

TO: Strathfield Local Planning Panel Meeting - 3 December 2020
REPORT: SLPP – Report No. 44
SUBJECT: 204 HUME HIGHWAY, CHULLORA - LOT 1 DP 547215
DA NO. PLANNING PROPOSAL 2020/1

SUMMARY

Proposal: Pre-Gateway: Planning proposal to amend Schedule 1 of Strathfield Local Environmental Plan (SLEP) 2012 to permit a highway service centre as an additional permitted use on land at 204 Hume Highway, Chullora.

Site address: 204 Hume Highway, Chullora

Description of land: Lot 1 DP 547215

LEP to be amended: Strathfield LEP 2012

Application lodged with Council: 1 October 2020

Applicant: Tfa Project Group

Owner: Sydney Fuels Pty Ltd

Author: Ms P Frecklington

Zoning: IN1 General

Political donations: Nil

Recommendation: Endorse the Planning Proposal for Gateway determination

PURPOSE

The purpose of this Report is to seek advice from the Strathfield Local Planning Panel on a planning proposal for land at 204 Hume Highway, Chullora for the purposes of seeking a Gateway determination from the Department of Planning, Industry and Environment.

RECOMMENDATION

That the Strathfield Local Planning Panel consider the following recommendation in its advice to Council:

- (a) **That** Council endorse the Planning Proposal for the purpose of seeking a Gateway determination from the Department of Planning, Industry and Environment (DPIE) for land at 204 Hume Highway, Chullora which seeks to amend Schedule 1 of the *SLEP 2012* to permit a *highway service centre* as an additional permitted land use to facilitate a highway service centre.
- (b) **That** the Planning Proposal be forwarded to the DPIE for a Gateway determination.

BACKGROUND

1. On 1 October 2019, the applicant, Tfa Project Group, on behalf of the landowner, Sydney Fuels Pty Ltd, lodged a Planning Proposal with Strathfield Council for land at 204 Hume Highway, Chullora.

204 Hume Highway, Chullora - Lot 1 DP 547215 (Cont'd)

2. The site is located across two (2) Council areas with the majority located in Strathfield local government area (approximately 85%) and the remainder in Canterbury-Bankstown local government area.
3. The amendment would facilitate redevelopment of the site for the purpose of a *highway service centre*.

SITE

4. The subject site is located on the northern side of the Hume Highway with a frontage of approximately 108m to the Hume Highway. The site has an area of approximately 3,962m². The site is relatively flat. A locality plan is provided at **Figure 1**.



Figure 1. Aerial locality plan. The area shown in yellow is the portion of the site located in Canterbury-Bankstown LAG (Source: SIX Maps).

5. The site has only one road frontage. There is no secondary access. Vehicular access to the site is from the Hume Highway.
6. The site is currently used as car sales yard (refer **Figure 2**).

204 Hume Highway, Chullora - Lot 1 DP 547215 (Cont'd)



Figure 2. Existing development on the site.

7. The site is surrounded by an Australia Post warehousing and distribution facility to the west, Kennards self-storage warehouse to the immediate rear and east of the site, and USG Boral – Sud and Track warehouse and distribution centre fronting Worth Street to the rear of Kennards.

CURRENT PLANNING CONTROLS

8. The subject site is zoned IN1 General Industrial under Strathfield LEP 2012 and Bankstown LEP 2015 as shown in **Figure 3**



Figure 3. Zoning Map, Bankstown LEP 2015 and Strathfield LEP 2012.

204 Hume Highway, Chullora - Lot 1 DP 547215 (Cont'd)

9. The portion of the site within Strathfield LGA has a height limit of 12m under the Height of Building (HOB) map as shown in **Figure 4**. There is no applicable height control under Bankstown LEP 2015.



Figure 4. Height of Buildings Map, Strathfield LEP 2012.

10. The site currently has a floor space ratio of 1:1 under the Floor Space Ratio (FSR) Maps as shown as **Figure 5**.

204 Hume Highway, Chullora - Lot 1 DP 547215 (Cont'd)

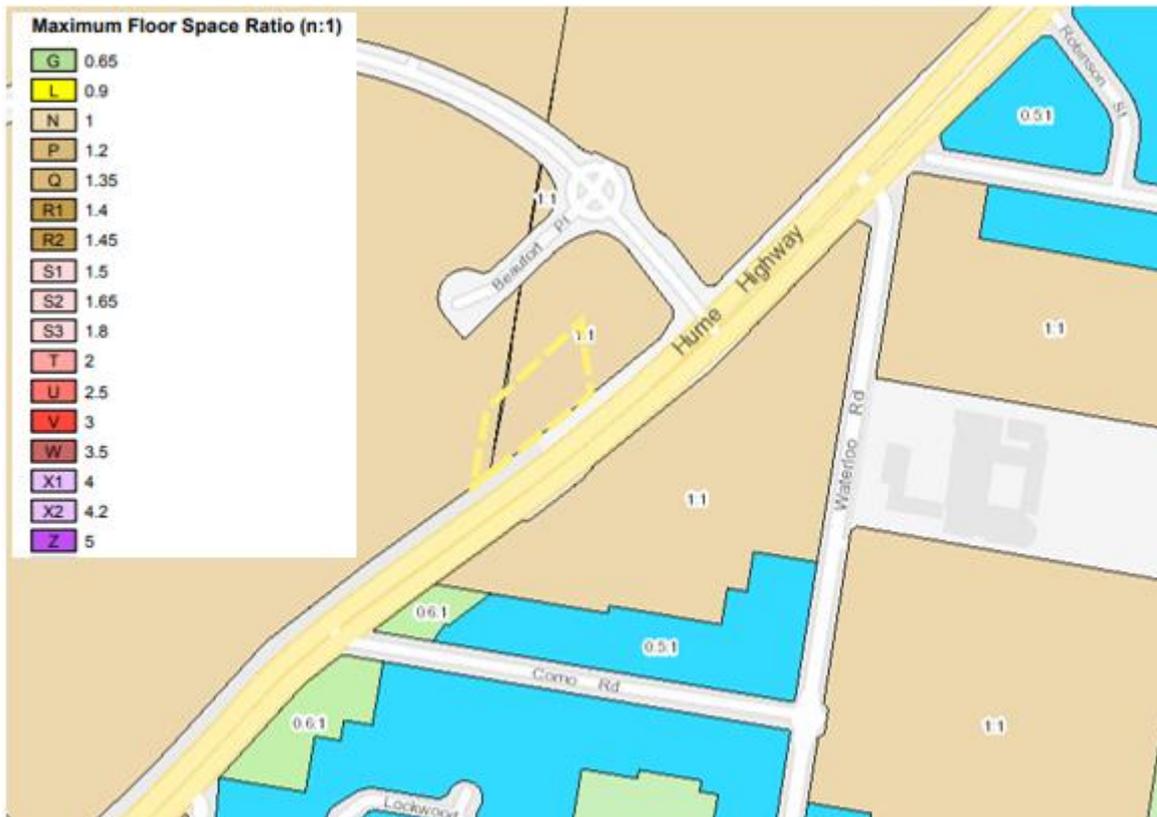
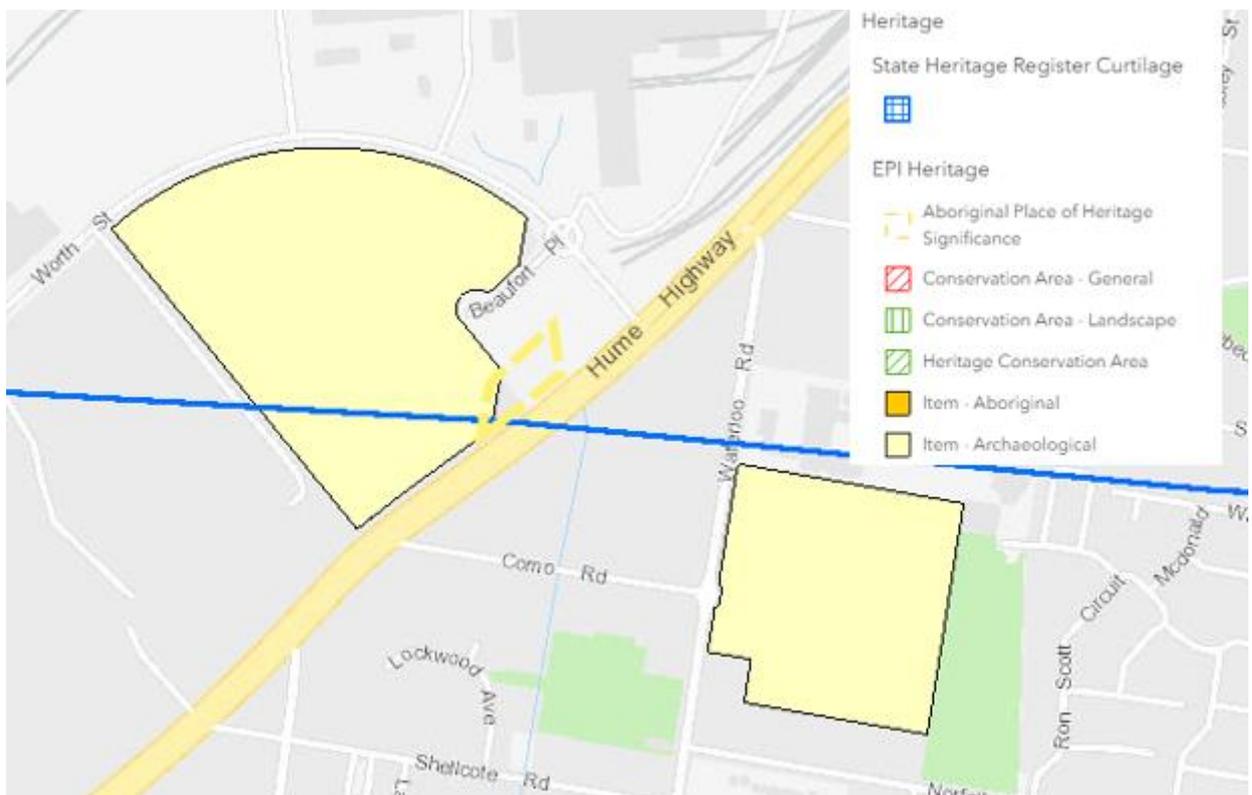


Figure 5. Floor Space Ratio Map, Strathfield LEP 2012, and Bankstown LEP 2015.

11. A state-heritage listed *pressure tunnel and shafts* (Listing No. 01630) traverses the south-western corner of the site. The portion of the site within Canterbury-Bankstown LGA is also affected by a local heritage listing of Archaeological significance (Item A2 under Schedule 5 of Bankstown LEP 2015). This is shown at Figure 6.



204 Hume Highway, Chullora - Lot 1 DP 547215 (Cont'd)

Figure 6. Heritage Map, Bankstown LEP 2015.

12. The site is identified as being within a 30km wind turbine buffer zone on the Wind Turbine Buffer Zone Map under SEPP (Western Sydney Aerotropolis) 2020 as shown at **Figure 7**.

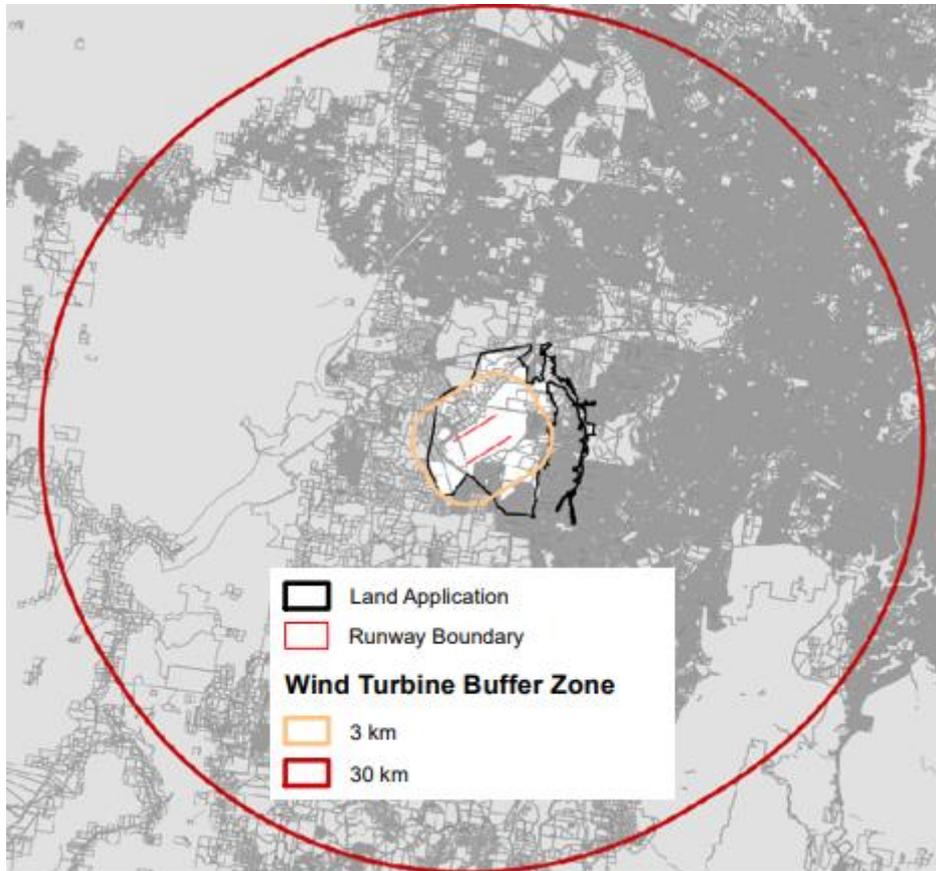


Figure 7. Wind Turbine Buffer Zone Map, SEPP (Western Sydney Aerotropolis) 2020

PLANNING PROPOSAL

13. The submitted Planning Proposal seeks to amend Schedule 1 of SLEP 2012 to permit a 'highway service centre' as an additional use on the site. A copy of the Planning Proposal submission is attached as **Annexure 1**.
14. The site is zoned IN1 General Industrial. Development for the purpose of a 'service station', and 'food and drink premises' (excluding takeaway) is currently prohibited. Development for the purpose of a 'take away food and drink premises' is permitted.
15. The definition of a 'highway service centre' under the standard LEP instrument is 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

204 Hume Highway, Chullora - Lot 1 DP 547215 (Cont'd)

16. The concept proposal falls under the definition of a *highway service centre* and is attached as **Annexure 2**. The concept site plan is shown at **Figure 8** and includes the following:

- Service station including covered refuelling forecourt with 6 refuelling dispensers (12 filling positions) and 2 x underground double-walled petroleum storage dispensers of unknown volume), and ancillary retail
- Building 2: Food and drink premises including 65m² dining (indoor/outdoor) area + car parking + separate loading area + drive-through facilities
- Building 1: 2-level food and drink premises attached to service station retail including 45m² dining area + drive-through facilities + separate loading area
- No physical separation between the uses.

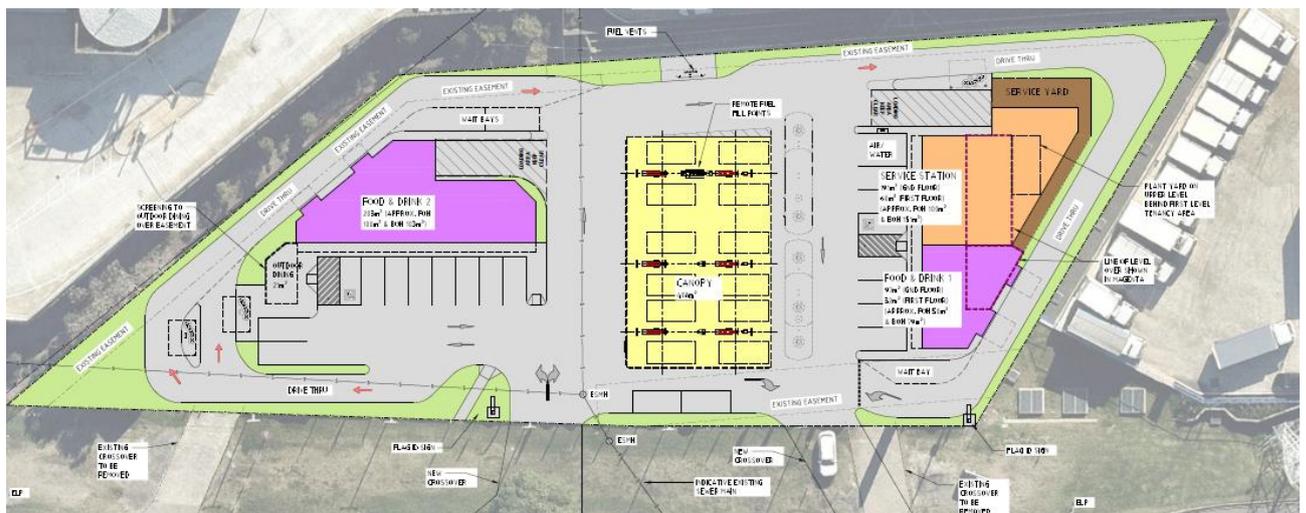


Figure 8. Concept site plan prepared by TfA Project Group.

LOCAL AND STRATEGIC PLANNING CONTEXT

State

17. The Planning Proposal is consistent with the relevant state policies and planning strategies including *Greater Sydney Region Plan - A Metropolis of Three Cities* (2018), the *Eastern City District Plan* (2018), State Environmental Planning Policies (SEPPs) and relevant Ministerial Directions under Clause 9.1 of the *Environmental Planning and Assessment Act 1979*.

Regional / District

18. Strathfield LGA falls within the area covered by the Eastern City District Plan (2018). Canterbury-Bankstown LGA falls under the South District Plan (2018). There are no inconsistencies in the plans regarding the classification of the site as *‘industrial and urban services land’*. As most of the site is in Strathfield LGA, only the Eastern City District Plan (ECDP) is considered below.

Eastern City District Plan (ECDP)

19. The site of the Planning proposal is located on a committed highway within the Eastern City District Plan’s mapped industrial and urban services supply land as shown at **Figure 9**.

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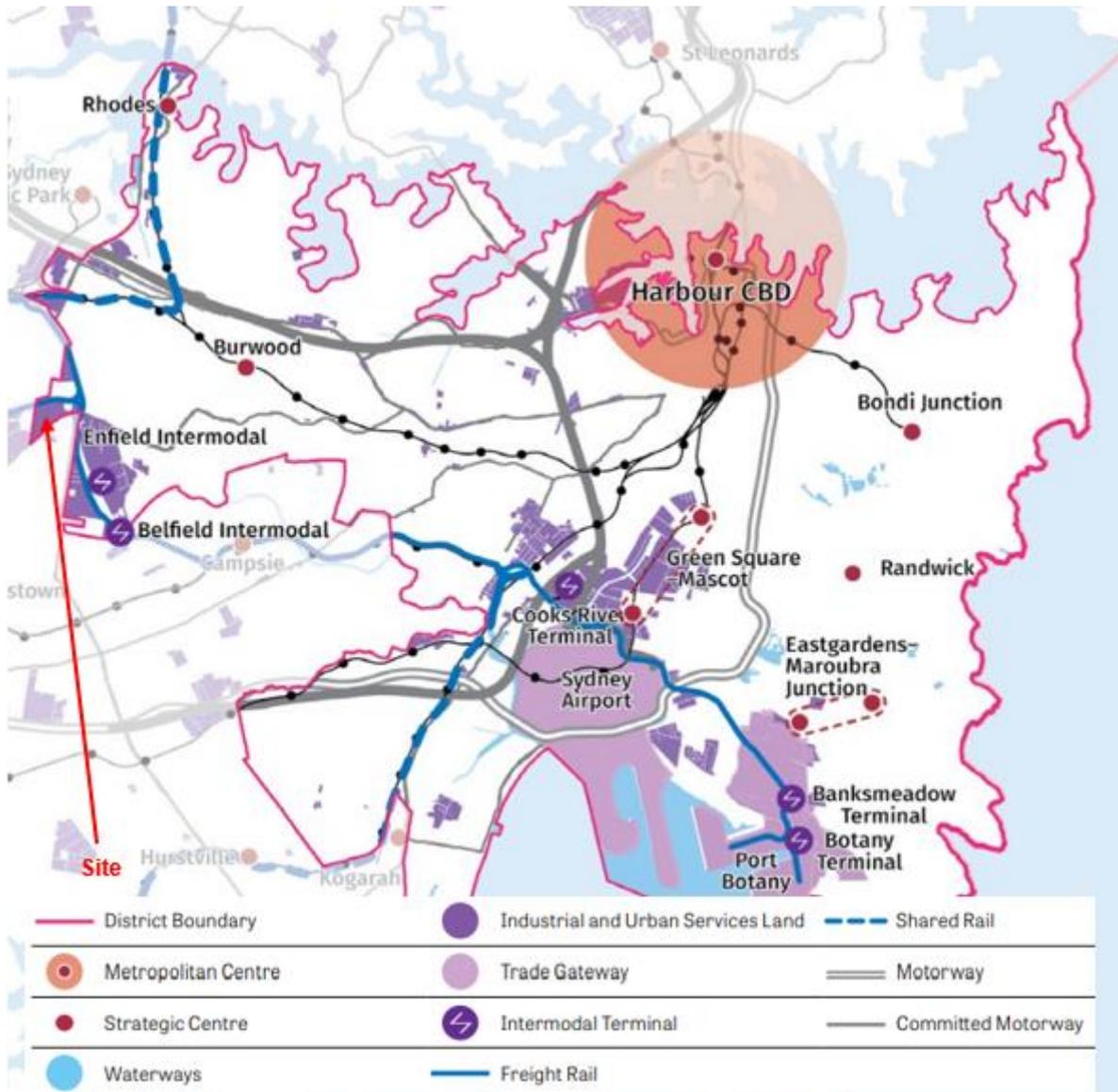


Figure 9. Eastern City District industrial and urban services land and freight assets, Eastern City District Plan. The portion of the site that encroaches the precinct boundary falls within the South District Plan (2018).

20. Priority E12 under the ECDP seeks to retain and manage industrial and urban services. The site is not currently used for industrial purposes and has been operating as a car sales yard for over 10 years.
21. The loss of *potential* industrial land is a relevant consideration. The size of the subject land and single access from Hume Highway would be a constraint to supply industrial land. The immediate surrounding sites zoned IN1 Industrial are better suited to deliver industrial land due to their larger lot sizes and dual frontages to permit freight and logistic services to support warehousing and distribution centres, and other industrial activities. Refer **Figure 10**.
22. The Planning Proposal would facilitate delivery of a better use for the site that would provide urban services to support the surrounding area, consistent with the ECDP.

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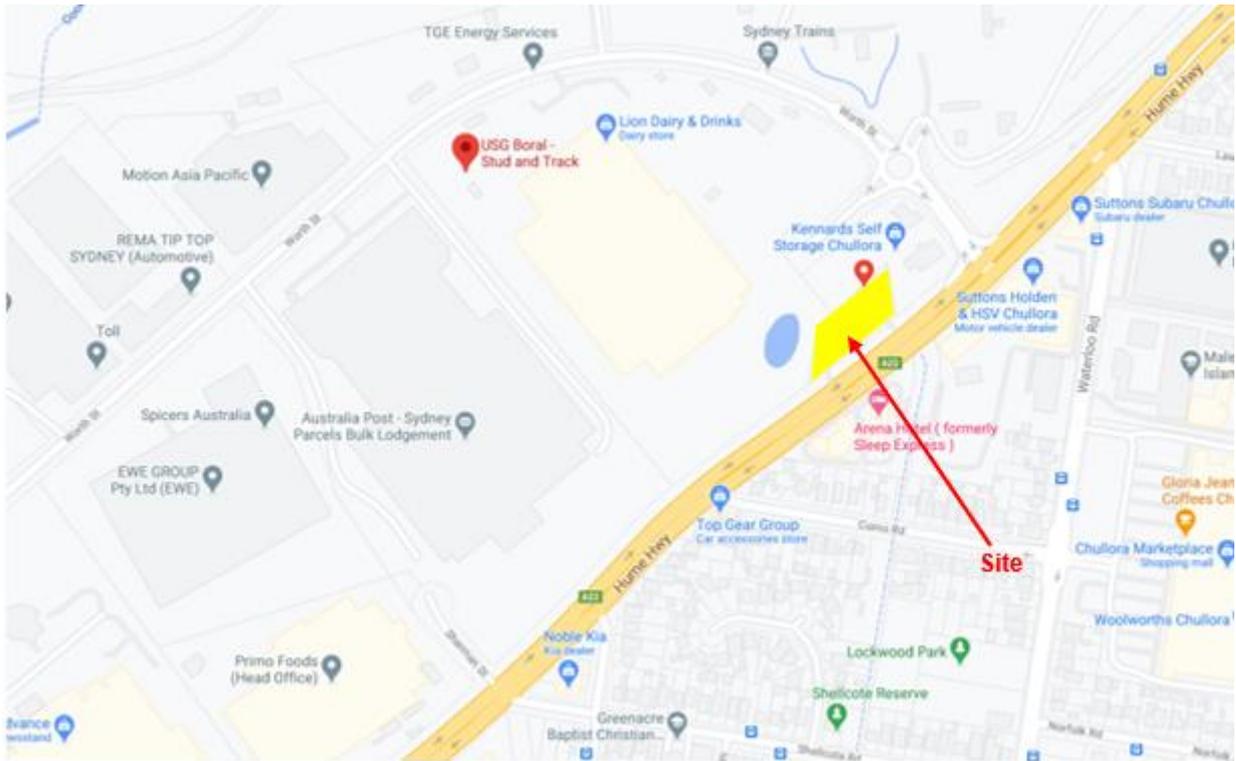


Figure 10. Existing bulk-goods, warehousing, and distribution centres in the surrounding area (Source: Google maps).

23. Planning Priority E17 under the ECDP seeks to provide tree canopy along the Hume Highway. This matter can be addressed at the DA stage.
24. The Planning Proposal is therefore consistent with the City Eastern City District Plan (2018).

Local

25. The *Strathfield 2040 Local Strategic Planning Statement March 2020* (LSPS) sets the strategic direction for Strathfield for the next 20 years and responds to broader priorities identified in the ECDP in conjunction with Council's Community Strategic Plan. The Strathfield overall structure plan is shown at **Figure 11**.

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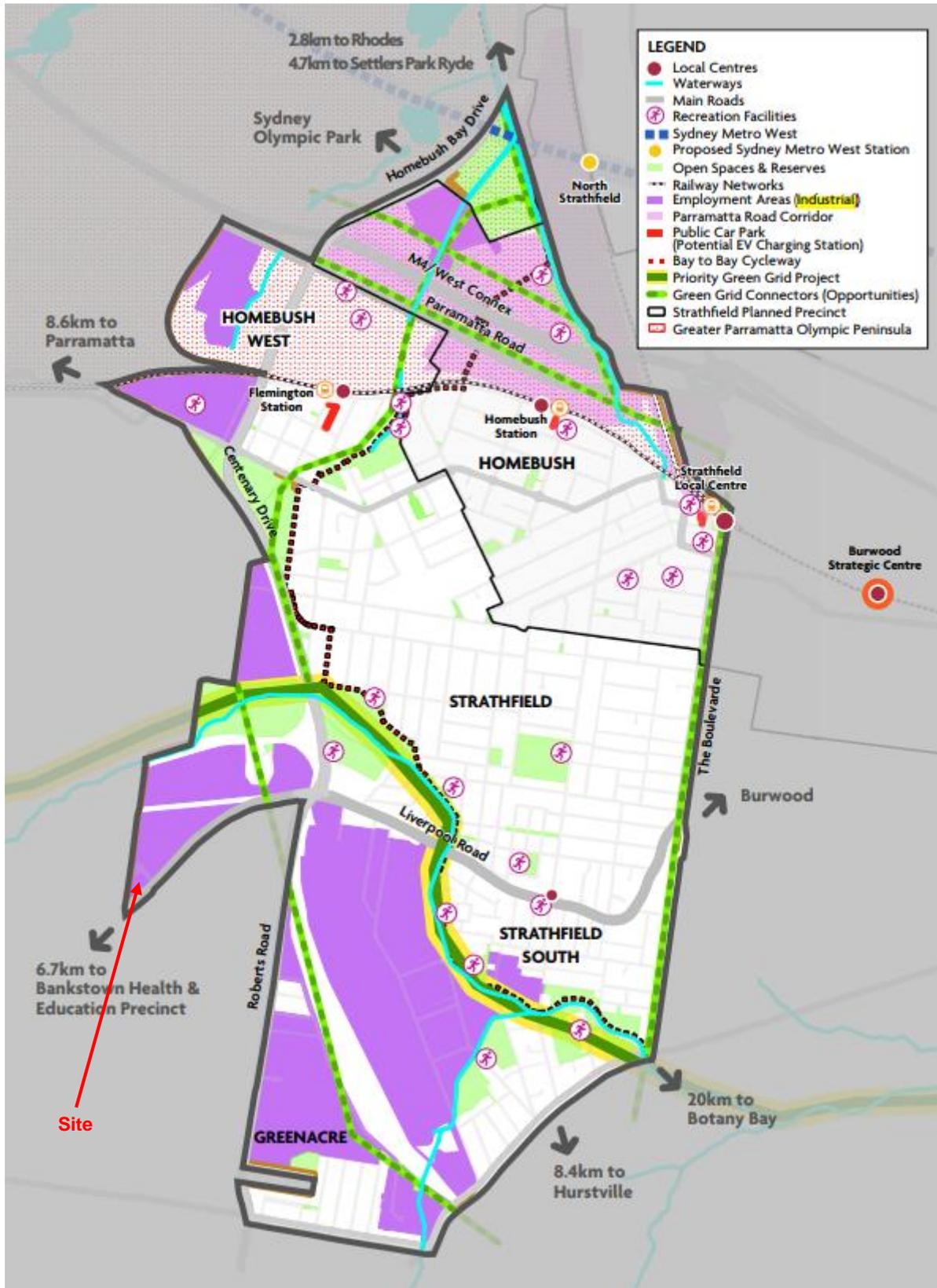


Figure 11. Strathfield Overall Structure Plan, Strathfield 2040 LSPS.

26. The Planning Proposal does not exhibit any inconsistency with the LSPS. In particular, the Planning Proposal is consistent with Planning Priority P10 of the LSPS that seeks to ensure that industrial land and precincts “deliver District and local urban services...”.

204 Hume Highway, Chullora - Lot 1 DP 547215 (Cont'd)**ASSESSMENT OF KEY ISSUES**

27. The following section provides an analysis of the key issues associated with the Planning Proposal.

INFRASTRUCTURE

28. A Traffic Impact Assessment prepared by *The Transport Planning Partnership* (09/2020) was submitted with the Planning Proposal and is attached as **Annexure 3**. Council's Traffic Engineer has raised no objections to the planning proposal and concept development scheme for a highway service centre. Hume Highway is classified as state road which is under TfNSW control. TfNSW advised Council that comments were not required at the Planning Proposal stage.
29. The site is serviced by essential services and utilities including stormwater, telecommunications, sewer, water, and electricity.
30. Council is not aware of any significant changes/upgrades proposed to Hume Highway that would impact on the Planning Proposal. No infrastructure upgrades are necessary to support the proposal. Council's Traffic Engineer notes that based on the SIDRA analyses in the Traffic Report, key intersections along Hume Highway at Muir Road, Sherman Street and Worth Street indicate in the current year 2020 and 10-year horizon of 2030, that the concept development would not generate unacceptable impacts on the surrounding road network.

ENVIRONMENTAL

31. The land is identified as Class 5 on the Acid Sulfate Soils Map, SLEP 2012. The site is not identified as environmentally sensitive land, bushfire prone land or flood prone land, and is not subject to landslide risk. A preliminary contamination assessment has not been undertaken at the Planning Proposal stage. This matter can be further considered and appropriately addressed at the development application stage, and is not required to support the strategic merit of the site.
32. The highway service centre is potentially hazardous due to the nature of the materials stored on the site. It is therefore considered appropriate that the Environment Protection Authority (EPA) is consulted at the exhibition stage to confirm the suitability of the site for the proposed development.
33. Run-off from the service station forecourt can be addressed at the DA stage including referral to the Office of Water.
34. There is no existing vegetation on the site. As such, there are no flora and fauna impacts.
35. The environmental health impacts associated with the food and drink premises can be addressed at the development application stage.
36. There are no environmental impediments to the Planning Proposal.

SOCIAL AND ECONOMIC

37. The proposal identifies a number of positive social and economic impacts including the creation of employment opportunities once the highway service centre is constructed, and improved services to surrounding industrial land to support their on-going viability.
38. Social benefits include improved goods and services to meet the day to day needs of the surrounding area.

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39. An economic study has not been prepared but is not considered necessary to demonstrate the strategic merit of the site for the Planning Proposal.

CONSULTATION**Community**

40. No public consultation has been undertaken.
41. The Planning Proposal was notified on Council's website only.
42. The standard 28-day community consultation period is proposed for the development. This is considered appropriate.

Agencies

43. It is recommended that consultation be undertaken with the following agencies as a condition of the Gateway determination:
- Transport for NSW (TfNSW)
 - Environment Protection Authority (EPA)

TIME FRAME

44. A 5-month timeframe has been proposed. Due to the level of consultation that is required with State agencies, a 9-month time frame is considered more appropriate.

LOCAL PLAN-MAKING AUTHORITY

45. As the proposal is consistent with the State, regional and local planning framework, it is considered appropriate that Council be provided authorisation to act as the local plan-making authority for this matter.

CONCLUSION

46. The proposal is consistent with the State, regional and local planning framework and has demonstrated strategic planning merit to proceed to a Gateway determination.

RECOMMENDATION

That the Strathfield Local Planning Panel consider the following recommendation in its advice to Council:

- (c) **That** Council endorse the Planning Proposal for the purpose of seeking a Gateway determination from the Department of Planning, Industry and Environment (DPIE) for land at 204 Hume Highway, Chullora which seeks to amend Schedule 1 of the *SLEP 2012* to permit a *highway service centre* as an additional permitted land use to facilitate a highway service centre.
- (d) **That** the Planning Proposal be forwarded to the DPIE for a Gateway determination.

ATTACHMENTS

1. Annexure 1 - Planning Proposal Report
2. Annexure 2 - Conceptual Plans
3. Annexure 3 - Traffic Report