
PE5 PROponent LED Planning Proposal - 204 Hume Highway, Chullora - Lot 1
DP 547215 - PP-2025-136

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RECOMMENDATION

1. That Council forward the *Planning Proposal – 204 Hume Highway, Chullora - Additional permitted uses* (Attachment 1) to the Department of Planning, Housing and Infrastructure for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
2. That the Acting Director – Planning and Environment be authorised to make minor editorial amendments to the Planning Proposal as required throughout the reporting process.
3. That Council endorse for public exhibition the Planning Proposal in accordance with the terms of the Gateway Determination issued by the Department of Planning, Housing and Infrastructure in accordance with the *Strathfield Council Community Engagement Strategy*.
4. That a further report be provided to Council, seeking resolution to adopt the LEP amendments following the completion of the Gateway process.

PURPOSE OF REPORT

To seek Council's endorsement of a new Planning Proposal that seeks to amend *Strathfield Local Environmental Plan 2012 Schedule 1 Additional permitted uses*, and the associated map, to allow "service station" and "restaurant or café" and limit the maximum combined gross floor area of *restaurant or cafe* and *food and drink premises* development to not exceed 350m².

REPORT

Under s9.1 Ministerial Directions, a planning proposal is to be referred to the local planning panel for advice on whether or not a planning proposal should be forwarded to the Minister for a Gateway Determination under section 3.34 of the *Environmental Planning & Assessment Act 1979*.

The Proposal

This draft Planning Proposal for land at 204 Hume Highway, Chullora (Lot 1 DP 547215) (known as the subject site), included at **Attachment 1**, seeks to amend the *Strathfield Local Environmental Plan 2012* (SLEP 2012) as follows:

- Amend Schedule 1, and the associated map, to allow the following additional permitted uses: "service station" and "restaurant or café" and
- Limit the maximum combined gross floor area of *restaurant or café* and *take away food and drink premises* development to not exceed 350m².

The subject site is located within the industrial area of Chullora and fronts the Hume Highway, a classified road, and straddles both the Strathfield and Canterbury Bankstown Local Government Area (LGA) (Figure 1 and 2 below). with approximately 85% of the land area in the Strathfield LGA and the remaining 15 % in the Canterbury-Bankstown LGA.

The zones that apply to the subject site are equivalent, E4 General Industrial (SLEP 2012) and IN1 General Industrial (Canterbury- Bankstown LEP 2023). Permissibility differs across both LEPs, with the Canterbury-Bankstown LEP permitting the abovementioned land uses within the IN1 General Industrial zone.

This Planning Proposal will align permissibility across the subject site with respect to the abovementioned uses.

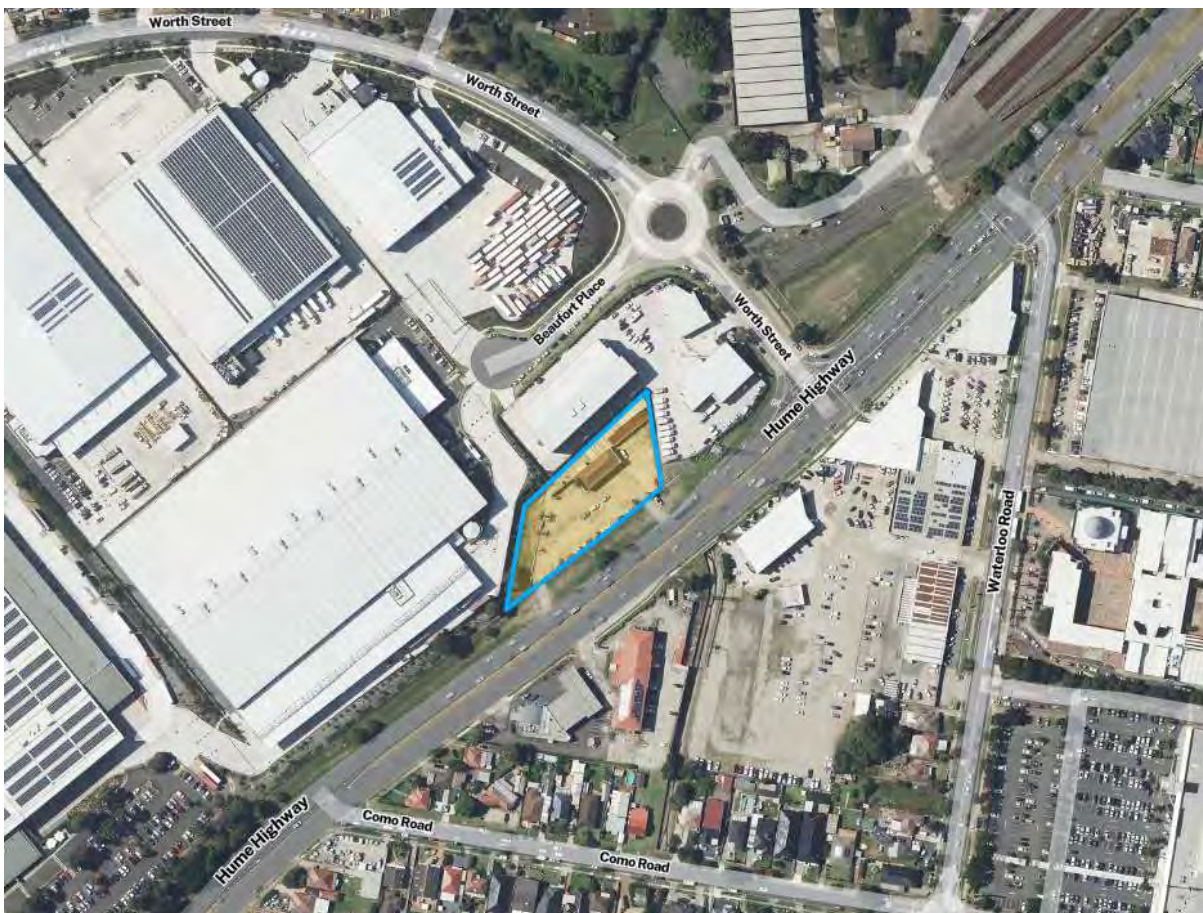


Figure 1 – Site Location

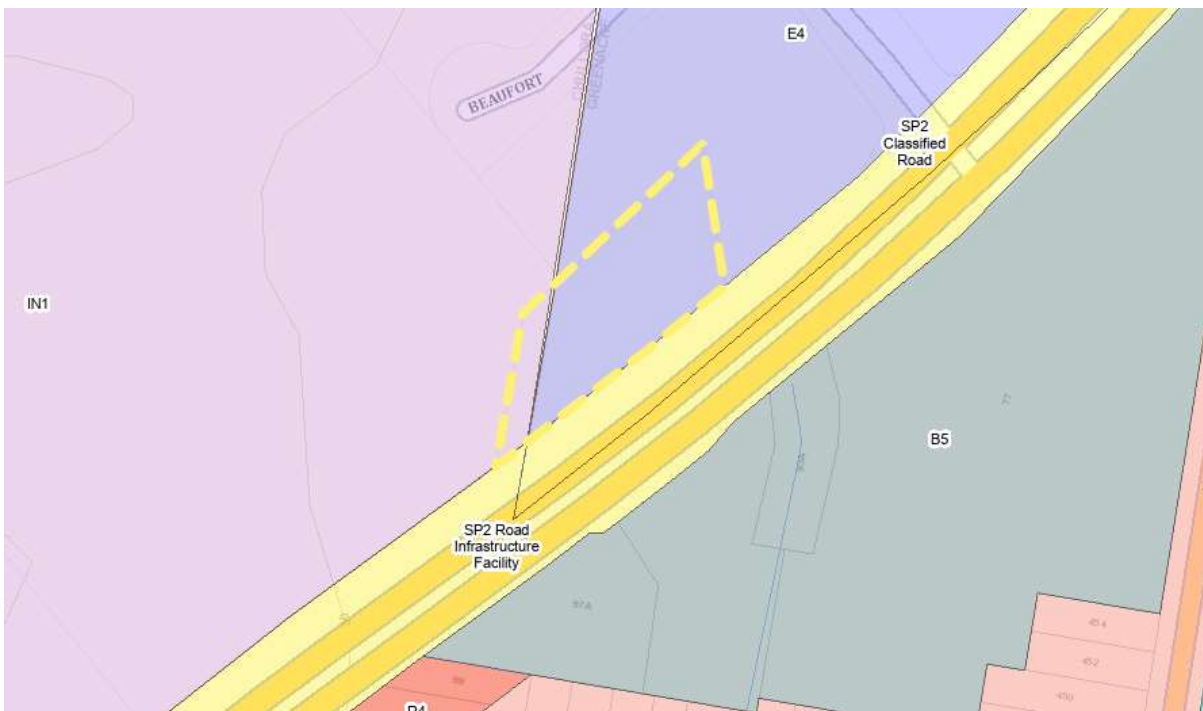


Figure 2 – LGA Boundaries and existing zoning

Subject Site

The subject site to which the Planning Proposal applies is 204 Hume Highway, Chullora (Lot 1 DP 547215). The site straddles two Council areas with approximately 85% of the land area in Strathfield LGA and the remaining 15 % in Canterbury-Bankstown LGA.

The subject site has an area of approximately 3,962m² with an approximately 108m frontage to the Hume Highway that accommodates dual access for left in, left out vehicular movement. The speed limit on the Hume Highway in this location is 70km/hr.



Figure 3 – Site Context

The Site has an irregular shape with the following approximate boundary dimensions:

- Northern boundary – 90m (adjoining Kennards Self Storage and Australia Post Logistics)
- Western boundary – 56m (adjoining Australia Post Logistics)
- Southern boundary – 106m (adjoining Hume Highway)
- Eastern boundary – 52m (adjoining Kennards Self Storage)

Current uses and structures on the site include a temporary drive-through 'I-Juice' food truck business, cool rooms, storage containers and former car showroom. The majority of the site is covered with extensive concrete hardstand that was required for the former car sales yard. During the COVID-19 pandemic the site was used as temporary testing clinic location.



Figure 4 - View of Site from Exit Driveway

The site is identified as containing a State Heritage Item, being a Pressure Tunnel and Shafts used for water supply between Potts Hill Reservoir and the Pumping Station at Waterloo. The pressure tunnel dates from the 1920 and varies in depth below ground from 15m to 67m. Although the tunnel may be deep below the surface the State Heritage listing will require further consultation and consideration by NSW Heritage through the Planning Proposal referral process, and for any future development applications.

The site is characterised by its large expanse of hardstand concrete with a small, landscaped area in along the southwest boundary of the site. One notable tree is located within the road reserve along the Hume Highway.



Figure 5 – Hume Highway Tree

The site is well serviced with telecommunications, stormwater, sewer, water and electricity. A high-pressure gas pipeline (Jemena) runs along the front of the site within the road reserve. Further consultation with Jemena will be required to progress the design and future approvals.

Locality

The subject site is located on the Hume Highway approximately 4.5km southwest of Strathfield Train Station and located on the edge of an industrial area in Chullora. The industrial area contains multiple large sites and floorplates containing logistics and warehousing uses. Adjoining the Site are Australia Post Logistics and Kennards Self Storage.



Figure 6 – Site Landscaping and Australia Post Logistics adjoins the Site to the southwest

Behind the Site to the southwest is one of several Australia Post Logistics facilities located in the Chullora industrial area.



Figure 7 - Kennards Self Storage adjoins the Site to the North

Opposite the site, within the suburb of Greenacre, is a Suttons Ford dealership, Arena Hotel, Ampol Service Station, Red Rooster drive-through restaurant and low-density residential development. Beyond the Suttons Ford dealership and further to the east is Chullora Marketplace shopping centre.



Figure 8 – Suttons Ford Dealership

The Hume Highway in the vicinity of the site has a speed limit of 70km/hr and is six (6) lanes wide. The site is accessed and exited from two driveway crossovers enabling a left in and left out arrangement. Immediately after the exit from the site a left turn slip lane provides access to the Chullora industrial area via Worth Street. Based on the significant area taken up by Australia Post Logistics within the neighbouring industrial area there are many truck movements surrounding the site.

Background to the Current Planning Proposal

1 October 2019	The applicant TFA Group, on behalf of the landowner Sydney Fuels Pty Ltd lodged a Planning Proposal with Strathfield Council for the land at 204 Hume Highway, Chullora. The proposed additional permitted use being sought at that time was <i>highway service centre</i> .
3 December 2020	Strathfield Local Planning Panel considered the Planning Proposal (PP-2-21-2824) and agreed with the recommendation and resolved to endorse the Planning Proposal and forward the PP to the Department for Gateway determination.
10 February 2022	The Department advised there were several matters that needed to be addressed before the PP, or revised PP, could progress to Gateway Determination.
20 October 2022	The Department made its Gateway Determination and advised that amending Strathfield Local Environmental Plan 2012 to introduce an additional permitted use

for *highway service centre* should **not proceed**. The Department advised, in summary, the following reasons that the PP did not proceed:

- Did not sufficiently address cross LGA boundary matters
- Did not satisfactorily address strategic directions relating to safeguarding industrial land
- Imminent Canterbury-Bankstown LEP proposed prohibition of *highway service centre* in IN1 General industrial zone
- PP was not updated to address employment zone reforms
- PP did not provide mapping to demonstrate the changes
- proposed uses indicated *service station* and *food and drink premises* were notably not proposed in the PP
- PP failed to demonstrate consistency with s9.1 Ministerial Directions – 3.2 Heritage Conservation, 4.4 Remediation of Land and 4.5 Acid Sulfate Soils

The Department encouraged a new PP be explored to align with proposed permissible land uses in the Canterbury-Bankstown LEP and address the issues and concerns raised by the Department.

23 January 2025	EG Property Group lodged Planning Proposal (PP-2-25-136) via the Planning Portal to amend Strathfield LEP 2012 Schedule 1 Additional permitted uses to permit <i>service station</i> and <i>restaurant or café</i> .
February 2025	Internal referrals for comment undertaken
February 2025	Referral to Canterbury-Bankstown for comment
17 March 2025	Council advised the Applicant of its intention to limit the grass floor area of the proposed additional permitted uses

Existing Planning Controls - Strathfield Local Environmental Plan 2012 (SLEP 2012)

The subject site is currently zoned E4 General Industrial under SLEP 2012. Within the E4 zone *take away food and drink premises* are permissible, however *service station* and *restaurant or café* are prohibited land uses.

Canterbury- Bankstown Council has recently harmonised their LEPs and the Canterbury-Bankstown LEP 2023 permits *service station* and *restaurant or café* in the IN1 zone.

The intent of this Planning Proposal is to align the land uses across the site by making *service stations* and *restaurant or cafés* a permissible use. The definitions of each proposed additional permitted use is included in Table 1 below:

Table 1 – Planning Proposal Additional Permitted Uses Definitions

Standard Instrument LEP Definition	
Service station	<p>means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—</p> <ul style="list-style-type: none"> (a) the ancillary sale by retail of spare parts and accessories for motor vehicles, (b) the cleaning of motor vehicles, (c) installation of accessories, (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration), (e) the ancillary retail selling or hiring of general merchandise or services or both.
Restaurant or café	<p>means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided, but does not include the preparation and serving of food and drink to people that occurs as part of—</p> <ul style="list-style-type: none"> (a) an artisan food and drink industry, or (b) farm gate premises.

The Planning Proposal

The draft Planning Proposal seeks to amend the Strathfield Local Environmental Plan 2012 (SLEP 2012) by **amending Schedule 1 Additional permitted uses to include ‘service station’ and ‘restaurant or café’** as permitted uses for the subject site. An associated mapping change will also be required to reflect the Additional permitted uses in the amended Schedule (Refer Appendix G).

The amendment and inclusion of the additional permitted uses being proposed will bring consistency to the permissibility of development across entirety of the site in both Local Government Areas (LGAs). The amendments will allow the indicative development concept of a service station with take away food and drink premises to be permissible with consent from both Strathfield and Canterbury Bankstown Councils.

The amendments being sought are to facilitate the redevelopment of the site with the following proposed development concept:

- Service station convenience store - 251m² (100m² front-of-house / 151m² back-of-house)
- Drive-through fast food restaurant (food and drink) - 129m² (approx. 50m² front-of-house / 21m² outdoor dining)

- Drive-through fast food restaurant (food and drink) - 203m² (approx. 100m² front-of-house)
- Fuel station canopy with 6 fuel dispensers (up to 12 light vehicles)
- 20 car parking spaces (2 accessible)



Figure 9 – Proposed Development Concept

Based on the indicative concept, the proposed uses and their areas, Council intends to limit the maximum floor area of any future restaurant or café use or take away food and drink premises to be generally in accordance with the concept, and to ensure that these uses on the site do not become the predominant use.

The applicant was advised of Council's intention to do this via email dated 17 March 2025. The applicant advised on 19 March 2025 that they support this.

To achieve this the proposed amendment to Schedule 1, Additional permitted uses, will be as follows:

6 Use of land at 204 Hume Highway Chullora

- (1) This clause applies to Lot 1 DP 547215547215 identified as "Item 6" on the Additional Permitted Uses Map.*
- (2) Development for the purposes of service station and restaurant of café is permitted with consent*
- (3) The maximum combined gross floor area of restaurant or café and take away food and drink premises development is not to exceed 350m²*

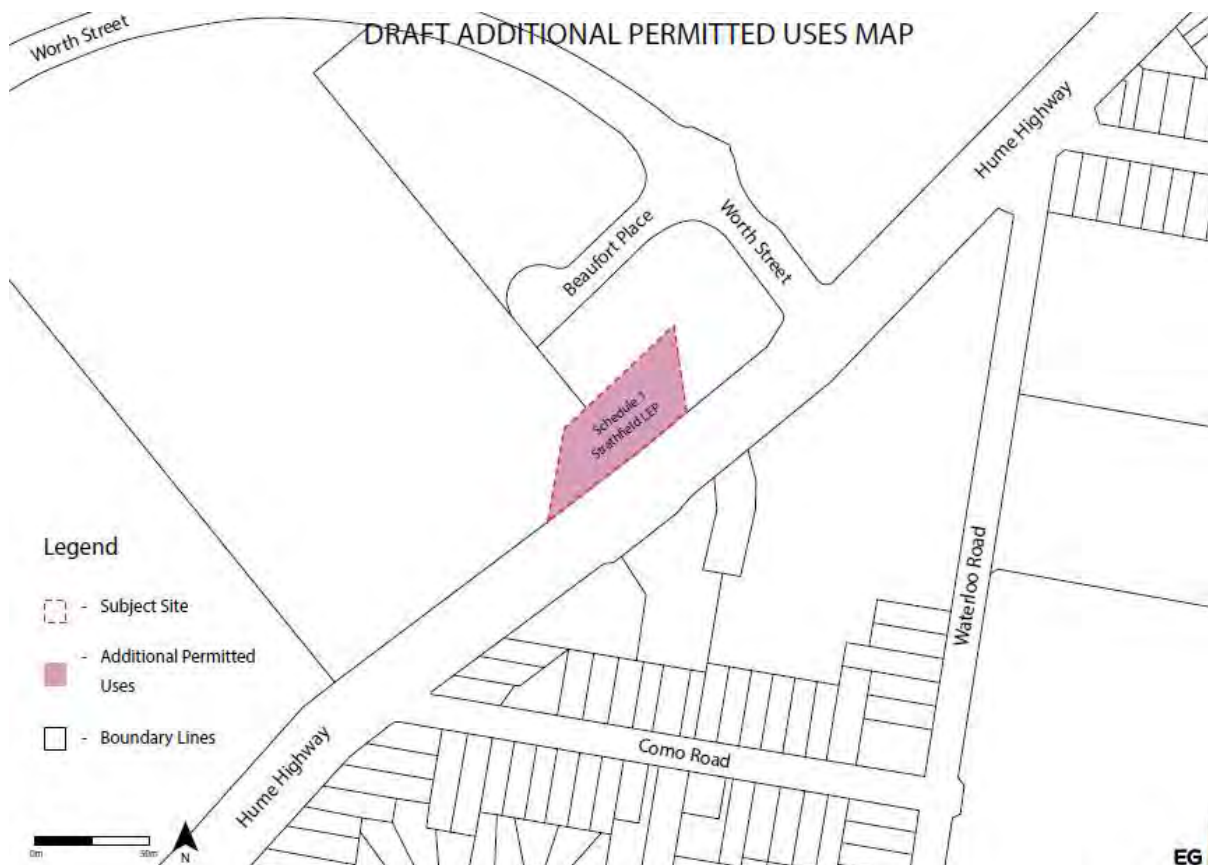


Figure 10 – Draft Additional Permitted Uses Map

Planning Proposal Supporting Documents

The draft Planning Proposal is supported by supporting studies and plans as shown in Table 2 below. These studies and plans have been used by the Applicant to demonstrate consistency with the relevant parts of the strategic planning framework and are referred to in the Planning Proposal assessment in this report.

Table 2 – Planning Proposal supporting studies and plans

Planning Proposal Report	Impetus Planning Pty Ltd
Appendix A Conceptual Drawings	TFA Project Group
Appendix B Traffic Impact Assessment	The Transport Planning Partnership
Appendix C Social Impact Assessment	Sarah George Consulting
Appendix D Economic Impact Assessment	Gap Maps
Appendix E Preliminary Site Investigation	EMM Consulting
Appendix F Preliminary Historical Archaeological Assessment	Sustainable Heritage
Appendix G Draft Additional Permitted Uses Map	Impetus Planning Pty Ltd

ASSESSMENT AND INTENDED OUTCOME OF THE PLANNING PROPOSAL

This Planning Proposal seeks to address the shortcomings and concerns raised by the Department when completing their Gateway Determination of the previously submitted PP-2-21-2824.

Specifically, this PP addresses the following:

- Cross LGA permissibility issues by ensuring the proposed additional permitted uses and the proposed development of the land will become permissible in both LGAs.
- Consistency with strategic directions relating to retention and safeguarding of industrial land (refer below).
- Compliance with Canterbury-Bankstown LEP 2023.
- Employment zone reforms.
- Draft mapping amendment.
- Proposed additional permitted uses are consistent with the draft development concept for the land.
- Consistency with Ministerial Directions (refer below).

The DPHI's Local Environmental Plan Making Guidelines dated August 2023 outlines matters for consideration when describing, evaluating and justifying a planning proposal, including an assessment and justification of the strategic and site-specific merit of the proposed amendments.

2.1 Consistency with Strategic Context

Greater Sydney Region Plan – A Metropolis of Three Cities (2018)

Greater Sydney Region Plan – A Metropolis of Three Cities (Greater Sydney Commission 2018) describes a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. Objective 23 Industrial and urban services land is planned, retained and managed.

This draft Planning Proposal seeks to allow such 'urban services' as service station and restaurant or café to be permissible across the entirety of the Site. The accompanying development concept illustrates an arrangement of two drive through restaurant or café / food and drink premises and service station.

The Economic Impact Assessment provided in support of the PP identifies a shortfall in the proposed 'urban services' in the locality, and on that side of the Hume Highway. As a result, the PP is consistent with the Greater Sydney Region Plan Objective.

The Eastern City District Plan (2018) and South City District Plan (2018)

Due to the Site's location across the boundary between two LGAs it is also covered by two District Plans, the Eastern City District Plan and the South District Plan.

Within the Eastern City District Plan the land is identified as "Industrial Land" and of the 21 Planning Priorities in the Plan the most relevant is *Planning Priority E12 – Retaining and managing industrial and urban services land*. Similarly, the South District Plan notes Chullora as an important location for industrial, employment and urban services and of the 20 Planning Priorities in the Plan *Planning Priority S10 – Retaining and managing industrial and urban services land* is the most relevant applicable to the Site.

The Planning Proposal retains the existing General Industrial zone(s) that apply to the land and seeks to **ensure the ability to develop the land for the 'urban services' the Planning Priorities set out to retain and manage.** The proposed additional permitted uses will enable the development of a service station and restaurant or café uses on the site to meet the urban service needs of the locality and passing traffic.

Strathfield 2040, Local Strategic Planning Statement (LSPS 2020)

Strathfield 2040, Local Strategic Planning Statement (LSPS 2020) identifies the significance and importance of our existing industrial and employment lands. Within the LSPS Council has noted the role our industrial areas play in providing urban services for our community.

This Planning Proposal is consistent with, and will give effect to the following Priorities and Actions of the Strathfield LSPS 2040:

- P3. Freight corridors and local servicing meets needs with minimal impact on neighbourhoods and centres (E1, E2).
- P10. Industrial land and precincts deliver District and local urban services and provide activated spaces with minimal impact on neighbourhoods (E2, E9, E10, E11, E12, E13).

Canterbury-Bankstown Connective City 2036 (2020) The Canterbury-Bankstown LSPS

Connective City 2036 (2020) identifies the significance and importance of the existing industrial and employment lands. Within the LSPS **Canterbury-Bankstown Council has noted that "Protected industrial lands will provide space for local services to meet demand and maximise job-generating development and investment."**

This Planning Proposal is consistent with, and will give effect to the following Priorities and Actions of the Canterbury-Bankstown LSPS:

- Retain and manage Chullora industrial and urban services land.
- Retain and manage industrial and urban services land.

6.2 Consistency with SEPPs

This Planning Proposal is consistent with the following relevant SEPPs as assessed in Table 3 below:

Table 3: Consistency with State Environmental Planning Policies

SEPP	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	<p>The SEPP applies as the land to which this planning proposal applies is located within the Strathfield LGA, and within a zone specified by the SEPP. Vegetation management works within the affected area are regulated by Part O of Strathfield DCP 2005 as permitted by clause 2.9 of the SEPP.</p> <p>No changes to the regulatory regime applicable to vegetation management works within the area subject to this planning</p>

SEPP	Consistency	Comment
		proposal are proposed.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal seeks to introduce the additional permitted uses of 'service station' and 'restaurant or café' to the land . Allowing these uses to be permissible with consent will not contradict or hinder the application of this SEPP. The Planning Proposal is not inconsistent with this SEPP.
State Environmental Planning Policy (Housing) 2021	Yes	The Planning Proposal does not propose any changes which will contradict or hinder the application of this SEPP in relation to the provision of affordable housing and diverse housing. Accordingly, the Planning Proposal is consistent with this SEPP.
State Environmental Planning Policy (Industry and Employment) 2021	Yes	The Strathfield LGA is not located within the Western Sydney employment area. The Planning Proposal does not propose any changes which will contradict or hinder the application of this SEPP in relation to advertising and signage. Accordingly, the Planning Proposal is not inconsistent with the SEPP.
State Environmental Planning Policy (Planning Systems) 2021	Yes	The Planning Proposal is not inconsistent with the SEPP as it does not affect state infrastructure.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Yes	The Strathfield LGA is located within the Eastern City but does not contain any precincts or growth areas identified by this SEPP. Accordingly, the Planning Proposal is not inconsistent with the SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	The Planning Proposal seeks to include additional permitted uses to allow 'service station' on the land . A service station does not fall within the definition of hazardous or offensive development. Accordingly, the Planning Proposal is not inconsistent with the SEPP.
State Environmental Planning Policy (Resources and Energy) 2021	Yes	The Planning Proposal does not contain any planning provisions relating to development of mineral, petroleum and extractive material resources. Accordingly, the Planning Proposal is not inconsistent with the SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes	The Planning Proposal does not contain any planning provisions which will contradict or hinder the application of this SEPP in relation requirements for non-residential development.

SEPP	Consistency	Comment
		Accordingly, the Planning Proposal is not inconsistent with the SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	<p>The Planning Proposal does not contain any planning provisions which will affect or hinder the delivery of infrastructure, educational establishment and childcare facilities or major infrastructure corridors.</p> <p>Accordingly, the Planning Proposal is not inconsistent with the SEPP.</p>

Consistency with s9.1 Ministerial Directions

Ministerial Directions under Section 9.1 of the *Environmental Planning & Assessment Act 1979* set out a range of matters to be considered when preparing an amendment to a Local Environmental Plan.

This Planning Proposal is consistent with the following relevant Ministerial Directions as assessed in Table 4 below:

Table 4: Consistency with S9.1 Ministerial Directions

Ministerial Direction	Consistency	Comment
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	Consistent	This Planning Proposal achieves the overall intent of the Greater Sydney Region Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions.
1.3 Approval and Referral Requirements	Consistent	This Planning Proposal does not seek to make any additional provisions that require the concurrence consultation or referral of development applications to a Minister or public authority.
1.4 Site Specific Provisions	Inconsistent	<p>This Planning Proposal proposes amendments to the Additional permitted for the land to which it will apply.</p> <p>The proposed amendment seeks to limit the maximum gross floor area of the proposed additional permitted uses to prevent unintended outcomes or overdevelopment of the site.</p> <p>With the applicants support Council will liaise with the Department to satisfy the Planning Secretary that the provisions are of minor significance.</p>
1.4A Exclusion of Development Standards from Variation	Consistent	This Planning Proposal does not propose to introduce or alter an existing exclusion to Clause 4.6 of the Standard Instrument LEP or an equivalent provision of any other environmental planning instrument.
Focus area 3: Biodiversity and Conservation		

Ministerial Direction	Consistency	Comment
3.2 Heritage Conservation	Consistent	<p>This planning proposal applies to a site that is identified as containing a State Heritage Item (SHR #01630).</p> <p>The heritage provisions within SLEP 2012 and the requirements for referral to NSW Heritage will continue to apply and provide sufficient protection for this item.</p>
3.10 Water Catchment Protection	Consistent	<p>This planning proposal seeks to permit 'service station' and 'restaurants or café' on the land. Any development within the Strathfield LGA must comply with Council's Stormwater Management Policy to ensure that appropriate drainage systems are provided and integrated into Council's drainage network with minimal impact on existing users or catchment areas.</p>
Focus area 4: Resilience and Hazards		
4.1 Flooding	Consistent	<p>This Planning Proposal does not seek to amend the existing flood planning provisions within the LEP and the site is not identified as being with a flood planning area and is not subject to flood related development controls.</p>
4.4 Remediation of Contaminated Land	Consistent	<p>This Planning Proposal applies to existing E4 General Industrial zoned land.</p> <p>The council's Contaminated Land Register was checked to determine whether the property subject to this planning proposal is listed as contaminated land and unsuitable for the proposed development.</p> <p>A review of the available history for the area gives no indication that the land associated with this Planning Proposal is significantly contaminated.</p>
4.5 Acid Sulfate Soils	Consistent	<p>This Planning Proposal does not seek to introduce or change provisions relating to Acid Sulfate Soils.</p>
Focus area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Consistent	<p>This planning proposal proposes to include additional permitted uses to existing zoned urban land, however it is not inconsistent with <i>Improving Transport Choice – Guidelines for planning and development</i>.</p> <p>Development to which <i>The Right Place for Business and Services – Planning Policy</i>, applies to development proposed to be permitted by this planning proposal and is consistent with the policy.</p>
5.2 Reserving Land	Consistent	<p>This Planning Proposal does not propose to make any changes to land</p>

Ministerial Direction	Consistency	Comment
for Public Purposes		reservations.
Focus Area 7: Industry and Employment		
Employment Zones	Consistent	This planning proposal seeks to provide increased capacity for additional industrial uses on the existing E4 zoned land and is consistent with the policy.

Consistency with relevant Key Government Priorities

In addition to the above Ministerial Directions the Planning Proposal aligns with the recently announced Industrial Lands Action Plan. Although the land is currently zoned for industrial uses the Planning Proposal will increase the flexibility and development opportunities for the land.

ADVICE OF THE STRATHFIELD LOCAL PLANNING PANEL

The Planning Proposal was considered by the Strathfield Local Planning Panel (LPP) at its meeting on 11 April 2025. The following advice was provided:

The Strathfield Local Planning Panel recommends that the Planning Proposal to amend Strathfield Local Environmental Plan 2012, Schedule 1 Additional permitted uses, and the associated map, to allow additional permitted uses for 'service station' and 'restaurant or café' on land at 204 Hume Highway, Chullora (Lot 1 DP 547215), be forwarded to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979.

In making the above recommendation, the panel saw strategic and site-specific merit in aligning permissible uses within two local environment plans that apply to the subject site. In terms of environmental impacts, these are able to be addressed at the DA stage.

CONSULTATION

Should the Planning Proposal be supported it will be forwarded to the Minister for Planning & Public Spaces requesting a Gateway Determination.

If a Gateway Determination (Approval) is issued, it is anticipated that the Planning Proposal will be exhibited for a minimum of 28 days in accordance with the provisions of the *Environmental Planning & Assessment Regulation 2021* and any requirements of the Gateway Determination.

Exhibition material, including plain English explanatory information, fact sheets, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website. Hard copies will also be available at Council offices and library for public viewing.

Notification of the public exhibition will be through:

- Exhibition notice on Council's website,
- Notices in Council offices and libraries,
- Community engagement project on Council's Have Your Say website,
- Council's social media platforms,
- Letters to landowners of properties affected by a proposed change in the planning controls, and
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination.

Consultation already undertaken

Consultation with state agencies

There has been no formal pre-lodgement meeting held to discuss the details of this Planning Proposal with DPHI. However, through various communication means Strathfield Council has informed DPHI of the Planning Proposal.

Should the Planning Proposal be supported consultation with state agencies will be undertaken as a part of the Gateway Determination requirements.

Consultation with Canterbury-Bankstown Council

Canterbury-Bankstown officers have provided a response to the proposed Planning Proposal, the additional permitted uses and the proposed restrictions on the maximum gross floor area of the proposed uses on the site. Canterbury-Bankstown Council raises no objection, in principle, to the draft Planning Proposal. Their response is provided as Appendix 9.

Canterbury-Bankstown has lodged a Planning Proposal with the Department to transition its IN1 General Industrial zone to the equivalent E4 General Industrial Zone and anticipates its gazettal within the next month. This amendment will retain permissibility for 'service station' and 'restaurant or café' on the site.

Consultation with the proponent

The proponent was asked to comment on the Council's proposed restriction on the maximum gross floor areas of the additional permitted uses. Through their planning consultant the proponent has advised that they approve Council's amendment.

Internal Referrals with Relevant Council Staff

The draft Planning Proposal has been referred to:

- Urban Forest Supervisor
- Senior Traffic and Transport Engineer
- Senior Environmental Health Officer
- Heritage Advisor

The majority of comments related to the future design of the service station, which will be dealt with as part of any future Development Application. A summary of the comments is included at Attachment 8.

Council's Heritage Advisor has advised that as a State Heritage Item comments are required from the Heritage Council/NSW Heritage. This can be addressed in a referral to the State agency as part of the exhibition process.

NEXT STEPS

Should this Planning Proposal be supported it will be reported to Council with a recommendation to submit this Planning Proposal to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

The anticipated project timeline for the preparation of this Planning Proposal is outlined in Table 5 below:

Table 5: Planning Proposal Anticipated Timeframe

Stage	Anticipated Timeframe
Referral to Strathfield LPP in accordance with Ministerial Direction	Complete
Reporting to Council on the Planning Proposal seeking endorsement to forward Planning Proposal for a Gateway Determination	April 2025
Planning Proposal to be forwarded to DPHI for a Gateway Determination	May 2025
Anticipated commencement date (date of Gateway Determination)	July 2025
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination)	July - August 2025
Commencement and completion dates for public exhibition period (minimum of 28 days)	July - August 2025
Timeframe for consideration of submissions	September 2025
Timeframe for the consideration by Council of a proposal post exhibition	October - November 2025
Date of submission to the DPHI to finalise the LEP	November 2025

RISK IMPLICATIONS

The risk of not proceeding with this Planning Proposal is the ongoing prohibition and limitation of the reasonable development of the land due to the inconsistency of the permissibility of development between the Strathfield LEP 2012 and the Canterbury-Bankstown LEP 2023.

Once in effect, the proposed changes will enable a Development Application to be submitted for the proposed uses, which are considered appropriate for the Site and its location.

FINANCIAL IMPLICATIONS

The costs related to Council officer's administration functions and community engagement will be determined once Council has received a Gateway Determination.

ATTACHMENTS

1. [↓](#) Appendix 1 - Final Planning Proposal
2. [↓](#) Appendix 2 - Conceptual Drawings
3. [↓](#) Appendix 3 - Traffic Impact Assessment
4. [↓](#) Appendix 4 - Social Impact Assessment
5. [↓](#) Appendix 5 - Economic Impact Assessment
6. [↓](#) Appendix 6 - Preliminary Site Investigation
7. [↓](#) Appendix 7 - Preliminary Historical Archaeological Assessment
8. [↓](#) Appendix 8 - Summary of Comments - Internal Referrals
9. [↓](#) Appendix 9 - Comments from Canterbury- Bankstown Council