

**SUBMISSION TO CAMPBELLTOWN CITY COUNCIL -
PLANNING PROPOSAL REQUEST (AMENDED) -
REMOVAL OF RESTRICTIONS**

**Land Situated at Lot 100 DP 1176622 No 194 Campbelltown
Road, Denham Court**

Prepared For:
Press Australia Pty Ltd

Prepared By:



June 2018

CAMPBELLTOWN ROAD PLANNING PROPOSAL REQUEST

The Campbelltown Road Planning Proposal Request has been prepared based on agreed requirements as understood by Michael Brown Planning Strategies at the time of commissioning and investigation.

The conclusions and recommendations contained in this report are based on an honest appraisal of the opportunities and constraints existing on the site at the time of investigation and were subject to the limited scope and resources available.

The report applies only to the land defined by the Campbelltown Road Planning Proposal Request and other interpretations should not be made, including changes in scale or application to other projects. Within the confines of the above statements, this report does not contain any incomplete or misleading information.

Report prepared by Michael Brown

Director, Michael Brown Planning Strategies

Date June 2018

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- B – Traffic Assessment
- C – Acoustic Assessment

1 Executive Summary

On 22nd May 2015, Amendment No 28 was made to rezone the land to permit a service station, subject to the following provisions:

- (a) does not include a diesel or gas fuelling point for long vehicles (within the meaning of rule 200 of the *Road Rules 2014*), and
- (b) is not designed or constructed to be used by such long vehicles, and
- (c) is designed and constructed to be used by heavy vehicles (within the meaning of the *Road Rules 2014*) only for the purpose of fuelling, and
- (d) is not able to be accessed from a freeway.

These requirements restrict the operation of the service station having regard to the location of the property on the fringe of existing and planned residential estates. This application seeks to delete provisions (a) to (c) for the reasons espoused in this submission. The restrictions appears to be the result of a proposal by the Roads & Maritime Services (RMS) to provide a truck stopping area on this land when it was in the ownership of the RMS. Details are shown on the attached plans at **Annexure A**.

On the 23rd November 2017, Council granted development consent to Development Application 3253/2015/DA-C for the demolition of an existing dwelling and associated structures, removal of trees, construction and operation of a 24 hour service station with ancillary sales of convenience food, car wash, vehicle repair workshop, associated civil and landscaping works, subject to conditions.

1.1 PREAMBLE

The Campbelltown Road Planning Proposal Request (CRPPR) identifies a number of strategic documents which have been prepared by State and local government that are generally applicable to the south west region of Sydney and/or Campbelltown Council itself. It is emphasised that these reports are only summarised as a contextual reference to the development that may occur at Denham Court.

The purpose of this submission is to request that Campbelltown City Council support and prepare a Planning Proposal that amends Campbelltown Local Environmental Plan 2015 by deleting the provisions (a) to (c).

1.2 OVERVIEW

This Report represents the formative phase in the development of a Planning Proposal geared toward the rezoning of the lands at No 194 Campbelltown Road, Denham Court, as detailed in Section 4 below. The rezoning is to be effected through the preparation of a relevant Local Environmental Plan (LEP) amendment, it being proposed to amend Campbelltown LEP 2015.

1.3 SCOPE OF REPORT

The preparation of a local environmental plan now starts with a Planning Proposal (PP). The PP is a document which explains the objectives, intended effect of, and justification for a rezoning proposal.

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

As outlined in ‘*A Guide to Preparing Planning Proposals*’ the Planning Proposal will evolve throughout the course of preparing the amending LEP as relevant sections will be updated and amended in response to the outcomes of technical investigations and consultation.

The latter document requires the Planning Proposal to be provided in six (6) parts, being:

- Part 1** Objectives and intended outcomes of the proposed instrument
- Part 2** Explanation of provisions that are to be included in the proposed instrument
- Part 3** Justification for those objectives, outcomes and the process for their implementation
- Part 4** Mapping to identify the intent of the planning proposal and the area to which it applies
- Part 5** Details of the community consultation that is to be undertaken on the planning proposal
- Part 6** Project timeline for the planning proposal

The justification for the Planning Proposal can also be understood in the context of providing services that meet the needs of the industrial area of Ingleburn and passing traffic that need a large site for large vehicles to use the onsite facilities that are proposed, as there is no other site capable of accommodating large vehicles within the immediate area.

1.4 REPORT STRUCTURE

This report, in preparing an outline Planning Proposal (PP), is structured in the following manner:

- Section A - Need for the Planning Proposal.
- Section B - Relationship to strategic planning framework.
- Section C - Environmental, social and economic impact.
- Section D - State and Commonwealth interests.

These Guidelines will be addressed below under the various headings. This report is the initial Planning Proposal report to be submitted to enable Council to formally resolve to proceed with the rezoning of the land in accordance with the requirements of the EP& A Act.

2 The Subject Land

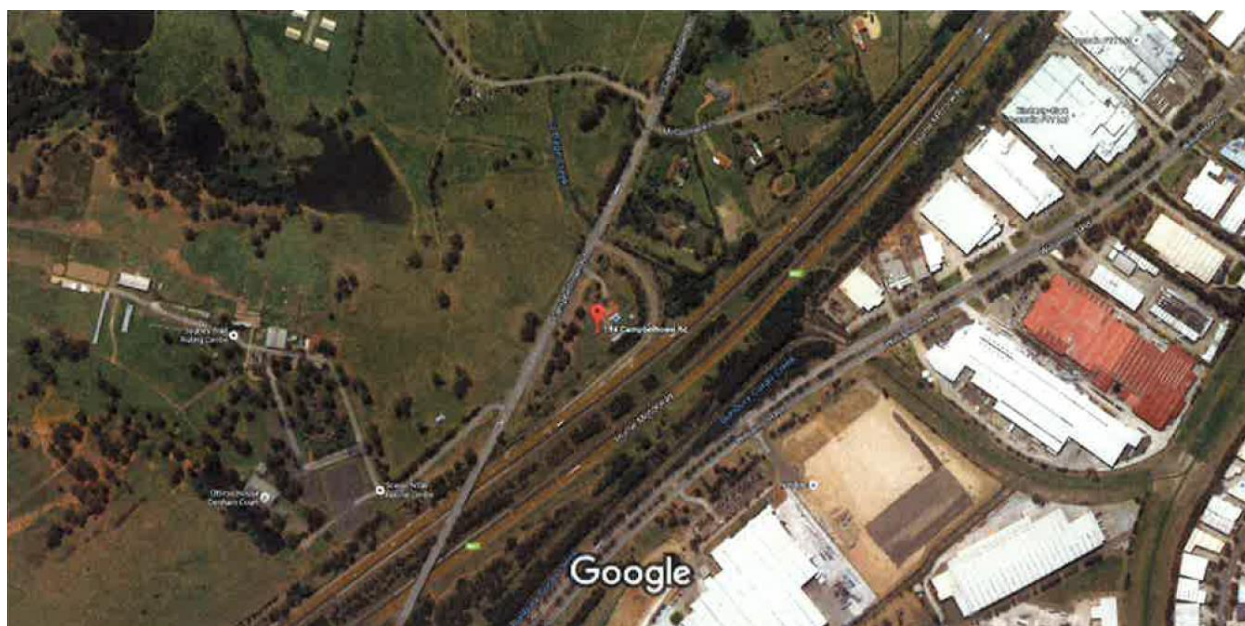
2.1 LAND DESCRIPTION

The subject site is described as Lot 100 DP 1176622 No 194 Campbelltown Road, Denham Court. The subject property is occupied by a dwelling and structures (refer to **Figure 1** below).

2.2 CONTEXT

The site and existing dwelling fronts Campbelltown Road and has a rear boundary to the Hume Motorway (M31) and a side boundary to the off-ramp from such road. On the western side of the subject site is a property known as the Scenic Hills Riding Ranch. To the north are rural residential properties, with the Ingleburn Industrial Estate located to east. There is a service station and fast food facility located on the corner of Williamson Road and Stennett Road, but it is too small to enable larger vehicles to enter the site. Indeed there are limited sites between Sydney and Pheasants Nest for such a facility as proposed.

FIGURE 1 – LOCATION OF SUBJECT SITE – AERIAL PHOTOGRAPH



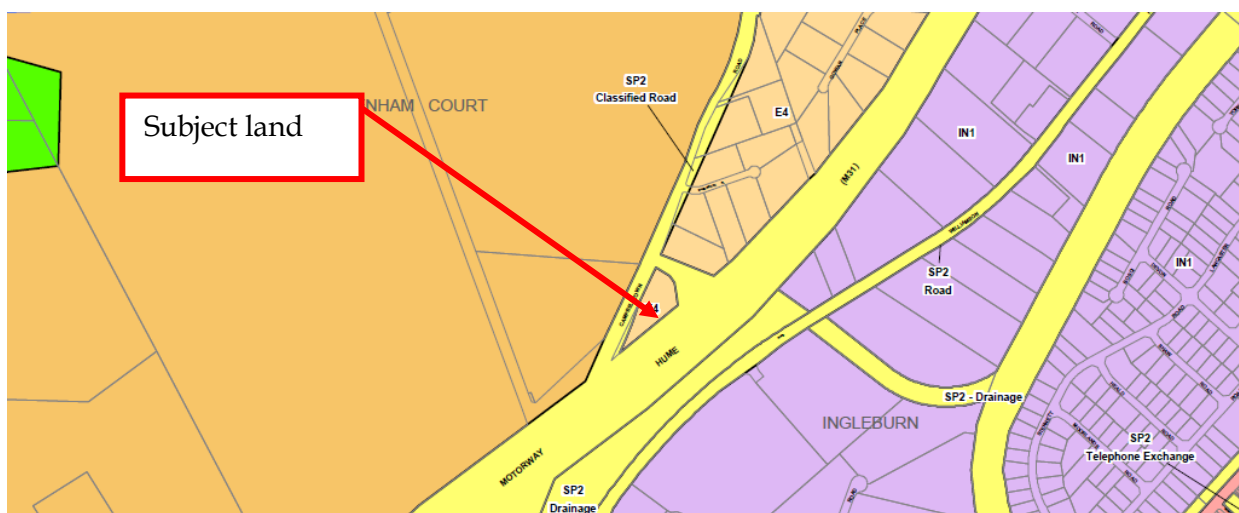
2.3 CURRENT ZONING

The subject lands are zoned E4 – Environmental Living under the provisions of Campbelltown LEP 2015 (refer to **Figure 2** below). The zoning of the land does not permit a service station. However, as stated above, the Council rezoned the land and Schedule 1 – Additional Permitted Uses of the LEP has the following clause:

17 Use of certain land at 194 Campbelltown Road, Denham Court

- (1) This clause applies to land at 194 Campbelltown Road, Denham Court, being Lots 73 and 74, DP 22711.
- (2) Development for the purpose of a service station is permitted with development consent, if the service station:
 - (a) does not include a diesel or gas fuelling point for long vehicles (within the meaning of rule 200 of the Road Rules 2014), and
 - (b) is not designed or constructed to be used by such long vehicles, and
 - (c) is designed and constructed to be used by heavy vehicles (within the meaning of the Road Rules 2014) only for the purpose of fuelling, and
 - (d) is not able to be accessed from a freeway.

FIGURE 2 – CURRENT ZONE



3 Part 1 – Statement of Objectives or Intended Outcomes of the Planning Proposal Request

This section of the Planning Proposal Request sets out the objectives and intended outcomes of the proposed amendment to Campbelltown LEP 2015.

This Campbelltown Road Planning Proposal Request (CRPPR) has the express purpose of facilitating the development of the land for the approved service station without the current restrictions in place. The intended outcome of the Planning Proposal is to be incorporated into Campbelltown LEP 2015, as an amendment to Schedule 1 – Additional Permitted Uses by deleting (a) to (c).

VISION AND PROJECT OBJECTIVES

The vision, project objectives and intended outcomes of the Campbelltown Road Planning Proposal Request (CRPPR) are to:

“Provide additional facilities for the passing trade, particularly for larger vehicles that pass the site and need to access a site larger enough to facilitate fueling that is not available in the immediate area and having regard to the nearby Ingleburn and Minto Industrial Estates. Such facility leverages off existing infrastructure and facilitates development in an environmentally responsible manner”.

4 Part 2 – Explanation of Provisions

The provisions of the Plan involve amendment of Campbelltown Local Environmental Plan 2015 by:

- a) insertion of the following item at Schedule 1:

17 Use of certain land at 194 Campbelltown Road, Denham Court

- (1) This clause applies to land at 194 Campbelltown Road, Denham Court, being Lot 100 DP 1176622.

- (2) Development for the purpose of a service station is permitted with development consent, if the service station:
 - (a) is not able to be accessed from a freeway.

No zoning map would be required.

5 Part 3 – Justification

5.1 INTRODUCTION

The *Guide to preparing Planning Proposals* states that the overarching principles that guide the preparation of planning proposals are:

1. The level of justification should be proportionate to the impact the planning proposal will have;
2. It is not necessary to address a question (see Section 2.3(a)) if it is not considered relevant to the planning proposal. In such cases the reason why it is not relevant should be briefly explained; and
3. The level of justification should be sufficient to allow a Gateway determination to be made with the confidence that the LEP can be finalised within the time frame proposed.

This overview establishes the case for the LEP amendment. It should be noted that the level of justification is commensurate with the impact of the rezoning proposal.

5.2 SECTION A – NEED FOR THE PLANNING PROPOSAL

5.2.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT

5.2.1.1 SUPPORTING STUDIES

As part of the original rezoning proposal, a traffic report was prepared by Colston Budd Hunt & Kafes Pty Ltd. In summary the report stated that:

- i) the planning proposal would provide for a service station with convenience store and car wash;
- ii) vehicular access is proposed from Campbelltown Road, with driveways near the northern and southern ends of the site;
- iii) a right turn bay is proposed in Campbelltown Road for access to the site;
- iv) the proposed access arrangements will have appropriate capacity, and should operate with no unusual safety issues;
- v) the internal circulation and layout will be appropriate for cars and trucks and should be designed in accordance with Australian Standards at the detailed design stage; and
- vi) the road network will be able to cater for the additional traffic from the proposed development.

Given the location of the subject property, the approval of the Roads and Maritime Services (RMS) was obtained.

An acoustic report was also prepared by Acouras Consultancy. The recommendations were also approved as part of the rezoning process.

5.2.1.2 CAMPBELLTOWN COMMUNITY STRATEGIC PLAN 2017-2027

The Campbelltown Community Strategic Plan 2017-2027 is a document which will guide Campbelltown over the next ten years through a series of goals and strategies including, but not limited to local employment, and strengthening the local economy.

The proposed rezoning is consistent with this document by providing for local employment opportunities. Essentially, there are no changes to the zoning of the land or the development consent, except the removal of the restrictions.

5.2.1.3 CAMPBELLTOWN EMPLOYMENT STRATEGY 2014

Cox Richardson prepared the Campbelltown Employment Lands Review as part of the exhibition of draft Campbelltown LEP 2014. The objectives of the Campbelltown Employment Lands Review were to:

- Evaluate the current demand for employment lands within the Campbelltown LGA;
- Determine the future demand for employment lands;
- Identify opportunities for meeting current and future employment lands needs ;
- Identify opportunities for job creation; and
- Inform the preparation of the new Local Environmental Plan.

The CRPPR is not inconsistent with these objectives.

5.2.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

The current zoning permits a service station. The proposed rezoning proposes the removal of restrictions (a) to (c), notably adopting an amendment to Schedule 1 of the LEP, as provided above in Section 4.

This represents the most logical way of achieving the intended objectives and outcomes under the prevailing legislation to rezoning of the land.

As is outlined in the traffic report, minimal externalities are seen from the proposal, apart from a modest increase in traffic utilising the off ramp, which should be comfortably accommodated within the existing road network capacity. Accordingly, a formal cost benefit study was considered unnecessary.

The proposal is consistent with a number of Strategies discussed below.

5.3 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Assessment Criteria

- a) *Does the proposal have strategic merit? Is it:*
- *Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or*
 - *Consistent with a relevant local council strategy that has been endorsed by the Department; or*
 - *Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.*

The CRPPR is considered generally consistent with the objectives, principles, actions and initiatives of the Metropolis of Three Cities – The Greater Sydney Region Plan and the Western City District Plan.

The key relevant plans and strategies for consideration are:

5.3.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUB-REGIONAL STRATEGY?

5.3.1.1 A METROPOLIS OF THREE CITIES – GREATER SYDNEY REGION PLAN (THE PLAN)

The Plan:

- Establishes a 40 year vision (to 2056) and establishes a 20 year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters.
- Informs district and local plans and the assessment of planning proposals.
- Assists the integration of infrastructure plans.
- Outlines Government growth management and infrastructure investment intentions.

The CRPPR is consistent with the following Directions and Objectives:

Direction 1: A City supported by Infrastructure

Objective 1: Infrastructure use is optimised.

The proposal will optimise use of the infrastructure servicing the existing Ingleburn Employment Precinct.

Direction 7: Jobs and skills for the City

Objective 23 Industrial and urban services land is planned retained and managed.

The proposal will provide additional employment land in a planned precinct.

5.3.1.2 WESTERN CITY DISTRICT PLAN

This Plan provides a guide to implementing A Metropolis of Three Cities – The Greater Sydney Region Plan at a district level and is structured around the strategies for infrastructure and collaboration, liveability, productivity, sustainability and implementation (refer to **Figure 3**).

Specifically, it forms a 20 year plan to manage growth and achieve the 40 year vision, while enhancing Greater Sydney, liveability, productivity and sustainability into the future. The CRPPR is consistent with the relevant Planning Priorities and Actions as summarised below.

The subject proposal is specifically consistent with:

Planning Priority W1 – Planning for a City supported by infrastructure

Objectives (2) – Infrastructure aligns with forecast growth – growth infrastructure compact
(4) – Infrastructure use is optimised

Key Actions: (3) – Align forecast growth with infrastructure

(6) – Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptive and flexible regulations to allow decentralised utilities.

The CRPPR will optimise usage of existing infrastructure and contribute to more adaptive infrastructure utilisation generally.

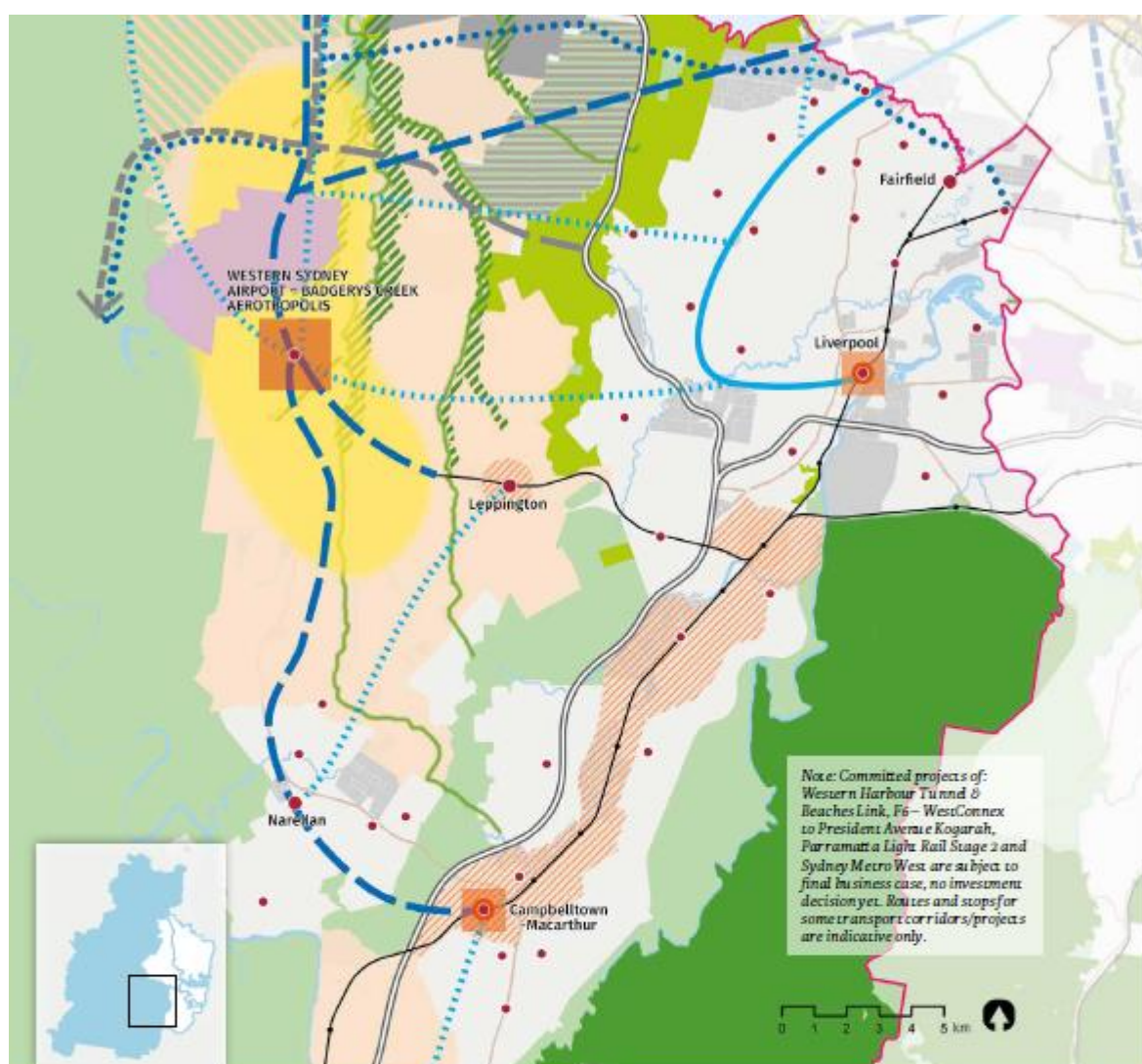
Planning Priority W10 – Maximising freight and logistics opportunities and planning and managing industrial and urban services land\.

Objective (23) Industrial land and urban services land is planned, retained and managed.

Key Actions (53) Plan and manage industrial and urban service land in line with the principles for managing industrial and urban service land – by creating additional industrial and urban service land where required in land release areas to service the growing population. In updating planning for release areas relevant agencies are to conduct a strategic review of industrial land.

The CRPPR is eminently placed to increase the employment balance in the Ingleburn Precinct and existing urban community.

FIGURE 3 – URBAN AREA SOUTH



	Metropolitan City Centre		Land Release Area		Waterways		Rapid Bus
	Metropolitan City Cluster		Urban Renewal Area		Train Station		Motorway
	Health and Education Precinct		Priority Growth Area Investigation		Committed Train Link		Committed Motorway
	Strategic Centre		Urban Investigation Area		Train Link / Mass Transit Investigation 0-10 years		Road Investigation 0-10 years
	Local Centre		Urban Area		Train Link / Mass Transit Investigation 10-20 years		Road Investigation 10-20 years
	Economic Corridor		Protected Natural Area		Freight Rail Investigation		Green Grid Priority Project
	Trade Gateway		Metropolitan Rural Area		Light Rail		
	Western Sydney Employment Area		Major Urban Parkland and Reserve		Light Rail Investigation		
	Industrial Land		Visionary Parkland and Reserve		On Street Rapid Transit		

5.3.2 IS THE PLANNING PROPOSAL CONSISTENT WITH LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN, OR OTHER LOCAL STRATEGIC PLAN?

The local strategic planning context was summarised at 5.3.1.1 and 5.3.1.2 above and clearly identifies the growth that will occur in Campbelltown in the ensuing years.

The subject planning framework has importantly identified opportunities for the development in Campbelltown, leveraging off the existing infrastructure and the prevailing sense of community, but does not identify the subject land given the location outside nominated growth areas.

5.3.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The lands are subject to the provisions of a raft of State Environmental Planning Policies. The subject policies are noted below in **Table 3** and importantly do not prohibit and/or significantly constrain the Planning Proposal.

TABLE 3 – APPLICABLE STATE POLICIES

CAMPBELLTOWN ROAD PLANNING PROPOSAL		
ASSESSMENT OF CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICIES		
SEPP No. / Name	Summary of SEPP	Consistency of planning proposal
SEPP No 1 Development Standards	SEPP 1 aims to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.	SEPP 1 generally applies to development across NSW. However, SEPP 1 was repealed by Campbelltown LEP 2015 (clause 1.9) and does not apply to Campbelltown LGA. Clause 4.6 in respect of Exemptions to Development Standards precludes the need for consistency with SEPP 1. CRPPR is considered to be consistent
SEPP No 4 Development Without Consent and Miscellaneous Exempt and Complying Development	SEPP 4 aims to permit development for a purpose which is of minor environmental significance, development for certain purposes by public utility undertakings and development on certain land reserved or dedicated under the <i>National Parks and Wildlife Act 1974</i> without the necessity for development consent. Also regulates complying development for conversion of fire alarms.	SEPP 4 generally applies to development across NSW. CRPPR is considered to be consistent
SEPP No 6	SEPP 6 aims to remove	In accordance with current best

Number of Storeys in a Building	confusion arising from the interpretation of provisions in EPIs controlling the height of buildings.	planning guidance and practice in LEPs and DCPs, building heights are calculated and shown in metres (m) and not storeys. No maximum height is proposed in a manner consistent with prevailing local building height controls. CRPPR is considered to be not inconsistent
SEPP No 14 Coastal Wetlands	Aims to ensure NSW coastal wetlands are preserved and protected.	Does not apply to the Campbelltown LGA
SEPP 15 Rural Landsharing Communities	Aims to facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices.	Does not apply to the Campbelltown LGA
SEPP No 19 Bushland in Urban Areas	SEPP19 aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	Does not apply to the Campbelltown LGA.
SEPP No 21 Caravan Parks	Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents. SEPP 21 applies across NSW except land to which SEPP (Western Sydney Parklands) applies.	SEPP applies across NSW, but is not relevant to the CRPPR. The CRPPR does not change the current provisions of the LEP in relation to Caravan Parks. CRPPR is accordingly not inconsistent
SEPP No 22 Shops and Commercial Premises	Aims to permit change of use from commercial premises to commercial premises, and shop to shop even if the change is prohibited by another EPI, provided only minor effect and consent is obtained	SEPP applies across NSW and would apply to certain developments once rezoning has occurred. Does not apply to the CRPPR

	from relevant authorities. Applies to NSW but excludes specified land under Parramatta LEP and Penrith LEP.	
SEPP No 26 Littoral Rainforests	Aims to protect littoral rainforests from development.	Does not apply to the Campbelltown LGA
SEPP 29 Western Sydney Recreation Area	Aims to enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area. SEPP 29 only applies to land within Western Sydney Parklands - Eastern Creek, Prospect, Horsley Park and Hoxton Park.	Does not apply to the Campbelltown LGA
SEPP No 30 Intensive Agriculture	Establishes the requirement for development consent and additional requirements for cattle feedlots and piggeries.	Does not apply to the CRPPR
SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)	SEPP 32 seeks to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development.	SEPP applies across NSW to all urban land, except Western Sydney Parklands under that SEPP. Does not apply to the CRPPR
SEPP No 33 Hazardous and Offensive Development	Aims to provide additional support and requirements for hazardous and offensive development	SEPP 33 applies across NSW but is not relevant to the planning proposal. CRPPR is considered consistent
SEPP No 36 Manufactured Home Estates	Aims to facilitate the establishment of manufactured home estates as a contemporary form of residential housing. SEPP applies to land outside the Sydney Region.	Does not apply to the Campbelltown LGA
SEPP No 39 Spit Island Bird Habitat	Aims to enable development for the purposes of creating and protecting bird habitat. Applies to land comprising	Does not apply to the Campbelltown LGA

	Spit Island, Towra Point and Kurnell	
SEPP No 44 Koala Habitat Protection	Aims to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas. Campbelltown LGA listed in Schedule 1.	SEPP applies across NSW and in Campbelltown LGA, but is not considered relevant to the CRPPR given lack of known koala habitat present. CRPPR is considered consistent
SEPP No 47 Moore Park Showground	Aims to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	Does not apply to the Campbelltown LGA
SEPP No 50 Canal Estate Development	SEPP prohibits canal estate development in NSW.	Does not apply to the Campbelltown LGA
SEPP No 52 Farm Dams and other works in land management areas	Requires environmental assessment under Part 4 of the EPA for artificial water bodies carried out under farm plans that implement land and water management plans.	Does not apply to the CRPPR
SEPP No 55 Remediation of Land	SEPP 55 requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and, if so, whether it is satisfied that the land is suitable in its contaminated state, or can and will be remediated to be made suitable for the purpose for which the development is proposed to be carried out.	SEPP applies across the state. The CRPPR can be remediated to be consistent with the provisions of SEPP 55, if necessary.
Central Western Sydney Regional Open Space and Residential	Aims to provide for residential development on suitable land as identified in the Policy to assist in accommodating the projected	Does not apply to the Campbelltown LGA

	population growth of Western Sydney. Applies to land identified as Regional Open Space Zone and Residential Zone within the Western Sydney Parklands	
Exempt and Complying Development 2008	<p>Aims to provide for exempt development and complying development in certain local government areas that have not provided for those types of development through a local environmental plan. Applies to the state, except as provided by the policy and excludes Mt Kosciusko.</p> <p>Applies to land to which SREP 24 applies – refer to <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map</i>. Affected land within the Auburn LGA includes SOPA and certain land within Wentworth Point, Newington, Silverwater and Homebush Bay.</p>	Applies to the Campbelltown LGA
SEPP No 62 Sustainable Aquaculture	Aims to encourage and regulate sustainable aquaculture development	SEPP applies across NSW and is not relevant to the CRPPR.
SEPP No 64 Advertising and Signage	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	<p>Should the CRPPR proceed, appropriate signage applications can be made and assessed against the SEPP64 controls.</p> <p>CRPPR is considered consistent</p>
SEPP No 65 Design Quality of Residential Apartment Development	<p>Aims to improve the design qualities of residential flat building development in New South Wales.</p> <p>SEPP 65 and the accompanying Apartment Design Guide aim to improve the design quality of apartments across New South Wales.</p>	<p>SEPP applies across NSW.</p> <p>Does not apply to the CRPPR</p>

	Clause 28 of SEPP 65 requires that a consent authority should take into consideration include provisions to ensure that the design quality principles and the Apartment Design Guide.	
SEPP No.70 Affordable Housing (Revised Schemes)	Aims to insert affordable housing provisions into EPIs and to address expiry of savings made by EP&A Amendment (Affordable Housing) Act 2000. Applies specifically to land within the Greater Metropolitan Region, including Ultimo/Pymont, City of Willoughby and Green Square.	Does not apply to the Campbelltown LGA
SEPP No.71 Coastal Protection	Aims to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast. Applies to land within the NSW coastal zone, as defined by SEPP maps.	Does not apply to the Campbelltown LGA
Penrith Lakes Scheme 1989	Aims to provide a development control process establishing environmental and technical matters, which must be taken into account in implementing the Penrith Lakes Scheme in order to protect the environment.	Does not apply to the Campbelltown LGA
SEPP (Housing for Seniors or People with a Disability) 2004	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	SEPP applies across NSW. Does not apply to the CRPPR is considered consistent
SEPP (BASIX) 2004	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	SEPP applies to residential development. Does not apply to the CRPPR, but is considered consistent
Kurnell Peninsula 1989	Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under Sutherland	Does not apply to the Campbelltown LGA

	Shire LEP 2006.	
SEPP (Major Development) 2005	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	SEPP applies to sites across NSW but is not relevant to the CRPPR. CRPPR is considered consistent
Sydney Region Growth Centres 2006	Aims to co-ordinate the release of land for development in the Sydney's Growth Centre and applies to all land in a 'growth centre'.	The Sydney Region Growth Centres 2006 SEPP to identify new 'growth centres' at Menangle Park / Gilead and Wilton. The Sydney Region Growth Centres 2006 SEPP does not apply.
Temporary Structures 2007	Aims to encourage protection of the environment at the location/vicinity of temporary structures by managing noise, parking and traffic impacts and ensuring heritage protection	SEPP applies across NSW and the CRPPR does not affect the application of this SEPP. CRPPR is considered consistent
SEPP (Exempt and Complying Development Codes) 2008	Aims to provide streamlined assessment process for development that complies with specified development standards.	SEPP applies across NSW and the CRPPR does not affect the application of this SEPP. CRPPR is considered consistent
SEPP (Infrastructure) 2007	Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	SEPP applies across NSW. The CRPPR is affected by the application of this SEPP and is considered consistent.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources.	SEPP applies across NSW. The CRPPR does not affect the application of this SEPP. CRPPR is considered consistent
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable	SEPP applies across NSW. The CRPPR does not affect the application of this SEPP. CRPPR is considered consistent

SEPP (Rural Lands) 2008	Aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes	Does not apply to the Campbelltown LGA
SEPP (State and Regional Development) 2015	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	Does not apply to the Campbelltown LGA
Kosciuszko National Park - Alpine Resorts 2007	Aims to protect and enhance the natural environment of the alpine resorts area. Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.	Does not apply to the Campbelltown LGA
Western Sydney Employment Area 2009	Aims to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	Does not apply to the Campbelltown LGA
Western Sydney Parklands	Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region. Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton)	Does not apply to the Campbelltown LGA
Affordable Rental Housing 2009	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	Does not apply to the CRPPR
Urban Renewal 2010	Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts. Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This	Does not apply to the Campbelltown LGA, given the absence of urban renewal precincts

	includes Redfern-Waterloo, Granville and Newcastle.	
Sydney Drinking Water Catchment 2015	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal. Applies to land within the Sydney drinking water catchment.	Does not apply to the Campbelltown LGA
SEPP 53 Transitional Provisions 2015	Aims to enact transitional provisions consequent on the repeal of SEPP 53 - Metropolitan Residential Development. Only applies to specified land in Ku-ring-gai LGA.	Does not apply to the Campbelltown LGA
Port Botany and Port Kembla 2013	Aims to provide consistent planning regime for the development and delivery of port infrastructure. Applies to the land within Botany City Council in the area known as Port Botany and land at Port Kembla in Wollongong City Council LGA.	Does not apply to the Campbelltown LGA

STATE REGIONAL ENVIRONMENTAL PLANS (DEEMED SEPPS)

SREP Number Name	Summary of SREP	Consistency of planning proposal with SREP
SREP 5 Chatswood Town Centre	Aims to facilitate development of land within the Chatswood Town Centre in the Willoughby LGA.	Does not apply to the Campbelltown LGA
SREP 8 Central Coast	Aims to implement the state's urban consolidation policy only in the NSW Central Coast.	Does not apply to the Campbelltown LGA
SREP 9 Extractive Industry No. 2 1995	Aims to facilitate development of extractive industries in proximity to the population of the Sydney	Does not apply to the CRPPR

	Metropolitan Area and only applies to LGAs listed in Schedule 4 of the SREP.	
SREP 11 Penrith Lakes	Aims to permit implementation of the Penrith Lakes Scheme in the Penrith LGA.	Does not apply to the Campbelltown LGA
SREP 16 Walsh Bay	Aims to regulate the use and development of the Walsh Bay area within the City of Sydney and on Sydney Harbour.	Does not apply to the Campbelltown LGA
SREP 18 Public transport corridors	Aims to protect provision for future public transport facilities in the Fairfield, Parramatta, Holroyd and Baulkham Hills LGAs.	Does not apply to the Campbelltown LGA
SREP 19 Rouse Hill Development Area	Aims to provide for the orderly and economic development of Rouse Hill Town Centre in The Hills and Blacktown LGAs.	Does not apply to the Campbelltown LGA
SREP 20 Hawkesbury Nepean	Aims to protect the Hawkesbury-Nepean River System and applies to certain LGAs within Greater Metropolitan Region.	As the CRPPR site is located within the water catchment for Hawkesbury-Nepean River System, SREP 20 applies. CRPPR is considered capable of being consistent with the provision of SREP 20.
SREP No 24 Homebush Bay Area	Aims to encourage the co-ordinated and environmentally sensitive development of the Homebush Bay area.	Does not apply to the Campbelltown LGA
SREP 25 Orchard Hills	Aims to protect the prime agricultural land of Orchard Hills within the City of Penrith.	Does not apply to the Campbelltown LGA
SREP 26 City West	Aims to promote the orderly and economic use and development of land within the City West area (Pymont and Ultimo).	Does not apply to the Campbelltown LGA

SREP 28 Parramatta	Aims to establish regional planning aims for the Parramatta Primary Centre within Parramatta City Council and City of Holroyd.	Does not apply to the Campbelltown LGA
SREP30 St Marys	Aims to support the redevelopment of St Marys by providing a framework for sustainable development. Applies to land within the Blacktown and Penrith LGAs.	Does not apply to the Campbelltown LGA
SREP 33 Cooks Cove	Establishes the zoning and development controls for the Cooks Cove site in Rockdale LGA.	Does not apply to the Campbelltown LGA
Sydney Harbour Catchment 2005	Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole. SREP applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River.	Does not apply to the Campbelltown LGA

Subdivision 2 of Division 17 addresses development in or adjacent to road corridors and road reservations.

Clause 101 contains objectives to ensure the effective and ongoing operation of a classified road and to minimise the impact of traffic noise and vehicle emissions on adjacent development. A range of matters are required to be considered by a consent authority. These are outlined below, with comments.

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - (i) the design of the vehicular access to the land, or
 - (ii) the emission of smoke or dust from the development, or
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The nature of the development is such that direct vehicular access to the land from the existing Campbelltown Road is appropriate and RMS have indicated that such access should be consolidated as a single access point centrally along the frontage. This has been included within the concept plan. A traffic study is also appended and was approved by the RMS.

The proposal would not be sensitive to either traffic noise or vehicle emissions and is appropriately located for its function. The proposal was also assessed against Clause 104, traffic generating development.

5.3.4 IS THE PLANNING CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (S 9.1 DIRECTIONS)?

The planning proposal is consistent with the applicable Ministerial Directions (s.9.1 Directions) see **Table 4** below.

TABLE 4 – CONSIDERATION OF MINISTERIAL DIRECTIONS

s.9.1 Direction Title	Applicable	Consistent	Comments
1. Employment & Resources			
1.1 Business and Industrial Zones	Not applicable		S.9.1 Direction is not relevant to the CRPPR, as the land is not currently zoned business or industrial
1.2 Rural Zones	Not applicable	The objective of this direction is to protect the agricultural production value of rural land. 1.2 (4) (a) states a Planning Proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.	Direction 1.2 applies to planning proposals which affect land within an existing or proposed rural zone and states that a Planning Proposal must not rezone land from a rural zone to a residential zone. This is not applicable to the proposal and Council has already rezoned land for a service station.
1.3 Mining, Petroleum Production and Extractive Industries	Applicable	Yes	S.9.1 Direction is not relevant to the CRPPR.

s.9.1 Direction Title	Applicable	Consistent	Comments
1.5. Rural lands	Not Applicable		Not applicable.
2. Environment & Heritage			
2.1 Environment Protection Zones	Applicable	Yes	Refer to comments above regarding the land being rezoned for a service station.
3. Housing Infrastructure & Urban Development			
3.1 Residential Zones	Applicable	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environment and resource lands. <p>3.1 (5) (b) states a Planning Proposal must not contain provisions which will reduce the permissible residential density of land.</p>	Not applicable.
3.3 Home Occupations	Applicable	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	N/A.
3.4 Integrating Land Use & Transport	Applicable	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> improving access to 	The land is located close to existing transport networks.

s.9.1 Direction Title	Applicable	Consistent	Comments
		<p>housing, jobs and services by walking, cycling and public transport,</p> <ul style="list-style-type: none"> • increasing the choice of available transport and reducing dependence on cars, • reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, • supporting the efficient and viable operation of public transport services, and • providing for the efficient movement of freight. 	
4.Hazard & Risk			
4.1 Acid Sulphate Soils	Not applicable		Subject land not identified as being subject to acid soils.
4.2 Mine Subsidence and Unstable land	Not applicable	N/A	The subject lands are not within a Mines Subsidence District.
4.3 Flood Prone Land	Applicable	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> • 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, and • to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood 	Land is not flood prone.

s.9.1 Direction Title	Applicable	Consistent	Comments
		<p>impacts both on and off the subject land.</p> <p>4.3 (5) states a Planning Proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p>	
4.4 Planning for Bush Fire Protection	Applicable	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and to encourage sound management of bush fire prone areas. 	Not bushfire prone.
5. Regional Planning			
5.1 Implementation of Regional Strategies	Applicable	This direction applies to land which is in the Sydney-Canberra Corridor Regional Strategy.	This proposal is consistent with the Corridor Strategy and accordingly is consistent with this Direction.
6. Local Plan Making			
6.1 Approval and Referral Requirements	Applicable	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Yes. The previous rezoning proposal was referred to the RMS for consideration. The RMS raised no objections to the proposal and the land was subsequently rezoned to permit a service station.
6.3 Site Specific Provisions	Applicable	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	It is not proposed to introduce controls for this land.

s.9.1 Direction Title	Applicable	Consistent	Comments
		<p>6.3 (4) (c) states a Planning Proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"> • allow that land use to be carried out in the zone the land is situated on, or • rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or • allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. 	
7. Metropolitan Planning			
Implementation of the Metropolitan Strategy	Applicable	The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036. (Please note: The State Government has exhibited a Draft Metropolitan Strategy for Sydney to 2031 for community input).	Yes

5.4 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

5.4.1 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 land has been used for a dwelling purposes and this aspect would have been addressed in the previous Planning Proposal.

5.4.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

The Planning Proposal will adopt the local provisions to the Standard Instrument Local Environmental Plan (SI LEP) to minimise the likely environmental impacts of future development. Water quality is a potential issue associated with the site.

This includes potential contamination of runoff from car parking and driveway areas from motor vehicles, together with the need to dispose of sewerage and wastewater effluent. These matters can be considered at the development application stage, which has been approved.

5.4.3 HOW HAS THE PLANNING ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The development would have no impact on Aboriginal or European heritage areas. The development would produce a net social benefit associated with broadening the range of services available to travellers including the provision of additional services and facilities. The Council has approved the use of the subject property as a service station.

5.5 SECTION D – STATE AND COMMONWEALTH INTERESTS

5.5.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

Public infrastructure will be required to be augmented to support the development of the subject land as communicated in this PP. The nature and extent of augmentation will be finally determined having regard to more detailed investigations as part of the continued “evolution” of this PP.

Road infrastructure to serve the proposal is good. Access would be obtained from Campbelltown Road.

Reticulated electricity and telecommunications facilities will also be provided as service infrastructure.

Amplification/enhancement of offsite infrastructure, including community infrastructure, will involve relevant contributions pursuant to Section 7.11 (EP&A Act). Such contributions will be determined in response to more detailed planning actions as the PP progresses.

5.5.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?

The Gateway determination will identify any consultation required with State or Commonwealth Public Authorities. This will include:

- Consultation required in accordance with a Ministerial Direction under section 9.1 of the EP&A Act: and
- Consultation that is required because in the opinion of the Minister (or delegate), a State or Commonwealth public authority will or may be adversely affected by the proposed LEP.

Consultation is required with public authorities under section 56(2)(d) of the EP&A Act 1979, as amended.

6 Mapping

There are no need for Maps as the proposal will be an amendment to Schedule 1.

7 Part 4 – Community Consultation

Community consultation remains an important element of the Plan making process. The companion document “A Guide to Preparing Local Environmental Plans” outlines community consultation parameters.

The subject provisions in respect of notification and the exhibition materials to support the consultation will be observed.

Before proceeding to public exhibition, the Director General of Planning (or delegate) must approve the form of the Planning Proposal as being consistent with the “Gateway” determination (EP&A Act 57(2)).

It is envisaged that further community consultation would occur through the public exhibition of detailed documents lodged with the development application for the development proposal.

This further consultation will, at a minimum include, advertising in local papers, exhibition material provided at Campbelltown Council administration buildings and libraries and Campbelltown Council’s webpage and the required written notifications that would ordinarily be required. Once Council is satisfied with the amended Planning Proposal following determination at the Gateway, it is recommended that it will be publicly exhibited for a period of 28 days.

8 Indicative Project Timeline

The following project timeline is advanced in **Table 5** below.

TABLE 5 – PROJECT TIMELINE

Project Detail	Timeframe	Timeline
Lodgement	N/A	June 2018
Council Review/Reporting	3 months	September 2018
Anticipated commencement date (Gateway determination)	2 months from submission to DoPE	November 2018

Project Detail	Timeframe	Timeline
Anticipated timeframe for the completion of required technical information – after specialist study requirements determined	N/A	N/A
Amendment of Planning Proposal, if needed	1 month	December 2018
Commencement and completion dates for public exhibition period & government agency consultation – after amending Planning Proposal, if required	2 months	March 2019
Dates for public hearing, if required	Not required	N/A
Timeframe for consideration of submissions	1 month	April 2019
Timeframe for the consideration of proposal post exhibition, including amendments and maps and report to Council	1 month	May 2019
Date of submission to the Department to finalise the LEP (including 6 week period for finalisation)	2 months	July 2019
Anticipated date RPA will make the plan, if delegated	Not applicable	N/A
Anticipated date RPA will forward to the Department for notification	N/A	N/A

9 Conclusion

The preceding commentary has clearly established a case for the limited review the planning provisions as they pertain to the subject lands. It is proposed that Schedule 1 of LEP 15 be amended as follows:

17 Use of certain land at 194 Campbelltown Road, Denham Court

- (1) This clause applies to land at 194 Campbelltown Road, Denham Court, being Lot 100 DP 1176622.
- (2) Development for the purpose of a service station is permitted with development consent, if the service station:
 - (a) is not able to be accessed from a freeway.

Council is accordingly requested to take the necessary steps to commence the process of rezoning the subject lands as detailed in this submission at section 4. Council, as the responsible Planning Authority, is requested to support and forward this PP to the Department of Planning and Infrastructure for progressing through the “Gateway” in an expedient manner.

SINCERELY YOURS,

A handwritten signature in black ink, appearing to read 'M J Brown', written in a cursive style.

M J BROWN
DIRECTOR
MICHAEL BROWN PLANNING STRATEGIES PTY LTD

Xpress Group

194 Campbelltown Road, Denham Court

Acoustic DA Assessment

Author	Fu Siong Hie, B.Eng, MAAS Principal Consultant
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Date	25/06/2018
Comments:	Site plan (Appendix D)

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1 Introduction

The following report has been prepared by Acouras Consultancy on behalf of Xpress Group to assess the potential for noise impact associated with the proposed new service station at 194 Campbelltown Road, Denham Court. The site location is shown in Figure 1.

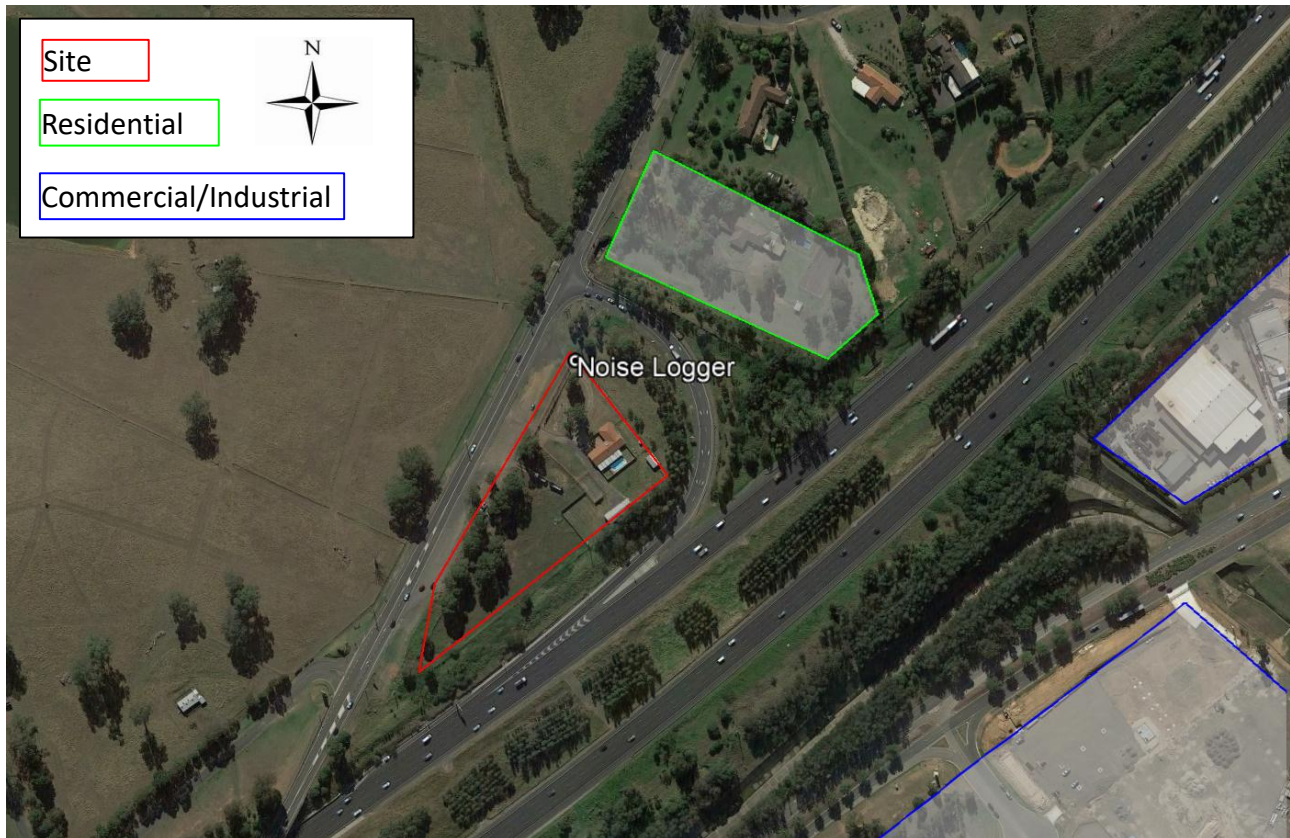


Figure 1 – Site Location, Nearest Residents and Noise Logger Position

2 Noise Criteria

The following standards and guidelines are applicable to this project:

- NSW EPA “Industrial Noise Policy” (INP).
- NSW EPA “Road Noise Policy” (RNP).
- Australian standard AS/NZS 2107-2000: Acoustics – Recommended design sound levels and reverberation times for building interiors.
- Australian standard AS 1055.1-1997: Acoustics – Description and measurement of environmental noise - General procedures.

2.1 Internal Noise Levels

For the commercial developments, the AS/NZS 2107–2000 outlines the acceptable internal noise levels such that a satisfactory acoustic environment within occupied spaces in new and existing buildings can be achieved. Table 1 presents the recommended internal design noise levels for retail buildings.

Table 1— Recommended Internal Design Noise Levels (AS/NZS 2107)

Type of occupancy/activity	Recommended design sound level, Leq in dB(A)	
	Satisfactory	Maximum
Small retail store (small)	45	50

2.2 Noise Survey and Project Specific Limits

An unattended noise survey was carried out at the site to measure the background and ambient noise levels. Noise monitoring was conducted between Wednesday 23rd to 29th May 2018. The monitor was positioned on the boundary at the northern end of the site. Location is shown in Figure 1. Measurements were conducted using the following equipment:

- SVAN 977 Type 1 Real time Analyser/Noise Logger. Serial No. 34892.
- SVAN SV30A Type 1 Sound Level Calibrator. Serial No. 31830.

Noise monitoring was conducted in general accordance with Australian standard AS 1055.1-1997: Acoustics-Description and measurement of environmental noise-General procedures.

The noise analyser was calibrated immediately before and after measurements were taken with no discernible differences between these two recorded levels. The sound analyser is Type 1 and comply with Australian standard AS1259.2: 1990.

Table 2 presents a summary of the measured ambient noise level and traffic noise impacting the development.

Table 2 – Measured Ambient and Traffic Noise and Levels, dBA

Location	Period	Average Leq	Highest Leq 1hr
194 Campbelltown Rd	Day (07:00-22:00)	63	68
	Night (22:00-07:00)	60	66

Table 3 presents a summary of the measured background noise level and the allowable intrusive noise limit for this project in accordance with the NSW Industrial Noise Policy guidelines.

Table 3—Noise Survey Summary and Project Limits, dBA

Location	Time Period	Existing Noise Levels		NSW Industrial Noise Policy	
		Leq (period)	RBL	Amenity Criteria Recommended Noise Level (acceptable), Leq	Project Specific Limit Leq
1	Day	63	51	50	53
	Evening	61	52	45	51
	Night	60	46	40	50

During detailed design stage, the design and selection of the mechanical equipment required to service the proposed development will be required to achieve the NSW INP noise limits as presented in the table above.

During the monitoring period any adverse weather condition have been excluded. The noise logger results are presented in Appendix C.

2.3 Sleep Disturbance

The NSW INP does not specifically address sleep disturbance from high noise level events. The EPA, although not ideal continues to use the sleep criterion of an $L_{A1, (1 \text{ minute})}$ not exceeding the $L_{A90, (15 \text{ minute})}$ by more than 15 dB(A) as a guide to identify the likelihood of sleep disturbance.

The maximum noise level or $L_{A1, (1 \text{ minute})}$, is the extent to which the maximum noise level exceeds the background level and the number of times this happens during the night-time period. Other factors that may be important in assessing the extent of impacts on sleep include:

- how often high noise events will occur.
- time of day (normally between 10pm and 7am).
- whether there are times of day when there is a clear change in the noise environment (such as during early morning shoulder periods).

The $L_{A1, (1 \text{ minute})}$ descriptor is meant to represent a maximum noise level measured under 'fast' time response. The EPA will accept analysis based on either $L_{A1, (1 \text{ minute})}$ or $L_A, (Max)$. Table 4 presents the limits for sleep disturbance.

Table 4 – Sleep Disturbance Limits, dBA

Period	Background Level, RBL	Sleep Disturbance Limits $L_{A1, (1min)}$
22:00 to 07:00	46	61

2.4 Traffic Noise Generation

The development of the service station facilities has the potential to generate increased traffic noise along Campbelltown Road will be assessed in accordance with the NSW EPA Road Noise Policy (RNP). Table 5 sets out the assessment criteria for residences to be applied to particular types of project, road category and land use.

Table 5— Road traffic noise assessment criteria for residential land uses

Road Category	Type of project/land use	Assessment Criteria - dBA	
		Day (7am-10pm)	Night (10pm-7am)
Freeway/ arterial/ sub-arterial road	Existing residences affected by additional traffic on existing freeways/arterial/sub-arterial roads generated by land use developments	L _{Aeq} , (15 hour) 60 (external)	L _{Aeq} , (9 hour) 55 (external)

For existing residences and other sensitive land uses affected by additional traffic on existing roads generated by land use developments, any increase in the total traffic noise level should be limited to 2 dB above that of the corresponding 'no build option'.

3 Assessment and Recommendations

3.1 Operational Assessment

The proposed service station, is to be located in a rural environment with nearby commercial/industrial areas. The facility is bounded by the Campbelltown Road to the west and the M5 Motorway (Hume Highway) to the east. Traffic noise from the motorway dominates the ambient noise levels in the area. The nearest noise sensitive receiver that may potentially be affected by the operation of the site is located to the north (refer to Figure 1).

As part of our assessment we have taken the following activities into consideration:

- Activities associated with patron vehicles entering/exiting the service station.
- Activities from truck fuel delivery and using the refuelling station.
- The service station and convenience store will operate between 24hrs, seven (7) days a week.
- Café, fast food restaurant and drive through.
- Operation of the self-service and automated car wash.
- Tyre or car workshop.
- Operation of external mechanical plant, including exhaust ventilation fans and outdoor condensers.

3.2 Vehicle Activity

The proposed service station and convenience store is expected to operate between 24hrs seven days a week. From our understanding of the proposed operation:

- The facility is expected to cater for at least 240 passenger cars during the peak hour. This would be considered the worst case scenario and any other periods outside the peak hour would have a less impact.
- Cars and trucks using the facilities will be able to enter and exit the site in a forward direction without reversing.

Table 3 below provide sound pressure levels of typical vehicle noise that have been used for the calculations.

Table 6 – Typical Noise Level of Vehicles, L_{max} dBA

Type	Sound Pressure Level Range @ 0.5m, L_{max} dBA ¹
General passenger vehicle	67-88
3 to 6 tonne Truck (rigid)	84-90
Semi-trailer (Fuel delivery only, eg, Western Star or Kenworth)	80-101

Based on the operation and above sound pressure levels, Table 3 details the predicted noise level at the nearest residential receiver to the north of the development site. Note this is based on the peak time periods and night time levels are expected to be considerably less.

Vehicles for the delivery of fuel accessing the site can take approximately 40minutes to complete the operation. Refuelling operations not expected to cause an impact provided that all operations are conducted only during the day between 07:00 and 18:00.

¹ Based on ADR83/00 external noise test.

Table 7 – Predicted Noise Level of Vehicles Activity, dBA

Type	Sound Pressure Level at Nearest Residential Receiver			
	$L_{eq(15min)}$ dBA	INP Noise Limit D/E/N	L_{max} dBA	Sleep Disturbance Limit
General passenger vehicle	44	53/51/50	40	61
Truck (rigid)	27	53/51/50	42	61
Semi-trailer (fuel delivery)	37	53/51/50	53	61
Cumulative	45	53/51/50	-	-

From the calculation above, the predicted noise level from operational activities is estimated to comply with the NSW INP for operational noise and for sleep disturbance noise limits.

3.3 Semi-Trailer Fuelling Station

The fuelling station for semi-trailers is located on the eastern site of the development. The semi-trailers using fuelling station will be able to enter in a forward direction and exit via the service road without having to reverse.

As a worst-case scenario during peak periods, a maximum of four (4) semi-trailers using the fuel station have been estimated for the predictions.

The sound pressure level of the semi-trailers is based on the data given Table 3 and have been used for the calculations presented in Table 8.

Table 8 – Predicted Noise Level of Vehicles Activity, dBA

Type	Sound Pressure Level at Nearest Residential Receiver			
	$L_{eq(15min)}$ dBA	INP Noise Limit D/E/N	L_{max} dBA	Sleep Disturbance Limit
Semi-trailer (fuel station)	42	53/51/50	55	61

The predicted noise level in the above table is only for the movement of four (4) semi-trailers over a period of 15 minutes. The cumulative noise of all vehicle movements (worst-case scenario) would be approximately L_{eq} 47dBA.

Based on our predictions, the noise level from semi-trailers using the fuel station is estimated to comply with the EPA INP levels and sleep disturbance noise limits.

3.4 Self-Service and Automatic Carwash

The automatic carwash and vacuum cleaner bays are located on southern end of the site which is over 200m from the residents. The carwash would operate between 7am and 10pm.

As part of our assessment of the automated carwash, we have taken the following activities into consideration:

- Operational noise from the automated carwash bay (high pressure water spray and dryer). Final drying would be manually done by hand. Typical noise levels of activities associated with the operation of the automated carwash are presented in Table 9.
- Operational noise from the manually operated high pressure water sprays and vacuums. Drying would be manually done hand. Typical noise levels are presented in Table 9.

Table 9 –Typical Noise Level for Vehicle and Carwash, L_{max} dBA

Noise Source	Sound Pressure Level
Automatic wash (incl. dryer)	88 @ 7.5m, L_{eq} dBA
High pressure rinse	68 @ 9m, L_{eq} dBA
Vacuum	76 @ 1.5m, L_{eq} dBA

Based on the sound pressure levels of operation activities expected to occur at the facility, the predicted noise level at the nearest residential receiver to the north east of the development site are presented in Table 10.

Table 10 – Predicted Noise Level of Operational Activity, dBA

Type	Sound Pressure Level at Nearest Residential Receiver $L_{eq(15min)}$ dBA	INP Noise Limit (Day/Evening), $L_{eq(period)}$
High pressure rinse (2 off)	41	53/50
Vacuum (2 off)	32	53/50
Automated Carwash	49	53/50
Wash Tunnel	34	53/50
Cumulative	50	53/50

From the calculation given in Table 10, the predicted noise level from operational activities is estimated comply the NSW INP noise limit for the operation for the daytime and night time periods. It is recommended that the carwash facility not operate during the night period.

3.5 Café and External Seating Area

The proposed café could potentially operate between 7am and 10pm each day to service the carwash patrons and has approximately eight (8) internal and eight (8) external seating for patrons. Noise associated with the café would predominately be from patrons talking in the external seated areas. Table 11 presents the typical speech noise levels used for assessing the impact at the nearest sensitive residential receivers to the north-east.

Taking into consideration the noise from the seated patrons in the external area, the attenuation effects of distance, directivity etc, we predict the noise levels would be less than 30dBA an inaudible at the nearest receiver.

Table 11 — Typical Noise Level of Speech

	Octave Band, Hz Lin									Overall dBA
	31.5	63	125	250	500	1k	2k	4k	8k	
Typical Speech at 1m ²	29	39	49	59	63	65	59	53	47	61

3.6 Tyre or Car Workshop

The proposed tyre/car workshop is located to the most western portion of the site, which is more than 300m to the nearest residence. The workshop would operate between 7am and 6pm and all service/repairs and use of pneumatic hand tools would be used within the building envelope of the workshop. Table 12 presents the typical noise level of had operated power tools that would be common in workshops.

Table 12 – Typical Noise Level of Power Tools

Description of Noise Source	Sound Pressure Level, L _p dBA @ 10m ³
Hand tools (electric)	74
Hand tools (pneumatic)	88

Taking into consideration the attenuation effects of distance, directivity, on-time correction, building attenuation etc, we predict the noise levels would be less than 40dBA at the nearest receiver.

² Raised single male voice. Harris "Handbook of Acoustical Measurements and Noise Control".

³ • Australian Standard 2436:2010: "Guide to noise and vibration control on construction, demolition and maintenance sites".

3.7 Mechanical Plant and Equipment

At this stage, the design and selection of the mechanical equipment required to service the proposed development has not been finalised therefore the possible to conduct a detailed assessment of the mechanical plant noise. However, the mechanical services consultant should consider the relevant requirements when designing and selecting such equipment.

- Selection of low noise equipment.
- Location of rooftop plant equipment, such as exhaust fans, condensers etc such that it is shielded from the noise sensitive.
- Consider the construction of acoustic enclosures for plant equipment, acoustic attenuators on exhaust systems and acoustic louvers at ventilation openings.

Following the approval of the proposed DA, at Construction Certificate stage, detailed assessment of mechanical plant and equipment noise and their ameliorative measures should be conducted to ensure compliance with the EPA INP requirements as given in Section 2.2 .

3.8 Façade Glazing Requirements

Acoustic glazing for the convenience store given in Table 13 is required to reduce noise impact on the internal occupants and should result in noise levels within such spaces in accordance with the AS/NZS 2107:2000.

Table 13 – Schedule of Window and Glazing (R_w)

Façade	Space	Glazing Thickness	Minimum R_w (Glazing+Frame)
All	All	6mm monolithic	28

3.9 Building Façade Construction

To provide sufficient acoustic attention of noise, the general external construction of the proposed building would need to be constructed as detailed in Table 14.

Table 14 – External Façade Construction (R_w)

Building Element	Proposed Construction	Minimum R_w
External Wall	Concrete or masonry	45
Roof and ceiling	Colorbond roof with internal suspended ceiling.	45

3.10 Assessment of Traffic Noise Generation

This section details a review of the expected increase in traffic noise generation from this development. Based on the report prepared by Colston Budd Hunt & Kafes Pty Ltd (ref: 9880) dated August 2015, Table 2.2 indicates the following expected net increase in traffic during the morning (AM) peak and afternoon (PM) peak.

Based on the current traffic flows along Campbelltown Road, the following Table 15 summaries the predicted change in traffic noise level.

Table 15: Predicted Change Traffic Noise Levels during Peak Periods

Period	Direction	Existing Peak Traffic Flow	Net Increase Peak Traffic Flow	Change in Traffic Noise, dBA
AM Peak	North of M5 Ramp	1,035	1,095	0.2
	South of M5 Ramp	1,365	1,425	0..2
PM Peak	North of M5 Ramp	865	955	0.4
	South of M5 Ramp	1,010	1,100	0.4

At this stage the traffic report has not been updated to allow for addition semi-trailer fuelling station. However, allowing a maximum of an additional eight (8) vehicles per hour during the peak periods the overall change in traffic noise would increase by more that 1dB as shown in the table above.

Based on the above calculations, increases in traffic noise levels are predicted to be less than 1dB and therefore comply with the EPA RNP guidelines.

4 Conclusion

An acoustic assessment of the proposed development has been carried out in accordance with the Industrial Noise Policy and Road Noise Policy of the EPA.

An environmental noise survey of the site has been conducted and the noise limiting criteria for mechanical plant/equipment noise emission has been determined based on the NSW EPA INP are presented in Table 3. The noise limit ($L_{A1,1 \text{ minute}}$) for sleep disturbance in accordance with the NSW EPA INP is given in Table 4.

The review the potential noise impact from vehicle movements and semi-trailer fuel station are detailed in Section 3.2 and Section 3.3 . Based on our predictions, the cumulative vehicle noise is expected to be less than $L_{eq(15min)}$ 48dBA (at nighttime) noise limit and sleep disturbance limit at the nearest residential receiver. The addition semi-trailers during the peak periods would not significantly increase the traffic noise and would still be less than 1dB overall.

A review of the commercial operational activities, such as the carwash, café and workshop are detailed in Section 3.4 to 3.6 . Based on our predictions and recommendations, the activity noise level are expected to comply with the EPA INP guidelines.

Construction for glazing, external walls and the roof/ceiling systems have been provided to achieve the internal noise criteria and are detailed in Section 3.8 and Section 3.9 .

The assessment of increased traffic generation in Section 3.10 has been assessed according to EPA RNP noise guidelines. Based on the expected traffic for the centre, the increase in traffic is expected to be less than 1dB and therefore comply with the EPA RNP guideline.

Providing the recommendations in this report are implemented, the noise from the proposed development is predicted to comply with acoustic requirements of the EPA noise limits and relevant Australian standards.

Appendix A – Acoustic Terminology

Decibel, dB: A dimensionless unit which denotes the ratio between two quantities that are proportional to power, energy or intensity. One of these quantities is a designated reference by which all other quantities of identical units are divided. The sound pressure level in decibels is equal to 10 times the logarithm (to the base 10) of the ratio between the pressure squared divided by the reference pressure squared. The reference pressure used in acoustics is 20 micro Pascals.

A-WEIGHTING: A measure of sound pressure level designed to reflect the response of the human ear, which does not respond equally to all frequencies. To describe sound in a manner representative of the human ear's response it is necessary to reduce the effects of the low and high frequencies with respect to medium frequencies. The resultant sound level is said to be A-weighted, and the units are in decibels (dBA). The A-weighted sound level is also called the noise level.

Sound Pressure Level, L_p (dB), of a sound: 20 times the logarithm to the base 10 of the ratio of the r.m.s. sound pressure to the reference sound pressure of 20 micro Pascals. Sound pressure level is measured using a microphone and a sound level meter, and varies with distance from the source and the environment.

Ambient Noise/Sound: All noise level present in a given environment, usually being a composite of sounds from many sources far and near. Traffic, HVAC, masking sound or even low-level background music can contribute to ambient level of noise or sound.

Percentile Level - L_{90} , L_{10} , etc: A statistical measurement giving the sound pressure level which is exceeded for the given percentile of an observation period, e.g. L_{90} is the level which is exceeded for 90% of a measurement period. L_{90} is commonly referred to as the "background" sound level.

Background Noise (L_{90}): The sum total of all unwanted residual noise generated from all direct and reflected sound sources in a space that can represent an interface to, or interfere with good listening and speech intelligibility.

Rating Background Level – RBL: Method for determining the existing background noise level which involves calculating the tenth percentile from the L_{A90} measurements. This value gives the Assessment Background Noise Level (ABL). Rating Background Level is the median of the overall ABL.

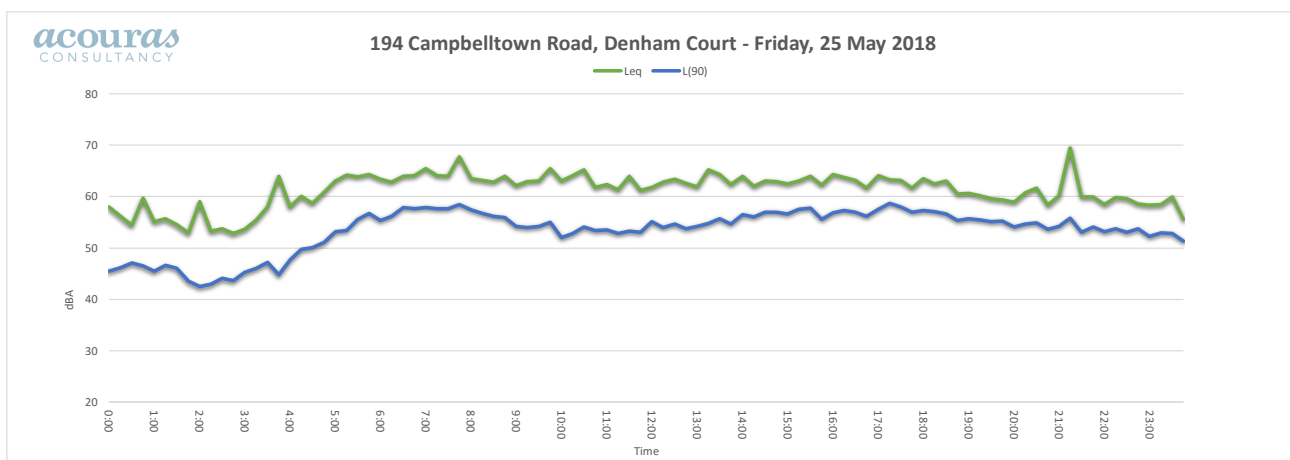
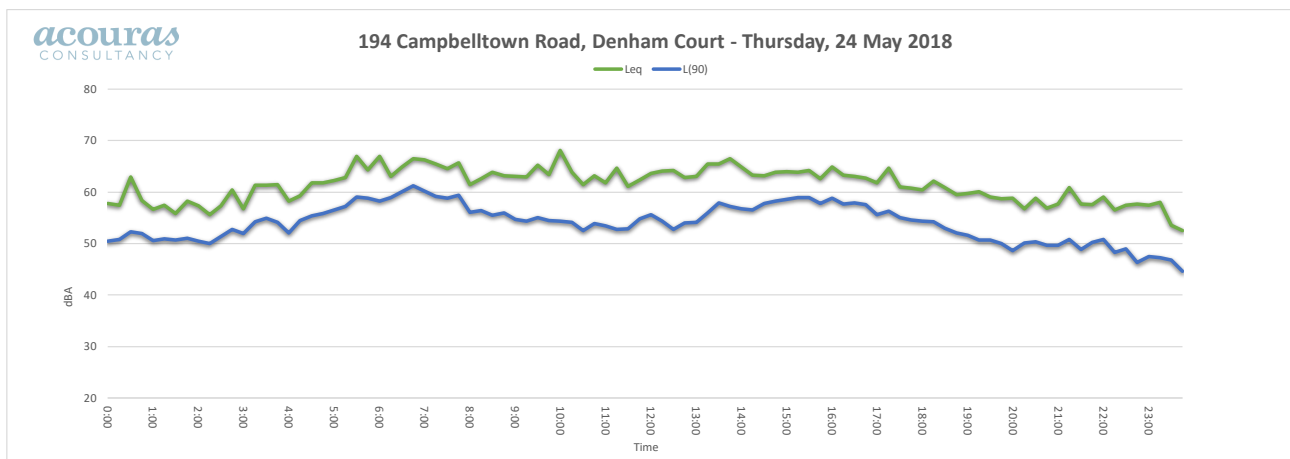
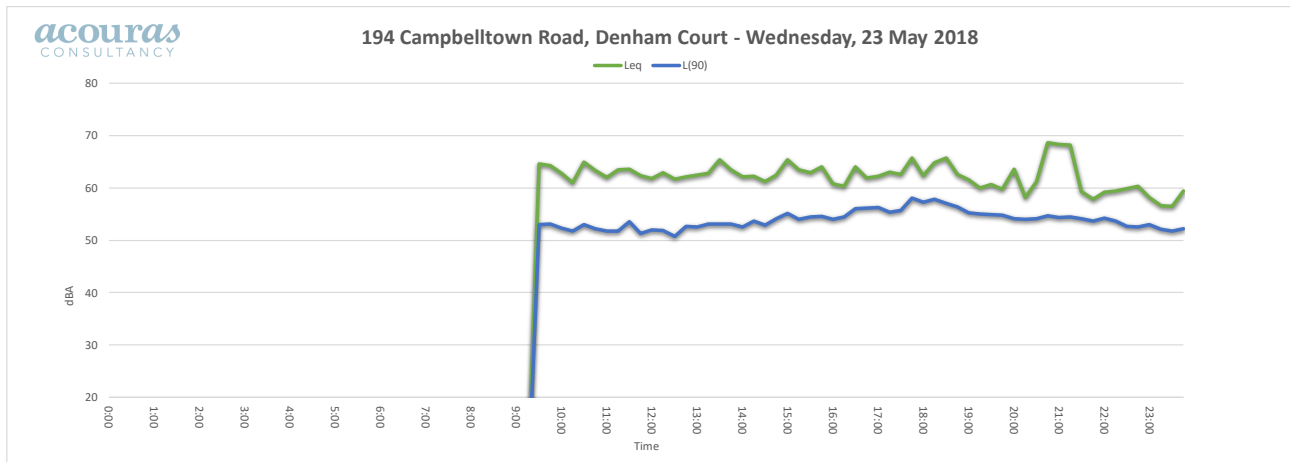
$L_{AEQ,T}$: Equivalent continuous A-weighted sound pressure level. The value of the A-weighted sound pressure level of a continuous steady sound that, within a measurement time interval T, has the same A-weighted sound energy as the actual time-varying sound.

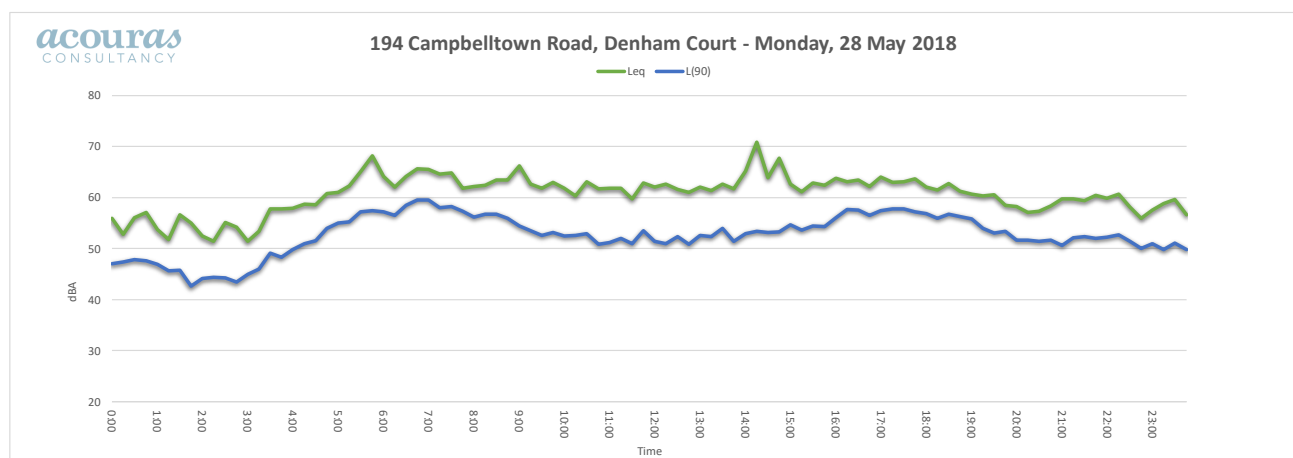
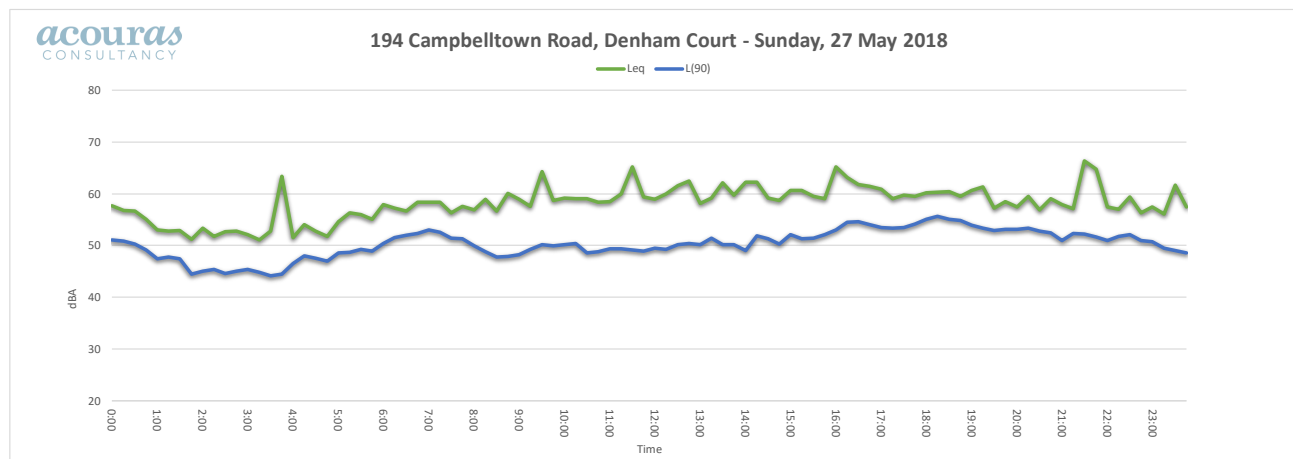
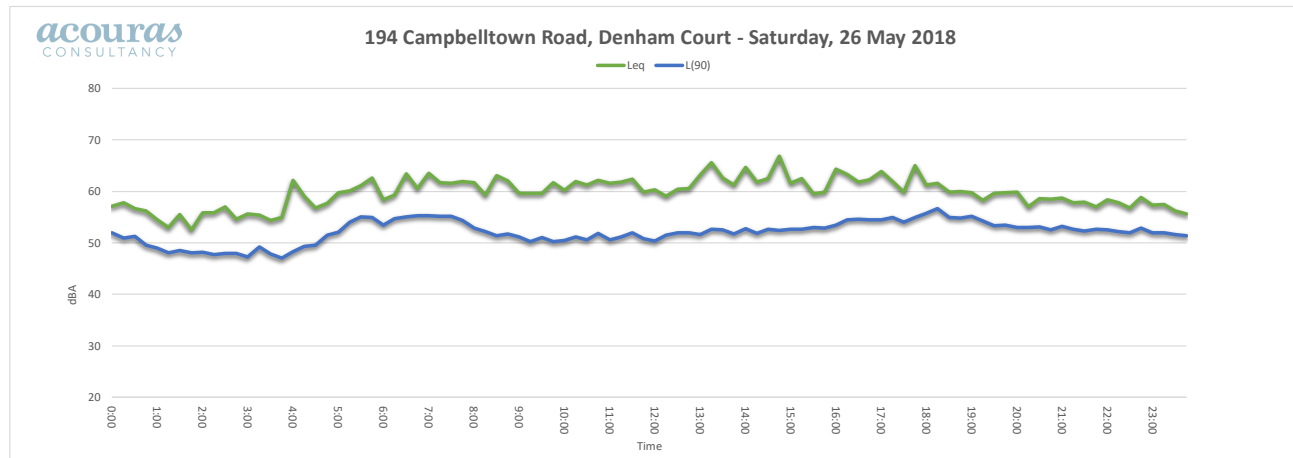
Appendix B – Architectural Drawings

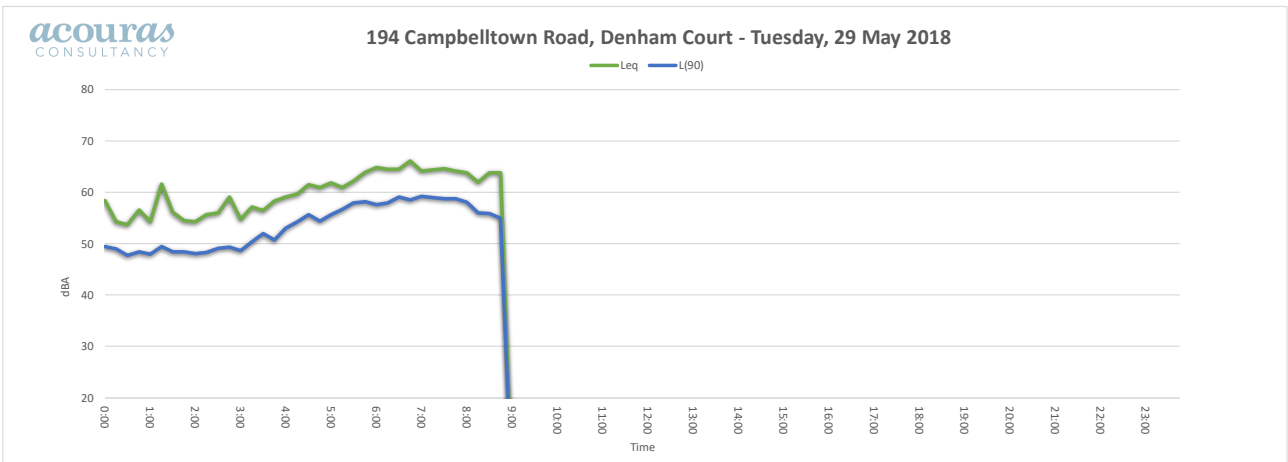
This assessment was based on the following drawings provided by R.J. Sinclair Pty Ltd.

Drawing	Issue	Date	Description
A-02	DA5	14.03.17	Proposed Site Plan

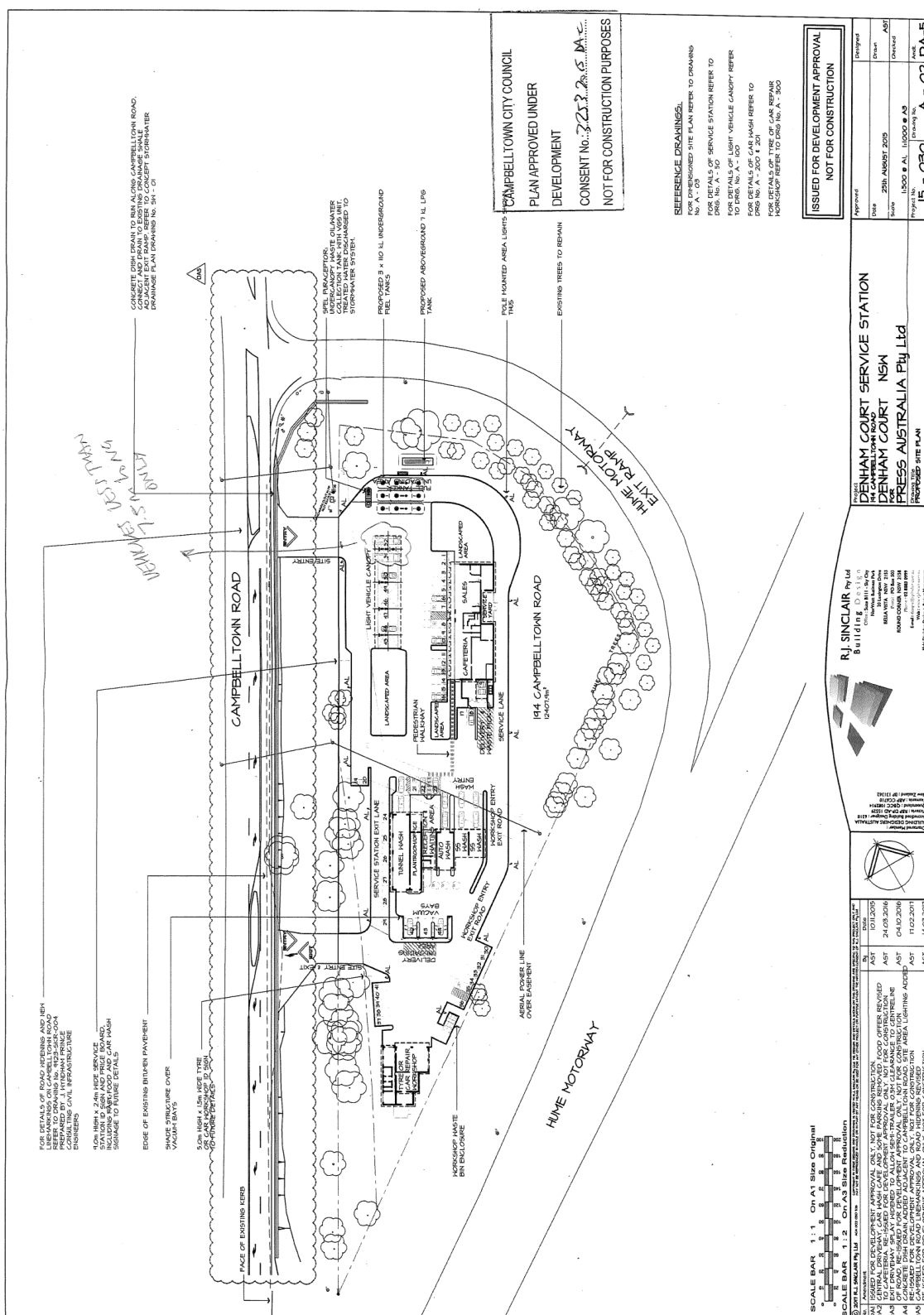
Appendix C – Noise Logger Results







Appendix D – Site Plan



EXPRESS GROUP PTY LTD

TRAFFIC REPORT FOR PROPOSED
LEP AMENDMENT FOR SERVICE
STATION SITE,
194 CAMPBELLTOWN ROAD,
DENHAM COURT

APRIL 2018

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I. INTRODUCTION

I.1 Colston Budd Rogers and Kafes Pty Ltd has been commissioned by Express Group Pty Ltd to prepare a report examining the traffic implications of the proposed LEP amendment to allow trucks at 194 Campbelltown Road, Denham Court. The site has previously been rezoned, and has DA consent for, a service station, food outlet, car wash café and tyre/repair workshop. We prepared reports^{1,2} in support of the approved development.

I.2 Schedule 2(3) of Campbelltown Urban Area Local Environmental Plan 2002 provides for a service station to be developed on the site, providing it:

- (a) *does not include a diesel or gas fuelling point for long vehicles (within the meaning of rule 200 of the Road Rules 2014), and*
- (b) *is not designed or constructed to be used by such long vehicles, and*
- (c) *is designed and constructed to be used by heavy vehicles (within the meaning of the Road Rules 2014) only for the purpose of fuelling, and*
- (d) *is not able to be accessed from a freeway.*

I.3 The site adjoins Campbelltown Road and the exit from the M5 Motorway to the Ingleburn Industrial Area. Both of these roads carry a significant proportion of trucks to and from the industrial area. The subject site is therefore a logical site to provide for the refueling of trucks.

¹ Traffic Report for Planning Proposal for Proposed Service Station, Denham Court, November 2014.

² Traffic Report for Proposed Service Station, Food Outlet, Car Wash Café and Tyre Repair Workshop, Denham Court, August 2015.

- 1.4 It is therefore proposed to amend the LEP to provide for trucks to access the site. The traffic implications of the proposed LEP amendment are addressed in the following chapter.

2. TRAFFIC IMPLICATIONS OF PROPOSED LEP AMENDMENT

2.1 The traffic implications of the proposed LEP amendment are set down through the following sections:

- site location and road network;
- approved development;
- proposed LEP amendment;
- parking provision, access, servicing and internal layout;
- traffic implications;
- summary.

Site Location and Road Network

2.2 The site is on the eastern side of Campbelltown Road at Denham Court, between McCormack Place to the north and Williamson Road to the south, and close to the Ingleburn Industrial Area. The M5 Motorway is east of the site. There is a northbound exit from the M5 adjacent to the site's eastern and northern boundaries. The exit intersects Campbelltown Road at a signalised intersection adjacent to the site. The site location is shown in Figure 1.

2.3 Adjacent to the site, Campbelltown Road provides for one traffic lane in each direction with sealed shoulders and a 70 kilometre per hour speed limit. It 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.

Approved Development

- 2.4 The approved development includes a service station, convenience store, food outlet, car wash café and tyre/repair workshop. Vehicular access is approved from Campbelltown Road, with a right turn bay in Campbelltown Road.

Proposed LEP Amendment

- 2.5 As noted above, the site adjoins Campbelltown Road and the exit from the M5 Motorway to the Ingleburn Industrial Area. Both of these roads carry a significant proportion of trucks to and from the industrial area. The subject site is therefore a logical site to provide for the refueling of trucks.
- 2.6 It is therefore proposed to amend the LEP to provide for trucks to access the site. Points a), b) and c) in paragraph 1.2 of this report are proposed to be deleted from the LEP clause. Point d) is not proposed to be amended as the site has approved access from Campbelltown Road and no access to or from the M5 is approved or contemplated.

Parking Provision, Access, Servicing and Internal Layout

- 2.7 Part 6.4 of the Campbelltown (Sustainable City) Development Control Plan 2014, as well as the RMS "Guide to Traffic Generating Developments" includes car parking requirements for development. The parking provision for the development will be determined in association with a future development application for the site, with reference to these requirements.

- 2.8 It is not proposed to alter access arrangements to the site in association with the proposed LEP amendment. As noted above, the approved development application for the site provides access from Campbelltown Road, including road works to accommodate a right turn lane. No access to or from the M5 is contemplated in the LEP amendment.
- 2.9 At the development application stage, the site layout will be provided to allow for cars, service vehicles and trucks to enter, circulate and exit in a forward direction. Truck refueling bays would be appropriately provided to accommodate these vehicles. Loading bays will be provided for the various site components, as in the approved development.
- 2.10 At the development application stage, the parking space dimensions, aisle widths and circulation areas will be provided in accordance with the Australian Standard for Parking Facilities (Part 1: Off-street car parking, Part 2: Off-street commercial vehicle facilities and Part 6: Off-street parking for people with disabilities), AS 2890.1:2004, AS 2890.2 – 2002 and AS 2890.6:2009.

Traffic Implications

- 2.11 The proposed LEP amendment would provide for trucks to access the site to refuel. As noted above, the site is adjacent to the M5 Motorway and Campbelltown Road, which provide for access to and from the Ingleburn Industrial Area.
- 2.12 Most traffic generated by service stations (some 70 per cent or more) is passing trade (i.e. traffic which would have driven past the site, regardless of its visit to the site). The additional traffic which would access the development (with the LEP
-

amendment) would therefore include trucks already using the M5 exit and Campbelltown Road.

- 2.13 Moreover, trucks would comprise only a proportion of the traffic generated by a development envisaged by the LEP amendment. Such a development would be likely to have a similar traffic generation to that approved in the existing development application.
- 2.14 In any event, a small additional traffic generation of five to 10 vehicles per hour (two-way) at peak times would not have noticeable effects on the operation of the surrounding road network.
- 2.15 Our previous reports found that the signalized intersection of Campbelltown Road with the M5 exit would operate at a good level of service with the additional traffic from the approved development. The intersection will continue to operate at a good level of service with a development envisaged by the proposed LEP amendment.

Summary

- 2.16 In summary, the main points relating to the traffic implications of the proposed LEP amendment are as follows:
- i) the site has development consent for a service station, convenience store, food outlet, car wash café and tyre/repair workshop, with vehicular access from Campbelltown Road;

- ii) the proposed LEP amendment would remove the restriction on trucks accessing the site;
- iii) parking provision will be provided in accordance with appropriate council and RMS controls at the time of a development application;
- iv) access and internal layout will be provided in accordance with Australian Standards, at the time of a development application;
- v) development of a nature envisaged by the proposed LEP amendment would have a similar traffic generation to that already approved for the site;
- vi) the road network will be able to cater for the traffic from development envisaged by the proposed LEP amendment.



Location Plan