEPP No. 30 Intensive Agriculture</i>	Not applicable.
<i>SEPP No. 33 Hazardous and Offensive Development</i>	The land uses which immediately surround the site are either light industry or warehouse and distribution and accordingly do not generate unacceptable impacts (noise, odour etc) above what is ordinarily anticipated in a light industrial precinct.
<i>SEPP No. 36 Manufactured Home Estates</i>	Not applicable.

State Environmental Planning Policy	Comment / Consistency
<i>SEPP No. 44 Koala Habitat Protection</i>	Not applicable.
<i>SEPP No. 47 Moore Park Showgrounds</i>	Not applicable.
<i>SEPP No. 50 Canal Estate Development</i>	Not applicable.
<i>SEPP No. 52 Farm Dams and Other Works in Land and Water Management Plan Areas</i>	Not applicable.
<i>SEPP No. 55 Remediation of Land</i>	All contamination was assessed in detail during the assessment of SSD 7155 (as modified).
<i>SEPP No. 62 Sustainable Aquaculture</i>	Not applicable.
<i>SEPP No. 64 Advertising and Signage</i>	Not applicable.
<i>SEPP No. 65 Design Quality of Residential Apartment Development</i>	Not applicable.
<i>SEPP No. 70 Affordable Housing (Revised Schemes)</i>	Not applicable.
<i>SEPP No. 71 Coastal Protection</i>	Not applicable.

Table 7 – Consistency with Regional Environmental Plans

Regional Environmental Plan	Comment
<i>Sydney REP No. 8 – Central Coast Plateau Areas</i>	Not applicable.
<i>Sydney REP No. 9 – Extractive Industry</i>	Not applicable.
<i>SREP No. 16 – Walsh Bay</i>	Not applicable.
<i>SREP No. 20 – Hawkesbury-Nepean River</i>	Not applicable.
<i>SREP No. 24 – Homebush Bay Area</i>	Not applicable.
<i>SREP No. 26 – City West</i>	Not applicable.
<i>SREP No. 30 - St Marys</i>	Not applicable.
<i>SREP No. 33 – Cooks Cove</i>	Not applicable.
<i>Sydney (SREP) (Sydney Harbour Catchment) 2005</i>	Not applicable.
<i>Greater Metropolitan REP No. 2 – Georges River Catchment</i>	Not applicable.
<i>Willandra Lakes REP No. 1 – World Heritage Property</i>	Not applicable.
<i>Murray REP No. 2 – Riverine Land</i>	Not applicable.

6.2.4. Q6 - Is the planning proposal consistent with applicable Ministerial Directions?

The planning proposal's consistency with applicable section 9.1 Ministerial Directions is outlined in Table 8.

Table 8 – Section 9.1 Compliance Table

Ministerial Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	<p>The planning proposal is consistent with the Direction as it will facilitate employment generating development and economic activities near major transport corridors.</p> <p>Further, the proposal will strengthen and enhance the existing cluster of industrial land within the Prestons Industrial Estate and Liverpool LGA.</p>
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 Environmental Protection Zones	Not applicable.
2.2 Coastal Protection	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.
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	Yes – as discussed in this report, the colocation of vehicle sales close to Sydney's main freight corridors will provide for efficient integration of land use and transport infrastructure.
3.5 Development Near Licensed Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.

Ministerial Direction	Comment
4. Hazard and Risk	
4.1 Acid Sulphate Soils	All contamination was assessed in detail during the assessment of SSD 7155 (as modified).
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Lane	All flooding impacts were assessed in detail during the assessment of SSD 7155 (as modified).
4.4 Planning for Bushfire Protection	Not applicable.
5. Regional Planning	
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farm Land 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.
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	<p>Refer to Section 6.2.1, in summary:</p> <ul style="list-style-type: none"> • The overall use of the site provides a mix of economic outcomes. • The planning proposal supports the Volvo business and encourages employment opportunities. • The planning proposal will not impact on IN3 land as the introduction of the vehicle sales uses will not erode the industrial and economic function of the Prestons Industrial Estate nor will it result in land use conflict.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Noted.
6.2 Reserving Land for Public Purposes	Not applicable.
6.3 Site Specific Provisions	The planning proposal will be consistent with this direction by allowing the <i>land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</i>

Ministerial Direction	Comment
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	The planning proposal is highly consistent with the relevant objectives of the Greater Sydney Region Plan and the Western Sydney District Plan, as outlined in Section 6.2.1.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable.

6.3. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

6.3.1. Q7 - 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?

The biodiversity and environmental values of the site were assessed in detail during the assessment of SSD 7155. All relevant management and biodiversity offsets were conditioned as part of the approval and subsequent modifications.

6.3.2. Q8 - Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

A range of detailed environmental matters were assessed during SSD 7155 (as modified), including soil management (salinity) and water management (quantity and quality). Those assessments found that the site was suitable for the Volvo operation and relevant ongoing environmental management measures have been implemented.

6.3.3. Q9 - Has the planning proposal adequately addressed any social and economic effects?

The Volvo operations will support the Prestons Industrial Estate and contribute to the growth of the industrial sector in the Western Sydney region. The overall development is expected to generate 100 operational jobs and significant full time equivalent jobs during construction. The vehicle sales component is expected to employ seven staff.

The vehicle sales use supports the vehicle servicing land use to ensure the commercial success of the business and ongoing employment of service and administrative employees. The proposed use provides a facility for surrounding transport, logistics and industrial businesses to purchase heavy vehicles in a convenient location. Therefore, the proposal has positive economic benefits for the Prestons Industrial Estate and Liverpool LGA.

The introduction of the vehicle sales uses will not erode the industrial and economic function of the Prestons Industrial Estate. As shown in Figure 9, the land uses which immediately surround the site are either light industry or warehouse and distribution and accordingly will not generate unacceptable impacts (noise, odour etc) that will conflict with the vehicle sales uses of the Volvo operation.

Figure 9 – Immediately surrounding land uses



Source: Near Map

6.4. STATE AND COMMONWEALTH INTERESTS

6.4.1. Q10 - Is there adequate public infrastructure for the planning proposal?

The infrastructure investigations completed within SSD 7155 (as modified) have demonstrated that adequate public infrastructure is either available or capable of being provided in order to support the industrial development of the subject area.

TTPA assessed the overall operation during the preparation of SSD 7155 (MOD 3). The Traffic Impact Statement (Appendix B) finds there is *no resultant adverse traffic implications for the site accesses or the surrounding road network*.

Accordingly, there is adequate public infrastructure for the planning proposal.

6.4.2. Q11 - What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway Determination will advise the public authorities to be consulted as part of the planning proposal process. Any issues raised will be incorporated into this planning proposal following consultation in the public exhibition period.

7. PART 4 – MAPPING

No amendment is required to the LEP maps.

8. PART 5 – COMMUNITY CONSULTATION

Schedule 1, Clause 4 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway determination. The planning proposal will be publicly exhibited for at least 28 days in accordance with DP&E's A Guide to Preparing Local Environmental Plans.

At a minimum, the notification of the public exhibition of the Planning proposal is expected to involve:

- A public notice in local newspaper(s),
- Notification on the Liverpool City Council website, and
- Written correspondence to owners and occupiers of adjoining and nearby properties and relevant community groups.

9. PART 6 – PROJECT TIMELINE

It is anticipated that the LEP amendment will be completed within 9-12 months. An indicative project timeframe is provided below.

Table 9 – Indicative Project Timeline

Stage	Anticipated timeframes
Consideration by Liverpool City Council	October to December 2018
Planning proposal referred to DPE for Gateway Determination	Early-2018
Gateway Determination by DPE	Early-2018
Commencement and completion of public exhibition period	Dates are dependent on Gateway determination. Anticipated timeframe for public exhibition is 28 days.
Consideration of submissions	6 weeks
Consideration of the Planning proposal post-exhibition	6 weeks
Submission to DPE to finalise the LEP	To be determined
Gazettal of LEP Amendment	To be determined

10. CONCLUSION

The objective of the planning proposal is to make the necessary amendments to Schedule 1 of LLEP 2008 to include *vehicle sales and hire premises* as an additional permitted use on the site.

This will allow Volvo to provide vehicle sales services to local and regional industrial businesses to boost the commercial success of the Prestons Industrial Estate and encourage employment opportunities.

The planning proposal has strategic merit because it:

- Contributes to the economic success of the Prestons Industrial Estate by supporting the Volvo business.
- The site strategically located in an accessible location relative to Sydney's key freight routes and the Greater Parramatta area.
- Delivers opportunities for employment growth.
- Provides an opportunity to deliver an industrial development that is responsive to developing trends in transport and logistics within the Prestons Industrial Estate.
- The proposed use will complement the primary existing operations on and surrounding the site.
- The investigations have demonstrated both the capability of the land to be used for minor retail purposes without constraint or adverse impact.

The planning proposal has been prepared in accordance with the Department's Guidelines for the Preparation of Planning Proposals.

It is recommended that the planning proposal is supported by Liverpool Council for advancement to Gateway Determination, allowing to progress statutory process and stakeholder engagement, including public notification and referral to relevant agencies.

DISCLAIMER

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A PRE-PLANNING PROPOSAL MEETING MINUTES (PPL-7/2018)

APPENDIX B TRAFFIC STATEMENT



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