

PLANNING PROPOSAL

To include a (Service Station) as a Scheduled Use in the
Campbelltown (Urban Area) LEP 2002

At

194 Campbelltown Road, Denham Court NSW, 2565
Lot 100 in DP 1176622



Prepared by:

Smyth Planning

Amended by Campbelltown City Council

June - 2014

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Annexures

INDEX	PLANS AND DOCUMENTATION	PREPARED BY	DATED
Annexure 1	Site Plan	J. Wyndam Prince	February 2014
Annexure 2	Traffic Report	Colston Budd Hunt & Kafes Pty Ltd	March 2014
Annexure 3	Landscape Plan	RFA Landscape Architects	March 2014
Annexure 4	Visual Impact Statement	Mosca Pserras Architects	February 2013
Annexure 5	Acoustic Assessment	Mott MacDonald	March 2014
Annexure 6	Preliminary Contamination Assessment	SMEC Testing Services Pty Ltd	March 2014
Annexure 7	Arboricultural Impact Assessment	Urban Tree Management Australia Pty Ltd	July 2013
Annexure 8	Proposed Service Station – Vehicle Turning Paths	J.Wyndham Prince	December 2013

1. INTRODUCTION

- 1.1 Smyth Planning has been engaged by Mr. Mark Bassal of Xpress Group Pty Ltd to prepare a Planning Proposal for Lot 100 in DP 1176622, (No. 194 Campbelltown Road, Denham Court).
- 1.2 The Planning Proposal provides a description and justification for the proposed amendment to the Campbelltown (Urban Areas) Local Environment Plan 2002 (LEP 2002), to permit the development of a „service station“ as a scheduled use on the subject site and provides an additional clause to ensure that the service station will not be utilised for the refuelling and servicing of heavy vehicles.
- 1.3 The Planning Proposal has been prepared in accordance with the requirements of Section 55 of the Environmental Planning and Assessment Act 1979 and the relevant Department of Planning and Infrastructure Guidelines including „A Guide to Preparing Planning Proposals 2012“, and „A Guide to preparing Local Environment Plans“.
- 1.4 It is considered that the proposed development has local strategic merit without causing any unreasonable environmental, social and economic impacts and would service the needs of the surrounding community and visitors to the area.

2. SITE DESCRIPTION AND LOCATION

2.1 Locality Description

The site is located on the eastern side of Campbelltown Road at Denham Court within the Campbelltown City Council Local Government Area. It is situated between McCormack Place to the north and Williamson Road to the south. The M5 Motorway is east of the site. There is a northbound off-ramp from the M5 adjacent to the site’s eastern and northern boundaries. The off-ramp intersects Campbelltown Road at a signalised intersection adjacent to the site (Refer to **Figure 1**)

Adjacent to the site, Campbelltown Road provides for one traffic lane in each direction, with sealed shoulders. It has a 70 kilometre per hour speed limit and carries moderate traffic volumes. Campbelltown Road passes over the M5, south of the site. Further south it intersects Williamson Road, which provides access to the Ingleburn Industrial Estate. There is a roundabout at the Campbelltown Road/Williamson Road intersection. The fourth leg of the roundabout provides a southbound on-ramp to the M5.

There is a right turn bay for southbound traffic on Campbelltown Road, near the southern end of the site. It provides access to a horse riding ranch. Campbelltown Road is a classified Road and as such, requires the concurrence of Roads and Maritime Services (RMS) for access.



Figure 1: Site Location Map showing subject site and surrounding land. Source - <http://www.street-directory.com.au/>

2.2 Site Description

The site is legally described as Lot 100 DP 1176622 and is known as 194 Campbelltown Road, Denham Court. The site is currently zoned 7(d5) Environmental Protection 1ha Minimum. The site is irregular in shape and has a frontage of approximately 240 metres to Campbelltown Road, 192 metres to the Hume Highway freeway and 116 metres to the off ramp from the north bound freeway lane to Campbelltown Road (Refer to **Figure 2**). The site has an approximate area of 1.241 hectares and is relatively flat. The site includes a brick cottage and associated metal garage and shed and swimming pool. There are a number of trees on the site. Currently on the site is a dwelling which appears to be occupied. Vehicular access to the site is via a crossover from Campbelltown Road.



Figure 2: Aerial photo showing subject site and surrounding land. Source - <http://maps.six.nsw.gov.au/>

3. BACKGROUND

3.1 In accordance with the recommendations of the Department of Planning and Environment (the Department) outlined in „A Guide to Preparing Planning Proposals 2012“, a planning proposal request was submitted to Council on 9 July 2013 to enable the subject site to be used as a service station with a small convenience store and a small food area, with a cafeteria on the subject site. Council believed there was merit in a „typical service station“ that did not provide any on-site heavy vehicle refuelling, parking nor servicing. Amended plans (Refer to **Figure 3**) were submitted to Council and were considered at a Council meeting on 10 December 2013 and resolved as follows:

1. *That Council support in principle a proposed amendment to Campbelltown (Urban Areas) Local Environmental Plan 2002 for Lot 100 DP1176622 (No. 194 Campbelltown Road) Denham Court, to include an additional use (service station) to Schedule 2 – Additional Development subject to its consideration of the outcomes of further required investigations as detailed in the above report.*
2. *That additional requirements, as recommended by the legal advice sought by Council be included as part of any proposed amendment to Campbelltown (Urban Area) Local Environmental Plan 2002 to ensure that the service station would not be allowed to provide onsite truck parking and servicing.*
3. *That the applicant be requested to prepare additional studies, as identified by this report, in support of a possible amendment to Campbelltown (Urban Area) Local Environmental Plan 2002.*

4. That this matter be reported back to Council following an assessment of the additional required investigations.

3.2 The requested studies have been prepared by the respective consultants and support the Planning Proposal at **Annexure 2 – 7**.

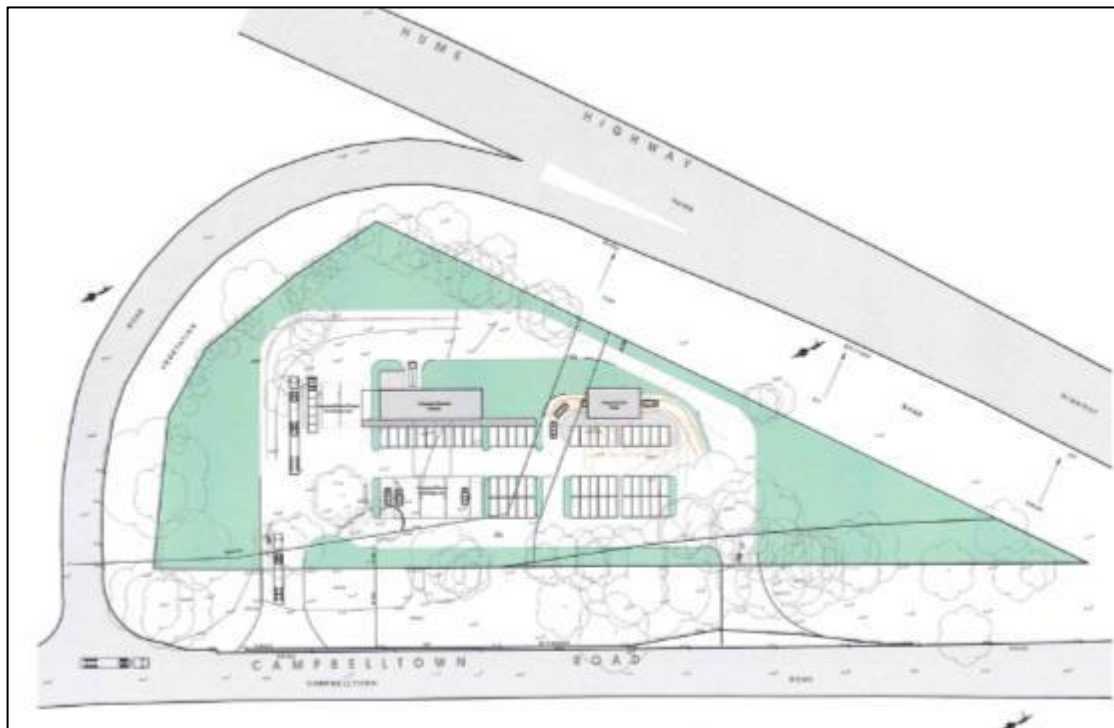


Figure 3: Site Plan. Source – Mosca Pserras Architects

4. Part 1 – Objectives or Intended Outcomes

- 4.1 The objectives and intended outcomes for this planning proposal are as follows:
 - To enable the development of Lot 100 DP 1176622, (No. 194 Campbelltown Road, Denham Court) for the purpose of a service station.
 - To ensure that the service station is not designed nor used for the refuelling and servicing of vehicles larger than 4.5 tonnes in GVM.

5. Part 2 – Explanation of Provisions

- 5.1 The proposed outcome, namely the development of a service station on the subject site, can/ will be achieved by amending the Campbelltown (Urban Areas) Local Environment Plan 2002 as follows:
 - Amend *Schedule 2 Additional Development* of the LEP 2002 to include the following:

12 *Development for the purpose of a service station*

Lot 100 DP 1176622, 194 Campbelltown Road, Denham Court
 - Add a clause under *Schedule 2 Additional Development* of the LEP 2002 that reads:

Development for the purpose of a service station that is not used and is not so constructed or adapted as to be capable of being occupied or used for refuelling, parking, washing, greasing, storing, repairing, installing accessories or servicing of motor vehicles or trailers that have a maximum loaded mass of more than 4.5 tonnes (as specified by the

manufacturer or by the Roads and Maritime Services constituted under the Transport Administration Act 1988).'

6. Part 3 – Justification

6.1 Section A – Need for planning proposal

Is the planning proposal a result of any strategic study or report?

The planning proposal is not the result of any strategic planning study or report undertaken by the Council. The proposal to create a scheduled use to allow for a „service station“ is a result of an owner initiated Press Australia PTY LTD rezoning application in response to research that shows that the site is suitable for use as a service station. It is noted that Council has provided in principle support in response to the submission of a planning proposal request to Council on 9 July 2013.

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

Yes. The planning proposal represents the best means of achieving the objectives and intended outcomes, as the current zoning of the site under LEP 2002 of 7(d5) Environmental Protection 1ha Minimum, prohibits the use of the land for a service station with a small convenience store, a car wash and a small food area, with a cafeteria.

6.2 Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within applicable Regional and sub-regional strategies?

The planning proposal is generally consistent with the relative objectives and actions contained within the following Strategic Plans:

NSW 2021 State Plan

The planning proposal is consistent with Goal 1 of the NSW 2021 State plan “Improve the performance of the NSW economy” as it will encourage employment growth. Employment will be created during the construction phase and throughout the ongoing operation of the future development.

Metropolitan Plan for Sydney 2036

The planning proposal is consistent with the following strategic directions of the Metropolitan Plan for Sydney 2036 including the following:

- Strategic Direction C- Transport for a Connected City, as the development will provide fuel and services related to efficient and effective road based transportation.
- Strategic Direction E- Growing Sydney’s Economy, as the development will encourage employment growth throughout the construction and continued operation.

Draft Metropolitan Strategy for Sydney to 2031

The planning proposal is not inconsistent with the following key outcomes within the Draft Metropolitan Plan for Sydney 2036 including the following:

- A liveable City;
- Productivity and Prosperity; and
- Accessibility and connectivity

Draft South West Sub-Regional Strategy 2007

The planning proposal is consistent with the following key directions within the Draft South West Sub – regional including the following:

- Key Direction 2 - Plan for Major Employment Growth;

The proposed development will contribute to future employment growth and provide services for residents and visitors to the area in an accessible location.

Is the planning proposal consistent with the local council's community plan or other strategic Plan?

The planning proposal is generally consistent with the long term town planning strategy plan „Campbelltown 2025, looking forward“. In particular, the proposal is consistent with the following strategic directions:

- Strategic Direction 6.2 – Growing the Regional city;
- Strategic Direction 6.4 – Getting around the city; and
- Strategic Direction 6.6 – Creating Education, employment and entrepreneurial opportunities.

Furthermore, the subject site is considered suitable to be developed for a service station type development as it is an isolated parcel of land that is bounded by major roads on all sides, and it is located within close proximity to Ingleburn Industrial Precinct. In addition, the small convenience store would provide services for nearby rural areas and reduce the number of trips to major centres.

Is the planning proposal consistent with applicable state environmental planning policies?

Consideration has been given to the State Environmental Planning Policies that are relevant to this planning proposal.

The following table provides an assessment of the planning proposal against the State Planning Environment Planning Policies that may be relevant to the proposed development on the site:

State Environment Planning Policy	Consistency
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development	Any development lodged for a „service station“ would include fuel storage and therefore require an assessment against the criteria under Clause 13 of SEPP 33 – Hazardous and Offensive Development. The proposal is considered consistent subject to the assessment of any development application.
State Environmental Planning Policy No. 44 – Koala Habitat Protection	<p>The subject site is <u>not</u> affected by this SEPP. There is no Koala habitat or „potential koala habitat“ on the subject site.</p> <p><i>“potential koala habitat means areas of native vegetation where the trees of the types listed in <u>Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.</u>”</i></p> <p>The arboricultural study did not identify any of the native vegetation listed in Schedule 2 on the subject site (Refer to Annexure 7)</p>

<p>State Environmental Planning Policy No. 55 – Remediation of Land</p>	<p>SEPP 55 requires that a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination. A preliminary contamination assessment has been prepared in support of the application (Refer to Annexure 6). The report concluded that concentrations of chemical contaminants measured in the soils across the site are generally low and below criteria that are protective of human health for a commercial/ industrial land use setting. Some asbestos fibres were identified a soil sample which would require appropriate remediation including removal by a licenced operator prior to development. In summary, the results of the contamination study determined the site to be suitable for the redevelopment into a commercial/ industrial use provided the asbestos contaminated soil is appropriately remediated. The planning proposal is considered consistent with this SEPP subject to the appropriate recommendations occurring.</p>
<p>State Environmental Planning Policy No. 64 – Advertising and Signage</p>	<p>Any development application for signage is subject to the provisions of this SEPP. The aim of this policy is to ensure that signage erected is compatible with the desired amenity and visual character of the area it is located in. Any signage would be assessed against this SEPP and regulated by way of conditions of development consent. It is considered that the planning proposal is consistent in this regard.</p>
<p>State Environmental Planning Policy (Infrastructure 2007)</p>	<p>Pursuant to Clause 104 – Traffic generating development, of the Infrastructure SEPP, an application for a service station (including ones which have retail outlets) must be referred to the Roads and Maritime Services (RMS) if the site has direct vehicular access or pedestrian access to a classified road or to a road that connect to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection.</p> <p>The subject site has direct access to a classified road, therefore any development application for a service station would be referred to the RMS in accordance with the provisions of SEPP Infrastructure 2007.</p>

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

The following table provides an assessment of the planning proposal against the relevant Section 117(2) Ministerial Directions:

Section 117 Direction No. and title	Consistency
<p>1. Employment and Resources</p>	
<p>Direction 1.1 - Business and Industrial Zones</p>	<p>Whilst the proposed planning proposal is not located within a „Business Zone“, Objective (1)(a) of this direction is to “Encourage employment growth in suitable locations”. It is considered that the proposal is consistent with this direction as the site is considered suitable for a „service station“ type use and it will encourage employment growth during the construction phase and throughout the continued operation of the development.</p>

<p>Direction 2.1 - Environment Protection Zones</p>	<p>This direction applies to the subject site as the land is currently zoned 7(d5) Environmental Protection 1ha Minimum. The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>This Direction states what a relevant planning authority must do if this direction applies: :</p> <p style="padding-left: 40px;">A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p style="padding-left: 40px;">planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “Rural Lands”.</p> <p>It is considered that the draft planning proposal is consistent with the terms of this direction as it is not proposing to reduce or change the environmental protection standards that currently apply to the land.</p>
<p>Direction 6.3 - Site Specific Provisions</p>	<p>This direction applies to the planning proposal as it amends an Environmental Planning Instrument (CLEP 2002) to create a scheduled use to permit a service station.</p> <p>The main objective of this Direction states:</p> <p><i>The objective of this direction is to discourage <u>unnecessarily</u> restrictive site specific planning controls.</i></p> <p>The proposal is considered consistent with the above objective as it is necessary for this particular site to include additional provisions to ensure that the service station would not be utilised for the refuelling and servicing of trucks.</p> <p>A service station that would provide services and refuelling for heavy vehicles is not considered suitable for this site for the following reasons:</p> <ol style="list-style-type: none"> 1. It would adversely impact on the residential amenity of nearby rural residential properties in terms of noise. 2. It would adversely impact on the aesthetic and scenic values of the locality. 3. It would generate large volumes of heavy traffic which would adversely impact on the road network within the locality. <p>To ensure that a service station on this site would not be designed and used for providing refuelling and services to trucks/heavy vehicles, additional clause under LEP 2002 is proposed to that effect.</p> <p>Given that the proposed clause is not inconsistent with the objective of this Direction, the inconsistency is considered of minor nature.</p>
<p>Direction 7.1 – Implementation of the Metropolitan Strategy</p>	<p>This proposal is consistent with this direction as it achieved the overall intent of the Metropolitan Plan for Sydney 2036 and will encourage employment growth throughout the construction and ongoing operation of the development and provide fuel and services related to efficient and effective road based transportation.</p>

6.3 Section C – Environmental, social and economic impact

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?

The subject site is identified as containing some trees which form part of an area identified as Cumberland Plain Woodland which is listed as a critically endangered ecological community (CEEC) under the Threatened Species Conservation Act 1995 (TSC Act) and the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). An arboricultural assessment was prepared by Urban Tree Management on behalf of the applicant (refer to **Annexure 7**) and found that the majority of trees are highly fragmented and modified bushland which have been impacted by previous land uses (Refer to Figure 3A). The main observations of the study are as follows:

- *The trees were determined to be of self-sown (remnant) & planted origin, locally indigenous, indigenous & exotic, evergreen specimens which all form part of the local canopy.*
- *The planted specimens were mostly located around the perimeters of the site which provide visual screening to and from the surrounding arterial roads. These are all considered common taxa and determined to be approximately between 5-10 years of age. Collectively only do they provide prominence and significant visual amenity.*
- *The remnant trees were considered prominent when viewed from various directions within the landscape. These formed various stands within the site which formed part of the Cumberland Plain Woodland which is listed as a critically endangered ecological community under the Threatened Species Conservation Act 1995.*
- *The CEEC was highly modified with predominantly only trees remaining of the Cumberland Plain Woodland. These also were fragmented in parts subjecting some trees to recent and past impacts affecting condition and vigour. The floristic diversity for the community was very poor.*
- *Only one tree was observed to support hollows for wildlife habitat (to be retained).*
- *Current land use surrounding the trees of this community currently incorporates grazing animals which are likely to have been present for several years.*

The study determined that of the 136 trees assessed, 91 are proposed to be retained and protected with potential development. A total of 45 trees are proposed to be removed, of which 18 are of high retention value, 7 of medium and 20 of low retention value.

Forty one (41) trees formed part of the Cumberland Plain Woodland with 14 proposed for removal and 27 retained. Trees of the CEEC within the centre of the site only are proposed for removal, with all trees of the CEEC towards the perimeters retained and protected by tree sensitive construction methods. In summary the arboricultural assessment study made the following conclusions:

“Plant selection should be based on taxa of the Cumberland Plain Woodland with trees obtained of local provenance.

If all the recommendations and procedures detailed herein are adhered to, the subject tree/s to be retained will continue to grow and develop as important landscape component/s providing element/s of long term amenity for the property and its owners or occupants, and the local community”

The arboricultural assessment has identified that the trees within the site are highly fragmented and have been severely impacted and disturbed by previous land uses as shown on Figure 3A.

As recommended in the study, the future development of the site presents an opportunity to provide additional landscaping of Cumberland Plain Woodland species which will improve the floral diversity and have positive amenity impacts for both the property and surrounding community.

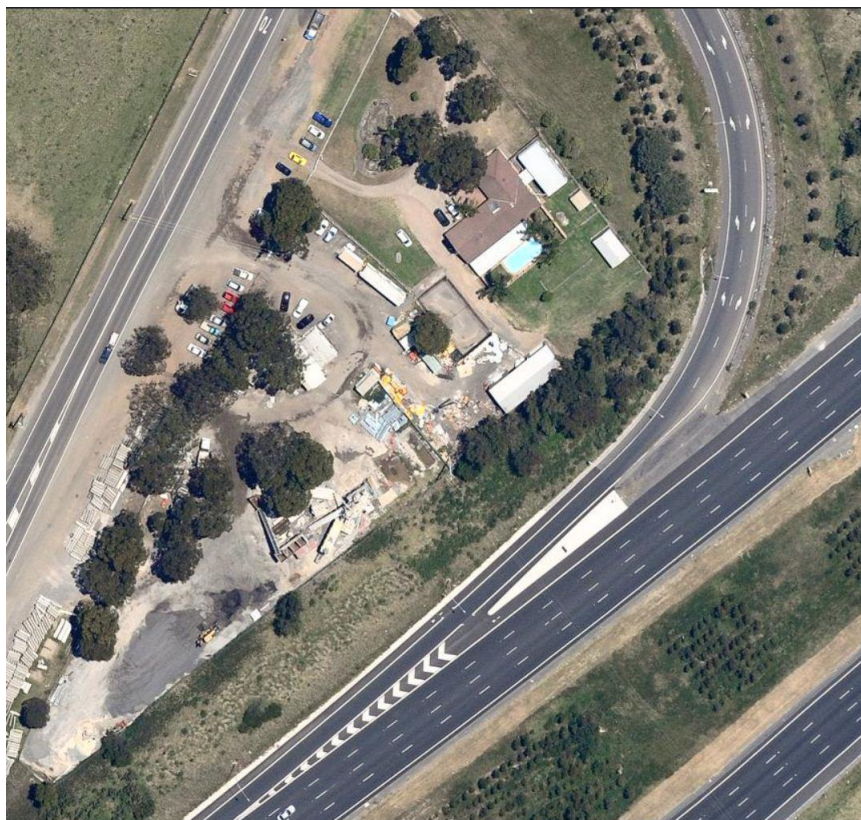


Figure 3A: Aerial photo illustrating the extent of site disturbance while the site was used by RMS

Although the site has been largely disturbed by previous land use activity (Figure 3A) above, the applicant at this stage is required to undertake the following studies, given that the site contains some trees which form part of an area identified as CPW:

- A Flora and Fauna Assessment Report prepared in accordance with the Office of Environment and Heritage's Threatened Species Survey and Assessment Guidelines and Field Survey Methods is required to be lodged as part of the Planning Proposal.
- As part of the Flora and Fauna Assessment, for any threatened species and/or ecological communities found onsite an Assessment of Significance is required to be undertaken for each species, population and ecological which is likely to be directly or indirectly impacted, by the proposal. The results of which will be used to determine any further studies and management plans required as part of the gateway determination.

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

The key environmental impacts of the proposal are addressed below:

Traffic

A detailed traffic report has been prepared by Colston Budd Hunt & Kafes Pty Ltd on behalf of the applicant (Refer to **Annexure 2**) to investigate the extent of traffic generated by the proposed service station.

Vehicular access to the site is proposed from Campbelltown Road, with driveways near the northern and southern ends of the site with a right hand turn bay proposed in Campbelltown Road for access to the site (Refer to **Figure 4**). The key findings of the report are as follows:

- The proposed access arrangements will have appropriate capacity, and should operate with no unusual safety issues;
- The internal circulation and layout will be appropriate for cars and trucks and should be designed in accordance with Australian Standards at the detailed stage;
- The proposed right hand turn bay into the site is considered appropriate as Campbelltown Road is straight in the vicinity of the site and there are good site lines for northbound traffic turning into the site, as well for traffic in both directions turning from the site. Vehicles will be able to readily turn into the site in gaps due to the modest southbound through traffic volumes on Campbelltown Road, and in gaps created by the upstream traffic signals. The report found that given the anticipated number of vehicles, it would be appropriate to facilitate right runs to and from the site.
- There is no access proposed from the M5 Motorway or the exit ramp to or from the site. It is therefore anticipated that most traffic arriving at the site will be passing traffic on Campbelltown Road or traffic already exiting the M5. It is not anticipated that a significant volume of through traffic on the M5 will exit the freeway to visit the site before re-joining the freeway.
- The majority of traffic to and from the site is expected to be passing trade, i.e. traffic already using, Campbelltown Road and the M5 Motorway exit ramp. It is predicted that the additional traffic on Campbelltown Road north and south of the site would be small at some 40 vehicles per hour two –way. Such a low volume would not have noticeable effects on the signalised intersection adjacent to the site. Further from the site, traffic volumes would dissipate further and would not generally be noticeable.

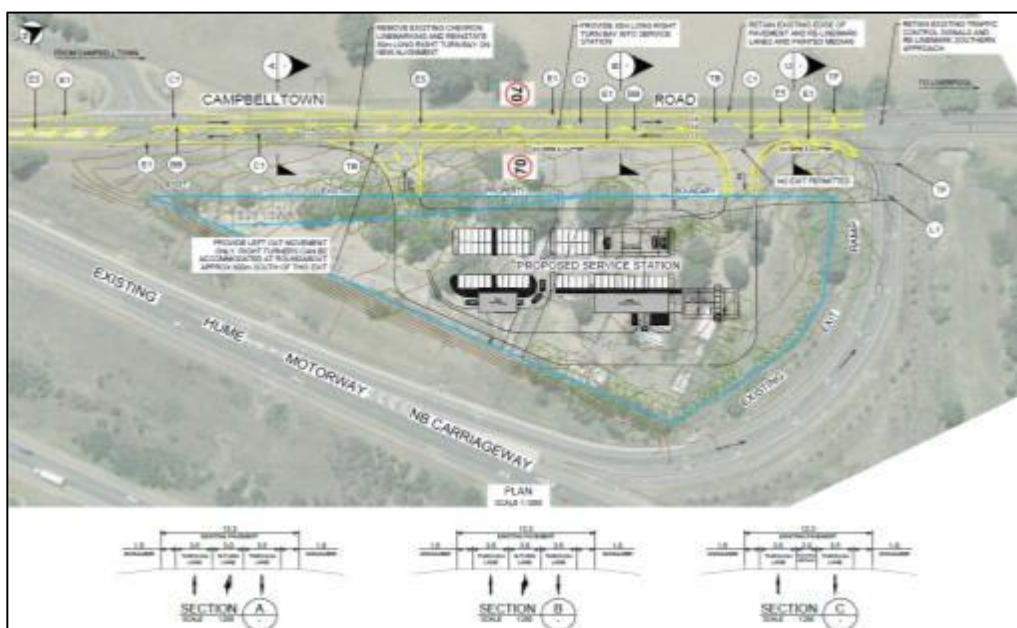


Figure 4 – Concept Layout Site Plan. Source - J. Wyndham Prince

Landscaping and Visual Impact

A Visual Impact Assessment has been prepared by Mosca Pserras Architects (Refer to **Annexure 4**) to illustrate the anticipated visual impact of the service station from Campbelltown Road and the M5 Motorway. The visual impact assessment made the following findings:

- The visual impact of the proposed building from the south bound direction of Campbelltown Road is minimal as it is hidden behind a series of existing trees (Refer to **Figure 5**).
- The visual impact of the proposed building from the north bound direction of Campbelltown Road is minimal as the existing trees along Campbelltown Road create a visual buffer zone (Refer to **Figure 6**).
- The visual impact of the proposed building from the north bound direction of M5 Motorway is minimal as it is hidden behind a large embankment with existing mature trees and proposed screen planting (Refer to **Figure 7**).
- The visual impact of the proposed building from the south bound direction of M5 Motorway is minimal as the existing trees along the M5 boundary create a visual buffer zone (Refer to **Figure 8**).



Figure 5 – View southbound along Campbelltown Road



Figure 6 – View northbound along Campbelltown Road



Figure 7 – View northbound along M5 Motorway



Figure 8 – View southbound along M5 Motorway

A preliminary landscape Plan has been prepared by RFA Landscape Architects (Refer to **Figure 9**) to demonstrate how the visual presentation of the site can be enhanced whilst minimising providing additional vegetative screening from Campbelltown Road and the M5 Motorway to help prevent light spillage. The landscape plan proposes the planting of Cumberland Plain Woodland species on the boundary of the site to compensate for the removal of the existing native species and provide additional screening to the site. Internal garden beds are also proposed within the site between the parking bays and the around the buildings to provide visual relief and break up the expanse of hard paved areas.

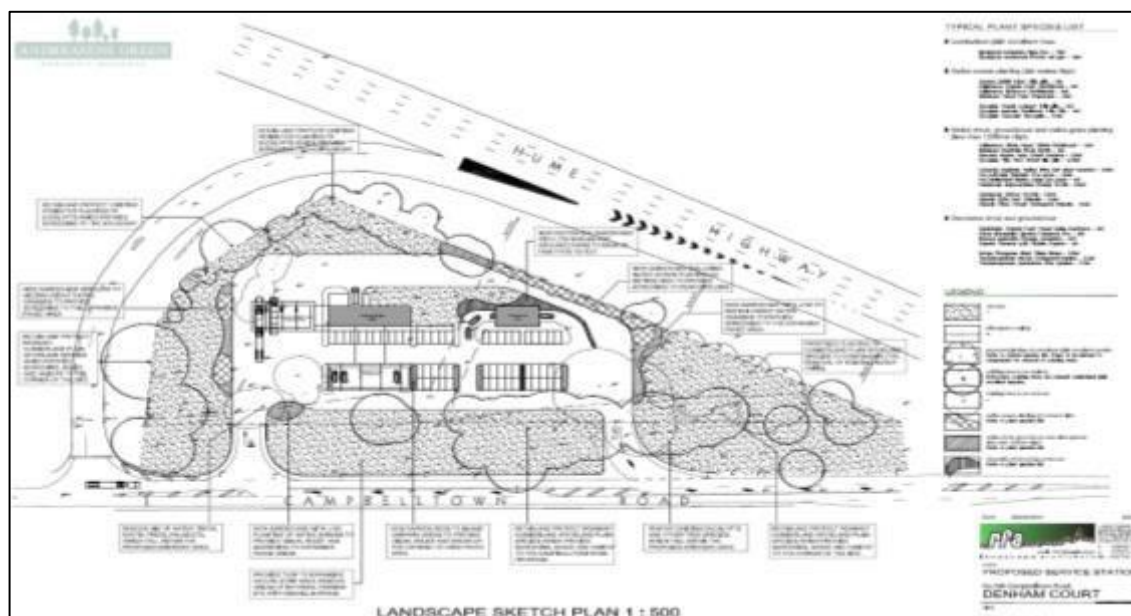


Figure 9 – Landscape sketch plan. Source- by RFA Landscape Architects

Acoustic

Acuras Consultancy on behalf of the applicant has prepared an acoustic assessment to support the planning proposal (Refer to **Annexure 4**). The report made the following recommendations on the following components of any future service station development at the site:

- Operational assessment;
- Vehicle Activity;
- Automatic Carwash;
- Mechanical Plant and Equipment;
- Façade glazing Requirements;
- Building Façade Construction; and
- Assessment of Traffic Noise Generation.

The key findings of the assessment determined that noise emitted from the proposed development and ancillary activities is predicted to comply with the acoustic requirements of the EPA noise limits and relevant Australian Standards, provided the recommendations from the report are implemented.

Preliminary Contamination Assessment

A preliminary contamination assessment has been prepared by SMEC Testing Services Pty Ltd (Refer to **Annexure 5**) to establish if any remediation is required for the future use of the land as a service station. The assessment included soil sampling from seven locations across the site. The results of the sampling show that the concentrations of chemical contaminants measured in the soils across the site are generally low and below criteria that are protective of human-health for a commercial/ industrial land use setting. During the testing, asbestos fibres were identified in one soil sample which would require remediation in order to make the site suitable for redevelopment into commercial/ industrial land use.

In summary, the report found that the site is suitable for use as a service centre provided that the asbestos contaminated soil is appropriately remediated including removal by a licenced contractor.

Stormwater and Flooding

No investigation has been undertaken in relation to stormwater and flooding as part of this draft Planning Proposal. This matter should be further investigated as part of the development application stage as the subject property is a Flood Control Lot with respect to flooding from a 1% Annual Exceedance Probability (AEP) flood from local overland flow adjacent to the M31 Hume Motorway and the local catchment.

In this regard additional work as part of a development application will be needed to determine the minimum fill and floor level controls for any further development on this site.

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

The planning proposal is unlikely to give rise to any adverse social or economic effects. The proposal will have a positive social and economic benefit through the following:

- Creation of employment opportunities during construction and on-going operation of the future use.
- Improving the availability of fuel, convenience goods and food available to the surrounding residential community, the Ingleburn industrial precinct – which lacks these services, and visitors to the area.
- Effective use of an isolated parcel of land that is bounded by major roads on all sides.

6.4 Section D – State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

As discussed in section 6.3 of this report it is likely that there will be the need for some minor modification to Campbelltown Road to facilitate a right turn bay into the site. The findings from the traffic report concluded that the existing road network would be able to cater for the additional traffic from the proposed development.

What are the views of state and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

No consultation with State or Commonwealth authorities has been carried out to date on the planning proposal.

It is proposed to consult with the following public authorities while the draft Planning Proposal is on public exhibition:

- Office of Environment and Heritage (Environment Branch);
- Sydney Catchment Authority;
- Roads and Maritime Service (RMS);
- Liverpool City Council;
- Rural Fire Service;
- Sydney Water; and
- Dam safety Committee

7. Part 4 – Mapping

- 7.1 Given the planning proposal is to include a service station as a scheduled use there are no proposed changes to the current zoning map.

8. Part 5 – Community Consultation

- 8.1 The Gateway determination will stipulate the nature and extent of required community consultation in accordance with the requirements set out in „A guide to preparing local environment plans“.
- 8.2 It is anticipated that the planning proposal will be placed on public exhibition for a minimum period of 28 days. Notification of the public exhibition will be given to adjacent land owners and residents via:
- A notice in the local newspaper;
 - On Councils website; and
 - In writing to adjoining landowners.

The draft Planning Proposal will be placed on public exhibition at the following locations:

- Council's Civic Centre,
- HJ Daley Library and
- Greg Percival Library Ingleburn

9. Part 6 – Project Timeline

The anticipated draft project timeline has been included in the Table below. The anticipated timeframes and dates have been assigned to each milestone starting from the anticipated date of the Gateway process.

This is a proposed amendment to draft LEP 2002; however, Council wishes to include this amendment as part of draft CLEP 2014 prior to its gazettal so as to avoid the need to undertake an amendment to the forthcoming CLEP 2014. In this regard, Council is seeking advice from the Department on the mechanism to do so. Notably, the draft CELP 2014 will be placed on public exhibition from 12 June 2014 for two months. Is it a matter of including this amendment on the draft CLEP 2014 at the end of the public exhibition and prior to its gazettal, or should the applicant make a formal submission to the draft CLEP 2014 while it is on public exhibition?

Project Timeline Table

Milestone	Date
– anticipated date for Gateway determination)	August 2014
– anticipated timeframe for the completion of any required technical information	September 2014
– commencement and completion dates for public exhibition period – unless merged with the draft CLEP2014	October 2014
– timeframe for the consideration of a proposal post exhibition-report to Council	December 2014
– submission to the department to finalise the LEP	January 2014

10. Conclusion

This report has addressed the requirements set out in the NSW Department of Planning and Infrastructure „A Guide to Preparing Planning Proposals“.

It has addressed issues such as the intended effect of, and justification for, the proposed amendment to the Campbelltown (Urban Area) Local Environment Plan 2002, to permit the development of a service station with a small convenience store and a small food area, with a cafeteria on the subject site. The planning proposal is considered appropriate for the following reasons:

- The planning proposal is generally consistent or justifiably inconsistent with all of the relevant Regional and sub-regional strategies, State Environmental Planning Policies and Ministerial Directions (s.117 directions) that are relevant to the site.
- The future development of the site presents an opportunity to provide additional landscaping of Cumberland Plain Woodland species which will improve the floral diversity and entail positive amenity impacts for both the property and surrounding community.
- The planning proposal to allow for a „typical service station“ has sufficient merit and is considered to be an appropriate land use having regard to the isolation of the site and that it is bound by major roads on all sides.
- It is necessary, as part of this proposed amendment to LEP 2002, to ensure that the service station would not be designed to cater for the refuelling and servicing of heavy vehicles, as a service station that is specialised for the refuelling and servicing of heavy vehicles is not considered suitable for this location. Subject to this draft Planning Proposal, it is Council’s intention to amend Schedule 2 of LEP 2002 to permit an additional use as a service station with the following provision:

„Development for the purpose of a service station that is not used and is not so constructed or adapted as to be capable of being occupied or used for refuelling, parking, washing, greasing, storing, repairing, installing accessories or servicing of motor vehicles or trailers that have a maximum loaded mass of more than 4.5 tonnes (as specified by the manufacturer or by the Roads and Maritime Services constituted under the Transport Administration Act 1988).“

- The proposal will unlikely result in any adverse impacts to the adjoining residential properties in terms of noise levels, excessive traffic generation and visual impact if the recommendations of the respective studies are implemented.
- A preliminary contamination assessment considered the site suitable for redevelopment into a commercial/ industrial use provided the asbestos contaminated soil is appropriately remediated including removal by a licenced contractor.
- A preliminary landscape plan has been prepared which demonstrates how the landscaping of the site can be undertaken to enhance the visual presentation of the site, reflect the sites environmental setting and values and provide additional vegetative screening to prevent light spillage.
- There is need to undertake stormwater assessment work at the development stage. To inform a suitable floor level for the proposed service station.
- The planning proposal is unlikely to give rise to any adverse social or economic effects and will have a positive social and economic benefit through the creation of employment opportunities during construction and the on-going operation and improving the availability of fuel, convenience goods and food available to the surrounding residential community, the Ingleburn industrial precinct.