

# PLANNING PROPOSAL REPORT

SYDNEY FUELS - CHULLORA

PROPOSED ADDENDUM TO STRATHFIELD LOCAL ENVIRONMENTAL PLAN 2012 TO ENABLE A  
'HIGHWAY SERVICE CENTRE'



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## PLANNING PROPOSAL REPORT

Sydney Fuels - Chullora

Proposed addendum to Strathfield Local Environmental Plan 2012 to enable a 'highway service centre'

**CLIENT:** Sydney Fuels Pty Ltd (Sydney Fuels)

**ADDRESS:** 204 Hume Hwy, Chullora NSW 2190

**TFA REFERENCE:** 20196

**TFA CONTACT:** Damien Mackay

### Document Control

REVISION	DATE	PREPARED BY	REVIEWED BY	COMMENTS
D	25-Sept-2020	D. Mackay	J. Rowell	Amended
E	24-Nov-2020	D. Mackay	J. Rowell	Updated Use Definition

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## EXECUTIVE SUMMARY

### Applicant

<b>Applicant Details</b>	Sydney Fuels Pty Ltd
<b>Contact Details</b>	C/- Damien Mackay (Town Planner) TfA Project Group 166 Knapp Street FORTITUDE VALLEY QLD 4006

### Site

<b>Site Address</b>	204 Hume Hwy, Chullora NSW 2190
<b>Site Details</b>	Lot 1 DP547215
<b>Site Area</b>	3,962m2 (Approx.)
<b>Current Land Use</b>	Car sales yard

### Proposal

<b>Proposal Description</b>	Proposed addendum to Strathfield Local Environmental Plan 2012 to enable a 'highway service centre'
<b>Application Type</b>	Planning Proposal (enabling clause to Schedule 1 of LEP)

### Local Government Policy

<b>Assessing Authority</b>	Strathfield Council
<b>Local Planning Instrument</b>	<i>Strathfield Local Environmental Plan 2012 (SLEP 2012)</i>
<b>Zone / Precinct</b>	IN – General Industry
<b>Planning Strategies / Studies</b>	<ul style="list-style-type: none"><li>A Metropolis of Three Cities – A Greater Sydney Region Plan</li><li>Eastern City District Plan Greater</li><li>Local Strategic Planning Statement, Strathfield 2040</li></ul>

### State Government Policy

<b>Relevant State Agencies</b>	<ul style="list-style-type: none"><li>Department of Planning &amp; Environment</li><li>Transport for NSW (the Hume Highway = State Road)</li></ul>
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## 1.0 INTRODUCTION

This Planning Proposal report has been prepared by TfA Project Group (TfA) on behalf of Sydney Fuels Pty Ltd (the applicant) and involves a request to the Strathfield Council (the council) for the proposed addendum to the Strathfield Local Environmental Plan 2012 (the LEP) to enable a 'highway service centre' over land located at 204 Hume Hwy, Chullora NSW 2190 and more formally described as Lot 1 DP547215.

The Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant Department of Planning Guidelines including A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals.

The planning proposal is accompanied by the following consultant reports / documentation:

- Appendix A: Conceptual Drawings
- Appendix B: Traffic Impact Assessment Report prepared by TTPP

To assist in Council's development of the planning proposal, this planning proposal covers the following matters:

- Section 2: a site description including site characteristics and the context of the surrounding area;
- Section 3: a description of the proposed development and details of relevant site history; and
- Section 4: an assessment of the proposal against the relevant statutory provisions and guidelines

## 2.0 THE SITE

### 2.1 Site and Surrounding Area Description

The subject site area comprises Lot 1 DP547215, and is approximately 3,962m<sup>2</sup> in area and is relatively flat in nature. The site currently supports a car sales yard. The site is located across two Council areas including the Strathfield local government area (approx. 85%) and the Canterbury-Bankstown local government area (approx. 15%).

The subject site has frontages of approximately 108m on the Hume Highway. The site is currently accessed via the Hume Highway. This section of the Hume Highway has a speed limit of 70kmph.

Please refer to aerial view in Figure 1 below as well as street view photography in Figure 2 and Figure 3.



Figure 1: Aerial View (Source: SIX Maps)



Figure 2: Site appearance from the Hume Hwy (Source: Google)



Figure 3: Site appearance from the Hume Hwy (Source: Google)

## 2.2 Services and Utilities

The subject site is adjacent to an estate to the north and the following services and utilities are available either along the site frontage or within close proximity to the site:

- Telecommunications;
- Stormwater;
- Sewer;
- Water; and
- Electricity.

## 2.3 Existing Site Zoning (Strathfield Council)

The site is zoned IN1 – General Industrial (under the Strathfield Local Environmental Plan 2012). The Land Use Table under the Strathfield Local Environmental Plan 2012 for IN1 zone is as below:

### 1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.

### 2 Permitted without consent

Nil

### 3 Permitted with consent

*Agricultural produce industries; Animal boarding or training establishments; Boat building and repair facilities; Car parks; Depots; Environmental protection works; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Recreation areas; Roads; Sex services premises; Signage; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies*

### 4 Prohibited

*Pond-based aquaculture; Any other development not specified in item 2 or 3*

Refer to Figure 4 below for an extract of the relevant zone map in relation to the site.

#### Zone

B2	Local Centre
B4	Mixed Use
E1	National Parks and Nature Reserves
E3	Environmental Management
IN1	General Industrial
IN2	Light Industrial
R1	General Residential
R5	Large Lot Residential
RE1	Public Recreation
RE2	Private Recreation
RU1	Primary Production
RU3	Forestry
RU4	Primary Production Small Lots
RU5	Village
SP1	Special Activities
SP2	Infrastructure

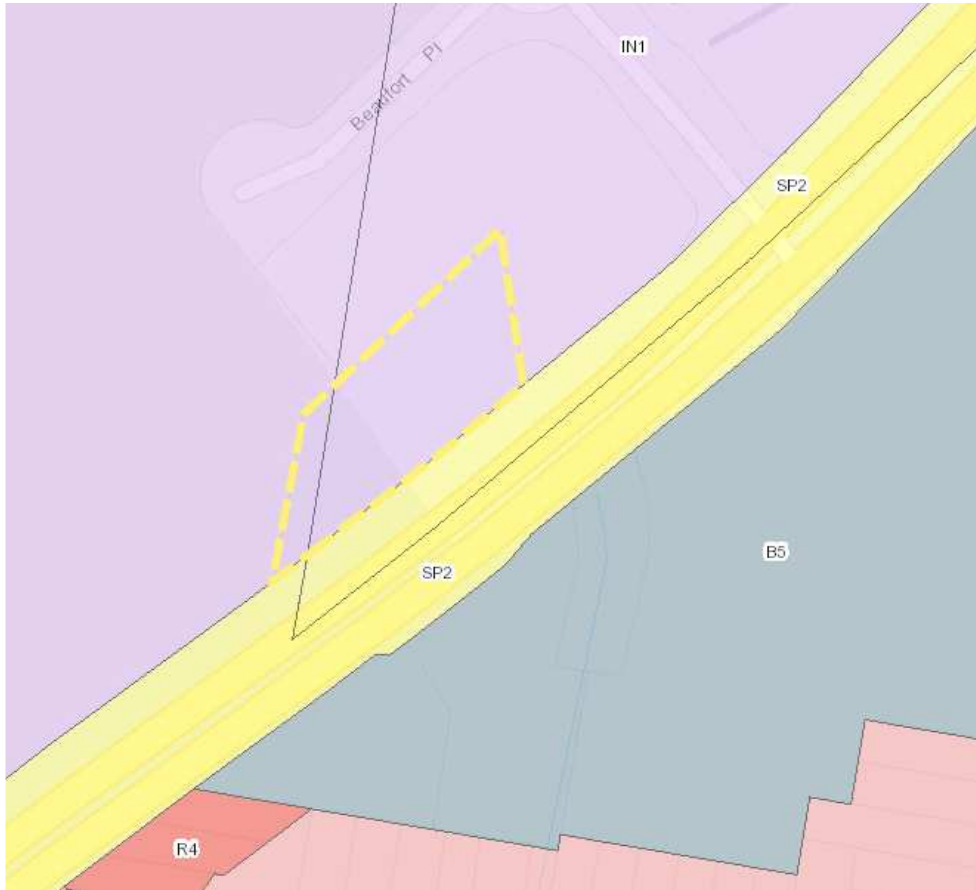


Figure 4: Zone map extract (source: Strathfield LEP 2012)

## 2.4 Reduction of Industrial Zoned Land

When considering the reduction of industrial zoned land, it is observed that the existing premises has been operating as an automated retail development for over ten years. Therefore, the proposal would not involve the loss of a current operating industrial land use.

When observing the subject site in context of wider industrial zoned land, it is evident that the surrounding development lot sizes are substantially larger than the proposed site (as shown in Figure 5). These industrial lots predominately support large-scale industrial uses including manufacturing warehouses and construction activities. These large-scale developments require vast amount of land to undertake their operations while providing suitable amount of staff parking. When considering the industrial viability of the site, the lot size does not reflect the Industrial scale and nature of the existing industrial developments typically found within the Chullora vicinity— moreover, the lot would be of a size and layout that better suits business and commercial uses.

Further, when considering availability of existing lots, observations can be made of the vacant and / or underutilised parcels of land zoned as industrial in the area. These lots would be able to support future industrial growth in the area.

Refer Figure 6 below which depicts the large building footprints of the industrial scale development in the context of the subject site and pockets of underutilised industrial-zoned land.

Notwithstanding, the use proposed is still valued as valid supporting / ancillary use to support the surrounding industrial community providing additional convenience and direct support to both employees within this area and servicing the wider travelling public. Given the overall scale of the Chullora industrial zoned land, the availability of these supporting uses and essential services within proximity to the industrial workers is crucial to ensure their needs day-to-day needs are met. The proposal is considered to further support this Chullora industrial area.

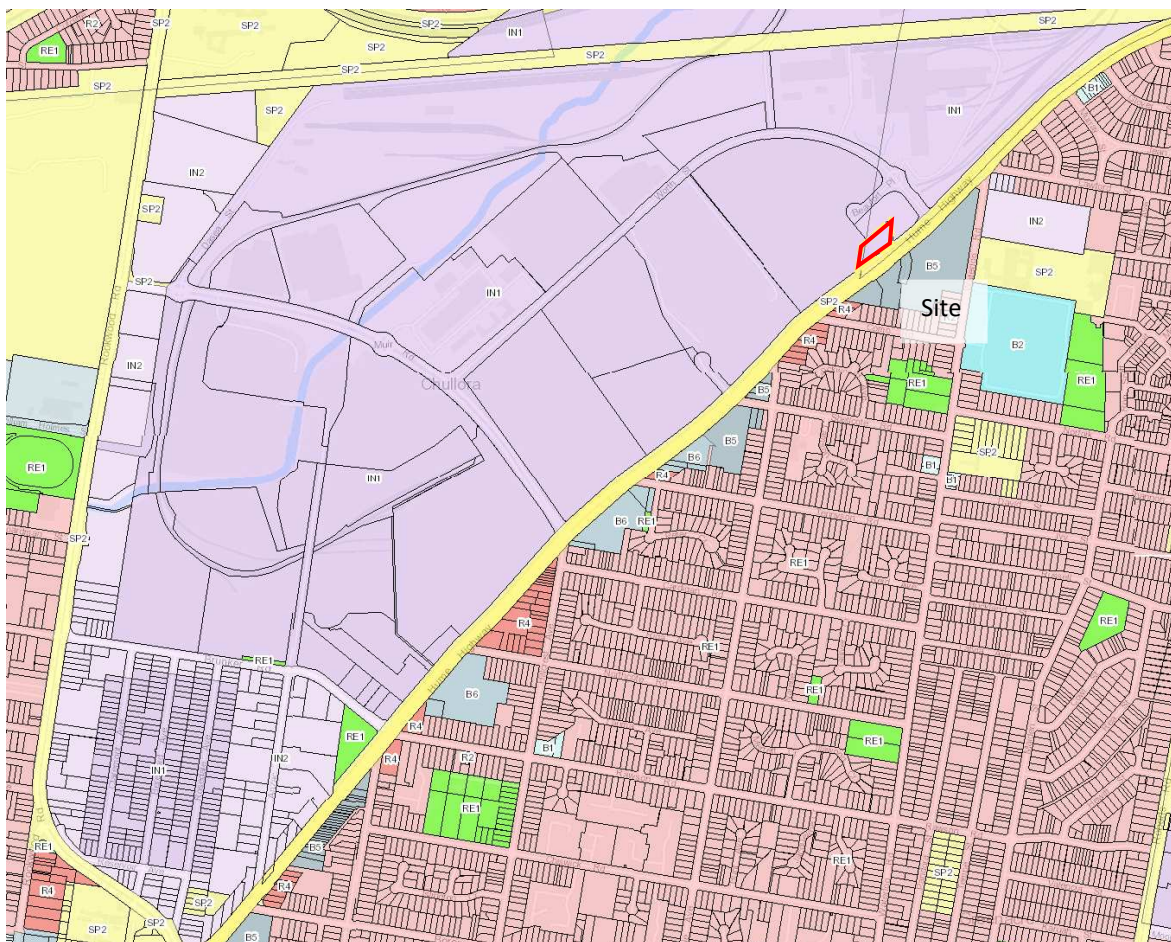


Figure 5: Overview zone map extract (source: Strathfield LEP 2012)

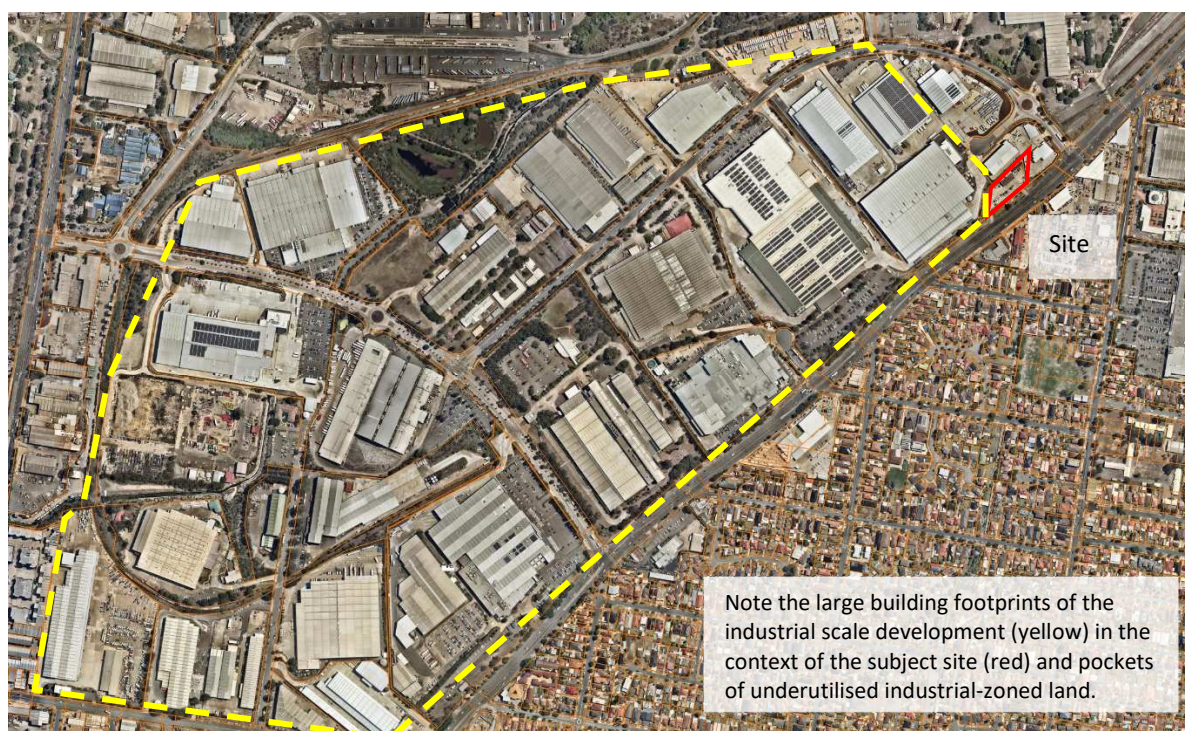


Figure 6: Overview aerial – large building footprints (source: Nearmaps)

## 3.0 INDICATIVE DEVELOPMENT CONCEPT

### 3.1 Description of the proposal

The overall intent of the development is primarily to redevelop the existing car sales yard to accommodate a highway service centre (including a service station and 2 x food and drink premises). The proposed development would obtain access from the Hume Highway.

The proposed development will provide for the construction of a car fuel canopy and two buildings comprising of:

1. Building 1 – Service station and food and drink outlet with indoor dining and drive-thru; and
2. Building 2 – Food and drink outlet with indoor/outdoor dining and drive-thru.

Below is a summary table of the breakdown within the building.

Table 1: Summary of gross floor areas

Component	Gross floor area
<b>Building 1</b>	
Service Station	251m <sup>2</sup> (191m <sup>2</sup> + 60m <sup>2</sup> )
Food and Drink Tenancy 1	129m <sup>2</sup> (97m <sup>2</sup> + 32m <sup>2</sup> )
<b>Building 2</b>	
Food and Drink Tenancy 2	224m <sup>2</sup> (203m <sup>2</sup> + 21m <sup>2</sup> )

The refuelling forecourt area comprises:

- A fuel canopy over 6 new refuelling dispensers with 12 filling positions; and
- Two (2) underground, double-walled tanks, storing predominantly unleaded petroleum of varying grades and diesel.

The proposed development is essentially a response to the perceived demand for these services within this locality and is considered a suitable type of use, fronting a major highway and will providing a service to the travelling public and the local business community.

A conceptual site layout (Drawing No. 20196-SK11) of the proposed development is included in **Appendix A**. The conceptual site layout will be of a sufficient size for a 19m AV tanker refuelling truck (largest anticipate vehicle) to stand wholly within the site and then exit the site in a forward gear via the Hume Highway as shown in the turning plan (Drawing No. 20196-SK12) included in **Appendix A**.

### 3.2 Background

TFA Project Group act on behalf of Sydney Fuels Pty Ltd with respect to the proposed development to erect a new 'highway service centre' including a service station component and two (2) food and drink tenancies with drive thru. The subject site is considered to be a prime location for a highway service centre use owing to its proximity to the Hume Highway.

### 3.3 Development Strategy

The intention of this planning proposal is to ultimately lead to a forthcoming development application to the Strathfield Council for the use proposed over the site.

### 3.4 Traffic Impact Assessment

TFA Project Group have engaged PPTT to undertake a traffic impact assessment of the proposal.

The traffic report provides a review of the site layout to assess the following:

- Parking provisions
- Access and circulation
- Loading and delivery arrangements
- Conduct swept path analysis using appropriate design vehicles to determine a functional layout for the proposed development.

In summary, the following key findings from the traffic assessment are listed below:

- The DCP requires the development to provide a minimum of 31 car parking spaces including 5 spaces to accommodate the convenience store and 26 spaces to accommodate the fast food premises;
- The DCP rate is considered to be excessive as it does not take into account multi-purpose visits (i.e. visitors would access both the service station and a fast food restaurant in one trip) and that a number of visitors would be going through the drive-through, with the restaurant parking rate matching the RMS Guide rate for a standalone restaurant. Therefore, the actual parking requirement is likely to be lower than the DCP estimate;
- The proposed development will include 20 formal car parking spaces and 12 informal parking spaces under the fuel canopy at the fuel pumps, which is considered adequate to service the fast-food facility and the convenience store;
- The proposed development complies with the accessible parking requirement and provides two accessible spaces;
- The proposed development is estimated to generate 266 and 360 vehicle trips per hour in the morning and evening peak periods respectively, with 50% anticipated to be pass-by trips; and
- SIDRA Network modelling of the existing road network and anticipated future road network (Year 2030) indicates that the development would have a negligible traffic impact.

A copy of the traffic report is included in **Appendix B**.

## 4.0 STATUTORY PARTS OF A PLANNING PROPOSAL

The following section of this report is consistent with section 3.33 of the EP&A Act and includes those mandatory provisions the planning proposal must include.

### 4.1 Part 1 – Objectives of the proposed instrument

The objective of this planning proposal is to enable a ‘highway service centre’ over the subject site. This is via an addendum to the Strathfield Local Environmental Plan 2012 (the LEP) and more specifically, via enabling clause to Schedule 1 of the LEP.

### 4.2 Part 2 – Explanation of the provisions

#### 4.2.1 Schedule 1 Additional Permitted Uses

The proposed outcome will be achieved by inserting the following into Schedule 1 ‘Additional permitted uses’ of the Strathfield Local Environmental Plan 2012:

##### Schedule 1 Additional permitted uses

Item 1	<b>Use of certain land at 204 Hume Highway, Chullora</b> (1) This clause applies to land at 204 Hume Highway, Chullora, being Lot 1 DP547215. (2) Development for the purposes of ‘highway service centre’ is permitted with development consent.
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#### 4.2.2 LEP Use Definitions

The use referred above is defined under the LEP as follows:

*“highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following—*

- (a) a restaurant or cafe,*
- (b) take away food and drink premises,*
- (c) service stations and facilities for emergency vehicle towing and repairs,*
- (d) parking for vehicles,*
- (e) rest areas and public amenities.”*

As detailed in the conceptual site plan (Drawing No. 20196-SK11\_A) in **Appendix A**, the proposal includes a building for a service station component and food and drink premises with indoor dining and drive-thru as well as a stand-alone building for a food and drink premises with indoor/outdoor dining and drive-thru.

It is considered that the proposed concept depicted in **Appendix A** falls under the definition of a highway service centre use. The proposed concept being a highway service centre use aligns with correspondence between the applicant and the Strathfield Council.

#### 4.2.3 Addendum to the additional permitted uses map

Prepare an additional map within the mapping series to apply the additional permitted use (highway service centre) to the subject site.

## 4.3 Part 3 – Justification for the planning proposal

The following section of the report provides justification for the proposal in line with the *A Guide to Preparing Planning Proposals* document.

In summary, the proposed highway service centre (including a service station and food and drink premises), are typical of those fronting major highways and will provide a service to the travelling public and the local community. The proposal will not be of a scale or type which could reasonably be considered to detrimentally impact upon the economic viability of the surrounding industrial area or surrounding business centres (opposite the Hume Highway) more broadly. It is acknowledged that the subject site is not currently used for industrial purposes and has been operating as an automobile retail development for over 10 years.

Further, the proposal is seen as playing an ancillary / supporting role to the industrial area of Chullora by providing additional convenience and direct support to both employees within this area and servicing the wider travelling public.

Further, it is observed that there are no service stations identified along this corridor of the Hume Highway, from West Yagoona, until past the M4 junction. There is a distinct lack of service station / food and drink type development along this corridor to support both travelling motorists (both light and heavy vehicle) and the surrounding business community of Chullora.

### 4.3.1 Section A – Need for the planning proposal

*Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

**Response** – The Planning Proposal is not the result of a strategic study or report prepared by Council.

The proposal has been considered by the applicant as a feasible proposition based on the knowledge of the local area and the perceived shortage of similar uses within the general locality. This is also driven by feedback from the Strathfield Council who are generally supportive of the proposed development during pre-lodgement discussions with the client.

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

**Response** – A clause to enable the additional use on the land by way of proposed LEP addendum to Schedule 1 is considered the most appropriate way to achieve the objective / intended outcome. This is in part due to the certainty the applicant has over the proposed use within the site (thereby not seeking broad flexibility with a whole-of-site rezoning).

A 'highway service centre' use is prohibited under the IN1 General Industrial Zone of the LEP within the Strathfield LGA. A planning proposal is therefore considered the most appropriate means of establishing a 'highway service centre' use over the subject land. It is noted that a 'service station' use is permitted with consent under the Bankstown LEP within the IN1 – General Industrial Zone.

### 4.3.2 Section B – Relationship to strategic planning framework

*Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

**Response** – The proposal has been assessed against the *A Metropolis of Three Cities – A Greater Sydney Region Plan* (2018) and the *Eastern City District Plan* (2018). Comments in relation to the proposal and any impact on the policy intent of the relevant strategy are discussed under separate heading below.

#### A Metropolis of Three Cities – A Greater Sydney Region Plan

*A Metropolis of Three Cities – A Greater Sydney Region Plan* (the Regional Plan) is a regional strategy prepared by the Greater Sydney Commission in March 2018 which establishes a 20 year plan to manage growth and change for the Greater Sydney region. Under the Region Plan, the majority of the site is located in the Eastern City district.

Figure 7 below provides an extract from the regional plan map showing the approximate location of the subject site within.

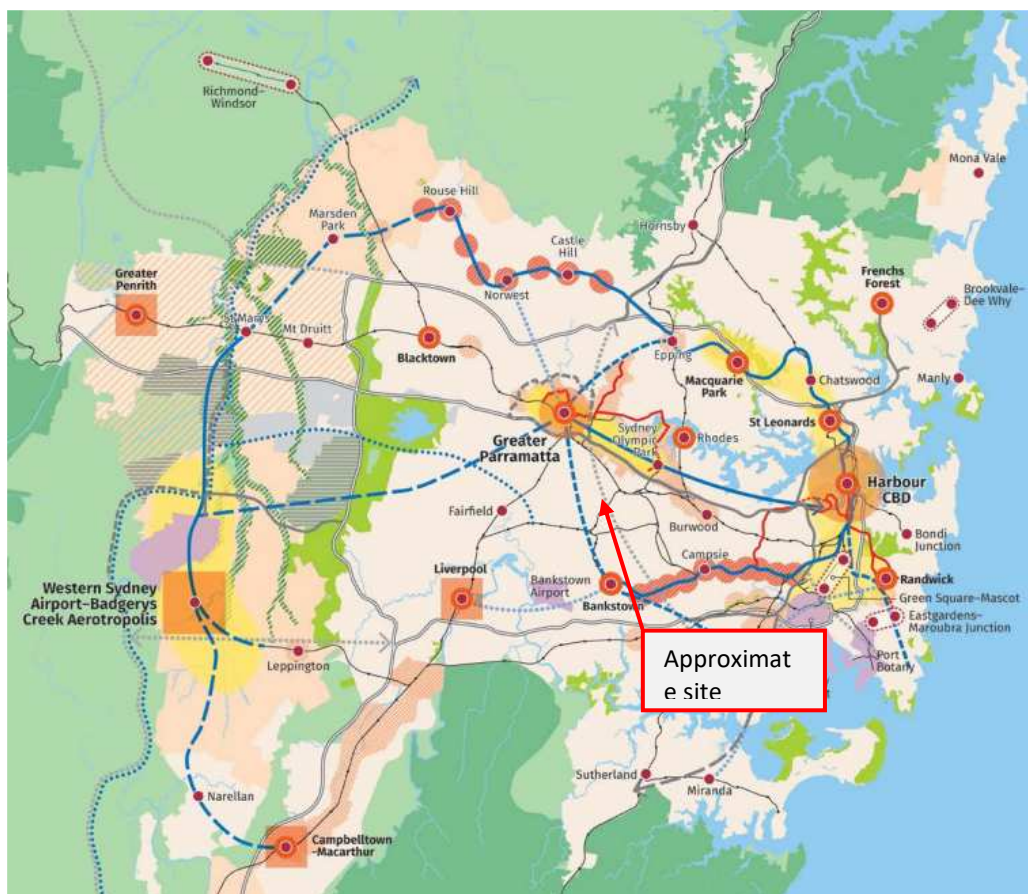


Figure 7: A Metropolis of Three Cities – Structure Plan (Source: Greater Sydney Commission)

The proposal is considered to be consistent with the regional plan given a highway service centre including a service station and food and drink premises, are typical of those fronting major highways and will provide an ancillary / supporting role to the industrial area of Strathfield by providing additional convenience and direct support to both employees within this area and servicing the wider travelling public.

The proposal will involve additional employment opportunities within walkable distance to surrounding communities. Further, the proposal will increase convenience and options for vehicle refuelling reducing overall travel trips to similar / existing destinations (particularly the local catchment).

Surrounding industrial uses will benefit from the agglomeration of supporting economies. The industrial zoned land within the vicinity coupled with the subject site would provide the critical mass to drive productivity and foster a stronger economy.

#### Eastern City District Plan

The Eastern City District Plan (the District Plan) builds off the directions and objectives set by the Region Plan. The District Plan was finalised in March 2018.

The subject site is located within the Eastern City District. The Greater Sydney Commission (GSC) envisaged by 2036 that the Eastern City District will *'become more innovative and globally competitive, carving out a greater portion of knowledge-intensive jobs from the Asia Pacific Region, as well as improve the District's lifestyle and environmental asset'*.

The site is identified as Industrial Land (refer to Figure 8 below). The GSC identified industrial land as an important to Greater Sydney's economy and the nature of this economic sector is continuing to change, with emerging technologies and new industries with different requirements.



Figure 8: Eastern City District – Structure Plan (Source: Greater Sydney Commission)

The site is identified as Industrial and Urban Services Land in the Eastern City District Plan (refer to Figure 9 below). The district plan identifies that while businesses must be supported in a service-oriented modern economy, capacity for industrial and essential urban services must be retained.

The proposal is considered to be consistent with the Eastern District Plan given the proposal will facilitate the development of Strathfield Industrial area and employment generating uses which will lead to stronger economic outcome for the Eastern City locality thereby benefiting the community.

The development will not be of a scale or type which could reasonably be considered to detrimentally impact upon the economic viability of the surrounding industrial area or surrounding business centres (opposite the Hume Highway) more broadly. It is acknowledged that the subject site is not currently used for industrial purposes and has been operating as an automobile retail development for over 10 years.

Further, the proposal is seen as playing an ancillary / supporting role to the industrial area of Chullora by providing additional convenience and direct support to both employees within this area and servicing the wider travelling public.

Furthermore, surrounding industrial uses will benefit from the agglomeration of supporting economies. The industrial zoned land within the vicinity coupled with the subject site would provide the critical mass to drive productivity and foster a stronger economy.

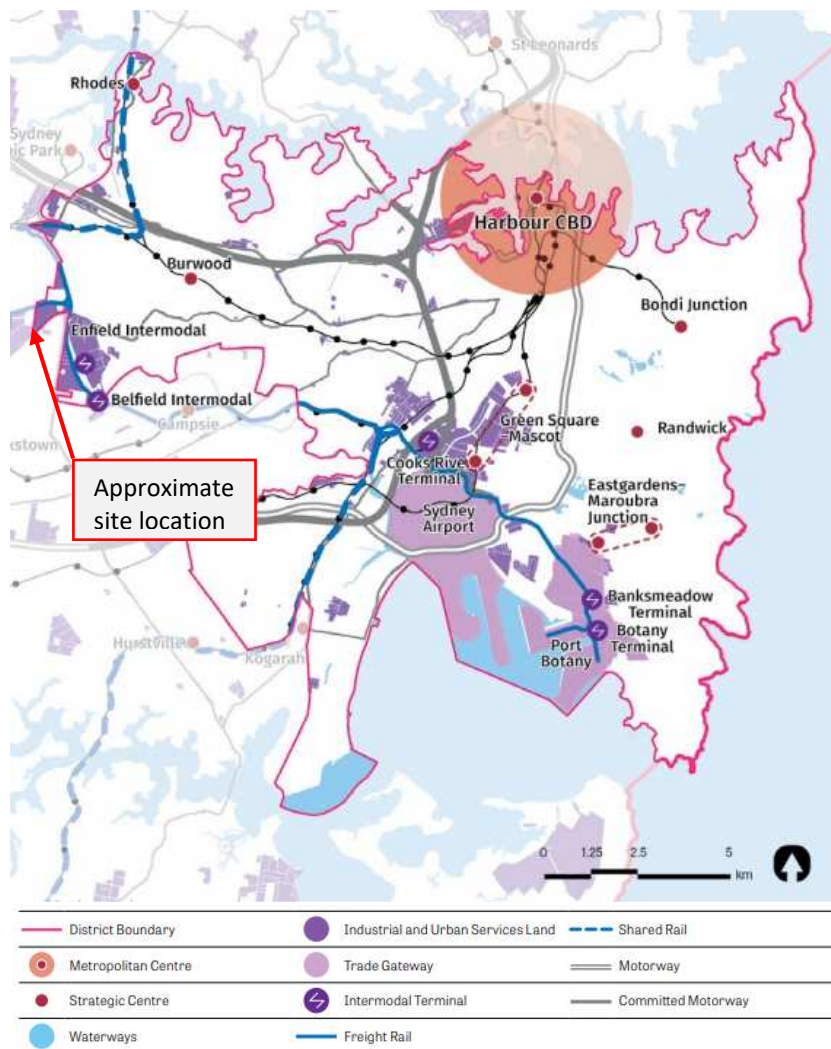


Figure 9: Eastern City District industrial and urban services land and freight assets (Source: Greater Sydney Commission)

**Q4.** Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

**Response** – The proposal has been assessed against the *Local Strategic Planning Statement, Strathfield 2040*. Comments in relation to the proposal and any impact on the policy intent of the relevant strategy are discussed under separate heading below.

#### Local Strategic Planning Statement, Strathfield 2040

The *Local Strategic Planning Statement, Strathfield 2040* (the LSPS) is a strategic document providing more fine-grained policy detail in response to the provisions of the regional plan. The primary purpose of the LSPS is to 'guide land use planning and decision making for development and environmental outcomes.' The LSPS has a number of planning priorities which outlines actions that we will take to influence and achieve our desired future.

The site is located within the Employment Areas (Industrial) under the LPSP.

Consistent with the justification under the regional and district plans above, the proposal is not considered to significantly impact on the industrial areas. The proposed highway service centre (including a service station / food and drink options) are seen as providing a supporting role to the expanding employment lands within the immediate vicinity rather than significantly impacting the viability of employment within the industrial areas.

The proposal will facilitate the development of Strathfield Industrial area and employment generating uses which will lead to stronger economic outcome thereby benefiting the community.

The development will not be of a scale or type which could reasonably be considered to detrimentally impact upon the economic viability of the surrounding industrial area or surrounding business centres (opposite the Hume Highway) more broadly.

It is acknowledged that the subject site is not currently used for industrial purposes and has been operating as an automobile retail development for over 10 years.

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

**Response** – There are no existing or draft State Environmental Planning Policies (SEPPs) that prohibit or restrict the proposed development as outlined in this planning proposal. Those SEPPs that were considered and addressed as potentially relevant to the proposal are detailed in Table 2 below.

Table 2: SEPPs

SEPP	Policy Direction / Principal Aims	Comment on Relevance at Planning Proposal Stage
<b>SEPP 33 – Hazardous &amp; Offensive Development</b>	<ul style="list-style-type: none"> <li>To ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account.</li> <li>To ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.</li> </ul>	<p>At this stage the planning proposal is for the purposes of an addendum to the Strathfield Local Environmental Plan 2012 to enable an additional permitted use 'highway service centre' over the site. Should the proponent be successful with this addendum to the LEP for an additional permitted use, the next stage in the approval process would be to lodge a development application to obtain local development consent for the proposed highway service centre.</p> <p>The service station component will involve the installation of underground, double-walled tanks, storing predominantly unleaded petroleum of varying grades and diesel.</p> <p>Standard with service station developments, the tanks will need to be designed and installed in accordance with AS1940-2004: The storage and handling of flammable and combustible liquid.</p> <p>In addition to the requirements of AS1940, the fuel / service station operators will also carry an environmental and hazard management manual specific to the site.</p> <p>The matters can be effectively addressed at the development application stage. There is no risk under the framework of the planning proposal given the location of the site can effectively, from an AS1940 compliance perspective, accommodate a highway service centre development.</p>

<b>SEPP 64 – Advertising and Signage</b>	<ul style="list-style-type: none"> <li>To ensure that signage and advertising, particularly in road corridors, are appropriate to the location and setting of a proposed development.</li> </ul>	This policy will need to be considered in the design and assessment of the development application for the highway service centre proposal.
<b>SEPP (Infrastructure) 2007</b>	<ul style="list-style-type: none"> <li>To improve regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services.</li> </ul>	<p>The proposal will relocate the existing ingress and egress points onto the Hume Highway to provide sufficient access for the proposal. This will be further assessed by the Strathfield Council and Transport for NSW (TfNSW) at development application stage.</p> <p>In relation to utility services and whether the proposal will trigger the upgrade of any of these services, this is considered most appropriately assessed at development application stage.</p>

**Q6** *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

**Response** – An assessment of relevant section 9.1(2) Directions against the planning proposal is provided in the Table 3 below.

*Table 3: Relevant s.9.1(2) Ministerial Directions*

<b>Ministerial Direction</b>	<b>Aim/s of Direction</b>	<b>Applicability and/or Comment</b>
<b>1. EMPLOYMENT AND RESOURCES</b>		
<b>1.1 Business and Industrial Zones</b>	<ul style="list-style-type: none"> <li>Encourage employment growth in suitable locations.</li> <li>Protect employment land in business and industrial zones.</li> <li>Support the viability of identified strategic centres.</li> </ul>	<p>The proposal is located over general industrial zoned land.</p> <p>The proposal will facilitate the development of Strathfield Industrial area and employment generating uses which will lead to stronger economic outcome thereby benefiting the community.</p> <p>The development will not be of a scale or type which could reasonably be considered to detrimentally impact upon the economic viability of the surrounding industrial area or surrounding business centres (opposite the Hume Highway) more broadly.</p> <p>It is acknowledged that the subject site is not currently used for industrial purposes and has been operating as an automobile retail development for over 10 years.</p>
<b>1.2 Rural Zones</b>	<ul style="list-style-type: none"> <li>To protect the agricultural production value of rural land.</li> </ul>	Not applicable to the site.
<b>1.3 Mining, Petroleum Production and Extractive Industries</b>	<ul style="list-style-type: none"> <li>To ensure that the future extraction of State or regionally significant reserves of coal, other materials, petroleum and extractive materials are not compromised by inappropriate development.</li> </ul>	Not applicable to the site.
<b>1.4 Oyster Aquaculture</b>	<ul style="list-style-type: none"> <li>To ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area</li> </ul>	Not applicable to the site.

Ministerial Direction	Aim/s of Direction	Applicability and/or Comment
	<p>are adequately considered when preparing a draft LEP.</p> <ul style="list-style-type: none"> <li>To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</li> </ul>	
<b>1.5 Rural Lands</b>	<ul style="list-style-type: none"> <li>To protect the agricultural production value of rural land.</li> <li>To facilitate the orderly and economic development of rural lands for rural and related purposes.</li> </ul>	Not applicable to the site.
<b>2. ENVIRONMENT AND HERITAGE</b>		
<b>2.1 Environmental Protection Zones</b>	<ul style="list-style-type: none"> <li>To protect and conserve environmentally sensitive areas.</li> </ul>	Not applicable to the site.
<b>2.2 Coastal Protection</b>	<ul style="list-style-type: none"> <li>To implement the principles in the NSW Coastal Policy.</li> </ul>	Not applicable to the site.
<b>2.3 Heritage Conservation</b>	<ul style="list-style-type: none"> <li>To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</li> </ul>	Not applicable to the site.
<b>2.4 Recreation Vehicle Areas</b>	<ul style="list-style-type: none"> <li>To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</li> </ul>	Not applicable to the site.
<b>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</b>	<ul style="list-style-type: none"> <li>To ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.</li> </ul>	Not applicable to the site.
<b>3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT</b>		
<b>3.1 Residential Zones</b>	<ul style="list-style-type: none"> <li>To encourage a variety and choice of housing types to provide for existing and future housing needs.</li> <li>To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services.</li> <li>To minimise the impact of residential development on the environment and resource lands.</li> </ul>	Not applicable to the site as no residential development proposed.
<b>3.2 Caravan Parks and Manufactured Home Estates</b>	<ul style="list-style-type: none"> <li>To provide for a variety of housing types.</li> </ul>	Not applicable to the site as no residential development proposed.

Ministerial Direction	Aim/s of Direction	Applicability and/or Comment
	<ul style="list-style-type: none"> <li>To provide opportunities for caravan parks and manufactured home estates.</li> </ul>	
<b>3.3 Home Occupations</b>	<ul style="list-style-type: none"> <li>To encourage the carrying out of low-impact small businesses in dwelling houses.</li> </ul>	Not applicable to the proposal.
<b>3.4 Integrating Land Use and Transport</b>	<ul style="list-style-type: none"> <li>Improving access to housing, jobs and services by walking, cycling and public transport.</li> <li>Increasing the choice of available transport and reducing dependence on cars.</li> <li>Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car.</li> <li>Supporting the efficient and viable operation of public transport services.</li> <li>Providing for the efficient movement of freight.</li> </ul>	<p>The proposal is considered consistent with this direction as follows:</p> <ul style="list-style-type: none"> <li>Will involve additional employment opportunities within walkable distance to surrounding communities</li> <li>Will provide increased convenience and options for vehicle refuelling reducing overall travel trips to similar / existing destinations (particularly the local catchment)</li> <li>Will enable the efficient on-site movement of vehicles through the site</li> </ul>
<b>3.5 Development Near Licensed Aerodromes</b>	<ul style="list-style-type: none"> <li>To ensure the efficient and safe operation of aerodromes.</li> <li>To ensure their operation is not compromised by incompatible future adjoining land uses.</li> </ul>	Not applicable to the site.
<b>3.6 Shooting Ranges</b>	<ul style="list-style-type: none"> <li>To maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range.</li> <li>To reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land.</li> <li>To identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</li> </ul>	Not applicable to the site.
<b>3.7 Reduction in non-hosted short-term rental accommodation period</b>	<ul style="list-style-type: none"> <li>Mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced.</li> <li>Ensure the impacts of short-term rental accommodation and views of the community are considered.</li> </ul>	Not applicable to the site.
<b>4. HAZARD AND RISK</b>		
<b>4.1 Acid Sulfate Soils</b>	<ul style="list-style-type: none"> <li>To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.</li> </ul>	Not applicable to the site.

Ministerial Direction	Aim/s of Direction	Applicability and/or Comment
<b>4.2 Mine Subsidence and Unstable Land</b>	<ul style="list-style-type: none"> <li>To prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</li> </ul>	Not applicable to the site.
<b>4.3 Flood Prone Land</b>	<ul style="list-style-type: none"> <li>To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.</li> <li>To ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</li> </ul>	Not applicable to the site.
<b>4.4 Planning for Bushfire Protection</b>	<ul style="list-style-type: none"> <li>To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas.</li> <li>To encourage sound management of bush fire prone areas.</li> </ul>	Not applicable to the site.
<b>5. REGIONAL PLANNING</b>		
<b>5.1 Implementation of Regional Strategies</b>	<ul style="list-style-type: none"> <li>To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</li> </ul>	<p>The proposed request for an additional permitted use is considered to be generally consistent with <i>A Metropolis of Three Cities – A Greater Sydney Region Plan</i> (2018), and the <i>Eastern City District Plan</i> (2018) as outlined in section 4.3.2 above.</p> <p>The proposal is not of a scale which will significantly impact upon any of the strategic intentions for employment / business development in identified areas of the region.</p>
<b>5.2 Sydney Drinking Water Catchments</b>	<ul style="list-style-type: none"> <li>To protect water quality in the hydrological catchment.</li> </ul>	Not applicable to the site.
<b>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</b>	<ul style="list-style-type: none"> <li>To ensure that the best agricultural land will be available for current and future generations to grow food and fibre.</li> <li>To provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning.</li> <li>To reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.</li> </ul>	Not applicable to the site.

Ministerial Direction	Aim/s of Direction	Applicability and/or Comment
<b>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</b>	<ul style="list-style-type: none"> <li>To protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route.</li> <li>To prevent inappropriate development fronting the highway.</li> <li>To protect public expenditure invested in the Pacific Highway.</li> <li>To protect and improve highway safety and highway efficiency.</li> <li>To provide for the food, vehicle service and rest needs of travellers on the highway.</li> <li>To reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.</li> </ul>	The proposal is considered to be consistent with this policy by providing "food, vehicle service and rest needs of travellers on the highway" and of a scale which will not detract from the viability of the nearby retail / commercial centres.
<b>5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)</b>		
<b>5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)</b>		
<b>5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)</b>		
<b>5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)</b>		
<b>5.9 North West Rail Link Corridor Strategy</b>	<ul style="list-style-type: none"> <li>To promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL).</li> <li>To ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.</li> </ul>	Not applicable to the site.
<b>5.10 Implementation of Regional Plans</b>	<ul style="list-style-type: none"> <li>To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</li> </ul>	Not applicable to the site.
<b>5.11 Development of Aboriginal Land Council land</b>	<ul style="list-style-type: none"> <li>To provide for the consideration of development delivery plans prepared under State Environmental Planning Policy (Aboriginal Land) 2019 when planning proposals are prepared by a planning proposal authority.</li> </ul>	Not applicable to the site.
<b>6. LOCAL PLAN MAKING</b>		
<b>6.1 Approval and Referral Requirements</b>	<ul style="list-style-type: none"> <li>To ensure that LEP provisions encourage the efficient and appropriate assessment of development.</li> </ul>	The proposal is not considered to compromise the intent of this objective.
<b>6.2 Reserving Land for Public Purposes</b>	<ul style="list-style-type: none"> <li>To facilitate the provision of public services and facilities by reserving land for public purposes.</li> <li>To facilitate the removal of reservations of land for public</li> </ul>	The proposal is not considered to compromise the intent of this objective.

Ministerial Direction	Aim/s of Direction	Applicability and/or Comment
	purposes where the land is no longer require for acquisition.	
<b>6.3 Site Specific Provisions</b>	<ul style="list-style-type: none"> <li>To discourage unnecessarily restrictive site-specific planning controls.</li> </ul>	The proposal is not considered to compromise the intent of this objective.
<b>7. METROPOLITAN PLANNING</b>		
<b>7.1 Implementation of A Plan for Growing Sydney</b>	<ul style="list-style-type: none"> <li>To give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</li> </ul>	The proposal is considered to be consistent with <i>A Metropolis of Three Cities – A Greater Sydney Region Plan</i> (2018), the <i>Eastern City District Plan</i> (2018) as outlined in section 4.3.2 above.
<b>7.2 Implementation of Greater Macarthur Land Release Investigation</b>	<ul style="list-style-type: none"> <li>To ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan (the Preliminary Strategy).</li> </ul>	Not applicable to the site.
<b>7.3 Parramatta Road Corridor Urban Transformation Strategy</b>	<ul style="list-style-type: none"> <li>To facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta to road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit.</li> <li>To provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community.</li> <li>To guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.</li> </ul>	Not applicable to the site.
<b>7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</b>	<ul style="list-style-type: none"> <li>To ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy (the Strategy).</li> </ul>	Not applicable to the site.
<b>7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</b>	<ul style="list-style-type: none"> <li>To ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan).</li> </ul>	Not applicable to the site.
<b>7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</b>	<ul style="list-style-type: none"> <li>To ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure</li> </ul>	Not applicable to the site.

Ministerial Direction	Aim/s of Direction	Applicability and/or Comment
	Implementation Plan and Background Analysis.	
<b>7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor</b>	<ul style="list-style-type: none"> <li>To ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.</li> </ul>	Not applicable to the site.
<b>7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan</b>	<ul style="list-style-type: none"> <li>To ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan).</li> </ul>	Not applicable to the site.
<b>7.9 Implementation of Bayside West Precincts 2036 Plan</b>	<ul style="list-style-type: none"> <li>To ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan).</li> </ul>	Not applicable to the site.
<b>7.10 Implementation of Planning Principles for the Cooks Cove Precinct</b>	<ul style="list-style-type: none"> <li>To ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.</li> </ul>	Not applicable to the site.

#### 4.3.3 Section C – Environmental, Social and Economic Impact

*Q7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

**Response – No.** The planning proposal relates to land that is currently used for car sale operations which has been cleared of any critical habitat or threatened species, populations or ecological communities.

The proposed additional permitted use is not likely to have an adverse impact on critical habitat or threatened species, populations or ecological communities or their habitats.

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

**Response –** The proposal will respond to the following at development application stage:

- Design and installation of all fuel-related storage and dispensing equipment in accordance with AS1940
- Appropriate stormwater management of all / any new impervious areas introduced as part of the proposal, including appropriate oily water separation treatment system under the canopy area

*Q9 Has the planning proposal adequately addressed any social and economic effects?*

**Response –** The proposal is expected to generate positive social and economic effects. The proposed highway service centre (including a service station and food and drink premises) will provide adequate lighting and CCTV, in addition to passive surveillance of staff / patrons with buildings orientated over forecourt area (primary area of pedestrian activity), used to deter anti-social behaviour.

In relation to economic impact, this is addressed in the response to the regional strategies above.

In summary, the proposal will facilitate the development of Strathfield Industrial area and employment generating uses which will lead to stronger economic outcome thereby benefiting the community.

The development will not be of a scale or type which could reasonably be considered to detrimentally impact upon the economic viability of the surrounding industrial area or surrounding business centres (opposite the Hume Highway) more broadly.

It is acknowledged that the subject site is not currently used for industrial purposes and has been operating as an automobile retail development for over 10 years.

#### 4.3.4 Section D – State and Commonwealth interests

*Q10 Is there adequate public infrastructure for the planning proposal?*

**Response** – The proposal is generally considered to have adequate public infrastructure available. No additional number of access points are proposed on the Hume Highway. The existing access points will be relocated and designed to the Australian Standards.

As part of this planning proposal, consultation will be sought from the Transport for NSW (TfNSW) in relation to the traffic related provisions of the proposed development.

TFA Project Group have engaged PPTT to undertake a traffic impact assessment of the proposal.

The traffic report provides a review of the site layout to assess the following:

- Parking provisions
- Access and circulation
- Loading and delivery arrangements
- Conduct swept path analysis using appropriate design vehicles to determine a functional layout for the proposed development.

In summary, the following key findings from the traffic assessment are listed below:

- The DCP requires the development to provide a minimum of 31 car parking spaces including 5 spaces to accommodate the convenience store and 26 spaces to accommodate the fast food premises;
- The DCP rate is considered to be excessive as it does not take into account multi-purpose visits (i.e. visitors would access both the service station component and a fast food restaurants in one trip) and that a number of visitors would be going through the drive-through, with the restaurant parking rate matching the RMS Guide rate for a standalone restaurant. Therefore, the actual parking requirement is likely to be lower than the DCP estimate;
- The proposed development will include 20 formal car parking spaces and 12 informal parking spaces under the fuel canopy at the fuel pumps, which is considered adequate to service the fast-food facility and the convenience store;
- The proposed development complies with the accessible parking requirement and provides two accessible spaces;
- The proposed development is estimated to generate 266 and 360 vehicle trips per hour in the morning and evening peak periods respectively, with 50% anticipated to be pass-by trips; and
- SIDRA Network modelling of the existing road network and anticipated future road network (Year 2030) indicates that the development would have a negligible traffic impact.

A copy of the traffic report is included in Appendix B.

In relation to utility services and whether the proposal will trigger the upgrade of any of these services, this is considered most appropriately assessed at development application stage.

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

**Response** – The gateway determination will determine any further consultation requirements with State or Commonwealth public authorities.

## 4.4 Part 4 – Mapping

Amendments to the LEP mapping is not required as the request is for an addition permitted use under Schedule 1.

## 4.5 Part 5 – Community Consultation

It is understood that the standard 28-day public exhibition period will likely apply to the proposal.

## 4.6 Part 6 – Project Timeline

The following milestone timeframes are anticipated. Timeframes will be revised is any significant delays are encountered.

Task	Anticipated Timeframe
Gateway Determination	January 2020
Completion of Gateway Determination requirements	February 2020
Public Exhibition	March 2021
Consideration of Submissions	April 2021
Post Exhibition consideration of Planning Proposal	May 2021
Finalisation and Notification of Plan	June 2021

## 5.0 CONCLUSION

This Planning Proposal report has been prepared by TfA Project Group (TfA) on behalf of Sydney Fuels Pty Ltd (the applicant) and involves a request to the Strathfield Council (the council) for the proposed addendum to the Strathfield Local Environmental Plan 2012 (the LEP) to enable a 'highway service centre' over land located at 204 Hume Hwy, Chullora NSW 2190 and more formally described as Lot 1 DP547215.

The Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant Department of Planning Guidelines including A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals.

The proposal has been assessed against the relevant local and State provisions, guidelines and regional strategies and from this assessment, the following conclusions are able to be drawn:

- The proposed use, being a highway service centre (including a service station and food and drink premises), is typical of those fronting major highways and will provide a service to the travelling public and the local community;
- The proposal will not be of a scale or type which could reasonably be considered to detrimentally impact upon the economic viability of the surrounding industrial area or surrounding business centres (opposite the Hume Highway) more broadly – rather, the proposal is seen as playing a supporting role to the industrial area of Chullora providing additional convenience to both employees within this area and servicing the wider travelling public;
- The proposal is considered to be consistent with the policy provisions and intent of the relevant regional strategies; and
- The proposal is not considered to impact adversely on any surrounding receiving environment and any perceived impacts can be managed through appropriate environmental management measures demonstrated at development application stage.

On the basis of the above, it is considered sufficient planning grounds exist to warrant the proposal and the application is recommended for Council's further assessment of the Planning Proposal.

## APPENDIX A – CONCEPTUAL DRAWINGS

## **APPENDIX B –TRAFFIC IMPACT ASSESSMENT REPORT PREPARED BY TTPP**