



Our ref: 10176

19 November 2010

Director General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

By Email: information@planning.nsw.gov.au

**RE: KEMPS CREEK LOGISTICS PROJECT – CONCEPT PLAN 10_0061 and
PROJECT 10_0062 AT 708 MAMRE ROAD, KEMPS CREEK**

We act on behalf of the Sydney Anglican Schools Corporation (SASC) in regard to Mamre Anglican School located on Bakers Lane immediately opposite the proposed warehouse and distribution centre. We are writing this submission as an objection to the current concept plan and project application known as the Kemps Creek Logistic Project lodged by Mamre Road Developments Pty Limited.

Background

We understand that the Department of Planning issued Director General's Requirements for the above project in May 2010. One of the key issues identified to be considered in the project was strategic land use planning and in particular:

“identify the potential land use conflicts associated with the development of the project, particularly in relation to its potential impacts on any sensitive land uses in the adjoining area (such as the school and retirement village opposite the site), and describe what measures would be implemented to avoid and/or minimise these potential conflicts.”

Despite this key issue identified within the Director General Requirements the environmental assessment prepared by Phillip Jones Environmental Planning dated 29 September 2010 for LOGOS Property has made no specific consideration of the adjoining sensitive land uses and the project makes no attempt to avoid a clear conflict in land uses in this locality.

The following objections are raised in regard to this matter:

1. The proposal is not supported by strategic land use planning.

One of the fundamental principles of strategic land use planning is to avoid unnecessary conflicts of land use particularly between sensitive land uses such as schools and retirement villages with industrial land uses.

Schools and retirement villages have been located along Bakers Lane, Kemps Creek since the 1980's. Historically, the subject site and adjoining sensitive land uses have been identified within the 1991 South Creek Valley Regional Environmental Study and draft Regional Environmental Plan as being located within a future Living Area with surrounding dwelling densities of around 10 dwellings/hectare.



The existing land has been zoned Rural under the provisions of Penrith local planning instruments since the 1980's. This rural land use has recently been reinstated for the land through the detailed Penrith Rural Land Study and subsequent preparation and gazettal of the Penrith Local Environmental Plan 2010 which has only this year seen the land zoned RU2 Rural Landscape.

The proposed warehouse and distribution centre is clearly prohibited under the zoning of the land and inconsistent with the objectives of the zone and character of the area.

The only grounds upon which the proposal seeks to rely upon under strategic planning is the fact that the site lies to the west of the Western Sydney Employment Hub (specifically Area 8 Lands South of Sydney Water Pipeline).

The site (as well as the existing school land and retirement village) is located within the vast tract of land extending south (including the Badgery Creek Airport land) identified as the Western Sydney Employment Lands Investigation Area (WSELIA). The area extends across the southern part of the Penrith Local Government Area, from the Sydney Water pipeline south to Elizabeth Drive, and from The Northern Road in the west to Kemps Creek in the east.

WSELIA is only one of the potential additional future greenfield employment lands identified within the NSW Government Employment Land for Sydney Action Plan released in March 2007 aimed at providing a range of additional jobs, matching residential and workforce growth.

The Department of Planning is co-ordinating the planning process for this investigation area including the co-ordination and public release of the planning and technical studies and strategies for the WSELIA. The planning process will include the development of a structure plan, implementation and staging plan.

It is considered that the proposed concept plan and project application pre-empts the detailed strategic planning process and in doing so has failed to appropriately provide and adequately design for the separation of land uses.

It is clearly inappropriate for a major industrial land use to be sharing access and frontage with sensitive land uses such as 3 schools (Mamre Christian College, Trinity Primary School and Emmaus Catholic College) and a retirement village. This type of conflict of land use is not evident anywhere else in metropolitan Sydney

2. There are significant traffic and safety concerns created by the proposal

In accordance with submission sent from SASC directly to the representative of the developer Mr John Marsh (LOGOS Property) further information has been requested in regard to the traffic and safety measures to be implemented with the proposed upgrading of Bakers Lane.

Bakers Lane will be utilised for the pick up and drop off of 1,800 students and 180 staff and visitors attending 3 schools as well as retirement living traffic.

The proposal seeks a complete redevelopment of Bakers Lane from a two lane local carriageway to a four lane major collector road that connects to Mamre Road and provides for significant heavy vehicle traffic movements.



As there is no 'Southern Link' currently approved, proposed or envisaged for development through the vacant land zoned employment land in Area 8, all truck movements will utilise Mamre Road to travel to the north.

The site already has a significant frontage to Mamre Road and there is no justification for the significant road works proposed for Bakers Lane.

Notwithstanding, in an attempt to satisfy potential conflict of school and industrial traffic a one way service lane is proposed adjacent to the proposed new collector road providing left in access to both school sites.

On exiting all school traffic will have to travel further east along the single service road and then effectively undertake a 'U turn' to cross over two lanes and then travel back in a west direction within the new collector road to Mamre Road.

It is considered that this solution is hardly a "safe and efficient" method of treating school traffic. It is likely to result in a significant queuing within the service lane as vehicles wait to undertake a 'U turn' movement into the carriageway. This so called solution is an unreasonable impediment on the successful ongoing operation of existing school land uses.

It is furthermore, creating a major inconvenience for school traffic rather than solving its own traffic problems on its own site. If any major inconvenience should occur, the applicant should bear that inconvenience, not a third party.

The schools have operated for up to 20 years without unreasonable and inappropriate impacts on the movement of school traffic.

To now propose a convoluted, detrimental and potentially dangerous revised road design to satisfy the commercial interest of one land owner is unreasonable and inappropriate.

It is poor planning and is in direct conflict with sound traffic and land use planning principles. No heavy vehicle access to Bakers Lane should be proposed from the subject site.

3. The proposal is inconsistent with the character of the area and will create significant amenity impacts

The schools have historically operated within a rural setting that complements the surrounding land uses. The semi-rural character of the locality has been recently reinforced in the gazettal this year (signed by the Minister of Planning) of an RU2 Rural Landscape zoning.

The establishment of a major industrial land use comprising warehouse and distribution facilities providing an overwhelming built form that occupies around 70% of the site is totally inconsistent with the character and objectives of the zoning of the land.

It provides a land use that directly conflicts with established uses in the area and will result in significant acoustic intrusions into the daily operations of the school uses on adjoining land.



While acoustic walls have been provided on the site to protect the amenity of land uses to the east, the introduction of a major new collector road carrying significant volumes of heavy vehicle traffic along Bakers Lane will result in higher than normal noise levels appropriate for a school environment.

It is requested that in accordance with the Director General Requirements the applicant provide full details of how the potential conflict in land uses will be minimised in regard to the proposed acoustic measures to protect the acoustic amenity of the schools along the entire frontage of Bakers Lane.

CONCLUSION

It is our opinion that the site is inappropriate for the proposed Kemps Creek Logistic Project. The proposal pre-empted the strategic planning that is to be undertaken for the Investigation Area and is proceeding prior to any approval on the existing employment lands in Area 8 that have already been zoned for such land use.

The proposal is entirely inconsistent with sound planning principles of separating conflicting land uses and has made little attempt to demonstrate a full and proper consideration of this issue as part of the application.

The limited attempt to provide a “service lane” traffic solution provides an inappropriate and unreasonable impediment on the operation of existing schools that have occupied the land since the 1980’s. It is requiring a third party neighbour to bear the adverse impacts of the development.

It is our opinion that the current application placed on exhibition is flawed and should be rejected. The applicant has failed to undertake the relevant key issue considerations in accordance with the provisions set down in the Director General Requirements for the Concept Plan and Project Application by the Minister for Planning.

The proposal is a poor response to the planning constraints that apply to the site and does not respect the statutory processes or urban design principles that have been applied in dealing with sensitive land use planning in metropolitan Sydney.

There has been no consideration of alternate opportunities or design even though earlier consultation has raised the significant issues of concern with respect to this project.

In view of the above, we formally and strongly object to this proposal.

Yours faithfully,

INGHAM PLANNING PTY LTD