

Submission to:

Draft Structure Plan:

Mamre Road Precinct in the
Western Sydney Employment Area

Made on behalf of:

Hyped Pty. Ltd

Subject sites:

- 1157-1161 Mamre Road; and,
 - 1163-1167 Mamre Road
- Kemps Creek, NSW, 2178

Date:

18th December, 2019

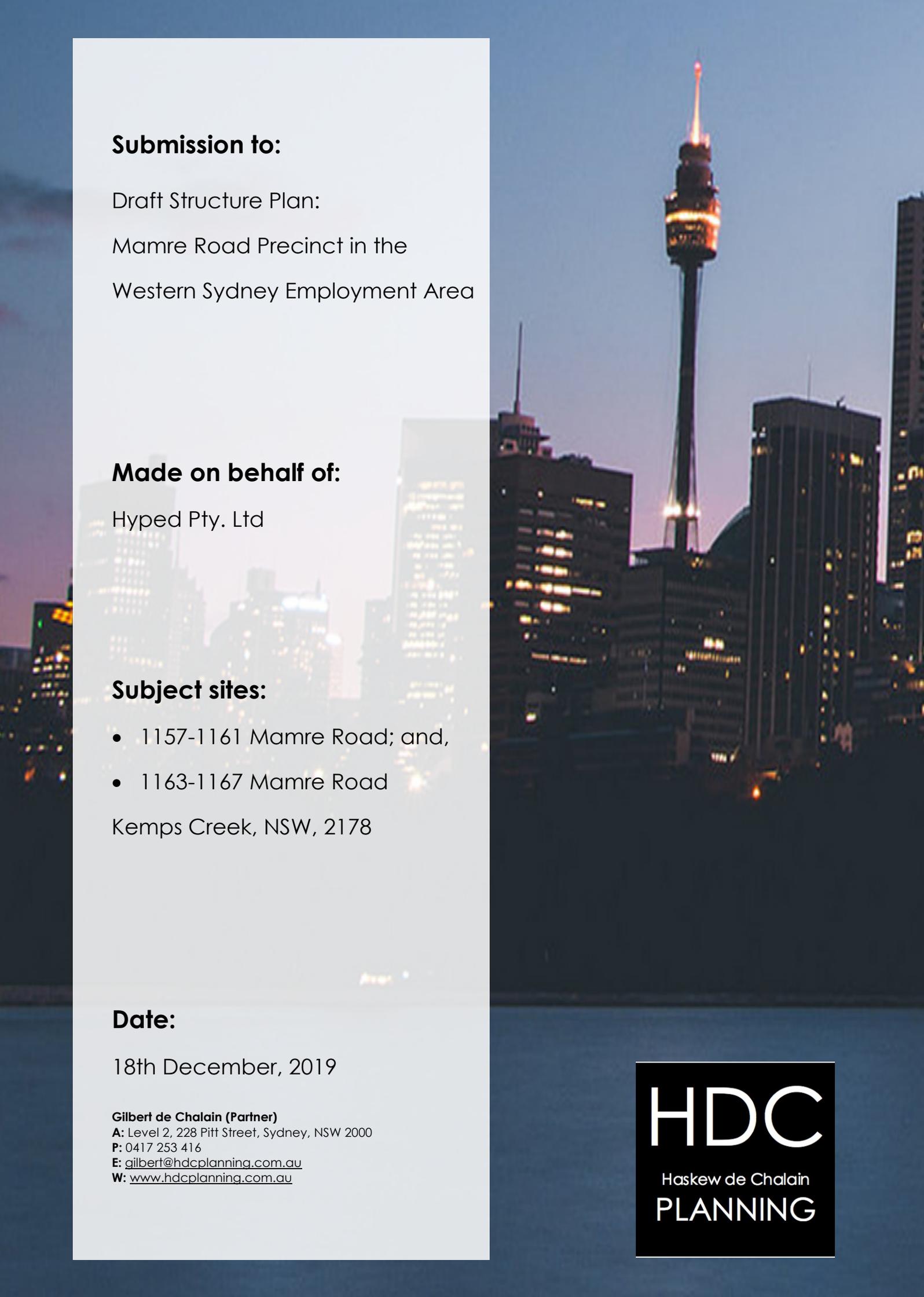
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1 INTRODUCTION

HDC Planning has been engaged by Hyped Pty. Ltd to review the draft Structure Plan for the Mamre Road Precinct in the Western Sydney Employment Area ("*the draft structure plan*"). This submission documents **HDC Planning** views on the draft structure plan, particularly the impact upon land owned by Hyped Pty. Ltd, being 1157-1161 and 1163-1167 Mamre Road, Kemps Creek, NSW, 2178 ("*the subject land*").

In summary, this submission states that:

- the *subject land* enjoys existing use rights and inclusion in the Mamre Road Precinct of the Western Sydney Employment Area is a preferred mechanism for formalising existing uses;
- the *subject land*, while being partly flood affected, continues to possess development opportunity and inclusion in the Mamre Road Precinct of the Western Sydney Employment Area would support expansion and employment growth (without being limited by, or relying on existing use rights); and,
- the *subject land* is separated from the vast majority of the Kemps Creek Precinct of the Western Sydney Aerotropolis by significant areas of land to be zoned Environment and Recreation. Hence the *subject land* has greater relationship with the Mamre Road Precinct of the Western Sydney Employment Area.

This submission recommends that:

- the *subject land* should be excluded from the application of the Draft State Environmental Planning Policy (Western Sydney Aerotropolis) 2019; and,
- subject to removal from the Western Sydney Aerotropolis area, the *subject land* (and land in the vicinity of the *subject land*) be included in the Mamre Road Precinct in the Western Sydney Employment Area.

2 THE SUBJECT LAND

The subject land is located on the western side of Mamre Road, south of the intersection of Mamre Road and Kerrs Road, Kemps Creek. The two (2) allotments provide a site area of approximately 50,700sqm. Improvements over the subject land includes a service station, dwelling house and truck parking/storage.

While currently zoned RU4 – Primary Production Small Lots, permitted land uses within the zone have not occurred over the subject land for an extended period of time. It is understood that the current Service Station and truck parking/transport land uses operate by virtue of existing use rights.

A portion of the subject land is affected by flooding. However, a significant portion of land towards the Mamre Road frontage is flood free and suitable for further commercial/industrial type land use.

The site is well located with respect to existing and future road infrastructure having direct access to Mamre Road and in close proximity to the M7 and proposed M12. It is argued that the subject land is well suited to automotive, transport, takeaway food and drink and service centre type land uses.

Reference should be made to the following images for an indication of current land use, land use zoning and the impact of proposed planning policies.

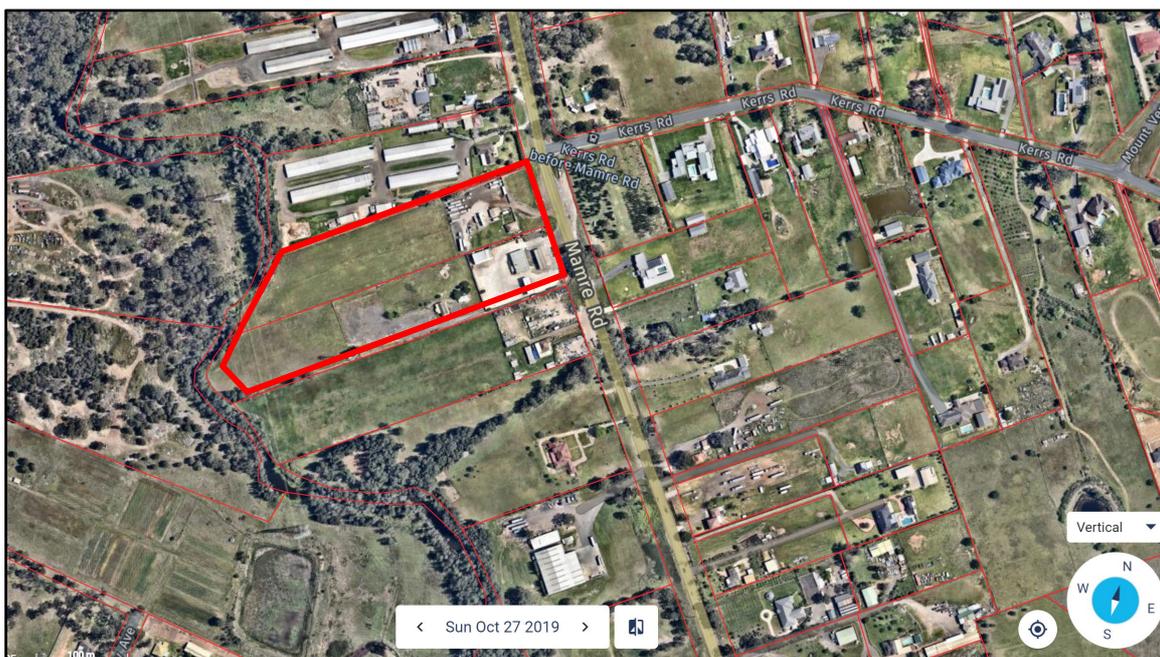


Figure 1: 1157-1161 Mamre Road and 1163-1167 Mamre Road, Kemps Creek, NSW, 2178



Transport orientated land use

Service Station Usage

Figure 2: Land uses - 1157-1161 Mamre Road and 1163-1167 Mamre Road, Kemps Creek,



Figure 3: Extract from Penrith Local Environmental Plan 2010 – Current Land Use Zone RU4 – Primary Production Small Lots

3 WHY THE SUBJECT LAND SHOULD BE WITHIN THE MAMRE ROAD PRECINCT

The subject land is currently located within the Kemps Creek precinct of the Western Sydney Aerotropolis and hence it is understandable that the subject land would not also be located within the proposed Mamre Road Precinct. However, for the reasons set out below, it is argued that the subject land would more appropriately be excluded from the Kemps Creek precinct of the Western Sydney Aerotropolis and located within the proposed Mamre Road Precinct.

3.1 The subject land is limited by existing use rights

The subject land is zoned RU4 Land Use Zone RU4 – Primary Production Small Lots. The permitted land uses are:

Agricultural produce industries; Agriculture; Animal boarding or training establishments; Aquaculture; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Home-based child care; Home businesses; Home industries; Intensive plant agriculture; Information and education facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural supplies; Schools; Secondary dwellings; Tourist and visitor accommodation; Veterinary hospitals

The permitted land uses have no relationship with current service station and transport type uses. Current land use is permitted by way of existing use rights and while this permits a continuation of existing activities, the potential for expansion and diversification is severely limited.

However, the inclusion of the subject land within the Mamre Road Precinct of the Western Sydney Employment Area and then the subsequent zoning of the land to IN1 -General Industrial or B6 Enterprise Corridor would be a mechanism for assigning a land use zone relevant to existing uses and also encouraging further development that would service a growing population in the locality.

3.2 Flood affectation does not sterilize the site to future development

Part of the subject land, like land to the north of the subject land already included in the Mamre Road Precinct, has been identified as being flood affected. However, it is argued that this should not sterilise the land to suitable non-residential land uses. In fact, the strip of land between the flood affected areas (future Environment and Recreation pursuant to State Environmental Policy (Western Sydney Aerotropolis) 2019 – Draft Land Zoning Map) would lend itself to B6 – Enterprise Corridor being land

located along a main road where a mix of employment land use could occur (including business, office, retail and light industrial uses). Applying the currently permitted land uses applied to the B6 zone within the Penrith LEP 2010 would not undermine the intended planning outcomes for the Mamre Road Precinct to the north of the subject land. In fact, B6 - Enterprise Corridor that permits land uses including: Food and drink premises; Light industries; Neighbourhood shops; Service stations; Vehicle sales or hire premises; Warehouse or distribution centres, could provide a useful and attractive southern gateway to the Mamre Road Precinct.

3.3 The subject land is separated from the Kemps Creek Precinct

Reference is made to the following figure which shows the location of the subject land relative to the remainder of the Aerotropolis and in particular relative to the Kemps Creek Precinct.

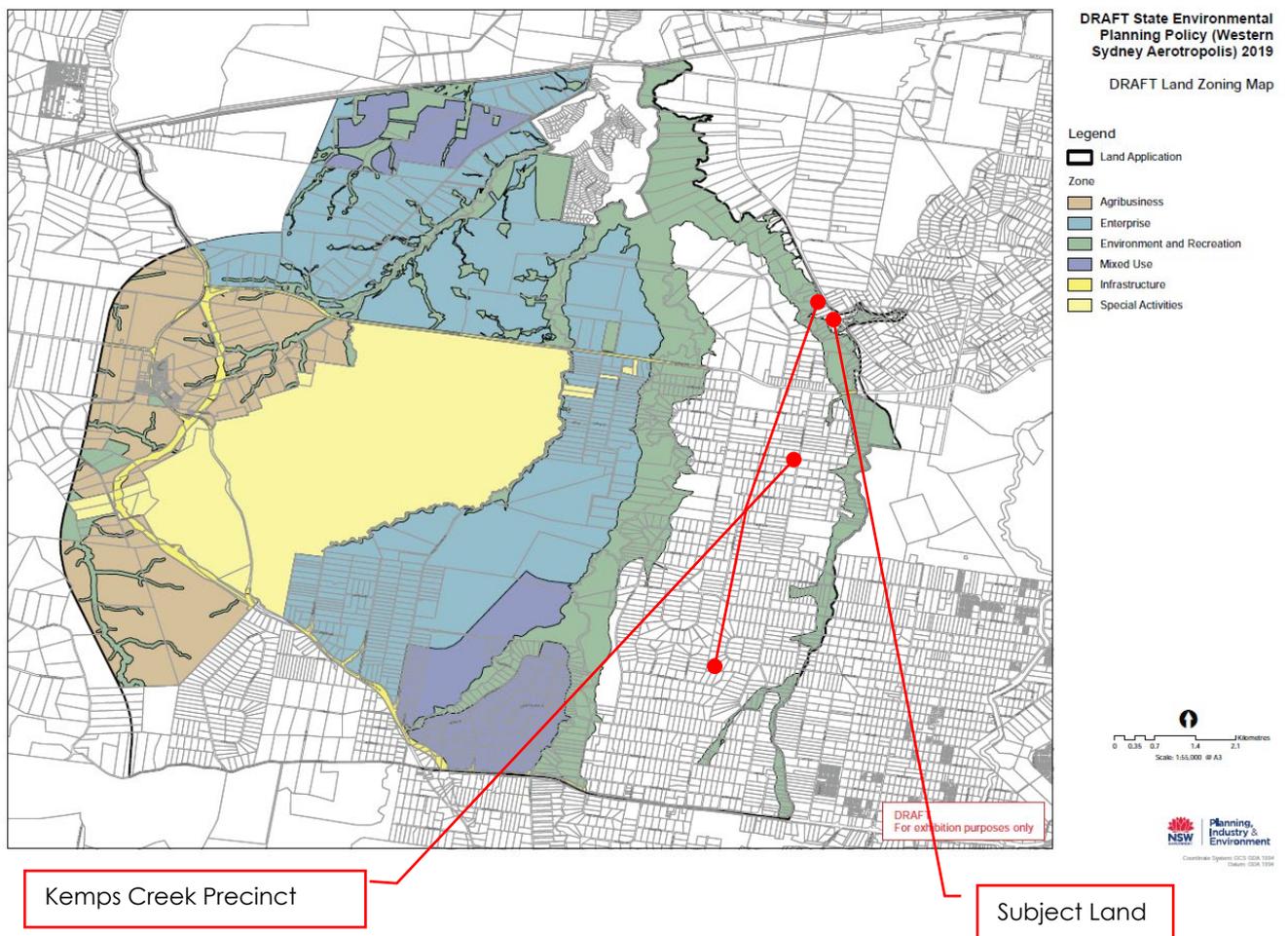
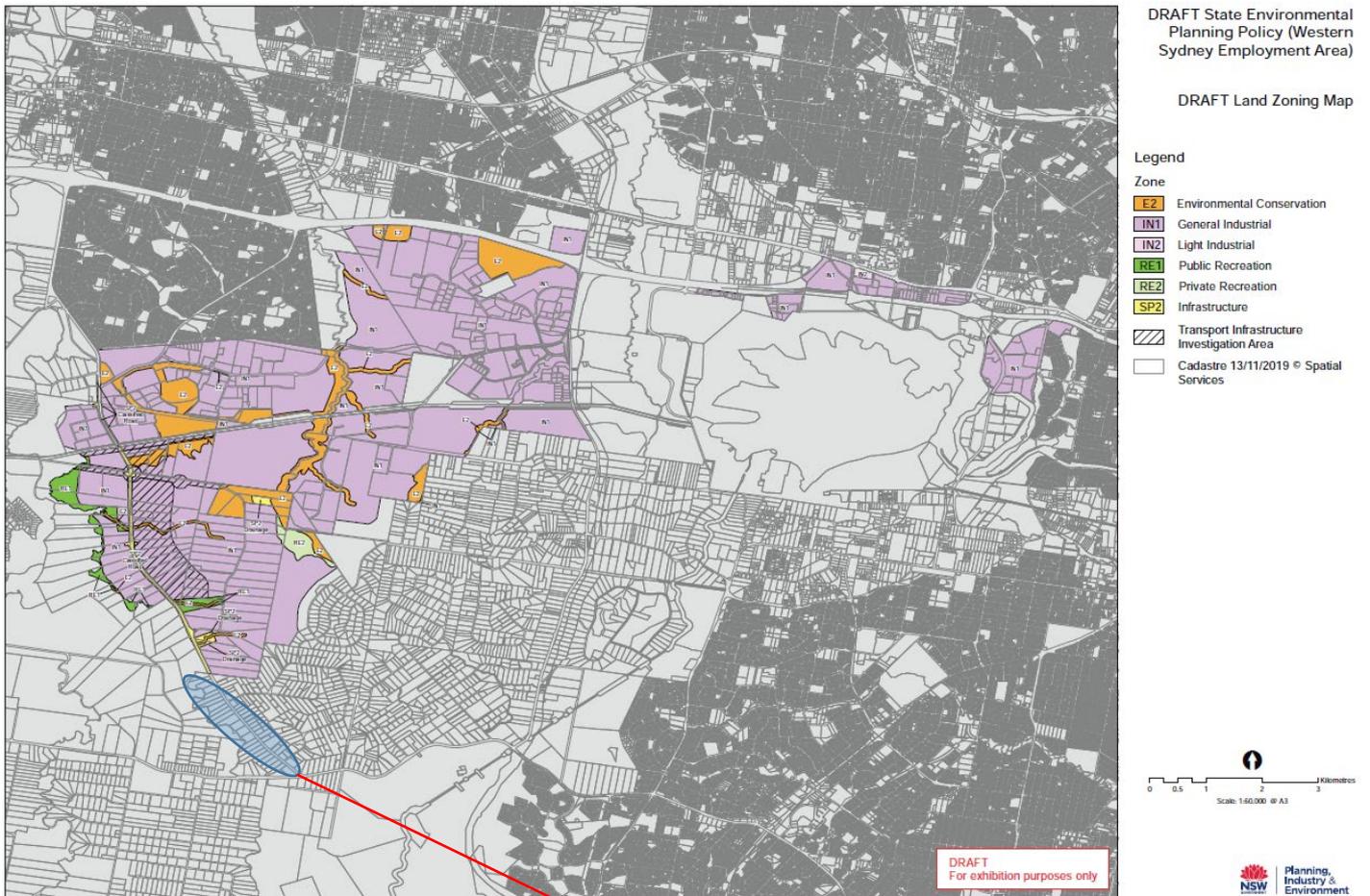


Figure 5: Extract from Draft State Environmental Policy (Western Sydney Aerotropolis) 2019 – Draft Land Zoning Map – **Subject land isolated from the vast majority of the Kemps Creek Precinct**

The subject land is separated from the vast majority of the Kemps Creek Precinct of the Western Sydney Aerotropolis by significant areas of land to be zoned Environment and Recreation. Hence, the subject land has no relationship with the Kemps Creek Precinct. However, the subject land, being located within a strip of land that lines Mamre Road bears a direct and connecting relationship with the proposed Mamre Road Precinct to the North. As noted above, the subject land located along a main road, leading to a major employment zone lends itself to enterprise corridor land zoning.



Suggested area for inclusion in the Mamre Road Employment Precinct and then rezoning to facilitate employment supporting land use zones such as B6 Enterprise Corridor or IN1 General Industrial

4 CONCLUSION AND RECOMMENDATION

The subject land is well located with respect to existing and future road infrastructure having direct access to Mamre Road and being located in close proximity to the M7 and proposed M12. In this regard, the subject land is well suited to automotive, transport, takeaway food and drink and service centre type land uses.

The inclusion of the subject land within the Mamre Road Precinct of the Western Sydney Employment Area and then the subsequent rezoning of the land to IN1 -General Industrial or B6 Enterprise Corridor would be a mechanism for assigning a land use zone relevant to existing uses and also encouraging further development that would service a growing population in the locality.

The subject land is isolated from the vast majority of the Kemps Creek Precinct of the Western Sydney Aerotropolis and has no relationship with the Kemps Creek Precinct. However, the subject land, being located within a strip of land that lines Mamre Road bears a direct and connecting relationship with the proposed Mamre Road Precinct to the North. The subject land being located along a main road, leading to a major employment zone lends itself to inclusion in the proposed Mamre Road Precinct and then a subsequent rezoning to B6 - Enterprise Corridor.

Therefore it is recommended that:

- the *subject land* be excluded from the application of the Draft State Environmental Planning Policy (Western Sydney Aerotropolis) 2019; and,
- subject to removal from the Western Sydney Aerotropolis area, the *subject land* (and land in the vicinity of the *subject land*) be included in the Mamre Road Precinct in the Western Sydney Employment Area.