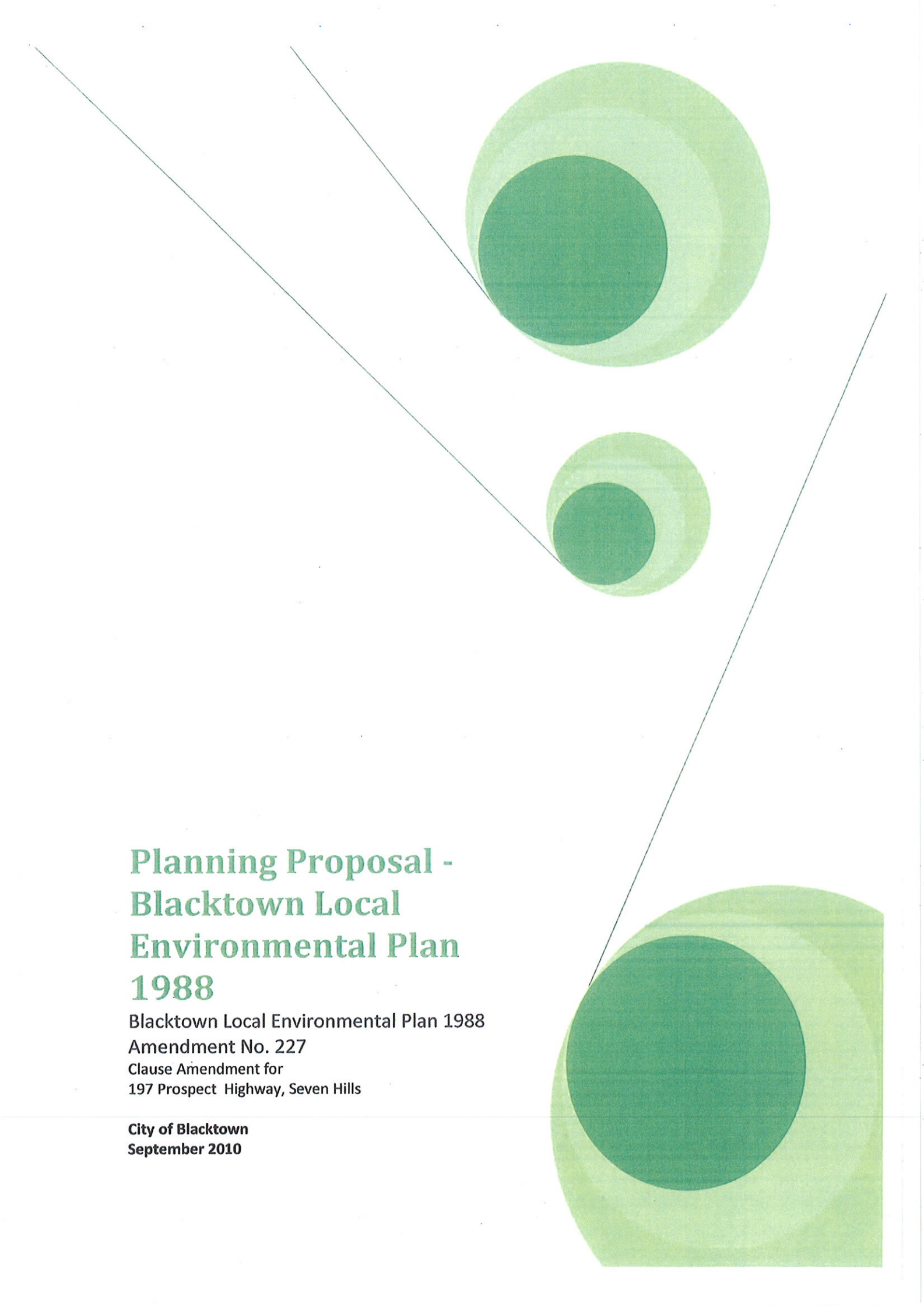


An abstract graphic design featuring three green circles of varying sizes. The top circle is the largest, the middle one is smaller, and the bottom one is the largest again. Two thin black lines intersect to form a large 'V' shape, with the circles positioned within the arms of the 'V'.

Planning Proposal - Blacktown Local Environmental Plan 1988

Blacktown Local Environmental Plan 1988
Amendment No. 227
Clause Amendment for
197 Prospect Highway, Seven Hills

City of Blacktown
September 2010

PLANNING PROPOSAL

Clause Amendment (Clause 43) for 197 Prospect Highway, Seven Hills

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PLANNING PROPOSAL

Clause Amendment (Clause 43) for 197 Prospect Highway, Seven Hills

Political Donations Declaration

A political donations declaration form has been submitted to Council by the applicant, the Ford Land Company, and they have declared that no reportable political donations have been made over the past two years.

Introduction

The purpose of this Planning proposal is to amend Clause 43 of Blacktown Local Environmental Plan 1988 (Blacktown LEP 1988).

Clause 43 was added to Blacktown LEP 1988 when Amendment 103 of the LEP was gazetted on 20 February 1998. Amendment 103 was a result of a rezoning application initiated by the Ford Land Company who in 1997, in conjunction with the National Australia Bank (NAB) submitted a proposal to construct a 7000sq.m large floor plate office development to house the NAB's home loan processing unit at the subject site.



Figure 1 - Aerial Photograph of land affected by the Planning Proposal

Council supported Amendment 103 because:

- a) Commercial premises were prohibited in the 4(a) General Industrial Zone; therefore an amendment to the LEP to permit an additional use was required;
- b) The intended use had the potential to become a major employment facilitator by providing 450 jobs;
- c) The use was in an ideal location given its close proximity to public transport (i.e. Seven Hills Railway Station and Bus Interchange) and its frontage to a major arterial road; and
- d) A loans processing facility would be constructed, in the short term for the National Australia Bank.

Following gazettal of Amendment 103, Council approved a development application on 11 March 1998 for the construction of the 7000sq.m large floor plate Administration Facility for the NAB.

This Facility has been operating since that time however, the NAB recently terminated the lease of the site due to a change in business strategy. The Ford Land Company has advised Council that finding a tenant to use the site as a "*Banking Institution Loans Administration Facility*" is restricting their ability to relet the premise, and has requested to amend clause 43 of LEP 1988 to replace the existing additional permitted use with "*Commercial Premises*".

PART 1 - Objectives and Intended Outcomes

The objectives of the Planning Proposal are:

- a) to allow for the continued use of the site for a business or commercial activity;
- b) to ensure the site remains a major employment facilitator;
- c) to ensure the site does not revert back to a land use permissible in the 4(a) General Industrial zone; and
- d) to ensure the use of the site is not intensified by restricting subdivision.

The intended outcomes of the Planning Proposal are:

- a) to allow the site to be relet for a Business or Commercial Activity; and
- b) to re-establish the site as a major employment provider.

PART 2 - Explanation of Provisions

The Planning Proposal recommends the following:

- a) amend Clause 43 of Blacktown LEP 1988 by replacing the existing additional permitted use "*for the purposes of a Banking Institution's Loans Processing Administration Facility*" with "*Commercial Premise*"; and
- b) provide an additional clause restricting the subdivision of Lot 1 DP 617806.

PART 3 - Justification

Section A – Need for the Planning Proposal

i. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is not a result of a strategic study. However, Council resolved to prepare this Planning Proposal on 11 August 2010 following a report from Council Officers providing the following justification:

- a) Council is currently undertaking Masterplanning work for Seven Hills. This Masterplan generally applies to land within 800 metre radius of the Seven Hills Railway Station, and also includes the Industrial area.
- b) Whilst this Masterplanning work is still being undertaken, it is envisaged that allowing "*Commercial Premises*" on the subject site is appropriate because it is consistent with Council and State Government's broad strategic goals to create employment opportunities in areas within close proximity to transport nodes.
- c) Further, it will allow for the continued use of the site for a business or commercial activity and ensures that the site remains a major employment facilitator.
- d) It is recommended that the commercial use of the site be encouraged rather than the site reverting back to land uses permissible in the 4(a)

General Industrial zone. This is because the use of the site for an industrial activity, or the subdivision of the property into individual industrial units, has the potential to reduce the level of employment at the site.

- e) The Planning Proposal would also include a provision to ensure the site is not subdivided into various smaller lots.

- ii. *Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The proposed LEP amendment is the best means of achieving the intended outcome as it:

- a) will allow for the continued use of the site for a business or commercial activity;
- b) ensures the site remains a major employment facilitator; and
- c) restricts the Subdivision of the site.

- iii. *Is there a net community benefit?*

The net community benefit has been considered having regard to the following factors:

- a) The amendment will allow for the continued use of the site for a business or commercial activity.
- b) The amendment ensures the site remains a major employment facilitator.
- c) The amendment facilitates the creation of employment opportunities in close proximity to transport nodes.
- d) The amendment ensures existing employment lands do not become redundant or underutilised.

Section B – Relationship to Strategic Planning Framework

- iv. *Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies)?*

The proposed LEP amendment is consistent with the Sydney Metropolitan Strategy and draft North West Subregional Strategy as:

1. It will create employment opportunities in areas within close proximity to transport nodes. Seven Hills Railway Station and Bus interchange are adjacent to the Site.
2. Further it will facilitate the use of an old industrial area by ensuring existing employment land does not become redundant or underutilised. This is achieved by removing the current restrictive additional permitted use with a more flexible definition.

- v. *Is the Planning Proposal consistent with the Local Council's Community Strategic Plan, or other Strategic Plan?*

The Blacktown City 2025 is Council's guiding strategic document for the next 15 years and includes strategies to create a smart economy and vibrant commercial centres. For a smart economy Blacktown will:

- a) "facilitate development of sectors of advance manufacturing, business services, logistics, building and construction", and
- b) "ensure major employment centres in the City are easily accessed by workers through the provision of quality transport, communications infrastructure and business support services".

The draft plan is considered to be consistent with the above strategic objectives as the proposed amendment will:

- a) assist in facilitating the development of the business services sector by allowing additional business or commercial activities to be undertaken; and
- b) ensure employment is easily accessed by workers due to the proximity of the site to the Seven Hills Railway Station and Bus Interchange.

vi. *Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?*

The Planning Proposal is consistent with State Environmental Planning Policies.

vii. *Is the Planning Proposal consistent with applicable Ministerial Directions?*

The Planning Proposal has been assessed against the following s117 Ministerial Directions and details are provided below.

DIRECTION	COMMENT
1. Employment and Resources 1.1 Business and Industrial zones 1.2 Rural zones 1.3 Mining, Petroleum Production and Extractive Industries 1.4 Oyster Aquaculture 1.5 Rural Lands	Consistent Not Applicable Not Applicable Not Applicable Not Applicable
2. Environment and Heritage 2.1 Environment Protection Zones 2.2 Coastal Protection 2.3 Heritage Conservation 2.4 Recreation Vehicle Access	Consistent Not Applicable Consistent Consistent
3. Housing, Infrastructure and Urban Development 3.1 Residential Zones 3.2 Caravan Parks and Manufactured Home Estates 3.3 Home Occupations 3.4 Integrating Land Use and Transport 3.5 Development near Licensed Aerodromes	Not Applicable Not Applicable Not Applicable Consistent Not Applicable
4. Hazard and Risk 4.1 Acid Sulphate Soils 4.2 Mine Subsidence and Unstable Land 4.3 Flood Prone Land 4.4 Planning for Bushfire Protection	Consistent Not Applicable Consistent Not Applicable
5. Regional Planning 5.1 Implementation of Regional Strategies 5.2 Sydney Drinking Water Catchments	Not Applicable Not Applicable

DIRECTION	COMMENT
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
5.8 Second Sydney Airport (Badgerys Creek)	Not Applicable
6. Local Planning Making	
6.1 Approval and Referral Requirements	Consistent
6.2 Reserving Land for Public Purposes	Consistent
6.3 Site Specific Provisions	Consistent
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	Consistent

Section C – Environmental, Social and Economic Impact

- viii. *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?*

It is highly unlikely that the site would contain any critical habitat or threatened species, as the site is located in a well development industrial precinct.

- ix. *Are there any other likely Environmental Effects?*

It is highly unlikely that there would be any negative environmental effects resulting from this Planning Proposal as:

- a) the subject site is located in an established industrial area;
- b) the proposed change in definition to "commercial premises" is consistent with the current permissible use, and it is anticipated that any future use of the site would be similar; and
- c) the inclusion of a clause restricting the subdivision should limit the ability to intensify the use of site.

- x. *How has the Planning Proposal adequately addressed any social and economic effects?*

It is highly unlikely that there would be any negative social or economic affects cause by this Planning Proposal as:

- a) the Planning Proposal will ensure the continued use of the site as an employment generator, and
- b) will allow the site to be relet for a business or commercial use that may assist in replacing the 450 jobs that were lost when the NAB terminated their lease.

Section D – State and Commonwealth Interests

xi. *Is there adequate public infrastructure for the Planning Proposal?*

Yes. The site has excellent access to public transport with Seven Hills Bus Interchange and Railway Station located adjacent to the site. The Prospect Highway provides good vehicular access to the site and the regional road network.

PART 4 – Community Consultation

This Planning Proposal should be considered as a “*Low impact Planning Proposal*” as the Planning proposal is:

- consistent with the strategic planning framework;
- presents no issues with regard to infrastructure servicing;
- not a principal LEP, and
- does not reclassify public land.

It is proposed that this Planning Proposal be publicly exhibited for 14 days consistent with the Department of Planning’s guidelines for draft LEP’s for community consultation.