



Planning Proposal

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

December 2015

Table of Contents

Executive Summary	4
Introduction	5
1.1. Purpose of the Planning Proposal	5
1.2. Structure of this Report	5
1.3. The Subject Site	6
1.4. Surrounding Land Uses and Development	7
1.5. Current Proposals for the Site	8
1.6. Penrith Local Environmental Plan 2010	8
1.7. Penrith Development Control Plan 2014	8
1.8. Dunheved Link Road	8
1.9. Technical Studies	9
Part 1- Objectives or Intended Outcomes	10
Part 2 - Explanation of Provisions	11
Part 3- Justification	12
Section A- Need for the Planning Proposal	12
Section B - Relationship to Strategic Planning Framework	13
Section C - Environmental, Social and Economic Impact	26
Section D - State and Commonwealth Interests	29
Part 4 - Mapping	30
Part 5 - Community Consultation	31
Part 6 - Project Timeline	32
Conclusion	33
Appendix 1 - Draft Additional Permitted Uses LEP Map	34
Appendix 2 - Dunheved Business Park Revitalisation Strategy	35
Appendix 3 - Traffic and Parking Assessment	36
Appendix 4 - Addendum to Traffic and Parking Assessment	37
Appendix 5 - Preliminary Contamination Investigation	38
Appendix 6 - Phase 1 Environmental Site Assessment	39

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



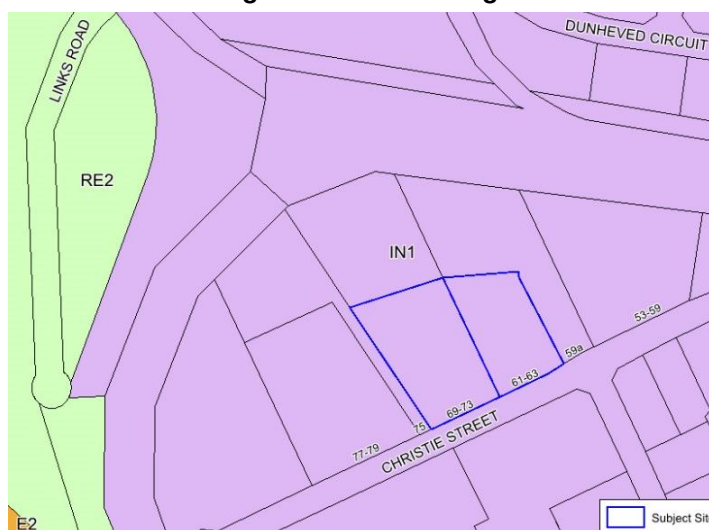
1.5. Current Proposals for the Site

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.

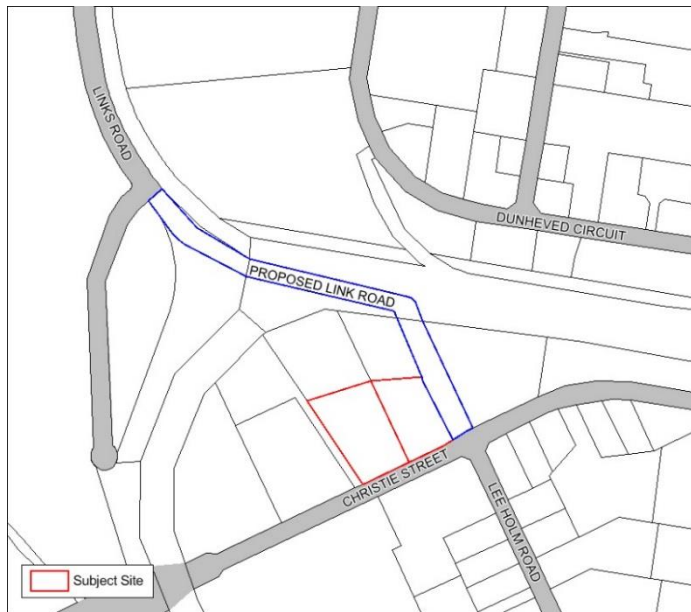
Penrith DCP 2014 will continue to apply to the site once this LEP is made and the DA for a service station on the site will need to address the relevant planning controls.

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.

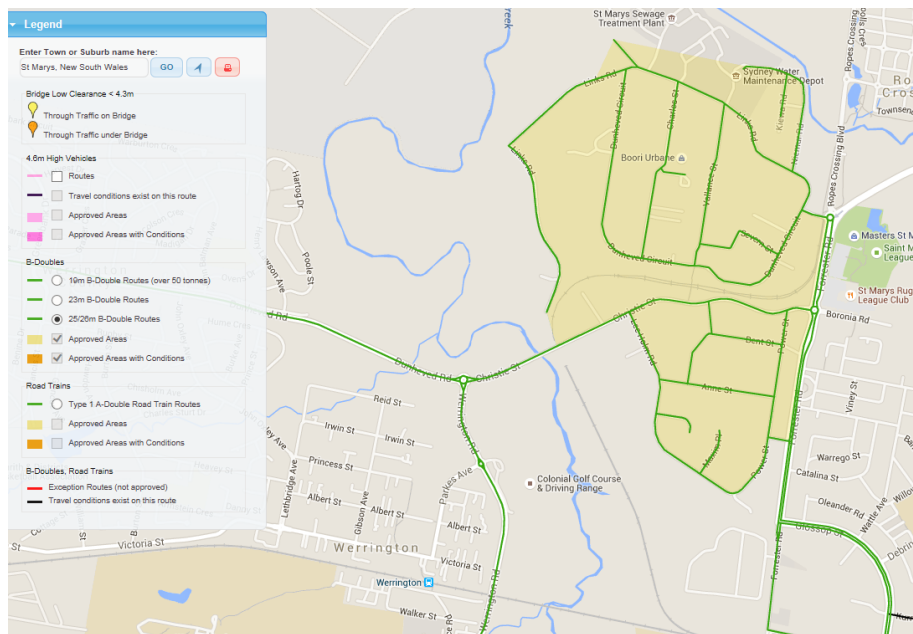
The redevelopment of the site to enable a service station will provide a service that is lacking in the area and will significantly contribute to the revitalisation of the area. The development of the site for a service station will also support the anticipated growth of the Dunheved Business Park and 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.

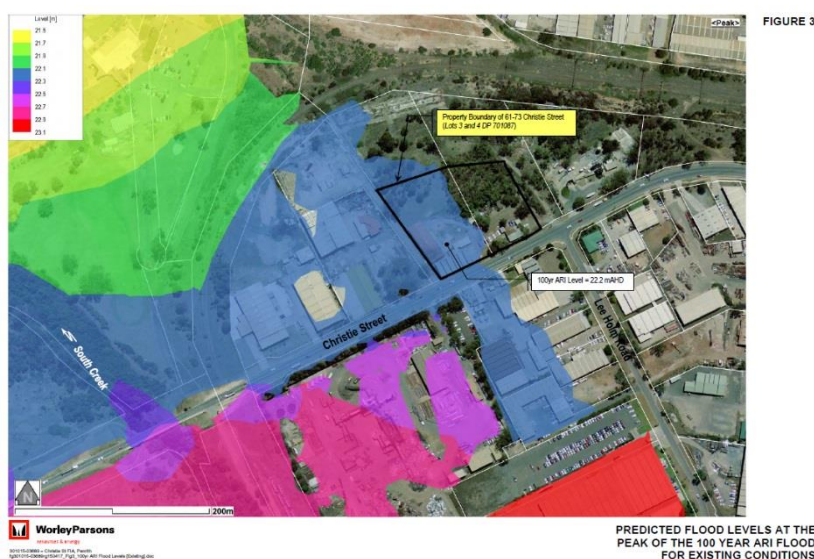
8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

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*

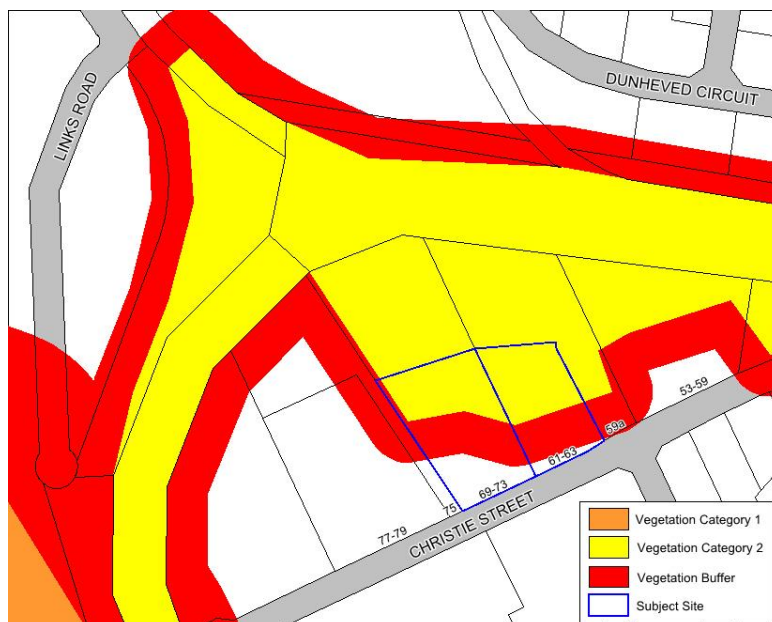
of Land to accompany the Planning Proposal. The preliminary contamination investigation report concludes that the site is suitable for continued commercial/industrial land uses. Therefore, it is considered that the land is suitable for use as a service station and that the impacts can be managed on site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

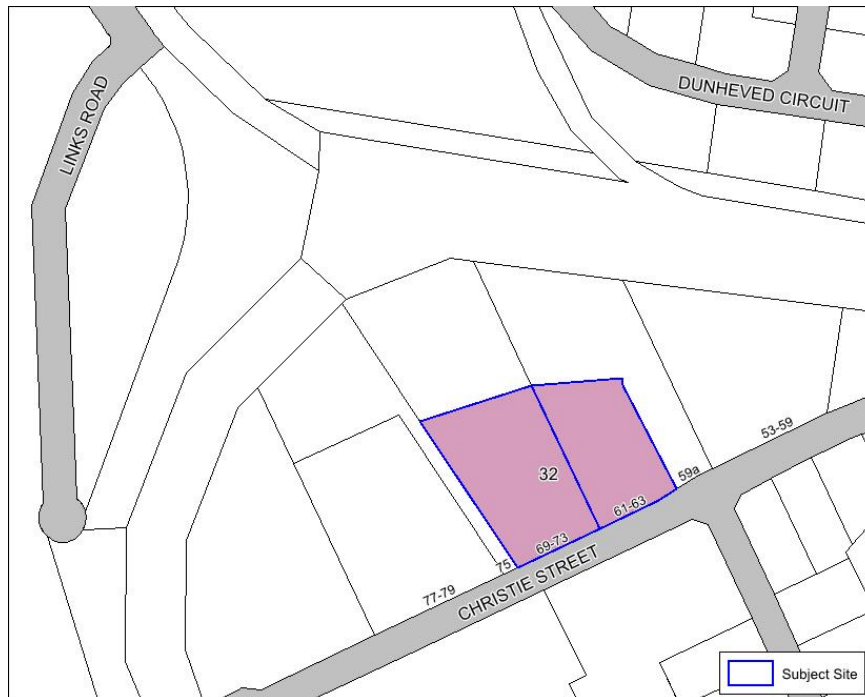
11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

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

Appendix 2 – Dunheved Business Park Revitalisation Strategy

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
