



# **Attachment 2 to Item 4.1.1**

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Short Report/Statement on the Proposed  
Neighbourhood Shops and Service Station on  
the Subject Site

Date of meeting: 12 December 2023  
Location: Council Chambers  
Time: 6:30 p.m.



27 October 2023

SLR Ref No.: Document2

Attention: Karu Wijayasinghe  
Hawksbury City Council  
366 George Street,  
Windsor NSW 2756

SLR Project No.: 631.20143.00000

Client Reference No.: LEP001/21

**RE: Response to Council's Advice to Applicant Letter  
Planning Proposal for 745 Old Pitt Town Road, Oakville**

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## Advice Letter

The Planning Proposal for 745 Old Pitt Town Road, Oakville was discussed at the Hawksbury Local Planning Panel meeting on 20 July 2023. The Planning Proposal has sought approval for a fuel service station, associated station convenience store, and unspecified "neighbourhood retail" on the site's north-western boundary. The attached retail is approximately 400 square metres, and the unattached 783 square metres.

Council provided the proponent a letter of Advice dated 3 August 2023 which is included within **Attachment 1** of this letter. The letter outlined the following request for further information:

*"The Panel unanimously provided the following advice:*

*That while it considers the proposal has potential strategic logic in terms of location and proposed uses, it is considered that there is insufficient information to support the Planning Proposal at this stage. The Panel considers that the Planning Proposal lacks the required information to make an informed decision in the absence of the following information:*

- 1. A Traffic Impact Assessment that examines potential traffic generation for the proposed additional uses as well as other permitted retail development on the site that takes into account traffic growth out to 2036.*
- 2. Formal advice from Transport for NSW and whether there is any strategic road corridor plan for Boundary Road, and whether Transport for NSW would seek property acquisition for road widening and would seek restrictions on access to Boundary Road.*
- 3. A Social Impact Assessment and Economic Impact Assessment that determines the need for the proposal in this location, and whether any restrictions should be applied to the range of uses, site area and floor area for any retail spaces."*

Upon review of this further information request, the proponent has sought to firstly address the key issue being the above Item 3 regarding the Economic suitability of the subject site. Ubacity has been engaged to create an Economic Report which is included within **Attachment 2** of this letter.

The report includes a survey of similar service stations that had a component of retail within the north-west region to show a comparison of areas and it concluded that:

- The size of the attached and unattached retail is not unusual;
- The location of the unattached retail is normal;

- The distance of the surveyed service stations with these kinds of ancillary activities is similar to the distances of the proposed site to Local Centres in the area.

The assessment goes on to discuss the competitive nature of the proposed retail space noting that the area not associated with the is 783m<sup>2</sup> which is not considered to impact on the viability of nearby local centres. The proposed retail space will be completely different or complementary to the retail space within the service station to ensure visitors to the site are suitably catered for. It was concluded that there are no competitive issues in relation to centres in the area if the Council allows the application as proposed. The offer is small compared to the centres and the physical setting is materially different to the settings for centres.

The report then discusses the population growth of two areas which are bisected by Boundary Road which will contain an estimated 57,000 people by 2041. Currently, the area contains an estimated 22,000 people. Given this project growth it is assumed that Boundary Road will be upgraded from a rural road to a major collector road. The joint commitment will see Boundary Road upgraded to four lanes between Windsor Road and Old Pitt Town Road with the intersection signalised. These projections and upgrades identify the subject site as an ideal location for a service station and associated fast-food restaurant/s.

The requirements outlined as part of the above Items 1 and 2 have not been disregarded but are considered Traffic issues that can be resolved at 'Gateway Determination'.

## Summary

The Hawksbury Planning Panel has considered the Oakville Service Station Planning proposal but highlighted that issues around traffic and the requirement of the proposed land use and retail space within the subject locality remain.

SLR and Urbacity have provided sufficient information to progress the application to 'Gateway Determination', this will allow the applicant sufficient time to progress the panels other queries relating to a Traffic Impact Assessment and Transport for NSW consultation.

Regards,

**SLR Consulting Australia**



**Nathan Vincent**

Principal Consultant – Planning  
nvincent@slrconsulting.com

Attachment 1 – Advice to Applicant Letter prepared by Hawksbury City Council dated 3 August 2023.

Attachment 2 – Economic Report prepared by Urbacity dated October 2023.



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Our Ref: LEP001/21

3 August 2023

Mr N Vincent  
SLR Consulting Australia Pty Ltd  
Level 16, 175 Eagle Street  
BRISBANE QLD 4000

E-mail: <nvincent@slrconsulting.com>

Dear Sir,

**Re: LEP001/21— Planning Proposal for 745 Old Pitt Town Road, Oakville**

Further to your attendance at the Hawkesbury Local Planning Panel Meeting on 20 July 2023, the Panel considered the report on the above Planning Proposal and has provided the following advice to Council:

*"The Panel unanimously provided the following advice:*

*That while it considers the proposal has potential strategic logic in terms of location and proposed uses, it is considered that there is insufficient information to support the Planning Proposal at this stage. The Panel considers that the Planning Proposal lacks the required information to make an informed decision in the absence of the following information:*

- 1. A Traffic Impact Assessment that examines potential traffic generation for the proposed additional uses as well as other permitted retail development on the site that takes into account traffic growth out to 2036.*
- 2. Formal advice from Transport for NSW and whether there is any strategic road corridor plan for Boundary Road, and whether Transport for NSW would seek property acquisition for road widening and would seek restrictions on access to Boundary Road.*
- 3. A Social Impact Assessment and Economic Impact Assessment that determines the need for the proposal in this location, and whether any restrictions should be applied to the range of uses, site area and floor area for any retail spaces."*

The Hawkesbury Local Planning Panel's advice on this matter is such that it is considered that the Planning Proposal as submitted:

- Does not include appropriate and sufficient information to justify need
- Does not clearly articulate strategic and sited-specific merits
- Does not demonstrate consistency with the relevant State and Local Planning framework.

Given this advice from the Panel, you are advised that it is not possible to report the Planning Proposal in its current form to Council with a recommendation to proceed.

Please also note that as outlined within the Department of Planning and Environment's Local Environmental Plan Making Guideline (September 2022), that Planning Proposals which do not reasonably meet the strategic and site-specific merit assessment criteria are unlikely to proceed.

Having outlined the above, the following options are provided for your consideration:

Option 1 – Withdraw the Planning Proposal (a partial refund of the application fee will be made)





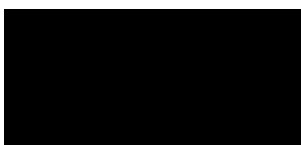
Option 2 – Amend and submit a further updated Planning Proposal including the reports identified by the Hawkesbury Local Planning Panel in order to clearly demonstrate the need for the proposal, and that it has sufficient strategic and site-specific merits, and is consistent with the relevant State and Local Planning framework.

Option 3 - Proceed with reporting the Planning Proposal to Council, noting that based on the advice of the Hawkesbury Local Planning Panel, that the recommendation of Officers will be to not proceed with the proposal.

Following consideration of this correspondence, please advise which option you would like to proceed with.

Should you have any enquiries in relation to this matter, please contact Karu Wijayasinghe, Senior Strategic Land Use Planner on (02) 4560 4546.

Yours faithfully



Andrew Kearns  
Manager Strategic Planning

URBACITY

**PLANNING  
PROPOSAL  
745 OLD PITT  
TOWN ROAD  
OAKVILLE**

***PREPARED BY***  
Michael Cullen, Urbacity  
October 2023



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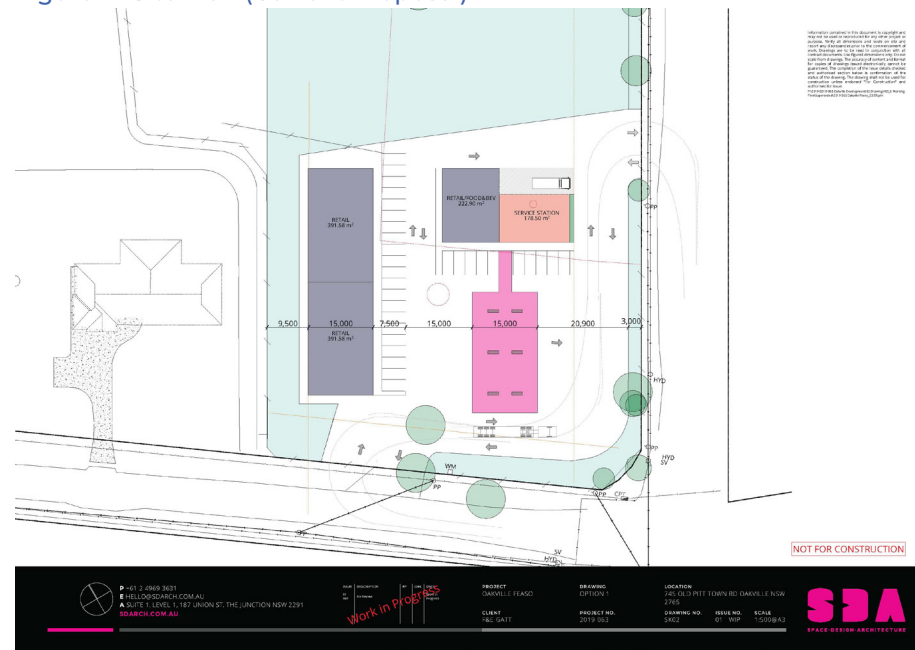
Cover Image: The site - Google Earth



## 1. Introduction

This short report considers the size, location and retail capacity of a proposed service station at the corner of Old Pitt Town Road (No 745) and Boundary Road, Oakville.

Figure 1 - Site Plan (Current Proposal)



activities that might accompany the service station and attached convenience store, as follows:

*“The Panel unanimously provided the following advice: That while it considers the proposal has potential strategic logic in terms of location and proposed uses, it is considered that there is insufficient information to support the Planning Proposal at this stage. The Panel considers that the Planning Proposal lacks the required information to make an informed decision in the absence of the following information:*

1. *A Traffic Impact Assessment that examines potential traffic generation for the proposed additional uses as well as other permitted retail development on the site that takes into account traffic growth out to 2036.*
2. *Formal advice from Transport for NSW and whether there is any strategic road corridor plan for Boundary Road, and whether Transport for NSW would seek property acquisition for road widening and would seek restrictions on access to Boundary Road.*
3. *A Social Impact Assessment and Economic Impact Assessment that determines the need for the proposal in this location, and whether any restrictions should be applied to the range of uses, site area and floor area for any retail spaces.”*

*The Hawkesbury Local Planning Panel’s advice on this matter is such that it is considered that the Planning Proposal as submitted:*

- *Does not include appropriate and sufficient information to justify need*

Following a Council officer report, the Local Planning Panel has requested additional information and analysis on the proposed

- Does not clearly articulate strategic and sited-specific merits
- Does not demonstrate consistency with the relevant State and Local Planning framework.

There is market logic in the choice of location for the service station. The proponent applied for a relatively flexible “neighbourhood shops” zone as uncertainty existed over future tenants. The Panel seeks further information on these activities and their potential effects.

## 2. The Current Proposal

The current proposal (Figure 1) sought approval for a fuel service station, associated station convenience store, and unspecified “neighbourhood retail” on the site’s north-western boundary. The attached retail is approximately 400 square metres, and the unattached 783 square metres. Attached retail is slightly larger than most service station-attached retail but not unusual.

Council’s HLPP Business Paper places the additional retail space on the “south-eastern part of the site.” However, the applicant’s Plan shows the activity on the western part of the site, away from the two streets. The Plan establishes the retail activity 60+ metres from Boundary Road and 18 metres from Old Pitt Town Road. To a limited extent, the facility’s placement influences the kind of retail that would work on the site. The Plan shows the unattached retail has 21 car parks, and the service station’s attached retail has 10.

We have surveyed five other service station locations in the north-

west area to get a sense of the composition, size and configuration of retail facilities. Whilst the sample size is small, we believe that it is representative of the size and activity trends in the industry.

Table 1 shows that the amount of retail/food and beverage services provided for in the Plan is not unusual for modern service stations.

**Table 1 - Other Service Station Retail Composition & Zoning**

Location	Attached Retail (sqm)	Other on-site Retail	Tenancies	Zone	Nearest Local Centre Distance
Rouse Hill/ Shell Coles Express	280	210	Dominos Pizza, Car Wash	B2	1.8 kms
Kellyville EG Ampol	215	400	McDonalds	B1	1.7 kms
Parklea Ampol	310	1,200	Auto Wash/ Cafe. Hungry Jacks, KFC	SP1 (Market)	2 kms
Northmead Ampol	600	320*	(Coles Express, McDonalds) KFC*	IN1	600 metres
Seven Hills BP	260	520	McDonalds	IN1	1.8 kms

The sample shows a variety of land use zones, including B1, B2, and IND1 for service stations. The mix of activities associated with service stations is dominated by food services / takeaway fast food restaurants, with an occasional car wash. Some activities sit within the service station store building, but usually, they sit in a similar place to those shown in the Plan. The Plan as drawn does not provide drive-through circulation for fast food tenants.

Of note is that all the surveyed service stations had a similar, if not identical, layout to the Plan when unattached sites were present. All of the unattached premises sat behind the service station forecourts when accessed from the street.

The conclusion from this limited analysis (and in the context of visiting many similar service stations over years) is:

- The size of the attached and unattached retail is not unusual;
- The location of the unattached retail is normal;
- The distance of the surveyed service stations with these kinds of ancillary activities is similar to the distances of the proposed site to Local Centres in the area (Table 2 and Figure 2).

### 3. Competitive Role Issues

The total retail shown in the Plan NOT directly associated with the service station building is 783 square metres. In retail terms, this is a small amount of floorspace. Due to its location (off the street behind a service station forecourt), and because of the small retail offer it

is unlikely to attract the kind of retailers who would compete with local (neighbourhood centre) retailers. Council's LEP defines the objectives of centres in its E1 and E2 zones. None of the E2 objectives apply to the site proposal and only the first objective of the E1 zone (*"To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area"*). This objective would apply to the service station, as it is a retail facility. People using the service station expect access to a limited range of convenience retail services within the associated store, which is defined on the Plan at 178.50 square metres.

In order to not compete with the service station's retail shop, the attached or unattached other retail will have to be complementary or completely different. The physical divorce between the service station building and the building on the site's western boundary means that it would be improbable to apply a Local centre definition to the resultant combined development. It is likely fair to say that the development does not comprise a centre in terms of the combination of LEP objectives<sup>1</sup>.

As stated earlier, the position of the building is not an ideal fit for some neighbourhood shops functions on the site in the position shown in the Plan.

Retail or Food and Beverage service customers will mix for access with service station customers. This makes site access more difficult for but not fatal to such activity. Interestingly, the prospect of mixing

<sup>1</sup> There is no centre definition in the Dictionary.

food (especially wet food) with fuel fumes would put off some neighbourhood shop operators, but does not appear to affect fast food operators such as McDonalds, KFC and Hungry Jacks. However, there are activities other than “neighbourhood shops” that may also suit the site.

The current RU4 zone allows for fast food restaurants and cafes, which (in our opinion) would be primary candidates for the unattached retail in the area shown in the Plan.

Also compatible with the service station are some “specialised retail premises” that include auto parts, outdoor equipment, pet supplies etc. These activities also seek semi-industrial settings, have relatively large catchments and are not local centre tenants. Permitting such activities would have no effect on any of the centres in the area.

Also, the site would suit a “Productivity Support” zone as it sits at the interface of rural and urban activities, where one might find such a zone (the former B5, B6 & B7 zones). That zone allows for the range of activities contemplated, including the service station. The most obvious example would be the B5 zone in North Richmond’s Bells Line of Rd that includes a service station with a Coles Express and Gloria Jeans Coffee in a common attached building comprising 410 square metres. This provides some comparable support for the point that the proposal’s attached building is 400 square metres.

Zoning plans indicate four proposed Local Centres near the site and

one existing. The largest of these sits on the eastern side of Terry Road and is bisected by Mason Rd. However, partial development of this centre to date is single-sided (on the north side of Mason Rd only). The local centres will be shopping centres, not urban centres, as a supportive structure for walkable centres is missing (frontage controls in the DCP have been ignored in the existing Carmel Village Local Centre). The first of these centres (Terry Rd, approved for 23,000 square metres GLA) is partially complete (the builder/developer is Toplace).

**Table 2 - Centres Distance to Site**

Local Centre Location	Centre Distance from Subject Site	Local Government Area
Terry Road & Mason Rd	3 kilometres	The Hills
Boundary & Commercial Rd	2.4 kilometres	Hawkesbury
Mt Carmel Rd	1.7 kilometres	The Hills
Red Gables Rd	1.8 kilometres	The Hills

Service station convenience stores are a subservient activity to the station’s refuelling role but provide an incidental retail purchase opportunity as a function of a single trip.

The proposal represents a service station with a couple of shops and, as discussed, is not a centre; therefore, even with “neighbourhood shops” at the proposed scale, its effect on other centres will be minimal, recognising that Clause 5.4 of the LEP limits the size of these

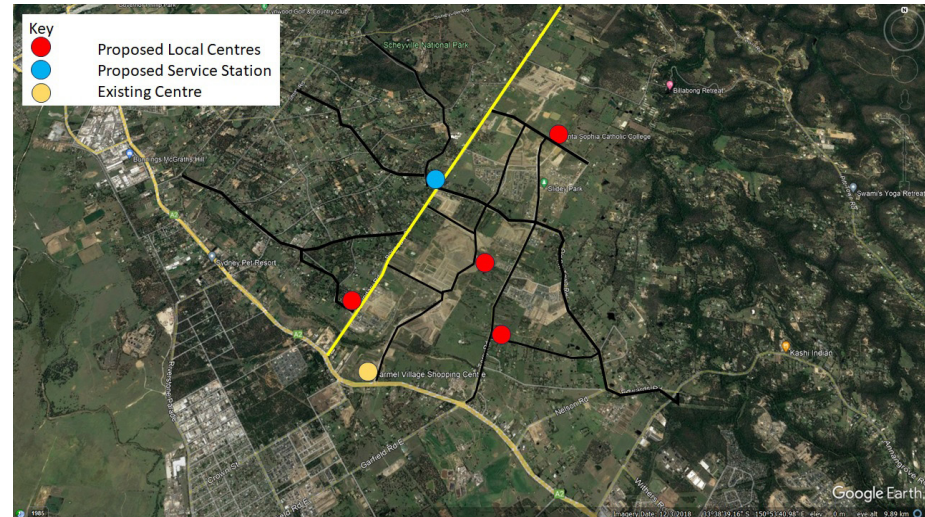
premises to 200 square metres.

Unlike the centres, unless the other retail premises are restaurants, it will be an in-and-out destination, not a place to linger. Its role will be meaningfully different from LEP Objectives for the five centres in the growth area.

Outside of the major centres, the core rationale for fast food restaurants (permitted with consent under the current zoning, and subject to a separate assessment)) is traffic volumes. Boundary Road and Old Pitt Town Road traffic volumes have undoubtedly increased with growth and will continue to grow until the end of the growth phase. Both Vineyard and Box Hill growth cells connect directly to Boundary Road or Old Pitt Town Road, which collectively provide the location rationale for the service station.

In summary, there are no competitive issues in relation to centres in the area if the Council allows the application as proposed. The offer is small compared to the centres and the physical setting is materially different to the settings for centres. The unattached retail (neighbourhood shops) proposition is utilitarian, lacking in amenity and urban qualities. If used as neighbourhood shops, they will be destinations and unable to leverage off the wider merchandise mix typical of the local centres.

**Figure 2 - Centres & Proposed Service Station Site**



#### 4. Catchment Growth & Network Structure

The site sits at the boundary of two Statistical Area 2 zones within two different Council areas. Box Hill / Nelson (eastern catchment for the site) is in Hawkesbury and Pitt Town / McGraths, which is in The Hills Shire (western catchment). Both of these SA2 areas are experiencing high growth, which is projected to continue for the next 18-20 years. The majority of total growth, however, is within the Box Hill / Nelson SA2 area. These areas will likely provide the majority of trade for the service station and ancillary retail. In other words, most of the population/trade for the service station sits within The Hills local

government area, not Hawkesbury.

**Table 3 - Catchment Growth**

Area	Year						Growth
	2001	2023	2026	2031	2036	2041	
Box Hill/ Nelson	1,823	10,099	16,751	27,141	35,181	38,095	27,996
Pitt Town McGraths Hill	9,000	11,701	12,033	13,307	15,236	18,925	7,224
Total	10,823	21,800	28,785	40,448	50,417	57,020	35,220

Source: 2022 NSW Government, Common Planning Assumptions, ASGS 3 (2021) Statistical Area 2, Projected Population Totals (persons), 2001-2041

The two growth areas bisected by Boundary Road will contain an estimated 57,000 people by 2041. Currently, the area contains an estimated 22,000 people, all of who must drive to Windsor Road for fuel<sup>2</sup>. Despite its congestion issues, Windsor Road is most connected to everywhere else in the region and will remain the dominant location for fuel for catchment residents.

Boundary Road integrates the catchment for both growth areas and provides the only direct link to all the growth areas from Windsor Rd.

The Hills and Hawkesbury Council have agreed to upgrade

<sup>2</sup> There is a BP service station some 10 kilometres north on Boundary Rd at Maraylya, which is not a realistic option for growth area residents.

Boundary Road from a rural road to a major collector road. The joint commitment will see Boundary Road upgraded to four lanes between Windsor Road and Old Pitt Town Road with the intersection signalised. These are ideal settings for a service station and associated fast-food restaurant/s.

## 5. Variation Options to the Current Zone

The Application in front of the Council proposes adjusting on-site uses to allow “neighbourhood shops.” Council, via the Planning Panel, has asked for further detail on the “need for the proposal in this location and whether any restrictions should be applied to the range of uses, site area and floor area for any retail spaces.”

It is understood that the applicant does not wish to seek a comprehensive rezoning of the site, and so it falls to the two parties (Council and the applicant) to decide what other permitted uses best serve the needs of the community without compromising other objectives. The site is ideal for the service station, which is (to an extent) appears to be recognised in the Panel’s recommendations to Council. If we accept that primary activity, then, as the Panel implies, what other information do we need to know about the effects of the proposal in its entirety?

The proposed development of a service station and associated retail

is not unusual in its Plan and size and is spatially well away from the Local Centres (existing and proposed) and will have little, if any, effect on their performance. The location will be on a major road (Boundary Rd) and a secondary Road (Old Pitt Town Road) and this intersection will be signalised (the announcement of the upgrading of Boundary Road and the signalisation of the intersection occurred after the Panel considered the application). Again, this is a typical service station location, likely subject to management of turns into and out of the site.

Additional activities in the form of “*neighbourhood shops*” is not a threat to Local Centres for the following reasons:

- Putting aside the incidental retail purchases after fuelling of vehicles, their catchments are different (see the spatial pattern in Figure 2);
- The dominant motivation for a site visit is/will be fuel;
- The development lacks urban amenity, which would tend to compromise the conditions under which “neighbourhood shops” usually perform (including walking);
- The convenience retail component of a “neighbourhood shop” will be taken by the station’s associated shop.

As the proposal is for a relatively small amount of retail we do not see the need for any restrictions on the range of uses or their size,

although wet food would possibly present a health risk (and may not be allowed for that reason). The market and the subservient nature of the retail would largely determine what works on the site. Supermarkets, which would be an issue for centres policy, are not permitted under the definition.

Similarly, “*specialised retail*” has a different catchment to Local Centres and such retailers are not found in Local Centres, so allowing such uses on site would deliver a community benefit.

The most common use of ancillary retail outside of service station store components is food and beverage services, usually in the form of fast food takeaway stores such as McDonalds. These stores fit with the current zoning.

In summary, given the lack of competitive risk, it may be that the Council might wish to consider “specialised retail” as an additional merchandise option for the site.