



Planning Proposal

Amend Penrith Local Environmental Plan
2010 to permit service station at 61-73
Christie Street, St Marys

December 2015

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Executive Summary

A Planning Proposal has been prepared to amend *Penrith Local Environmental Plan (LEP) 2010* to permit a service station at 61-73 Christie Street, St Marys. This is proposed to be achieved by amending Schedule 1 Additional Permitted Uses of Penrith LEP 2010 and the relevant Additional Permitted Uses LEP map.

The subject site comprises of Lot 4 DP 701087, 61-63 Christie Street, St Marys and Lot 3 DP 701087, 69-73 Christie Street, St Marys and has a combined area of 12,374m². The site will form a corner site when the intersection of the proposed Dunheved Link Road to Christie St is complete.

The site is zoned IN1 General Industrial under the Penrith LEP 2010. Development for the purposes of a service station is currently prohibited in the IN1 General Industrial zone.

The proposed service station is at a conceptual stage and would be planned in detail and designed at the future Development Application (DA) stage once Penrith LEP 2010 is amended to permit a service station on the subject site. The DA would detail the components of the development including specific land uses, building design, landscaping, signage, civil works, the management and storage of hazardous/flammable materials, and operational management.

The Planning Proposal demonstrates that there is site specific planning merit and justified by addressing the relevant strategic documents, the objectives and actions within the relevant regional and sub-regional strategies, the relevant State policies, Ministerial Directions and environmental impacts.

Introduction

1.1. Purpose of the Planning Proposal

The Planning Proposal seeks to amend *Penrith Local Environmental Plan (LEP) 2010* to permit a service station at 61-73 Christie Street, St Marys through an amendment to Schedule 1 – Additional Permitted Uses of Penrith LEP 2010 and relevant Additional Permitted Uses LEP map.

The Department of Planning and Environment's (DP&E's) Gateway Process is the current process for making or amending LEPs. The process has a number of steps which are outlined in Table 1. A Planning Proposal is a document that explains the intended effect of a proposed LEP and is the first step to amend the Penrith LEP 2010. The Planning Proposal may be revised as it progresses through the Gateway Process.

Table 1: Gateway Process

No.	Step	Explanation
1	Planning Proposal	Council prepares a document the Planning Proposal explaining the intended effect of a proposed LEP and sets out the justification for making the LEP.
2	Gateway Determination	The Minister for Planning (or delegate) determines whether the Planning Proposal should proceed, with or without variation. The Gateway Determination will be issued that outlines the conditions that must be met, including further studies being undertaken, agency consultation, public consultation, and time frames. Once the Gateway conditions are met, the Planning Proposal may need to be revised.
3	Community Consultation	The Planning Proposal is placed on public exhibition for the period identified in the Gateway Determination.
4	Assessment	Council considers the submissions received in response to the public exhibition, and varies the Planning Proposal if required.
5	Drafting	Parliamentary Counsel prepares a draft LEP.
6	Decision	The Minister approves the LEP, published on the NSW Legislation website and becomes law.

1.2. Structure of this Report

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the Act) and the DP&E's *A Guide to Preparing Planning Proposals* and *A Guide to Preparing Local Environmental Plans*. The structure of this Planning Proposal and the matters which will be addressed in accordance with the Act and guidelines is outlined in Table 2.

Table 2: Structure of this Planning Proposal

Part 1	Objectives and Intended Outcomes A statement of the objectives and intended outcomes of the proposed instrument.
Part 2	Explanation of Provisions An explanation of the provisions that are to be included in the proposed instrument.
Part 3	Justification The justification for the objectives, outcomes and the process for their implementation. The justification includes the need for the Planning Proposal, the relationship of the planning proposal to strategic planning framework, the environmental, social and economic impacts of the planning proposal and State and Commonwealth interests.
Part 4	Maps To identify the intent of the planning proposal and the area to which it applies.
Part 5	Community Consultation Details of the community consultation to be undertaken on the planning proposal.
Part 6	Project Timeline To detail the anticipated timeframe for the plan making process that is to be undertaken on the planning proposal.

1.3. The Subject Site

The site comprises two lots known as Lot 4, DP 701087, 61-63 Christie Street, St Marys and Lot 3, DP 701087, 69-73 Christie Street, St Marys and is shown in Figure 1. The site has a combined frontage of 115m and a combined area of approximately 12,374m². It is intended to develop the future service station on Lot 4, which will be a future corner site when the intersection of Christie Street and Dunheved Link Road is complete. Lot 3 is included to ensure that there is adequate land available so access can be suitably located away from the future intersection of Dunheved Link Road and Christie Street. The characteristics of the site are outlined in Table 3.

Figure 1: Subject Site

Table 3: Site Characteristics

Topography	The site has a gradual fall from the east corner of the property to the west which is the direction of tributary of South Creek. The highest area of land is within Lot 4 (RL24.7m), with Lot 3 (RL21.2m) subject to flooding.
Vehicular Access	There is direct vehicular access to the site from Christie Street. There is currently a double driveway from Christie Street to the site which is located on the eastern side of Lot 4 but services both properties.
Pedestrian Access and Public Transport	There is no pedestrian footpath across the frontage of the site. However, there is a footpath that is located on the southern side of Christie Street. There is a bus stops directly adjacent to the site on Christie Street that provides services to St Marys, Mt Druitt and the wider area.
Utilities and Services	There is existing reticulated sewer, water and electricity services to the site. There is an existing sewer pipe line that traverse the middle of the site in a north-south direction, with an existing water mains through traversing in a north south direction through Lot 4 and then extends west across Lot 3.
Vegetation	The north and north-eastern corner of the site contains native vegetation. This vegetated area is also overgrown with exotic species including noxious weeds and dumping.

1.4. Surrounding Land Uses and Development

The site is located within the Dunheved Business Park in St Marys and is situated south of the Central Precinct of the St Marys Release Area. The site sits 5km north of St Marys and 9km east of Penrith. The site is bound by Christie Street to the south, industrial development to the west and vacant lots to the east and north. The northern land adjoins a disused rail corridor.

Figure 2: Local Context



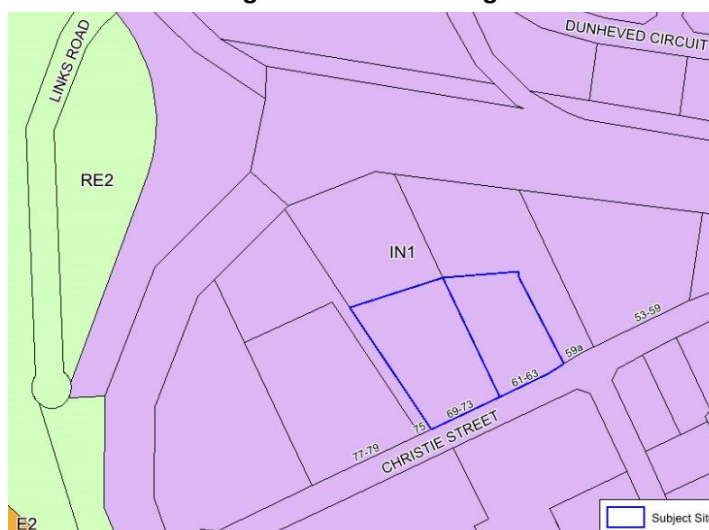
1.5. Current Proposals for the Site

A DA has been approved by Council on 11 November 2015 for storage units and a boundary adjustment (DA15/0485). The storage units are proposed on Lot 3, DP 701087, 61-63 Christie Street but the assessment included both lots to set aside Lot 4, DP 701087, 69-73 Christie Street for future development opportunities. The Planning Proposal is now seeking to progress the 'future development' on Lot 4, DP 701087, 69-73 Christie Street to permit a service station. However, both lots have been included in the Planning Proposal as the land use is dependent on the final intersection design of the proposed Dunheved Link Road.

1.6. Penrith Local Environmental Plan 2010

Penrith LEP 2010 is the principle planning instrument applying to the subject land. The subject land is zoned *IN1 General Industrial* under the Penrith LEP, and is shown in Figure 2. Service station is a prohibited land use in the IN1 General Industrial zone.

Figure 2: Land Zoning



1.7. Penrith Development Control Plan 2014

The *Penrith Development Control Plan (DCP) 2014* was adopted by Council on 23 March 2015 and came into effect on 17 April 2015 and provides additional planning and design guidelines for development across the City. No changes are proposed to Penrith DCP 2014.

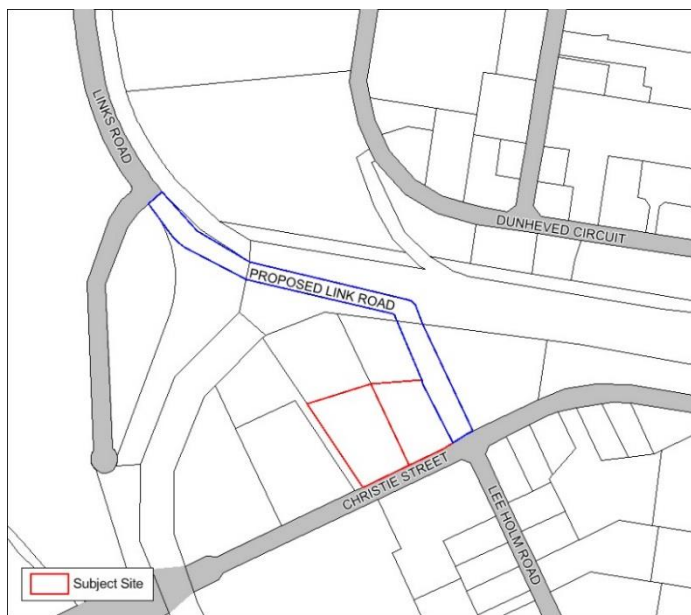
Penrith DCP 2014 will continue to apply to the site once this LEP is made and the DA for a service station on the site will need to address the relevant planning controls.

1.8. Dunheved Link Road

The proposed Dunheved Link Road is a key priority project which will provide a new direct access between the northern and southern precincts of the Dunheved Business Park. It will 'link' the Dunheved Business Park with the future employment precincts now owned by Lend Lease. Council considered a report at its Ordinary Meeting of 24 August 2015 and endorsed the principles and finalisation of a draft Voluntary Planning Agreement between Council and Lend Lease for the delivery of the Dunheved Link Road and includes a commitment of upfront funding by Council.

The eastern boundary of the site will adjoin the proposed Dunheved Link Road and subsequently form a corner site when the intersection of Dunheved Link Road and Christie Street is complete. The proposed Dunheved Link Road is shown in Figure 3.

Figure 3: Proposed Dunheved Link Road



1.9. Technical Studies

The Planning Proposal is accompanied by two technical studies to inform the proposed additional use. The technical studies are:

- *Preliminary Contamination Investigation Report* prepared by Geo_logix,
- *Phase 1 Environmental Site Assessment Report* prepared by Geo-logix, and
- *Assessment of Traffic and Parking Implications* prepared by Transport and Traffic Associates.

A review of the Preliminary Contamination Investigation Report and Phase 1 Environmental Site Assessment Report confirmed that both Lot 3 and Lot 4 are suitable for a commercial use. The Traffic and Parking Assessment confirmed that a service station on the site would have minimal impact on the surrounding network. The proposed access arrangements would also be assessed at the DA stage and when designs are finalised for the proposed service station.

These studies are included in the Appendices.

Part 1- Objectives or Intended Outcomes

The intended outcome of the Planning Proposal is to permit the development of a service station on the subject site.

One of the features of the future service station is that it will have provision for truck diesel pumps and canopy located on land adjacent to nominated B-Double routes and the North and South Dunheved Industrial precincts.

At this stage the proposed service station is at a conceptual stage and would be planned in detail for a future DA and when there is resolution as to the land require for the construction of the Dunheved Link Road. The subject property will form a corner property at the completion of the intersection of the Dunheved Link Road and Christie Street.

Part 2 – Explanation of Provisions

The intended outcome of permitting a service station on the subject land will be achieved by amending Penrith LEP 2010 by:

1. Listing service station into Schedule 1 – Additional Permitted Uses as follows:

33 Use of certain land at Christie Street, St Marys

- (1) This clause applies to land at 61-63 Christie Street and 69-73 Christie Street, St Marys being Lots 4 and 3, DP Lot 4 DP 701087 that is identified as “32” on the Additional Permitted Uses Map.*
- (2) Development for the purposes of a service station is permitted with development consent.*

2. Amending Sheet APU_018 of the Additional Permitted Uses Map by shading and numbering the subject properties.

Part 3- Justification

Section A– Need for the Planning Proposal

1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not the result of any strategic study or report. However, the site is part of the Dunheved Business Park and will contribute to revitalising the Business Park in accordance with the Dunheved Revitalisation Strategy which is included in Appendix 2.

Dunheved Business Park Revitalisation Strategy

Council adopted the Dunheved Business Park Revitalisation Strategy in July 2014 to provide a vision for how the Dunheved Business Park may be developed in the future and proposes to achieve the vision through a range of supporting revitalisation programs for public domain assets. The Dunheved Link Road will contribute to the revitalisation through improved road linkages through the Dunheved Link Road. In addition, there is anticipated road resealing, street tree planting, improved lighting, drainage improvement, clean ups, telecommunications and internet and public amenity to assist in the revitalisation of the area.

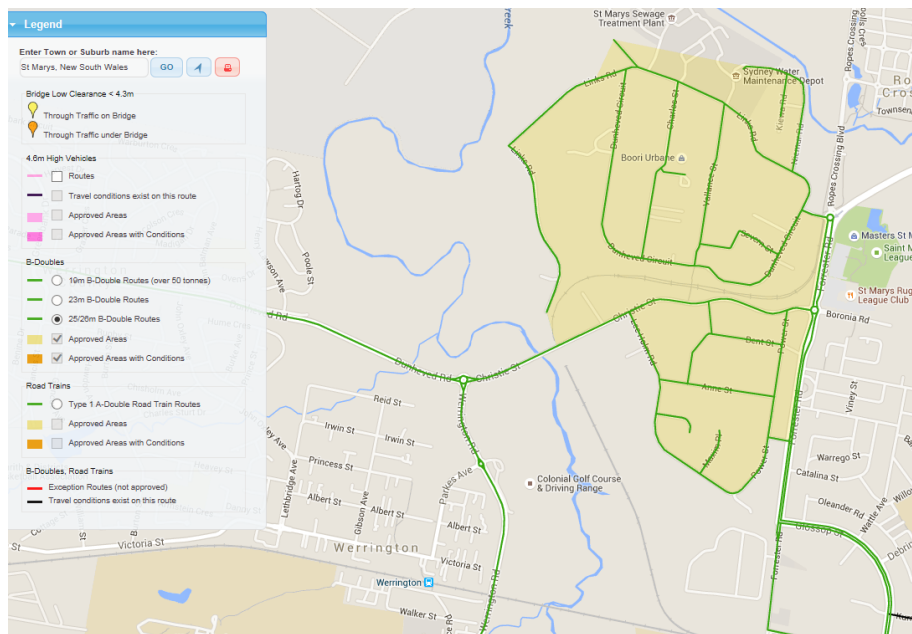
The redevelopment of the site to enable a service station will provide a service that is lacking in the area and will significantly contribute to the revitalisation of the area. The development of the site for a service station will also support the anticipated growth of the Dunheved Business Park and is well placed to take advantage of the future infrastructure expansion that will occur in the area and across Western Sydney, including the proposed Western Sydney Airport site, planned major road and rail expansion in the region and the Western Sydney Inland Container Terminal proposed at St Marys.

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

The site is zoned IN1 General Industrial under Penrith LEP 2010. Service stations are prohibited in the IN1 General Industrial zone and is, therefore, prohibited on the subject site. Therefore, a Planning Proposal is required to amend the LEP to permit the proposed development on the site.

Including an additional permitted use in Schedule 1 of Penrith LEP 2010 is the preferred means of achieving the objectives and intended outcomes as a service station has site specific merit. It would retain the existing IN1 General Industrial zone on the site and permit a service station as an additional permitted use only on the subject site. This mechanism also involves minimal change and reduces the potential for land use conflicts that may arise from land uses permitted in zones that permit service stations. A service station on the site would also serve the daily convenience needs of the workers in the area and contribute to a diversity of land uses in the Dunheved Business Park. The Dunheved Business Park has a high concentration of B-Double routes which makes the site an ideal location for a service station to service the large number of trucks which use the area. The RMS' Restricted Access Vehicle Map (refer to Figure 5) illustrates the concentration of B-Double routes in the Dunheved Business Park.

Figure 5: B - Double Routes North St Marys



Source: NSW Roads and Maritime Services (Date: November 2015)

The alternative mechanisms are to change the zone of the site or amend the land use table so that service station is listed as a permitted land use in the IN1 General Industrial zone.

Changing the zoning of the site is not preferred. Under Penrith LEP 2010, service stations are permitted in the B2 Local Centre, B6 Enterprise Corridor, IN2 Light Industrial and SP3 Tourist zones. However, the B2 Local Centre, B6 Enterprise Corridor or SP3 Tourist zones are located away from the Dunheved Business Park and prominent truck routes. These zones would also result in land use conflicts with the adjoining industrial land as these zones permit uses that are incompatible with an industrial area, such as commercial premises and tourist and visitor accommodation. In addition, there are no IN2 Light Industrial zones that have a high concentration of B-Double routes as the Dunheved Business Park.

Alternatively, amending the land use table of the IN1 General Industrial zone of Penrith LEP 2010 to permit service station is not preferred as the IN1 General Industrial zone is intended to encourage employment opportunities and provide a wide range of industrial and warehouse land uses. Permitting service stations on all land zoned as IN1 General Industrial across the City would, therefore, be disruptive to the provision of industrial employment opportunities.

Section B – Relationship to Strategic Planning Framework

3. 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)?

NSW: Making It Happen

NSW: Making it Happen was released by the Premier for NSW on 14 September 2015 and replaces the State's previous 10-year plan *NSW 2021*. *NSW: Making it Happen* outlines 30 key reforms for the State, including 12 personal priorities for the Premier.

The Premier's priorities include:

Creating jobs	Building infrastructure
Reducing domestic violence	Improving service levels in hospitals
Tackling childhood obesity	Improving education results
Protecting our kids	Reducing youth homelessness
Driving public sector diversity	Keeping our environment clean
Faster housing approvals	Improving government services

The State Priorities include:

Making it easier to start a business	Encouraging business investment
Boosting apprenticeships	Accelerating major project assessment
Increasing housing supply	Protecting our credit rating
Delivering strong budgets	Improving Aboriginal education outcomes
Transitioning to the National Disability Insurance Scheme	Better government digital services
Cutting waiting times on planned surgeries	Increasing cultural participation
Ensure on-time running for public transport	Creating sustainable social housing
Reducing violent crime	Reducing adult re-offending
Reducing road fatalities	Improving road travel reliability

The Planning Proposal is consistent with *NSW: Making it Happen* as it will provide additional employment opportunities, as the site is currently unutilised. The Planning Proposal will also encourage business investment by enabling the construction and subsequent operation of a service station that will provide a service that is lacking in the area.

A Plan for Growing Sydney

In December 2014, the NSW Government released *A Plan for Growing Sydney* (the Metropolitan Strategy) which is the NSW Government's 20-year plan for the Sydney Metropolitan Area. Penrith is identified as a Regional City in the Metropolitan Strategy making it a priority for infrastructure delivery. Significant road and rail infrastructure is planned to be delivered in the region. The Metropolitan Strategy sets out the Government's goals for Sydney and these include:

- **Economy:** A competitive economy with world-class services and transport;
- **Housing:** A city of housing choice with homes that meet our needs and lifestyles;
- **Liveability:** A great place to live with communities that are strong, healthy and well connected; and

- **Environment:** A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The Planning Proposal is broadly consistent with the Metropolitan Strategy. The Planning Proposal's consistency with the applicable goals and directions are addressed below.

Goal 1: A competitive economy with world class services and transport

The Planning Proposal is consistent with the objectives of **Goal 1**, which aims to sustain strong growth for Sydney, improve its productivity and foster high living standards. The Planning Proposal's consistency with the applicable these directions are:

Direction 1.4: Transform the productivity of Western Sydney through growth and investment

This direction aims to improve the scale and mix of jobs to help more people work close to home and reduce commuting times to make Sydney more productive. The Planning Proposal seeks to permit a service station on the site which will generate permanent employment on the site. The site will be supported by passing traffic and is also well placed to be a corner site when the intersection of the Dunheved Link Road and Christie Street is complete. The use will also support the industry and contribute to diversity in industrial land uses as well as service the future traffic generated by the "Western Sydney Inland Container Terminal" proposed at St Marys.

Direction 1.9: Support priority economic sectors

This direction aims to create a setting for well-located and well-serviced land to be available to meet the needs of identified priority economic sectors including manufacturing. The Planning Proposal is consistent with this direction as it support key industrial precincts (i.e. the Dunheved Business Park) by providing support to the precinct and contributing to the diversity in industrial land uses as well as serving the daily convenience needs of workers in the Dunheved Business Park by providing an ancillary service. A service station on the site will also contribute to revitalising the Dunheved Business Park and service the future traffic generated by the "Western Sydney Inland Container Terminal" proposed at St Marys.

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles

Goal 2 is not directly relevant to the Planning Proposal as the goal aims to provide greater housing supply, choice and affordability to meet Sydney's changing needs and lifestyles. The Planning Proposal does not seek to enable residential development.

Goal 3: A great place to live with communities that are strong, healthy and well connected

The Planning Proposal is consistent with **Goal 3**, which aims to create more vibrant places and revitalise suburbs. The Planning Proposal's consistency with the applicable these directions are:

Direction 3.1: Revitalise existing suburbs

The Planning Proposal is consistent with this direction as it will enable the development of a service station on the site that will contribute to revitalising the Dunheved Business Park through road resealing, street tree planting, improved lighting and drainage improvement to assist in improving the amenity of the area. The redevelopment of the site will also activate the future Dunheved Link Road intersection with Christie Street.

Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources

The Planning Proposal is consistent with the objectives of **Goal 4**, which seeks to build a more sustainable, resilient city that responds to the potential threat of natural hazards such as flooding and bushfires. The Planning Proposal's consistency with the applicable these directions are:

Direction 4.2: Build Sydney's resilience to natural hazards

This direction aims to ensure that planning decisions are based on the best available evidence and a rigorous assessment of the risks is undertaken.

The site is identified as bushfire prone in Penrith Council's Bushfire Prone Land Map with a Vegetation Category 2 and vegetation buffer layer (refer to Figure 9). Under Section 117 of the Act, planning proposals are required to address a number of directions as part of the preparation of new LEPs. Direction 4.4: Planning for Bushfire Protection has been addressed in item 6 *Is the planning proposal consistent with applicable Ministerial Directions (S. 117 Directions)?*

The bushfire risk can also be managed at the DA stage. Penrith DCP 2014 contains provisions to manage development on land identified as bushfire prone, including the submission of a bushfire assessment report and a requirement to address the NSW Rural Fire Service's document *Planning for Bushfire Protection 2006*.

The subject site is also partially mapped as flood planning (refer to Figure 8), however this only applies to Lot 3. It is intended to develop the service station on Lot 4 which is above the flood planning level. The impact of potential flooding on the site can also be managed on-site at the DA stage. Penrith DCP 2014 contains provisions to manage development on land that can be impacted by flooding, including the submission of a comprehensive flood study.

West District (formerly the West subregion)

The Penrith Local Government Area (LGA) is situated within the West District, along with the Hawkesbury and Blue Mountains LGAs. The focus for the West District is a competitive economy, accelerated housing supply, choice and affordability, and the protection of the natural environment. District Plans, which will articulate the intentions of the Metropolitan Strategy at the district level, have not yet been completed for the most recently released Metropolitan Strategy. The DP&E is currently working with local councils and government agencies to prepare these plans. Nonetheless, the Planning Proposal is consistent with the priorities outlined in the West Subregion (District) section of the Metropolitan Strategy. The Planning Proposal will create investment and economic development opportunities and will capitalise on the subregion's increasing role in Sydney's manufacturing, construction and wholesale/logistics industries, particularly given the site's proximity to employment lands. It is anticipated that, once the Subregional Delivery Plan for the West District is completed, the changes sought in the Planning Proposal will not have significant implications for the final Subregional Delivery Plan.

North West Subregion – Draft Subregional Strategy

In the absence of a subregional delivery plan for the current Metropolitan Strategy, the Planning Proposal addresses the *North West Subregion – Draft Subregional Strategy* (Draft North West Subregional Strategy) which was released by the State Government in December 2007 to support the 2005 Metropolitan Strategy, *City of Cities: A Plan for Sydney's Future*. This Strategy

has not been adopted. The Draft North West Subregional Strategy consists of a number of actions and directions focused around 7 strategies:

Economy and Employment	Centres and Corridors
Housing	Transport
Environment, Heritage and Resources	Parks, Public Places and Culture
Implementation and Governance.	

The Planning Proposal's consistency with the applicable directions and actions of the Draft North West Subregional Strategy are detailed below.

A. Economy and Employment

The Planning Proposal is consistent with this direction as it retains the employment zoning of the site which is situated within the Dunheved Business Park.

The Draft North West Subregional Strategy identifies the Dunheved Business Park as one of the oldest industrial sites in Penrith with a dominant heavy industrial component. It also identifies the need for connections between Dunheved and the employment areas in the ADI site as well as opportunities to improve access to the northern section of Dunheved. The proposed Dunheved Link Road will help to achieve these connections and is well in its planning stages.

The proposed service station will activate the future intersection of the Dunheved Link Road and Christie Street and will enable the area to be revitalised through road resealing, street tree planting, improved lighting, drainage improvement, clean ups, telecommunications and internet and public amenity to assist in revitalising the area. The service station will also support the anticipated growth of the Dunheved Business Park as the site is well placed to take advantage of the future infrastructure expansion that will occur in the area and across Western Sydney, including the proposed Western Sydney Airport site, planned major road and rail expansion in the region and the Western Sydney Inland Container Terminal that is proposed at St Marys.

B. Centres and Corridors

This direction is not directly relevant to the Planning Proposal as the site is not within a nominated centre. The actions in this direction generally relate to identified regional cities (Penrith), major centres (including planned and potential major centres), and specialised centres.

C. Housing

This direction is not directly relevant to the Planning Proposal as the site is situated within the Dunheved Business Park and is zoned IN1 General Industrial. The Planning Proposal does not seek to zone the land to enable residential development.

D. Transport

This direction is not relevant to the Planning Proposal. The actions in this direction generally relate to State Government Initiatives to improve transport infrastructure and travel modes.

E. Environment, Heritage and Resources

The Planning Proposal is consistent with this direction as it does not propose to rezone land in the City's rural or resource areas, or land which has environmental or heritage significance.

F. Parks, Public Spaces and Culture

This direction is not relevant to this Planning Proposal. The actions in this direction generally relate to the need to plan for the cultural, social and recreational needs of the community.

G. Implementation and Governance

The Planning Proposal is consistent with this Direction. Penrith has been nominated as a Regional City. Council has been working with the NSW Government, through the DP&E, to plan for the future growth of Penrith Regional City. The aims and objectives of the Planning Proposal will enable the development of a service station at a key location to provide a service that is lacking in the area, will contribute to revitalising the area and will support the anticipated growth of the Dunheved Business Park.

The proposed service station is also well placed to take advantage of the future infrastructure expansion that will occur in the area and across Western Sydney, including the proposed Western Sydney Airport site, planned major road and rail expansion in the region and the Western Sydney Inland Container Terminal proposed at St Marys to ensure Penrith continues to be of regional significance in Western Sydney.

4. Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Penrith Community Plan 2013

The *Penrith Community Plan* was adopted by Council on 24 June 2013 and represents the community's vision for Penrith over the next 20 years. This plan outlines the priorities for the community and includes the following outcomes:

1. We can work close to home.
2. We plan for our future growth.
3. We can get around the city.
4. We have safe, vibrant places.
5. We care for our environment.
6. We are healthy and share strong community spirit.
7. We have confidence in our Council.

Table 3 below identifies relevant outcomes for consideration and demonstrates how this Planning Proposal is consistent with those outcomes:

Table 3: Consistency with the Penrith Community Plan 2013

Outcome	Consistency
Strategy 1.2: Diversify the region's economy and attract investment, particularly targeting new and emerging employment sectors. Council will continue to implement its advocacy program, which includes monitoring the impact of and seeking to influence state and federal social policies.	The Planning Proposal will enable the development of a service station on the site to generate permanent employment and provide contribute to the broader economic base of the region by providing a service that is lacking in the area.

Strategy 4.2: Grow and revitalise our centres and neighbourhoods

Council coordinates neighbourhood renewal programs in established areas across the City.

The Planning Proposal will enable the development of a service station on the site to contribute to the revitalisation through improved road linkages to the proposed Dunheved Link Road, road sealing, street tree planting and improved lighting.

The future development of a service station on the site will also facilitate the Dunheved Link Road Intersection as some land from the site is required to facilitate the intersection.

Penrith City Strategy

The *Penrith City Strategy* seeks to help build a sustainable future for Penrith and its community. This strategy outlines issues and policy responses for which Council can advocate, inform and influence. It provides directions for the City's future over the next 20 years and beyond and informs the *Community Strategic Plan*. The City Strategy addresses the seven themes of housing, jobs and economy, transport and access, infrastructure delivery, community wellbeing, the environment and places. Table 4 below identifies the relevant outcomes for consideration and demonstrates how this Planning Proposal is consistent with those outcomes.

Table 4: Consistency with the Penrith City Strategy

Outcome	Consistency
1. Housing The theme focuses on providing housing to meet the needs of the community that has regard to the supply, choice, design quality, sustainability and affordability.	This theme does not directly apply to this Planning Proposal since no housing is proposed.
2. Jobs and Economy In the future, as a Regional City, Penrith is expected to be a focal point for regional transport, jobs and services. The policy response is to attract strategic investment, facilitate employment diversity and growth, promote job clusters and encourage local workforce skills and training. Council has set a target of an additional 40,000 jobs by 2031, including around 18,000 new jobs in new housing areas – 11,150 in the Penrith City Centre and St Marys Town Centre and 8,600 in the Western Sydney Employment Hub.	The Planning Proposal will enable the service station to be developed on the site and will diversify employment opportunities in the Dunheved Business Park and the broader St Marys area. Council has identified that infrastructure improvement of arterial routes such as the Dunheved Link Road and Christie Street form part of its advocacy program. The Planning Proposal will enable the development of a service station on the site that will activate the Dunheved Link Road intersection with Christie Street and provide employment opportunities that contributes to the region's economic base.
3. Transport and Access This theme focuses on providing an improved transport network.	The Planning Proposal will enable the development of a service station that will have

Outcome	Consistency
	access via the future intersection of Christie Street and the Dunheved Link Road.
4. Infrastructure Delivery	The theme does not directly apply to this Planning Proposal.
5. Community Wellbeing	The theme does not directly apply to this Planning Proposal.
6. Environment	The theme does not directly apply to this Planning Proposal.
7. Places This theme focuses on ensuring that new development respects the scenic and cultural landscapes of Penrith and that urban growth is managed to retain our identity and sense of place.	The Planning Proposal does not propose to rezone rural land and only seeks to permit a service station at 61-73 Christie Street, St Marys which is zoned for industrial development.

5. Is the Planning Proposal consistent with applicable state environmental planning policies?

The Planning Proposal is consistent with applicable State Environmental Planning Policies (SEPPs) and are addressed in Table 5.

Table 5: Consistency with applicable State Environmental Planning Policies

SEPP	Comment
SEPP No. 1 – Development Standards.	SEPP 1 does not apply. Exceptions to development standards are considered under Clause 4.6 of Penrith LEP 2010.
SEPP No. 14 – Coastal Wetlands	Not applicable. The area is not within an identified coastal wetland area.
SEPP No. 15 – Rural Land Sharing Communities	Not applicable. The Planning Proposal does not apply to rural land.
SEPP No. 19 – Bushland in Urban Areas	Not applicable. There are no identified areas of urban bushland within the site.
SEPP No. 21 – Caravan Parks	Not applicable. The Planning Proposal does not affect the development of caravan parks.
SEPP No. 26 – Littoral Rainforests	Not applicable. There are no littoral rainforests within the site.
SEPP No. 29 – Western Sydney Recreation Area	Not applicable. The site is not within the Western Sydney Recreation Area.

SEPP	Comment
SEPP No. 30 – Intensive Agriculture	Not applicable. The Planning Proposal does not seek to convert any land from rural to urban use.
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Not applicable. The Planning Proposal does not seek to zone the land for residential development.
SEPP No. 33 – Hazardous and Offensive Development	Not applicable. The Planning Proposal does not affect the application of this SEPP, however this will need to be considered at the time of a DA for the site.
SEPP No. 36 – Manufactured Home Estates	Not applicable. The SEPP does not apply to the site.
SEPP No. 39 – Spit Island Bird Habitat	Not applicable. The SEPP does not apply to the site.
SEPP No. 44 – Koala Habitat Protection	Not applicable. The SEPP does not apply to the site.
SEPP No. 47 – Moore Park Showground	Not applicable. The SEPP does not apply to the site.
SEPP No. 50 – Canal Estate Development	Not applicable. The Planning Proposal does not incorporate a Canal Estate.
SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable. The SEPP does not apply to the site.
SEPP No. 55 – Remediation of land	Clause 6 of the SEPP requires all planning proposals to consider whether the subject land is contaminated and if remediation is required. Preliminary Site Investigations have been carried out on the site as part of the sale of the land and consideration of a DA and subdivision. The site is considered to be suitable for redevelopment. This is outlined further in Section C – Environmental, Social and Economic Impacts of this Planning Proposal.
SEPP No. 59 – Central Western Sydney Regional Open Space and Residential	Not applicable. The SEPP does not apply to the site.
SEPP No. 62 – Sustainable Aquaculture	Not applicable. The SEPP does not apply to the site.
SEPP No. 64 – Advertising and Signage	The Planning Proposal is consistent with SEPP 64 as no additional provisions relating to signage are proposed. SEPP 64 will continue to apply to a future DA for the service station.
SEPP No. 65 – Design Quality of Residential Flat Development	Not applicable. Residential flat buildings are prohibited on the subject site. The Planning Proposal does not propose to permit residential flat buildings.

SEPP	Comment
SEPP No. 70 – Affordable Housing (Revised Schemes)	Consistent. The Planning Proposal will facilitate a greater number of affordable housing options than is currently possible.
SEPP No. 71 – Coastal Protection	Not applicable. The site is not within a coastal zone.
SEPP (Affordable Rental Housing) 2009	Consistent. The Planning Proposal does not affect the application of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	The Planning Proposal is consistent as the BASIX SEPP, which will continue to apply to the site.
SEPP (Exempt and Complying Development Codes) 2008	Exempt and complying development under this SEPP will continue apply.
SEPP (Housing for Seniors or People with a Disability) 2004	The Planning Proposal does not affect the application of this SEPP.
SEPP (Infrastructure) 2007	The Planning Proposal does not affect the application of this SEPP. The future DA for a service station will be referred to the RMS as per Clause 104 and Schedule 3. It is expected the RMS will be consulted as part of the Planning Proposal.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable. The SEPP does not apply to the site.
SEPP (Kurnell Peninsula) 1989	Not applicable. The SEPP does not apply to the site.
SEPP (Major Development) 2005	Consistent. The Planning Proposal does not affect the application of this SEPP.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable. The Planning Proposal does not affect the application of this SEPP.
SEPP (Miscellaneous Consent Provisions) 2007	Consistent. The Planning Proposal does not include any provisions which impede the operation of this SEPP over the site.
SEPP (Penrith Lakes Scheme) 1989	Not applicable. The SEPP does not apply to the site.
SEPP (Port Botany and Port Kembla) 2013	Not applicable. The SEPP does not apply to the site.
SEPP (Rural Lands) 2008	Not applicable. The SEPP does not apply to the site.
SEPP (SEPP 53 Transitional Provisions) 2011	Not applicable. This SEPP does not apply to the site.
SEPP (State and Regional Development) 2011	Not applicable. The Planning Proposal does not affect the application of this SEPP.

SEPP	Comment
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable. The SEPP does not apply to the site.
SEPP (Sydney Region Growth Centres) 2006	Not applicable. The SEPP does not apply to the site.
SEPP (Three Ports) 2013	Not applicable. The SEPP does not apply to the site.
SEPP (Urban Renewal) 2010	Not applicable as there are no Urban Renewal Precincts in the site.
SEPP (Western Sydney Employment Area) 2009	Not applicable. The site is not within the Western Sydney Employment Area.
SEPP (Western Sydney Parklands) 2009	Not applicable. The SEPP does not apply to the site.
Sydney Regional Environmental Plans (SREP) (deemed SEPPs)	
SREP No. 8 (Central Coast Plateau Areas)	Not applicable. The SEPP does not apply to the site.
SREP No. 9—Extractive Industry (No 2—1995)	Consistent. The Planning Proposal does not affect the application of this SEPP.
SREP No. 16—Walsh Bay	Not applicable. The SEPP does not apply to the site.
SREP No. 18—Public Transport Corridors	Not applicable. This SEPP does not apply to the site.
SREP No. 19 – Rouse Hill Development Area	Not applicable. The SEPP does not apply to the site.
SREP No. 20 – Hawkesbury Nepean River (No. 2 – 1997)	The Planning Proposal is consistent with this REP. Future development is able to occur in a manner which is in keeping with the requirements of the REP.
SREP No. 24—Homebush Bay Area	Not applicable. The SEPP does not apply to the site.
SREP No. 26—City West	Not applicable. The SEPP does not apply to the site.
SREP No. 30—St Marys	Not applicable. The SEPP does not apply to the site.
SREP No. 33—Cooks Cove	Not applicable. The SEPP does not apply to the site.
SREP No. 33—Cooks Cove	Not applicable. The SEPP does not apply to the site.

6. Is the Planning Proposal consistent with applicable Ministerial Directions (S.117 Directions)?

The applicable Ministerial (Section 117) Directions are addressed in Table 6.

Table 6: Assessment against applicable S117 Directions:

Section 117 Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones This direction applies to land within an existing or proposed business or industrial zone and seeks to retain areas of business and industrial activity and protect employment lands.	The Planning Proposal does not alter the current industrial land zoning being IN1 General Industrial. It maintains the current zoning but provides an additional land use that will service the industrial area and passing traffic. A service station is considered to be a land use compatible in an industrial area given it is a supporting land use in this zone. It is also a land use that provides employment and employment multipliers.
2. Environment and Heritage	
This direction does not apply as the Planning Proposal does not relate to environmental protection zones, coastal protection, heritage conservation or recreation vehicle areas.	
3. Housing, Infrastructure and Urban Development	
3.4 Integrating Land use and Transport This direction applies to planning proposals that create, alter or remove a zone relating to land zoned for residential, business, industrial, village or tourist.	The Planning Proposal is considered to be consistent with the relevant principles of <i>Improving Transport Choice – Guidelines for Planning and Development (DUAP 2001)</i> and <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i> . The proposal does not create, alter or remove the IN1 General Industrial zone and is not relevant to an additional permitted use. The site is also well-located to provide good transport connections and will also not adversely impact on commercial centres in the LGA.
4. Hazard and Risk	
4.3 Flood Prone Land This direction applies when a relevant planning authority prepares a Planning Proposal that creates, removes or alters a zone or a provision that affects flood prone land. Development of flood prone land should be consistent with the NSW Government's Flood Prone Policy and principles of the <i>Floodplain Development Manual 2005</i> .	Lot 3 property is identified as being partially flood prone land however flooding is not significant to preclude future development. The area that will likely be used for the future service station (i.e. Lot 4) is above the flood planning level. The impacts relating to any other part of the adjoining lot that is required to accommodate the proposal can be managed on site through the assessment of a DA.
4.4 Planning For Bushfire Protection This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in close	The site is identified as bushfire prone land. The NSW Rural Fire Service will be consulted with given the bushfire affectation of the site.

Section 117 Direction	Comment
proximity to, land mapped as bushfire prone land. In preparing a planning proposal, the relevant planning authority must, amongst other things, consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under S.56 of the Act, and prior to undertaking community consultation in satisfaction of S.57 of the Act, and take into account any comments made. A Planning Proposal must also have regard to <i>Planning for Bushfire Protection 2006</i>, introduce controls that avoid placing inappropriate developments in hazardous areas, and ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone.	In addition, the detailed designs in a future DA will need to address and comply with the <i>Planning for Bushfire Protection 2006</i> and consider an appropriate Asset Protection Zone. Section C – Environmental, Social and Economic Impacts of this Planning Proposal provides additional detail on how the bushfire affectation of the site can be managed.
5. Regional Planning	
This Direction does not apply as the Planning Proposal does not relate to land affected by the regional strategies identified.	
6. Local Plan Making	
6.3 Site Specific Provisions This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out. A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: - allow that land use to be carried out in the zone the land is situated on, or - rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or - allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the	There are no additional development standards in the planning provisions imposed as a result of the planning proposal. The future land use is consistent with the objectives of the IN1 General Industrial zone objectives. The proposal is inconsistent with Clause 4(a) and 4(b) of this direction as the planning proposal is not seeking to permit the use on the <i>zone</i> (i.e. permit the use in the IN1 General Industrial <i>zone</i>), rezone the site. The Planning Proposal is consistent with Clause 4(c) of this direction as it seeks to allow the land use on the site without imposing any development standards or requirements in addition to those already contained in the principal environmental planning being amended. The Planning Proposal seeks to achieve this by permitting the use on the site through Schedule 1 – Additional Permitted Uses of Penrith LEP 2010.

Section 117 Direction	Comment
principal environmental planning instrument being amended.	
7. Metropolitan Planning	
7.1 Implementation of a Plan for Growing Sydney The objectives of this direction is to give legal effect to the planning principles; directions and priorities for subregions, strategic centres and transport gateways contained in <i>A Plan for Growing Sydney</i> . Planning Proposals are required to be consistent with <i>A Plan for Growing Sydney</i> .	The Planning Proposal's consistency with <i>A Plan for Growing Sydney</i> is addressed in Section B-Relationship to Strategic Planning Framework of this Planning Proposal. The Planning Proposal is consistent with the applicable goals and directions of <i>A Plan for Growing Sydney</i> .

Section C – Environmental, Social and Economic Impact

7. 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?

There is currently a DA lodged with Council for storage units and a boundary adjustment (DA15/0485) on the site. During the assessment of this DA, the applicant submitted a *Ecological Assessment* undertaken by *RPS Australia East Pty Ltd* to assess the potential impacts on biodiversity as a result of the removal of the vegetation. The assessment identified areas of the site has native vegetation. The vegetated areas are identified in Figure 7.

Figure 7: Vegetation on site (Source: RPS)



The assessment concluded that the removal of vegetation will not be significantly impacted on as a result of the proposal given its low biodiversity value. The vegetation is likely to be further compromised with the removal of vegetation on adjoining land to accommodate the Dunheved

Link Road. A detailed investigation in to the impact of the future service station on flora and fauna will be carried out at the time of a DA when the development footprint is confirmed.

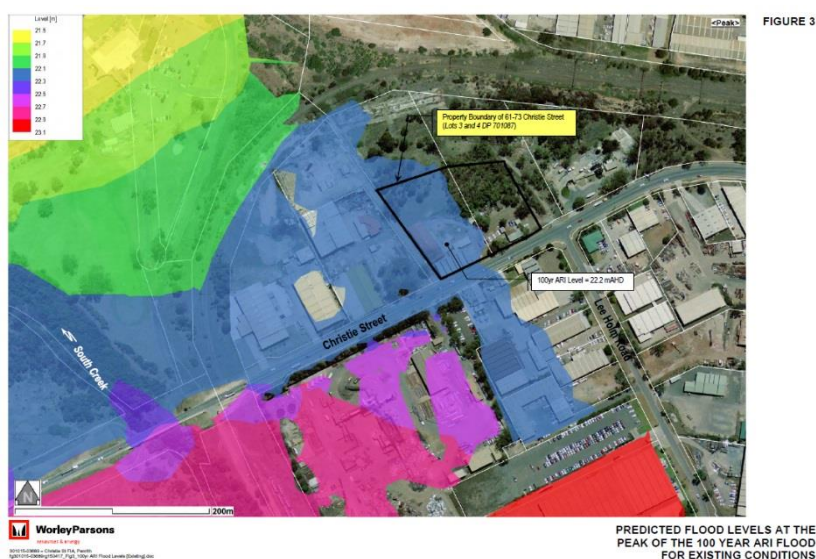
8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No significant environmental effects are anticipated as a result of the Planning Proposal. The Planning Proposal seeks to insert an additional permitted use for a service station on the site that is currently zoned for general industrial development. A more detailed assessment of the service station will be carried out at the DA stage when detailed designs are submitted to Council for assessment. The following matters addressed will be considered during the future assessment of a DA and do not preclude the consideration of a site specific land use on the site, including:

Flooding

The subject site is partially flood affected. The flood affectation of the site is shown in Figure 8 below which shows that only Lot 3 is flood affected. The lot that will be subject of the future service station is not within the 1 in 100 year ARI flood extent. The impacts relating to any other part of the adjoining lot that is required to accommodate the proposal can be managed on site through the assessment of a DA. Possible access points from Christie Street will be located at a reasonable distance from the future Dunheved Link Road intersection.

Figure 8: Predicted Flood levels at the peak of the 100 year ARI flood. Source: Worley Parsons



Contamination

The site was previously used as an activity that may cause contamination. Clause 6 of *SEPP 55 – Remediation of Land* requires Council to consider whether the land is contaminated and satisfied that the land is suitable in its contaminated state, when considering a rezoning proposal. Potential contaminating activities that have occurred on the site in the past and include:

- Potential munitions and other defence utility manufacturing and storage;
- Spring manufacturing;
- Bulk chemical storage and use; and
- Demolition of former building structures potentially containing hazardous materials.

Geo_logix has prepared a *Phase 1 Environmental Site Assessment Report* and a *Preliminary Contamination Investigation Report* that addresses the requirements of *SEPP 55 – Remediation*

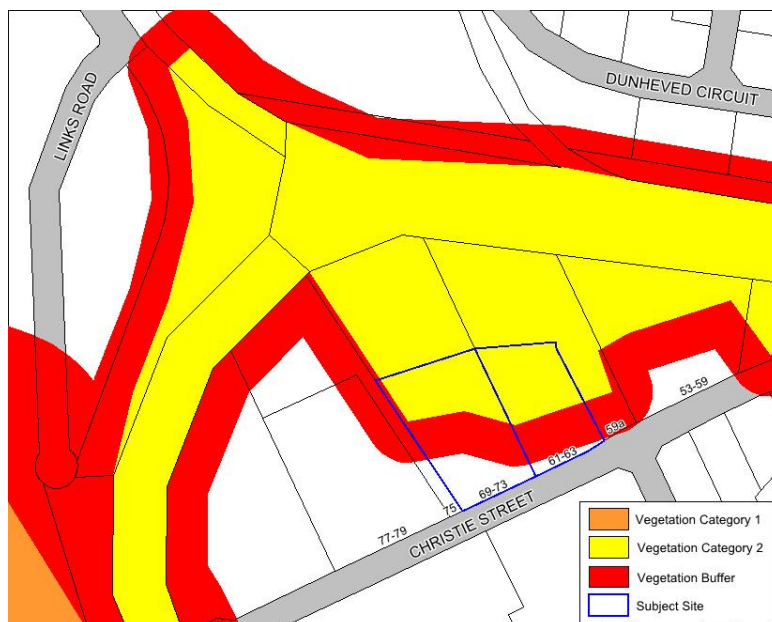
of Land to accompany the Planning Proposal. The preliminary contamination investigation report concludes that the site is suitable for continued commercial/industrial land uses. Therefore, it is considered that the land is suitable for use as a service station and that the impacts can be managed on site through the future assessment of a DA.

Bushfire

The site is identified as bushfire prone in Council's Bushfire Prone Land Map and is within a Vegetation Category 2 and Vegetation Buffer Layer. Refer to Figure 9.

The Gateway Determination may require further information to be provided, or require Council to consult with the NSW Rural Fire Service as part of its agency consultation. Bushfire affectation will also need to be addressed as part of a detailed DA for the use of the site for a service station. The bushfire affectation may change upon construction of the Dunheved Link Road and the development opportunities available to north of the property, so the identified bushfire hazard to the north and east will be minimised significantly as a result.

Figure 9: Penrith City Council Bushfire Prone Map



Traffic Generation and Parking

The site is currently accessed by Christie Street which is an unclassified regional road that connects to Forrester Road, which is a major north-south collector route. The additional traffic expected from the proposal is considered minimal in the context of the site and surrounding area.

The Planning Proposal was accompanied by a Traffic Study, *An Assessment of Traffic and Parking Implications* which tested the proposal against scenarios for a service station with and without the construction of the Dunheved Link Road and intersection with Christie Street. The Traffic Study stated that the envisaged service station and ancillary convenience store on the site will provide a convenient access for the surrounding industrial/employment uses and concluded that the design of the development in terms of vehicle access, circulation, parking and servicing is appropriate and there will be no adverse traffic impacts on the road system servicing the site.

As the development footprint is indicative, a further detailed assessment in relation to the access, parking and traffic impacts of the service station can be carried out during the assessment of a DA when the development footprint is determined.

Noise Impacts

Whilst there will be some noise associated with the construction of the development, there is not expected to be any significant noise impacts in the longer term. The noise generated from a service station would be significantly lower than any noise generated from adjoining industrial land uses. The site is well located and sized not to impact on the surrounding area and there are no residential areas in the vicinity on the site.

9. Has the Planning Proposal adequately addressed any social and economic effects?

It is considered that the Planning Proposal will have a positive social and economic effect on the community and other stakeholders. The Planning Proposal will provide social and economic benefits to St Marys and surrounding localities by:

- Encouraging employment opportunities on and beyond the site by providing additional employment opportunities and contribute to the broader economic base of the region by enabling the development of a service station that is currently lacking in the area;
- A service station will provide a daily convenience for the people that work in the area as well as passing traffic, as service stations provide ancillary convenience stores as part of its business model.
- The site has good access to roads via Christie Street that connects to Forrester Road.
- The site will activate the Dunheved Link Road intersection with Christie Street. The Dunheved Link Road will contribute to pedestrian footpaths to improve connections within the Dunheved Business Park. This will contribute to the revitalisation of the Dunheved Business Park that is intended by the Dunheved Business Park Revitalisation Strategy.
- The future development of the site as a service station will accommodate new and improved development features in a prominent location that will provide landscaped areas that will improve the amenity of the site and areas that adjoin the site.
- The environmental constraints are not significant and can be managed through the development process.

Section D – State and Commonwealth Interests

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

The site is located in an established heavy industry zone which is already serviced by infrastructure and services. A preliminary review of the local infrastructure has identified that there is sufficient capacity for the site to accommodate a service station. The site will also activate the Dunheved Link Road when its intersection with Christie Street is complete.

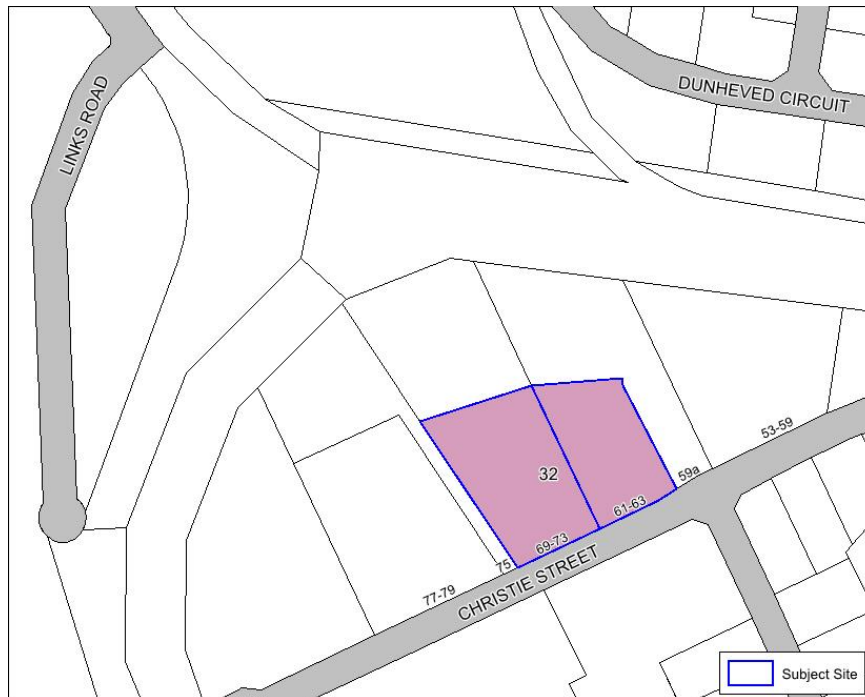
11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No early Commonwealth or State public authorities have been undertaken in the process of preparing this Planning Proposal. The Gateway Determination will determine the public authorities to be consulted with for the Planning Proposal. Relevant public authorities will subsequently be consulted with during the post-exhibition Gateway process. This section will be amended following the consultation with public authorities.

Part 4 - Mapping

The Planning Proposal seeks to amend the Additional Permitted Uses map (tile 18) of Penrith LEP 2010. The proposed map is shown in Figure 10 below. A map prepared in accordance with the *Standard technical requirements for LEP maps* has been prepared to accompany the Planning Proposal and is included in Appendix 1.

Figure 10: Proposed Additional Permitted Use – LEP Map



Part 5 - Community Consultation

The Gateway Determination will confirm the period of consultation for the Planning Proposal. Community consultation of the Planning Proposal will subsequently be undertaken by giving notice of the public exhibition of the Planning Proposal:

- (a) in a newspaper that circulates in the area affected by the Planning Proposal;
- (b) on the Penrith City Council website;
- (c) at the Council Civic Centre, Penrith Library, St Marys Business Office and St Marys Library; and
- (d) in writing to adjoining landowners.

The written notice will:

- Give a brief description of the objectives or intended outcomes of the Planning Proposal
- Indicate the land affected by the Planning Proposal
- State where and when the Planning Proposal can be inspected
- Provide information on how to make a submission and the submission timeframe

A number of supporting documents will be exhibited with the Planning Proposal to assist in understanding the Planning Proposal and include:

- The Gateway Determination
- Penrith Local Environmental Plan 2010 (written instrument and maps)
- Penrith Development Control Plan 2014
- Full list of applicable State Environmental Planning Policies, S117 Directions, Dunheved Revitalisation Strategy and Council's Community Plan.
- Traffic report
- Contamination report
- A fact sheet which explains the intent of the Planning Proposal, where to view the Planning Proposal and how to make a submission.

A report on the submissions received will be presented to Council for its consideration following the exhibition period.

Part 6 – Project Timeline

The following timeline is proposed and is based on the estimated timeframe in which the Planning Proposal is expected to be finalised.

It is understood that these timeframes may change, depending on when the Minister issues the Gateway Determination and other external factors such as requirements by public authorities.

Milestone	Timeframe
Council report to endorse the Planning Proposal for a Gateway Determination	7 December 2015
Planning Proposal submitted to the Department of Planning and Environment seeking a Gateway Determination	16 December 2015
Gateway Determination issued by the Minister for Planning and Environment	February 2016
Timeframe for public authority consultation (pre-public consultation)	February – March 2016
Assessment of agency submissions	March 2016
Public Exhibition (includes consultation with public authorities)	April 2016 – May 2016
Assessment of submissions received during public exhibition of the Planning Proposal	May 2016 – June 2016
Council report on the submissions received and seek Council's endorsement of Planning Proposal to be submitted to the Department of Planning and Environment to be finalised.	July 2016 – August 2016
Date of submission to the Department of Planning and Environment to finalise the LEP	September 2016
Anticipated date of LEP notification on the NSW Legislation website	October 2016

Conclusion

The Planning Proposal seeks to amend Penrith LEP 2010 to permit service station as an additional permitted use at 61-73 Christie Street, St Marys. This is proposed to be achieved by amending Schedule 1 Additional Permitted Uses of Penrith LEP 2010 and the relevant Additional Permitted Uses LEP map.

There is a site specific planning merit for a service station to be permitted on the site. The Planning Proposal is consistent with the current strategic planning framework, including:

- Regional and subregional strategies;
- Council's Community Strategic Plan;
- Applicable State Environmental Planning Policies (including deemed SEPPs);
- Applicable Ministerial Directions (Section 117 Directions).

Preliminary site investigations have also revealed that that the environmental impacts can be managed on the site. A service station on the site would contribute to revitalising Dunheved Business Park and would activate the Dunheved Link Road when its intersection with Christie Street is complete.

The proposed service station is at a conceptual stage and would be planned in detail and designed in a future DA once Penrith LEP 2010 is amended to permit a service station on the subject site. The DA would provide further details on the components of the development including specific land uses, building design, landscaping, signage, civil works, the management and storage of hazardous/flammable materials, and operational management.

Appendix 1 – Draft Additional Permitted Uses LEP Map

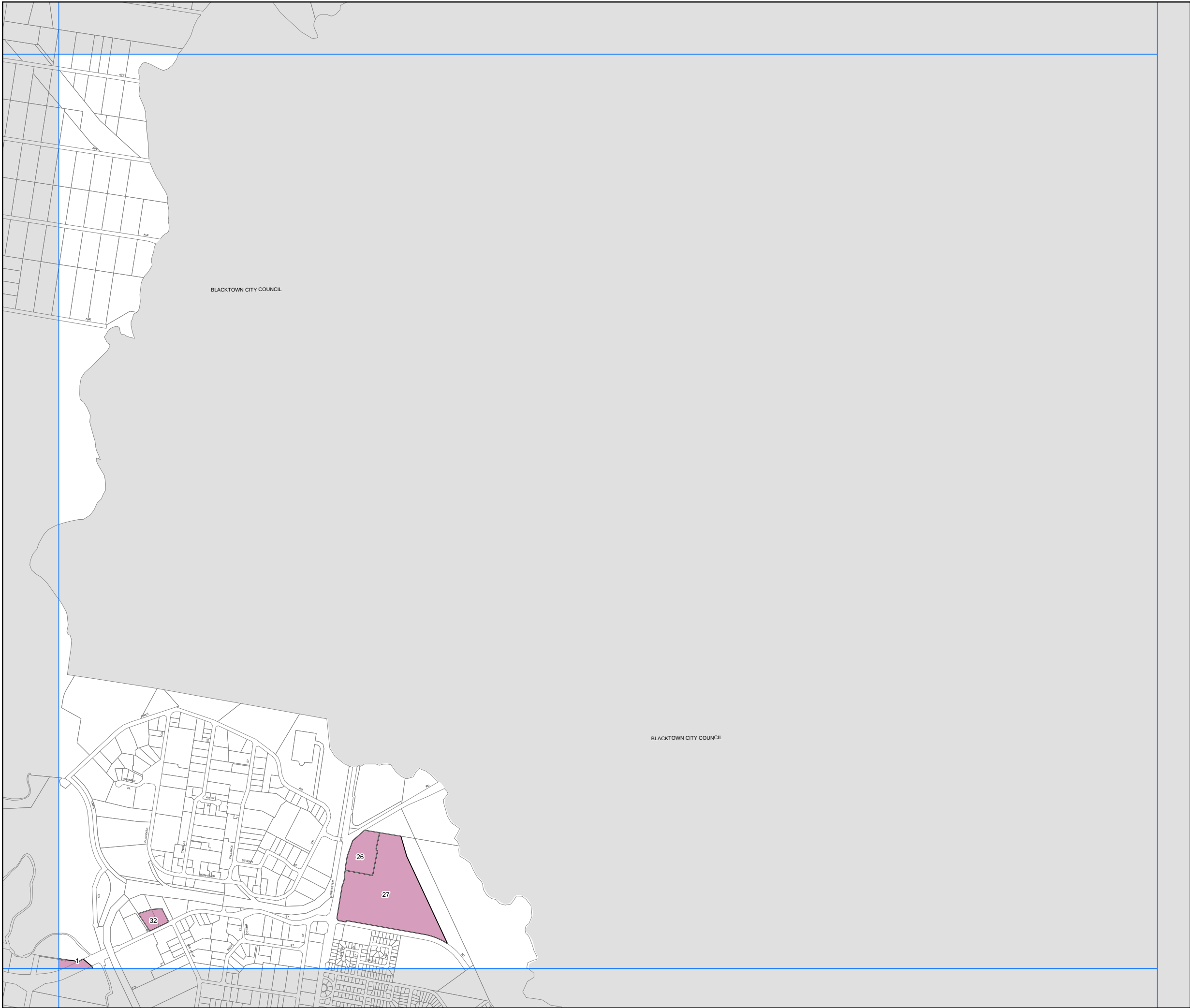
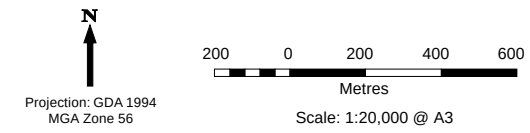
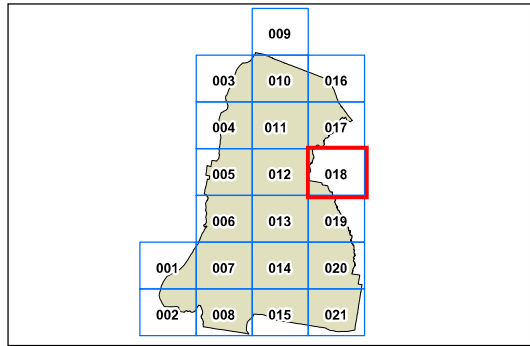
Additional Permitted Uses Map -
Sheet APU-018

Additional Permitted Uses

Refer to Schedule 1

Cadastre

Cadastre 24/11/2015©Penrith City Council



Appendix 2 – Dunheved Business Park Revitalisation Strategy

3 Dunheved Business Park Revitalisation Strategy

Compiled by: Tony Crichton, Senior Environmental Planner
Terry Agar, City Centres Co-ordinator

Authorised by: Jeni Pollard, Place Manager

Outcome	<i>We have safe, vibrant places</i>
Strategy	<i>Grow and revitalise our centres and neighbourhoods</i>
Service Activity	<i>Work with the community to deliver priority infrastructure and activation projects in identified established areas of the City</i>

Executive Summary

The Dunheved Business Park (DBP) is one of the major employment precincts within the Penrith LGA and plays a strategic role for business and employment growth in the City. A alliance between Council and the Penrith Valley Chamber of Commerce was formed to improve the long viability of the DBP through the preparation of a Revitalisation Strategy.

The purpose of the Dunheved Business Park Revitalisation Strategy (the Strategy) is to provide a vision for Council, land owners, business owners, the community and service providers of how the DBP may be developed in the future. The Strategy's vision is proposed to be achieved through a range of supporting improvement programs for infrastructure and public domain assets.

The preparation of the Strategy involved wide ranging internal investigations into the state of the current infrastructure and public domain assets. It was also informed by a survey of businesses on the state of the infrastructure and public domain. The Strategy proposes infrastructure upgrades of the following assets:

- roadworks and drainage improvements
- signage for wayfinding and identity creation,
- street lighting
- street trees
- electricity and telecommunications services

Allied to these proposed infrastructure improvements, will be Council's continued improvement in the delivery of maintenance and community protection services such as rubbish removal, drain cleaning, road repairs, ranger patrols etc

Implementation of the strategy will take many years and will require additional funding over time. In the shorter term, it is proposed to utilise available recurrent funding within Council's allocated works program to undertake more minor works. Advocating to electricity and telecommunications authorities to improve their levels of service is a key action in the Strategy. Over the medium to longer term, more complex or major works will be the subject of resource bids proposed to Council to secure funds for their implementation. Opportunities for funding major works will also be pursued through State and Federal grants programs.

The DBP Revitalisation Strategy is based on research into the infrastructure and approach that are required to support and grow a diverse and dynamic place of enterprise. The programs within the strategy respond to the practical needs of the DBP in a logical systematic way. Over time the implementation of the Strategy will produce the improvements to the infrastructure and public domain that will result in more intense business activity, economic growth and more jobs.

This report recommends that the information contained in the report on Dunheved Business Park Revitalisation Strategy be received and that the Revitalisation Strategy is adopted as its policy for the ongoing improvement of the business park.

The report further recommends that Council continue to work with the Penrith Valley Chamber of Commerce and the Penrith Business Alliance on the revitalisation of Dunheved Business Park.

Introduction

The DBP is located immediately adjacent to the suburb of St Marys and the main Western Railway Line to Penrith and Sydney. It is divided into Northern, Southern and Eastern precincts, as illustrated in Figure 1.

The draft Dunheved Business Park Revitalisation Strategy ("the Strategy") has been prepared to guide the ongoing improvement of the infrastructure and public domain of the DBP by Council, service authorities, developers and existing businesses. The Strategy defines a future vision for the DBP and a set of objectives with a supporting framework of actions and investigations to achieve them.

The initial impetus for revitalisation of DBP originated from discussions between Council and the Penrith Valley Chamber of Commerce (the Chamber) in mid 2009. Council has demonstrated a long history of upgrades and maintenance in areas such as pavement and kerb and gutter. However, Council and the Chamber both felt that it was appropriate to seek a comprehensive and strategic approach to revitalise the appearance, public domain and infrastructure of the DBP, with particular emphasis to be given to the North and South precincts.

DBP is one of the major employment precincts within Penrith City and plays a strategic role due to its high employment densities. DBP has an area of approximately 290 hectares and according to ABS data, employs over 4300 people. Continuing improvements are deemed necessary to attract workers, developers and investors to this place to sustain it in the long-term.

DBP is well placed to take advantage of the future infrastructure expansion that will occur in the next few decades across Western Sydney. One of the drivers for this expansion will be the proposed development of the Badgerys Creek Airport site and the planned major road and rail expansion in this region. DBP can take advantage of the manufacturing spin offs that will result from this development.

Partnership Approach

A partnership was formed with the PVCC to address concerns they had raised about the perceived under investment by all levels of government in the revitalisation of the DBP. The agreed approach to the improvement of this significant employment area was to jointly prepare an infrastructure revitalisation strategy to methodically assess what needs to be done and how it should be done. The draft Dunheved Business Park Infrastructure Revitalisation Strategy attached to this report has been prepared in consultation with the PVCC.

A first step in the preparation of the Strategy was a survey of businesses in the North and South Precincts. This survey was jointly funded by the PVCC and the Penrith Business Alliance who also expressed an interest in the results. Consequently, a survey was undertaken by Council in conjunction with students from UWS. The results of this survey were reported to Council on 24 March 2014.

Together with other research undertaken by Council, the survey provided valuable user information that better informed the preparation of the Strategy.

Vision for Dunheved Business Park

In consultation with the PVCC a future vision for the long term development of the DBP was prepared to assist in providing direction for the preparation of the Strategy. The vision stated in the Strategy is as follows:

As a major employment area for western Sydney, the Dunheved Business Park will be a sustainable, attractive and dynamic place of industrial enterprise that provides quality jobs, with easy access to its markets.

The vision enables all stakeholders in the DBP to understand what Council and partners are working together to achieve.

Business Survey Key Issues

The results and analysis of the Business Survey (the Survey) were reported to Council on 28 April 2014. The 211 businesses surveyed nominated following key issues that to be addressed:

- stormwater drainage improvements
- signage for way finding and identity
- electricity supply reliability
- telecommunications improvements
- public transport availability;
- rubbish dumping
- safety and security
- street lighting improvements
- streetscape improvements
- additional road access to the northern precinct

The survey results and issues identified by the Survey have informed the preparation of this Strategy and the actions recommended by this report.

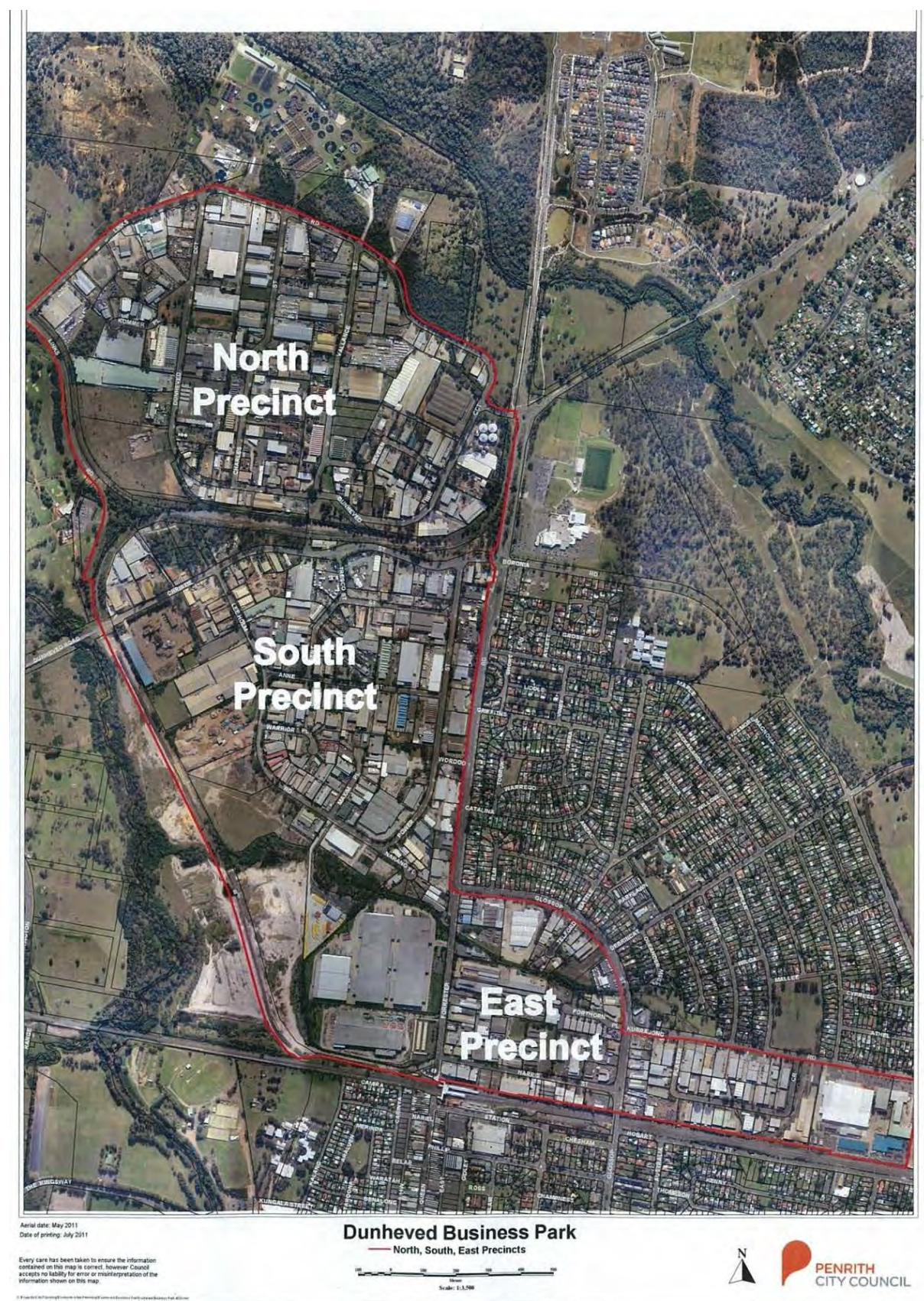


Figure 1: Dunheved Business Park and Precincts

Strategy Components

The Dunheved Business Park Revitalisation Strategy proposes a range of infrastructure and public domain improvements. These improvements are identified under a number of themes including:

- Opportunities and priorities for the revitalisation and upgrade of Council-owned infrastructure
- Priorities and strategies for revitalisation and upgrade of the public domain
- Public utilities infrastructure
- Determine other matters requiring investigation and a place management approach.

Not all elements of the DBP Revitalisation Strategy are funded, some elements require adjoining development to go ahead and others will require advocacy to other levels of government. Importantly it is also recognised that significant improvements to the amenity of the business park will be made through the efforts of the property owners and businesses themselves, through their own actions and presentation of their sites.

This Revitalisation Strategy is aspirational in approach, many elements will take years to achieve and require the partnership of other levels of government. Council has over many years made improvements to the area and these will continue. Further funding will be sought for a comprehensive 'way finding' system that will be developed as a component of the proposed Signage and Estate Entrance Plan. A Streetscape Improvement Plan is also proposed.

The Dunheved Link Road and proposed rail corridor re-development is proposed to be funded by the subdivision and land sales generated by the signing of the draft Planning Agreement.

A summary of the key strategies proposed and why they are considered necessary for revitalisation is outlined below.

Dunheved Link Road and Rail Corridor

The Dunheved Link Road is a key priority for stimulating the expansion of the Dunheved Business Park and the establishment of new industrial areas on the former ADI site. The Dunheved Link Road will provide a new direct access between the northern and southern precincts of the DBP. It will 'link' DBP with the future 'employment' precincts now owned by Lend Lease (former ADI site) and will enhance the connectivity of both areas to their markets and help grow and sustain jobs.

A Deed of Agreement to facilitate the construction of the Link Road is programmed to be signed this year and the filling of the rail corridor to be completed by the end of 2015.

Roadworks and Resealing

Council's Roadworks and Resealing Program has overcome a previous backlog of road pavement and kerb works throughout the DBP. This program will continue with preliminary proposals for work to be done at the following sites:

- The sealing of roadside parking areas at three sites within Dunheved Circuit, Vallance Street and Power Street.
- Kerb and gutter works between Christie Street and Dunheved Circuit along the northern and western side of Links Road potentially to be carried out by developers
- Footpath paving works to rectify "missing links" within DBP.

Signage and Estate Entrance Plan

A detailed signage design for way finding and place identity will be prepared to improve navigation to and around the DBP. In general terms the signage design will be based on a hierarchy with entrance walls, lighting and landscaping at major entrances and directional signage at secondary entrances and within the business park.

Streetscape Improvement

An upgrade to the streetscape and general appearance of the business park will help to enhance the image of the area and encourage new investment. Street tree planting and landscaping is recognised as a key element in improving the appearance of DBP. Attractive streetscapes are known to improve property values and encourage civic pride in an area.

Other matters

In addition to the four main actions outlined above, there are a number of issues that will require advocacy such power supply and internet issues. Other matters requiring investigation include public transport, dumping and security, parking on turfed footpath areas, and the longer term provision for a Business Park Centre Facility to service employees.

Conclusion

The draft Dunheved Business Park Revitalisation Strategy has been prepared to guide the ongoing improvement of its infrastructure and public domain. The DBP has a unique status as one of the major employment precincts within the Penrith LGA and plays a strategic role for business and employment growth in the City. The Strategy describes a vision for the future of the place and a program of actions for all stakeholders to improve, it in partnership, in the long term. Its adoption by Council will facilitate an integrated response to its ongoing improvement.

RECOMMENDATION

That:

1. The information contained in the report on Dunheved Business Park Revitalisation Strategy be received
2. Council adopt the Dunheved Business Park Revitalisation Strategy as its policy for the ongoing improvement of the place.
3. Council continue to work with the Penrith Valley Chamber of Commerce and the Penrith Business Alliance on the revitalisation of Dunheved Business Park. .

ATTACHMENTS/APPENDICES

1. Dunheved Business Park Revitalisation Strategy 16 Pages Attachments Included



Dunheved Business Park Revitalisation Strategy

June 2014

Dunheved Business Park Revitalisation Strategy

Executive Summary

The Dunheved Business Park (DBP) is one of the major employment precincts within Penrith and plays a strategic role for business and employment growth in the City. It has an area of 290 hectares and employs over 4300 people. A partnership between Council and the Penrith Valley Chamber of Commerce (PVCC) was formed to improve the long-term viability of the DBP. The first step in this partnership has been to prepare a strategy for improving infrastructure and the general presentation.

The purpose of this Strategy is to provide a vision for Council, land owners, business operators, the community and service providers of how the DBP may be developed in the future. The Strategy proposes to achieve a vision for DBP as a sustainable and dynamic employment area through a range of supporting revitalisation programs for infrastructure and public domain assets.

The preparation of the Strategy involved wide ranging internal investigations into the state of the current infrastructure and public domain assets. It was also informed by a survey in July 2013 of 211 businesses in the northern and southern precincts of the DBP seeking their opinions on a range of issues regarding the look and function of the business park. The survey jointly funded by Council, PVCC and the Penrith Business Alliance (PBA) identified localised flooding, business park identity, electricity outages, telecommunications and security as key issues. To address these and other issues the Strategy proposes infrastructure upgrades of the following assets:

- roads and drainage
- signage for wayfinding and identity,
- street lighting
- street trees as well as
- electricity and telecommunications services

Allied to these proposed infrastructure improvements, will be Council's continued improvement in the delivery of maintenance and community protection services such as rubbish removal, drain cleaning, road repairs and responses to litter and illegal dumping. A place management approach is proposed, working with local partners such as the PVCC to bring property owners and business operators together to work collaboratively on improving the amenity of business park.

Implementation of the strategy will be over many years and will require additional funding over time. In the shorter term, it is proposed to utilise available recurrent funding within Council's allocated works program to undertake more minor works. Advocating to electrical and telecommunications authorities to improve levels of service is a key action identified within the Revitalisation Strategy. Over the medium to longer term, more complex or major works will be the subject of resourcing bids proposed to Council to secure funds for their implementation. Opportunities for funding major works will also be pursued through State and Federal grants programs.

The DBP Revitalisation Strategy is based on research into the infrastructure and approach that are required to support and grow a diverse and dynamic place of enterprise. The programs within the strategy respond to the practical needs of the DBP in a logical and systematic way. Over time the implementation of the Strategy will produce the improvements to the infrastructure and public domain that will result in more intense business activity, economic growth and the provision of more jobs.

1. Vision for Dunheved Business Park

A future vision for the long-term development of the DBP has informed the preparation of this Strategy. The vision enables all stakeholders in the DBP to understand what Council and partners are working together to achieve.

Dunheved Business Park Vision

As a major employment area for western Sydney, the Dunheved Business Park will be a sustainable, attractive and dynamic place of industrial enterprise that provides quality jobs, with easy access to its markets.

This vision will be achieved through the offer a small commercial core to facilitate business and provide employee services, as well as being highly accessible by road, public transport, bicycle and on foot.

People will be attracted to invest and work in the business park by its standard of building and landscape design and the cleanliness and safety of its streets. An ample supply of water, sewerage services, electricity, gas and telecommunications to contemporary standards will be immediately available to new and existing businesses.

Businesses will work collaboratively, supporting the vision by being aware of their own presentation and liaising with Council and the Chamber of Commerce to market and promote the DBP. Together with the provision of high quality street lighting, signage and entrance treatments, the business park will be known widely as a leading place of enterprise.

2. Background and Context for Strategy

The purpose of this Strategy is to provide a rationale for revitalisation of DBP infrastructure and public domain, a mechanism for how it will be achieved and an explanation of particular outcomes for delivery. The Strategy has been developed to attract new businesses to DBP as well as supporting those operators that are currently located in the area.

The land that much of Dunheved Business Park is situated on was first developed in 1941 as the St Marys Industrial Estate. Some of the infrastructure on the business park, particularly drainage and street patterns in the north and south precincts were developed at this time and have not been upgraded since.

Strategic Employment Context

The DBP is located immediately adjacent to the suburb of St Marys and the main Western Railway Line to Penrith and Sydney. It is divided into Northern, Southern and Eastern precincts, as illustrated in Figure 1.

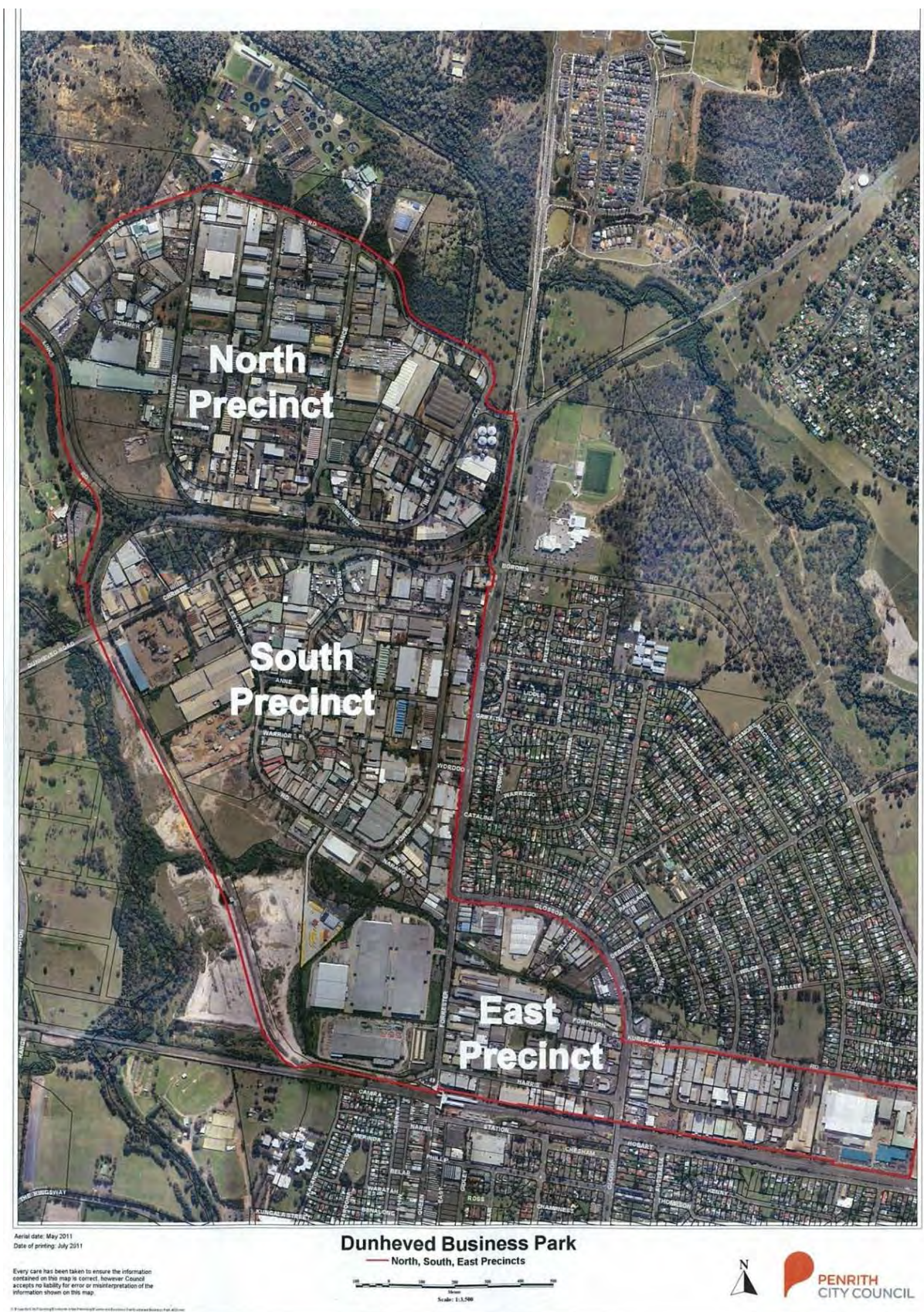


Figure 1: Dunheved Business Park and Precincts

DBP is one of the major employment precincts within Penrith City and plays a strategic role due to its high employment densities. DBP has an area of approximately 290 hectares and according to ABS data, employs over 4300 people.

Council is committed to ensuring the continued growth and viability of this important employment area by supporting a coordinated approach to infrastructure and public domain improvements.

DBP is well placed to take advantage of the future infrastructure expansion that will occur in the next few decades across Western Sydney. One of the drivers for this expansion will be the proposed development of the Badgerys Creek Airport site and the planned major road and rail expansion in this region. DBP can take advantage of the manufacturing spin offs that will result from this development.

The initial impetus for revitalisation of DBP originated from discussions between Council and the Penrith Valley Chamber of Commerce (the Chamber) in mid 2009. Council has demonstrated a long history of upgrades and maintenance in areas such as pavement and kerb and gutter. However Council and the Chamber both felt that it was appropriate to seeking a comprehensive and strategic approach to revitalise the appearance, public domain and infrastructure of the DBP with particular emphasis to be given to North and South precincts.

3. Dunheved Business Park Survey

Survey Background

An important step in the development of the DBP Revitalisation Strategy was a survey to produce a data base of business operators, gain a greater understanding of employment levels across the survey area and seek feedback on a range of Council and other services.

The survey area for this project was limited to the northern and southern precincts, as illustrated in Figure 1. These areas were developed first and reflect a lower level of amenity. The survey demonstrated that approximately 3,000 people are employed in the north and south precincts which includes the undeveloped rail corridor lands (15 ha). These two areas, with a total area of 244 ha have also been identified as the prime focus of the Dunheved Business Park Revitalisation Strategy.

The survey was carried out by students from the University of Western Sydney between March and July 2013 with a total of 211 businesses participating. A report on the DBP survey including a comprehensive analysis was presented to Council on 28 April 2014.

Survey Results

Initial land use investigations have showed that approximately 80% of DBP has been developed to date. However, the survey has revealed that a significant number of properties are either vacant, used for storage or include a number unoccupied units. This is demonstrated by data that indicates that the percentage of North DBP with 'operating' businesses (showing signs of active daytime employment) is 51.6%, for South DBP is 53.9% and overall for both North and South DBP is 52.7%. This reflects that there is significant latent employment potential across the DBP.

The results of the survey of DBP provides project partners with an indication 'snapshot' of the health of the place that will inform the development of this Strategy.

Key Issues Emerging from Businesses Survey

The survey raised the following key issues:

1. Council-owned infrastructure – drainage, signage and street lighting;
2. Public utilities infrastructure – power supply, telecommunications and internet and public transport;
3. Streetscape appearance;
4. Dumping and security issues and
5. Entry points to DBP and the need for a second (northern) entrance to the estate.

The DBP Survey revealed that there are a number of infrastructure issues of concern to businesses that Council would be in the best position to address. This includes road pavement works, kerb and gutter works, path paving, street lighting, signage and estate entrance treatments, street tree planting and bus shelter infrastructure.

The survey not only provided substantial information on businesses, but also allowed officers to gain a better understanding and appreciation of issues and required actions necessary to revitalise DBP. The results and issues identified by the survey have therefore significantly informed the preparation of the Dunheved Business Park Revitalisation Strategy.

These issues are discussed in more detail in Appendix 1 to this report. A map showing the location of streets within DBP appears at Figure 2.



4. Dunheved Business Park Revitalisation Strategy

Strategy Components

The Dunheved Business Park Revitalisation Strategy proposes a range of infrastructure and public domain improvements. These improvements are identified under a number of themes including:

- Opportunities and priorities for the revitalisation and upgrade of Council-owned infrastructure
- Priorities and strategies for revitalisation and upgrade of the public domain
- Public utilities infrastructure
- Determine other matters requiring investigation and a place management approach.

Not all elements of the DBP Revitalisation Strategy are funded, some elements require adjoining development to go ahead and others will require advocacy to other levels of government. Importantly it is also recognised that significant improvements to the amenity of the business park will be made through the efforts of the property owners and businesses themselves, through their own actions and presentation of their sites.

This Revitalisation Strategy is aspirational in approach, many elements will take years to achieve and require the partnership of other levels of government. Council has over many years made improvements to the area and these will continue. Further funding will be sought for a comprehensive 'way finding' system that will be developed as a component of the proposed Signage and Estate Entrance Plan. A Streetscape Improvement Plan is also proposed.

The Dunheved Link Road and proposed rail corridor re-development is proposed to be funded by the subdivision and land sales generated by the signing of the draft Planning Agreement.

A summary of the key strategies proposed and why they are considered necessary for revitalisation is outlined below.

Dunheved Link Road and Rail Corridor

The Dunheved Link Road has been identified as a key priority for stimulating the expansion of DBP and the new industrial areas on the former ADI site. The Dunheved Link Road will provide direct access between the northern and southern precincts of the business park. It will 'link' DBP with the future 'employment' precincts owned by Lend Lease (former ADI site) and will enhance the viability of both areas and the ability of these estates to grow and sustain jobs. It is proposed that a new, signalised 4-way intersection will be provided at the intersection of Christie Street and Lee Holm Road to connect with Links Road.

Council estimates that the Dunheved Link Road will cost in the order of \$8 million, based on preliminary concept designs. The land is 66% owned by companies associated with Lend Lease and 34% owned by Penrith City Council.

Penrith City Council and Lend Lease commenced discussions in 2006 on the development of lands owned by both parties located within the disused rail corridor land located between Christie Street and Dunheved Circuit.

On 8 November 2010, Council resolved to undertake negotiations with Lend Lease to enter into a Deed of Agreement to enable a funding mechanism for the delivery of the Dunheved

Link Road and accordingly profits generated through joint land sales will be applied to the funding of the proposed Link Road.

The Chamber of Commerce, PBA, business operators and Councillors alike have long expressed a desire for an additional second entrance to the estate to be provided at Christie Street and Lee Holm Road. One of the key issues that emerged from the survey was the need for a second northern entrance to the estate, both for access and safety reasons.

Investigations have commenced to identify opportunities for forward funding of the Link Road as it is nominated for delivery in Council's Delivery Program 2013-2017. Council has advocated for the State Government to accelerate construction of the Dunheved Link Road via a grant or an interest-free loan with repayments matched to land sales. Council officers will continue to ensure that the Dunheved Link Road stays on the Government's agenda.

Revitalisation of the DBP will be assisted through the filling, re-subdivision and development of Lend Lease corridor land with Council-owned land located between Christie Street and Dunheved Circuit. It offers the opportunity in the medium term to expand the area of DBP by 15 ha to create a new development precinct with direct frontage to Christie Street.

The Plan proposes to facilitate the delivery of the new link road by preparing a business case which would examine the costs and socio-economic benefits of the project and, in particular, estimates the economic multiplier effects resulting from the project.

It is currently anticipated that the Deed of Agreement will be signed this year and the filling of the rail corridor to be completed by the end of 2015. The next steps in this project are as follows:

- Finalise design of signalised intersection with RMS and Lend Lease at Christie Street, Links Road and Lee Holm Road;
- Finalise and sign Deed of Agreement (Planning Agreement);
- Fill and subdivide rail corridor lands;
- Market and sell land;
- Construct link road.

It is proposed that this work will be funded by the sale of jointly owned lands.

Roadworks and Resealing

Road condition and repair are important issues within areas such as DBP with many heavy traffic movements per day. The loads on the roads within and surrounding the area are significant and careful attention is required to ensure that surfaces do not fail and lead to damage of plant and transported materials.

Council's Roadworks and Resealing Program has resulted in the road pavements within DBP being regularly upgraded over the past 40 years. Since investigations commenced in DBP in November 2009, Council's City Works Department has re-sheeted all remaining roads within DBP so that all 21 roads are now considered to be in good condition. In addition, Council has completed kerb and gutter works along the northern side of Links Road west to Dunheved Circuit and in the northern end of Vallance Street. Council has also repaired and re-sheeted roadside parking areas along Power Street between Anne Street and Bent Street.

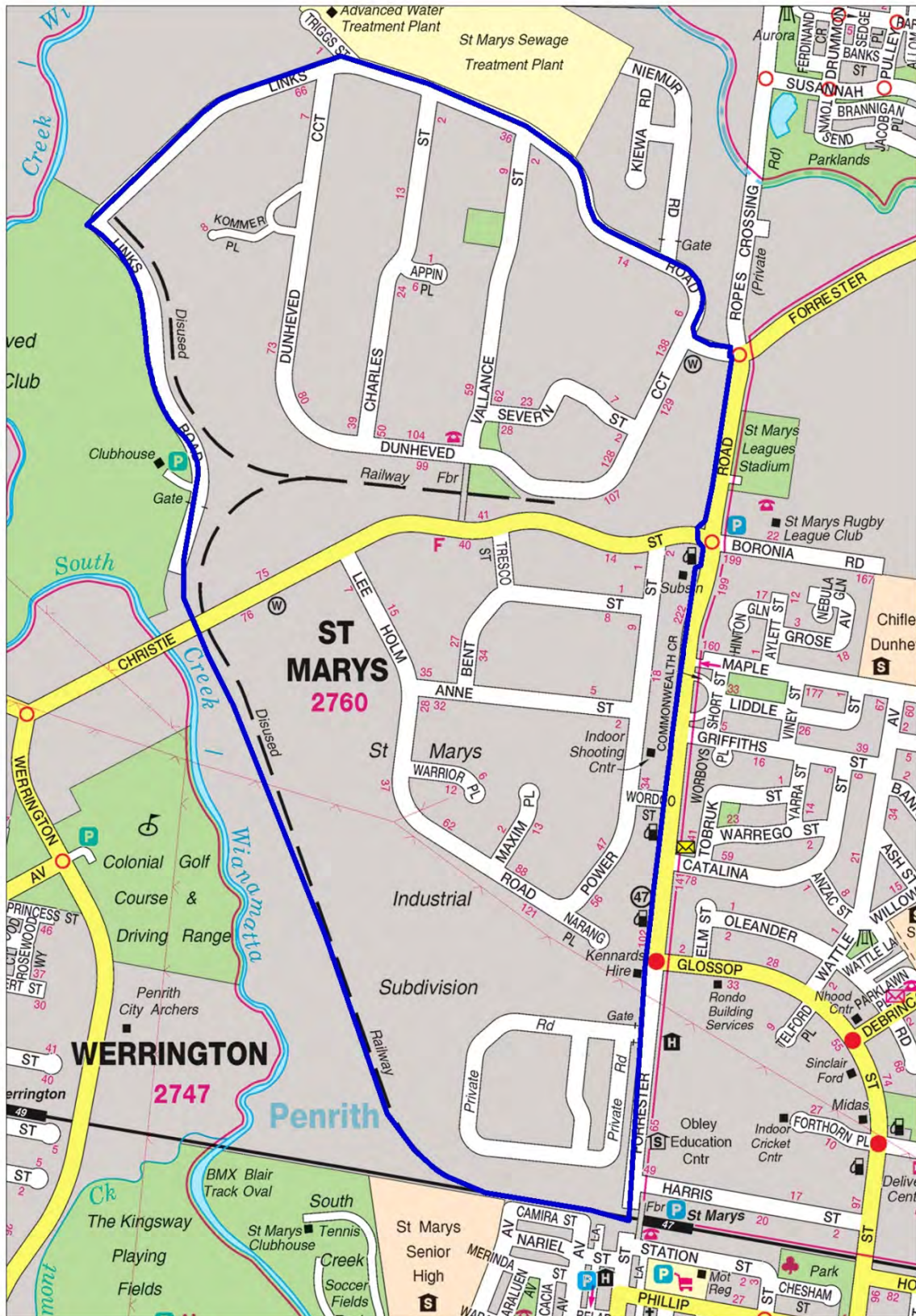


Figure 2
Street Map – Dunheved Business Park

This Plan proposes the completion of remaining works:

- The sealing of roadside parking areas at three sites within Dunheved Circuit, Vallance Street and Power Street. It is proposed that this is to be funded by the City Works Program over subsequent years,
- Kerb and gutter works between Christie Street and Dunheved Circuit along the northern and western side of Links Road to be carried out by the developer Lend Lease at the time of construction of the proposed Dunheved Link Road,
- Footpath paving works are proposed at various identified sites identified by the strategy to connect “missing links” within DBP. The completion of the remainder of the sites is yet to be fully programmed, as this will be a long-term objective.

These proposed works, along with ongoing timely responses to road maintenance issues will support the revitalisation of the business park.

Signage and Estate Entrance

One of the key findings identified in the report on the DBP survey has been the need for identifiable entrances to the business park, with attractive landscaped entrance statements. In addition to this is the requirement for a second northern entrance to DBP. This approach has been confirmed by feedback to the Chamber.

The Revitalisation Strategy proposes the following work:

- Installation of new signage to identify entrances to the business park
- Design and construction of entrance treatments including entrance walls, lighting, landscaping including public art identifying the name of the business park and the four major entrances to DBP. These sites are located at
 - Christie Street (at the bridge crossing over South/Wianamatta Creek),
 - Forrester Road & Links Road,
 - Christie Street & Lee Holm Road and finally at the proposed future intersection at
 - Christie Street & Links Road – refer to Figure 2 for street map.
- Installation of signage at two locations
 - Forrester Road & Wordoo Street and
 - Christie Street & Power Street.

This work will require the appointment of a suitably qualified consultant with graphic design experience, enabling detailed cost estimate for future resource bids.

Streetscape Improvement

Feedback from property owners and businesses through the survey have indicated that an upgrade to the streetscape and general appearance of the business park would enhance the image of the area and encourage new investment. Street tree planting and well maintained landscaping is recognised as a key element in improving the appearance of DBP.

This Revitalisation Strategy proposes a number of elements that support public domain enhancement including:

- A selective and staged program of street tree-planting and landscaping that will target the most suitable locations and streets within DBP to establish more presentable streetscapes, within this program Christie Street to be identified as a ‘presentation street’,
- Tree-planting along the major loop roads within DBP (Links Road, Dunheved Circuit, Lee Holm Road and Power Street).

These works will be the subject of a detailed design and budget proposal that would be further considered by Council.

Other Matters for Investigation and Recommended Actions

In addition to the four priority issues outlined above, it is also proposed that a number of other matters are further investigated or referred to other agencies for resolution.

The DBP Survey of Businesses identifies three key issues of concern for business and property owners. A number of other matters have also been identified either through discussion with the Chamber or by Council.

Drainage Investigation

A primary issue raised concerning Council owned infrastructure is drainage. The drainage network is prone to localised flooding problems and drainage failures during periods of intense or prolonged rain. The drainage network was constructed in the 1940s, explaining the limitations of the current system.

Although a major drainage upgrade of the northern and southern precincts would be desirable, it would require significant funding. Council currently prioritises flood studies in residential and commercial areas ahead of industrial areas due to the lower risk profile of industrial areas.

As funds become available an audit of existing drainage infrastructure in DBP would contribute to Council's overall strategy for flood studies within the LGA.

Power Supply

Power supply blackouts and fluctuations have been identified as a key concern for local businesses for reasons of loss of operating time and inconvenience. Power surges cause damage to machinery and computers, resulting in down time for businesses. Many surveyed felt there was a need for power supply authorities (Endeavour Energy) to better inform businesses during power outages so that operators can make informed decisions about when power will be re-established to sites.

Potential loss of business time is an impediment to attracting new operators to the area and it is proposed to actively engage with the energy supply company to address concerns of businesses and support an interim communication strategy.

Telecommunications and Internet

Many of the businesses within the DBP have identified significant level of dissatisfaction with phone and Internet services. Typical issues include complete loss of phone service, noise on the line, intermittent loss of internet connection coupled with slow internet speeds and limited telephone, mobile and internet service in some areas.

This issue will require advocacy with Telstra and appropriate service providers to raise awareness of the concerns and seek a resolution.

Public Transport

DBP is currently not well served by public transport, impacting on employment options particularly for younger people. Currently the most frequently used form of transport for work related journeys are by private vehicle. This limits options for people who are reliant on public transport; it also results in many businesses having inadequate provision for car parking with many private vehicles spilling onto the road network or footpath network.

Enhanced bus servicing of the business park is the most likely option for improving public transport. The first step is to promote existing bus services to businesses within the area to

ensure that they are aware of options for employees. Further to this an investigation into the existing and future demand for bus stops and shelters along Christie Street and Forrester Road is required.

Dumping and Security Issues

A number of operators have identified that litter and illegal dumping in the business park contributes to a poor overall amenity. Council has a Litter Management Strategy that applies to all areas of the city. In DBP a street-sweeper service operates twice per week and a litter pick-up and dumping patrols operate monthly.

Businesses require further information and support to understand the importance of reporting illegal dumping quickly, rather than waiting for the dumping patrol, to reduce the impact on the business park.

Unauthorised Parking on Council Footpaths

Parking on footpaths has become a chronic problem on some sites, leading to damage to the footpath network and creating a barrier and safety issue to pedestrians. Anecdotal information supports that the most incidents occur where approved on-site parking areas are used as storage or where particular land uses such as smash repair stations are operating.

This issue will be identified to business operators and resolved prior to any street- tree planting programs being initiated.

Business Park Centre Facility

An opportunity exists for a centrally-located Business Park Centre Facility to be established on Council-owned land on Christie Street adjacent to the existing footbridge. This facility could potentially include a conference and training facility, convenience store, post office and café/paved meeting place to service the daily needs of local employees.

Council will investigate the business case and commercial feasibility of establishing a Business Park Centre Facility or 'hub' to service the daily needs of employees on centrally-located Council-owned land fronting Christie Street. This facility would be located to take advantage of existing bus and pedestrian routes.

Truck Parking

Truck parking on streets or vacant land is a chronic issue in DBP. Unauthorised truck and car parking adjacent to Dunheved Circuit occurs frequently and has resulted in significant damage to the reserve near Kommer Place. Workers from nearby factories in lunch breaks also use this reserve. This requires further investigation now for the possible installation of bollards to prevent unauthorised parking and damage.

The provision of a sealed truck parking facility has been raised by a number of business owners within the DBP. This issue requires further investigation including detailed costing.

Special Development Projects

Many of the issues raised regarding the amenity of the DBP could be addressed through greater cooperation between business operators. The overall 'poorly kept' appearance could be improved through businesses themselves taking greater care in the maintenance of their buildings and surrounds.

The DBP will benefit from a greater place management approach, bringing land owners and businesses together to share information and assess their willingness to participate in the revitalisation process.

5. Conclusion

The Dunheved Business Park (DBP) is one of the major employment precincts within Penrith and plays a strategic role for business and employment growth in the City. The purpose of this Strategy is to provide a vision for Council, land owners, business operators, the community and service providers of how the DBP may be developed in the future. The Strategy proposes to achieve a vision for DBP as a sustainable and dynamic employment area through a range of supporting revitalisation programs for infrastructure and public domain assets.

The Strategy seeks to enhance the streetscape and general appearance of the public domain with the aim to support businesses already located within the business park as well as attracting new development and investment. Other issues of importance to businesses as identified during a recent survey have been incorporated into the Strategy, including a number of advocacy issues that relate to State and Federal government and utilities providers.

Penrith City Council has undertaken considerable works across DBP with all roads having been resheeted in recent years and considered in good condition. Lighting upgrades have been completed and a number of clean ups organised. The Revitalisation Strategy builds on these works and the recently completed business survey to bring a coordinated approach to future works and activities.

The Penrith Valley Chamber of Commerce has expressed an interest in partnering on future activities within the DBP. The ongoing engagement of business and property owners will be a key consideration in the enhancement and marketing of the park as a sustainable, attractive and dynamic place.

Key Issues Emerging from Businesses Survey

The business community nominated five key issues emerging from the survey to be addressed and these are summarised below:

1. Council-owned infrastructure – drainage, signage and street lighting;
2. Public utilities infrastructure – power supply, telecommunications and internet and public transport;
3. Streetscape appearance;
4. Dumping and security issues and
5. Entry points to DBP and the need for a second (northern) entrance to the estate.

The DBP Survey revealed that the category of infrastructure that Council would be in the best position to address would be those matters under its direct control. This includes road pavement works, kerb and gutter works, path paving, street lighting, signage and estate entrance treatments, street tree planting and bus shelter infrastructure.

The results and issues identified by the survey have informed the preparation of the Dunheved Business Park Revitalisation Strategy and the actions recommended by this report.

These issues raised by businesses are summarised below.

Council-Owned Infrastructure

Drainage

The primary issue raised concerning Council owned infrastructure is localised flooding problems and drainage failures which can be explained by the limitations of the original drainage network which was constructed in the 1940s. Although a major drainage upgrade of the northern and southern precincts would be desirable, it would require significant funding from State or Federal Governments, which is presently not available. Furthermore, Council prioritises flood studies in residential and commercial areas ahead of industrial areas due to the lower risk profile of industrial areas.

Any audit of existing drainage infrastructure in DBP must form part of the prioritised drainage works and Council's overall strategy for flood studies within the LGA.

Signage

Businesses have requested a major upgrade to signage within the business park that clearly indicates the locations of North and South DBP and the access points for these two precincts.

We recognise that an upgrade to signage and estate entry points within the business park is required to provide for readily identifiable estate entrances with landscaped entrance statements. A strategy has been prepared to address this issue.

Street Lighting

The third ranked issue for business operators concerning Council infrastructure is street lighting. Council has now completed street lighting upgrades to a P4 lighting standard for the entire estate including intersections along Christie Street.

Other Issues

The Survey also uncovered some other more minor issues to be addressed including road upgrades, on-street parking, speeding, truck parking. Council has addressed the first and last issues and the others are addressed in the Survey report.

Public Utilities Infrastructure

Power Supply

Power supply blackouts and fluctuations have been identified as the most frequently raised concern by local businesses for reasons of loss of operating time and inconvenience. Power surges have caused damage to machinery and computers and down time in businesses. Many surveyed felt there was a need for power supply authorities (Endeavour Energy) to better inform businesses during power outages so that businesses can make informed decisions about when power will be re-established to sites.

Telecommunications and internet

Dissatisfaction with phone and internet was the second most frequently raised issue in relation to utilities. Typical issues include loss of phone line, noise on the line, loss of internet connection and slow internet speeds and there is limited telephone, mobile and internet service in some areas of the estate.

Public transport

The third most important issue raised by businesses in relation to State Government services was the lack of public transport especially buses at peak hour and has been identified as an issue for young employees who do not drive. There is a need to investigate the demand for public transport and options for improving access to public transport and publicising these services to current employees.

Streetscape Improvements

Some survey responses indicated that an upgrade to the streetscape and general appearance of the business park would help to enhance the image of the area and encourage new investment. This upgrade includes both public domain and private domain where there is a role for both Council and private property owners.

Survey comments indicate that maintenance of the public domain should include litter reduction, tree-planting, maintenance of kerb and gutter, footpaths and other infrastructure, maintenance of mown Council nature-strips (footpath areas) and construction of additional Council footpaths.

Two major Council clean-ups in recent years have signalled Council's commitment to enhancing the appearance of DBP and the business community has also shown a heightened awareness of the need to mow and remove litter from the footpath areas adjacent to their individual properties.

Dumping and security issues

Illegal Dumping

Illegal dumping of rubbish at night is a problem common to the whole of DBP that needs to be managed consistently.

Security

Business owners, especially those in quieter streets, advised survey staff that break-ins, theft and street racing were a concern. A multi-pronged approach needs to be adopted to address this problem which may include additional upgraded lighting, weekend police patrols and possibly installation of CCTV could improve security.

Estate Entry Points and Second (Northern) Estate Entrance

One of the key findings of the Survey were requests for identifiable estate entrances with attractive landscaped entrance statements. There was also strong support for an additional (northern) entrance to the estate.

Estate Entry Points

The main entry to the north side of DBP at Forrester Road and Links Road is very unsightly and respondents suggested that this could benefit from an upgrade. It was suggested by survey respondents that this entry requires the name, a business directory board and a substantial landscaped entrance statement.

Second (Northern) Estate Entrance

Businesses surveyed indicated that an additional (second) entrance to the northern end of the business park would be of substantial benefit as traffic becomes a problem particularly in the afternoon peak. Businesses suggested that the construction of a new of a new link road between north and south is a good way to achieve this, but point out that the footbridge or alternative pedestrian/cycleway link should remain as it is used by many employees.

The survey results and issues identified by the Survey have informed the preparation of the Dunheved Business Park Revitalisation Strategy and the actions recommended by this report.

Appendix 3 – Traffic and Parking Assessment

Appendix 4 – Addendum to Traffic and Parking Assessment

Appendix 5 – Preliminary Contamination Investigation

Appendix 6 – Phase 1 Environmental Site Assessment

Confirmed Minutes

Delivery Program Reports

Outcome 2 - We Plan For Our Future Growth

1 Planning Proposal - Request to permit a service station at 61-73 Christie Street, St Marys Marys

376 RESOLVED on the MOTION of Councillor Greg Davies seconded Councillor Tricia Hitchen

That:

1. The information contained in the report on Planning Proposal - Request to permit a service station at 61-73 Christie Street, St Marys be received.
2. Council commence a Gateway process for the ultimate consideration of a Planning Proposal to permit a service station at 61-73 Christie Street, St Marys in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
3. The General Manager be granted delegation to update and finalise the Planning Proposal, written instrument and associated maps before submitting it to the Department of Planning and Environment seeking a Gateway Determination.
4. Council publicly exhibit the Planning Proposal to permit a service station at 61-73 Christie Street, St Marys for a period to be specified in the Gateway Determination, in accordance with the community consultation requirements under Section 57 of the Environmental Planning and Assessment Act 1979 and in a form consistent with any revisions of the Planning Proposal directed by the Department of Planning and Environment as part of the Gateway Determination.
5. A further report be presented to Council following the Public Exhibition.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

For

Against

Councillor Prue Car MP
Councillor Greg Davies
Councillor John Thain
Councillor Ross Fowler OAM
Councillor Maurice Girotto
Councillor Kevin Crameri OAM
Councillor Mark Davies
Councillor Ben Goldfinch
Councillor Tricia Hitchen
Councillor Bernard Bratusa
Councillor Marcus Cornish
Councillor Karen McKeown

1 Planning Proposal - Request to permit a service station at 61-73 Christie Street, St Marys

Compiled by: Krishti Akhter, Planner

Authorised by: Paul Grimson, City Planning Manager

Outcome	<i>We plan for our future growth</i>
Strategy	<i>Ensure services, facilities and infrastructure meet the needs of a growing population</i>
Service Activity	<i>Maintain a contemporary framework of land use and contribution policies, strategies and statutory plans</i>

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

Executive Summary

Council has received a draft Planning Proposal requesting an amendment to *Penrith Local Environmental Plan (LEP) 2010* to permit a service station at 61-73 Christie Street, St Marys. The site is zoned IN1 General Industrial under Penrith LEP 2010 which prohibits service stations. It is proposed to permit a service station on the site by listing *service station* as an additional permitted use on the site in *Schedule 1 Additional Permitted Uses* of Penrith LEP 2010 and the relevant additional permitted uses map.

This report presents a summary of the officer's review of the draft Planning Proposal and seeks Council's endorsement to forward the draft Planning Proposal to the Department of Planning and Environment and to seek a 'Gateway Determination' to commence the LEP amendment process.

Background

On 10 September 2015, Council received a draft Planning Proposal requesting an amendment to *Penrith Local Environmental (LEP) Plan 2010* to permit a service station as an additional permitted use on 61-73 Christie Street, St Marys. The site is zoned IN1 General Industrial under Penrith LEP 2010. Development for the purposes of a service station is a prohibited use on land zoned as IN1 General Industrial and is therefore prohibited on the subject site.

The site comprises Lot 4, DP 701087, 61-63 Christie Street, St Marys and Lot 3 DP 701087, 69-73 Christie Street, St Marys and is situated within the Dunheved Industrial Area. The site has a combined area of 12,374m² and a frontage of approximately 115m. The eastern boundary of the site will adjoin the future Dunheved Link Road and the site will subsequently form a corner property when the intersection of Christie Street and the Dunheved Link Road is complete. A location plan showing the relationship of the site to the future Dunheved Link Road intersection with Christie Street is provided in Attachment 1.

Description of Planning Proposal

The draft Planning Proposal seeks to permit the development of a service station with consent at 61-73 Christie Street, St Marys by amending Schedule 1 – Additional Permitted

Uses of Penrith LEP 2010 and the relevant additional permitted uses map of the LEP. No amendments are proposed to the zoning of the land. The draft Planning Proposal is provided in Attachment 2.

One of the features of the proposed service station is that it will have provision for truck diesel pumps and canopy located on land adjacent to nominated B-Double routes and North and South Dunheved industrial precincts. The proposed service station is at a conceptual stage and would be planned and designed in detail in a future development application, should Council endorse the draft Planning Proposal that seeks to permit the use on the site.

Permitting the development of service station on the subject site through Schedule 1 of Penrith LEP 2010 is the preferred mechanism rather than changing the zone of the site. This mechanism will retain the IN1 General Industrial zone for the site and permit service station as an additional permitted use only on the subject site.

The alternative mechanism is to change the zone of the site. Service stations are currently permitted in the B2 Local Centre, B6 Enterprise Corridor, IN2 Light Industrial and SP3 Tourist zones. However, these zones are located away from the Dunheved Industrial Area. In addition, amending the zone of the site to either B2 Local Centre, B6 Enterprise Corridor, IN2 Light Industrial or SP3 Tourist would result in land use conflicts with the adjoining industrial land as these zones permit land uses that are incompatible with an industrial area.

Planning Proposal Justification

The justification and rationale presented in the Planning Proposal is generally supported. A service station within the existing industrial area will:

- Provide support to industry and contribute to diversity in industrial land uses;
- Serve the daily convenience needs of workers in the Dunheved Industrial Precinct by providing an ancillary service;
- Contribute to revitalising the Dunheved Business Park;
- Activate the future Dunheved Link Road intersection; and
- Service the future traffic generated by the “Western Sydney Inland Container Terminal” proposed at St Marys.

The Planning Proposal was accompanied by a Preliminary Contamination Investigation Report, Phase 1 Environmental Site Assessment Report and a Traffic Report.

A review of the Preliminary Contamination Investigation Report and Phase 1 Environmental Site Assessment Report concludes that both Lot 3 and Lot 4 are suitable for a commercial use. A review of the Traffic and Parking Assessment found that the proposal to permit service station on the site would have minimal impact to the surrounding network. The traffic impact and the proposed access arrangements would also be assessed at the DA stage.

Relationship to Dunheved Link Road

The eastern boundary of the site will adjoin the proposed Dunheved Link Road. It is proposed that the road would link the existing Dunheved Industrial Area with the future employment precincts owned by Lend Lease. Council’s Property Department, who are currently managing the Voluntary Planning Agreement for the Dunheved Link Road, have

confirmed that the proposed service station is consistent with the proposed Dunheved Link Road intersection design.

Council, at its Ordinary Meeting of 24 August 2015, resolved to endorse the principles of the proposed draft voluntary planning agreement between St Marys Land Limited (owned and controlled by Lend Lease) and Penrith Council for the Dunheved Link Road and to exhibit the draft voluntary planning agreement for a period of 28 days once it has been finalised by Council. Once this process is complete, the Link Road can be constructed.

Next Steps

Should Council endorse the recommendation, the following steps will occur in accordance with the Environmental Planning and Assessment 1979:

1. Council Officers will continue to update the Planning Proposal, written instrument and associated maps.
2. Council will forward the Planning Proposal to the Minister for Planning, seeking a 'Gateway Determination' and authorisation that the LEP plan making process may proceed.
3. Council Officers will liaise with the Department of Planning and Environment and negotiate any changes sought by the Department in the lead up to the Gateway Determination.
4. The Gateway Determination will, amongst other things, authorise a list of public authorities that Council must consult prior to finalisation of the Planning Proposal for public exhibition.
5. The Planning Proposal will be publicly exhibited for the period specified in the Gateway Determination.
6. Submissions to the Planning Proposal exhibition will be reviewed, and recommendations prepared for Council's consideration.
7. The Planning Proposal will be presented to Council for endorsement and then forwarded to the Minister for Planning to make the LEP.

During these processes, amendments to the draft Planning Proposal will continue to be made. These changes may result from further consultations (such as with relevant government agencies), directions or suggestions from the Department of Planning and Environment or additional technical information, that subsequently affect the draft Planning Proposal.

Council officers will update Councillors of any significant changes to the draft Planning Proposal through briefings and relevant reports.

Conclusion

The Planning Proposal seeks to amend the Penrith LEP 2010 to permit the development of a service station at Lot 4, DP 701087, 61-63 Christie Street, St Marys and Lot 3 DP 701087, 69-73 Christie Street, St Marys by amending Schedule 1 Additional Permitted Uses of Penrith LEP 2010.

The justification and rationale of the Planning Proposal is generally supported. A service station within the existing industrial area will provide support to industry, contribute to

diversity in industrial land uses and serve the daily convenience needs of workers in the Dunheved Industrial Precinct and service the future traffic generated by the “Western Sydney Inland Container Terminal” proposed at St Marys. The site is also well placed as a future corner site with the proposed Dunheved Link Road and contribute to revitalising the Dunheved Business Park Revitalisation.

RECOMMENDATION

That:

1. The information contained in the report on Planning Proposal - Request to permit a service station at 61-73 Christie Street, St Marys be received.
2. Council commence a Gateway process for the ultimate consideration of a Planning Proposal to permit a service station at 61-73 Christie Street, St Marys in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
3. The General Manager be granted delegation to update and finalise the Planning Proposal, written instrument and associated maps before submitting it to the Department of Planning and Environment seeking a Gateway Determination.
4. Council publicly exhibit the Planning Proposal to permit a service station at 61-73 Christie Street, St Marys for a period to be specified in the Gateway Determination, in accordance with the community consultation requirements under Section 57 of the Environmental Planning and Assessment Act 1979 and in a form consistent with any revisions of the Planning Proposal directed by the Department of Planning and Environment as part of the Gateway Determination.
5. A further report be presented to Council following the Public Exhibition.

ATTACHMENTS/APPENDICES

1. Location Plan	1 Page	Attachments Included
2. Planning Proposal to Permit Service Station at 61-73 Christie Street, St Marys	37 Pages	Attachments Included

Attachment 4 - Evaluation criteria for the delegation of plan making functions

Checklist for the review of a request for delegation of plan making functions to councils

Local Government Area:

Penrith City Council

Name of draft LEP:

Planning Proposal to amend Penrith
Local Environmental Plan 2010 to permit a
service station at 61-73 Christie St, St Marys

Address of Land (if applicable):

Lot 4, DP 701087, 61-63 Christie St, St Marys
Lot 3, DP 701087, 69-73 Christie St, St Marys

Intent of draft LEP:

To permit a service station at
61-73 Christie Street, St Marys

Additional Supporting Points/Information:



Evaluation criteria for the issuing of an Authorisation				
(NOTE - where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?		✓		
Heritage LEPs	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?		✓		
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		✓		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		✓		
Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?		✓		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		✓		
Is the planning proposal proposed to rectify an anomaly in a classification?		✓		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		✓		
Will the draft LEP discharge any interests in public land under section 30 of the <i>Local Government Act, 1993</i> ?		✓		

If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		✓		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) <i>Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land</i> ?		✓		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		✓		
Spot Rezoning	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?		✓		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?		✓		
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?		✓		
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		✓		
Does the planning proposal create an exception to a mapped development standard?		✓		
Section 73A matters				
Does the proposed instrument a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land? (NOTE – the Minister (or Delegate) will need to form an Opinion under section 73(A)(1)(c) of the Act in order for a matter in this category to proceed).		✓		
NOTES - Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance. - Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department.				