

Planning Services

Plan Finalisation Report

Local Government Area: Blacktown

1. NAME OF DRAFT LEP

Blacktown Local Environmental Plan 2015 - Amendment 12.

2. SITE DESCRIPTION

The planning proposal applies to land at Park Road, Seven Hills (Lot 3 DP 226547) (the site).

The proposal at **Attachment B** shows the subject site. The subject site is zoned IN1 – General Industrial and is within Seven Hills industrial Area zoned N1 – General Industrial (**Attachment D**). Figures 1 and 2 illustrate the location and zoning of the site, respectively. The site is used as a sullage depot by Council and is classified as community land.



Figure 1: Site location (Lot 3 DP 226547, Park Road, Seven Hills)

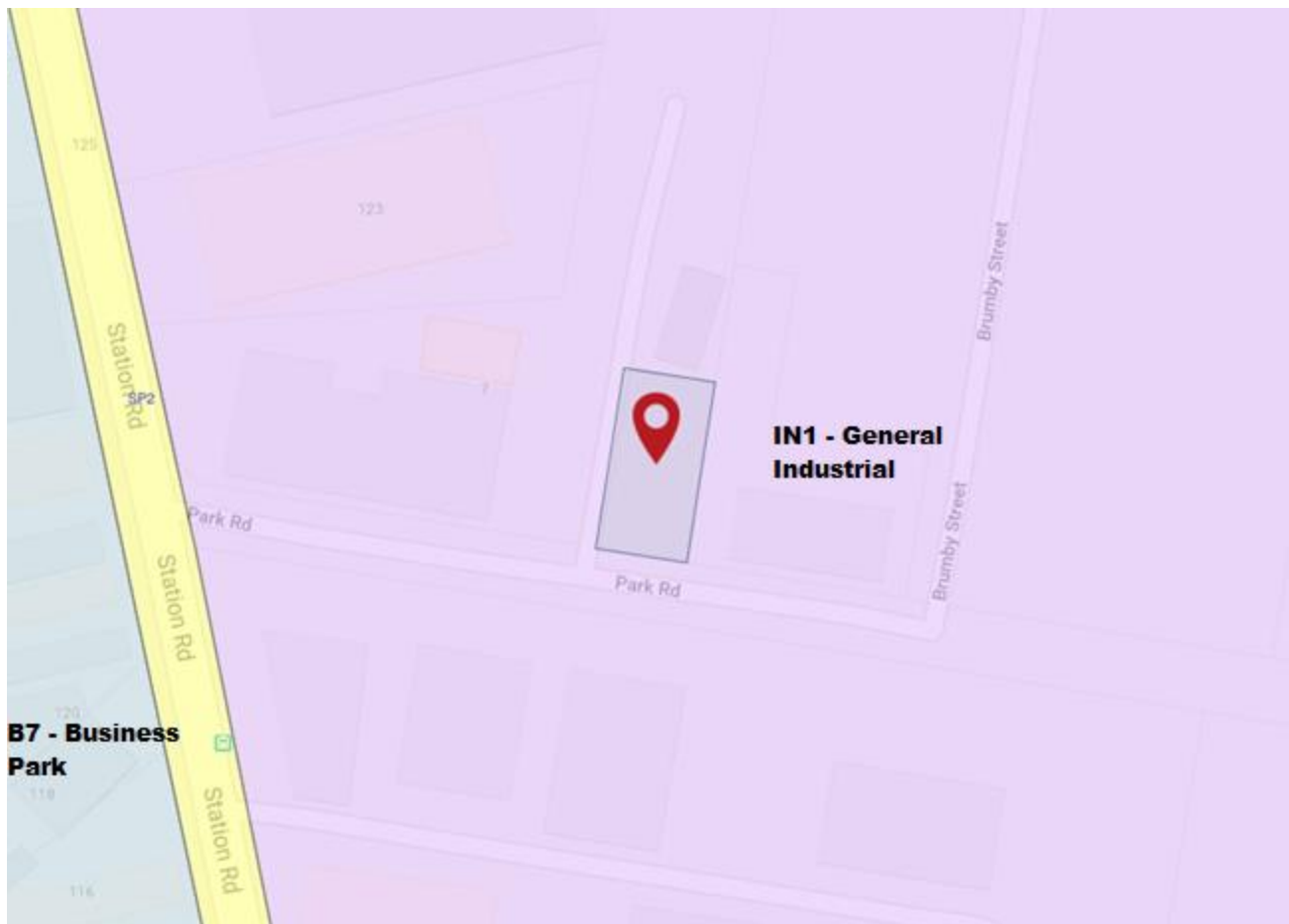


Figure 2: Existing Zoning – IN1 – General Industrial under Blacktown Local Environmental Plan 2015.

3. PURPOSE OF PLAN

The draft LEP seeks to reclassify the land from community land to operational land.

The reclassification from community to operational land will facilitate the sale of the land and enable the land to be integrated with adjoining industrial properties; increase employment land; and provide Council with the flexibility to respond to future provision or improved community facilities within Blacktown Local Government Area.

The planning proposal does not seek to amend the zoning and development controls applying to the land.

4. STATE ELECTORATE AND LOCAL MEMBER

The site falls within the Seven Hills Electorate. Mr Mark Owen Taylor MP is the State Member for Seven Hills.

Ms Michelle Rowland MP is the Federal Member for Greenway.

To the regional planning team's knowledge, neither MP has made any written representations regarding the proposal.

NSW Government Lobbyist Code of Conduct: There have been no meetings or communications with registered lobbyists with respect to this proposal.

NSW Government reportable political donation: There are no donations or gifts to disclose and a political donation disclosure is not required.

5. GATEWAY DETERMINATION AND ALTERATIONS

The Gateway determination issued on 1 November 2017 (**Attachment C**) determined that the proposal should proceed subject to conditions.

6. PUBLIC EXHIBITION

The planning proposal was exhibited for community consultation for 28 days from 14 February to 13 March 2018. No submissions were received.

A public hearing was held on 6 April 2018, which was chaired by an independent planning consultant. No members of the public attended the public hearing. The public hearing report at **Attachment G** recommended the reclassification to proceed.

7. ADVICE FROM PUBLIC AUTHORITIES

The Gateway determination did not require consultation with any public authorities.

8. POST-EXHIBITION CHANGES

No amendments were made to the planning proposal following public exhibition.

9. ASSESSMENT

The reclassification from community land to operational land will enable the option of selling the industrial land to private enterprise that will likely provide a better use of the land compared to the sullage depot that Council currently runs on the site.

At present, the sullage depot sees minimal use, servicing only 20 rural properties that still use septic tanks. This number is likely to continue to decline as rural land continues to be turned over for urban development. The reclassification of the land to operational will better reflect the non-public and operational nature of the current use. It will also make it possible for Council to sell the site, enabling the site to be better utilised for a more productive industrial land use, consistent with its industrial zoning as well as the surrounding industrial area.

10. MAPPING

As the planning proposal is for the reclassification of land only, no mapping changes are required.

11. CONSULTATION WITH COUNCIL

Council was consulted on the terms of the draft instrument under clause 3.36(1) of the *Environmental Planning and Assessment Act 1979*. Council confirmed on 17 October 2018 that the plan should be made (**Attachment E**).

12. PARLIAMENTARY COUNSEL OPINION

On 4 September 2018 Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made. This Opinion is provided at **Attachment PC**.

13. GOVERNOR'S APPROVAL

Governor's approval to remove the restriction on the title of community land, to discharge public interests except for reservations relating to a crown grant, was received 15 November 2018 (**Attachment D**). A crown grant on the land will not stipulate the sale of the land by Council.

14. RECOMMENDATION

It is recommended that the Minister for Planning's delegate as the local plan-making authority determine to reclassify the land because:

- the reclassification of the site from community to operational land under the *Local Government Act 1993* will allow for the sale of the land and its utilisation for employment generating uses;
- the site is zoned IN1 General Industrial and is within Seven Hills Industrial area. The land is used as a sullage depot, however with declining rural land in the area using septic tanks, this land is no longer needed by Council for its current purpose;
- the reclassification proposal gives effects to the Central City District Plan in accordance with section 3.8 of the Environmental Planning and Assessment Act 1979. It will allow for the land to continue to be used for employment uses consistent with the surrounding land use; and
- there are no significant environmental, social or economic impacts anticipated as a result of the amendments sought.



Michael Cividin
Acting Senior Planning Officer
Sydney Region West



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Ann-Maree Carruthers
Director, Sydney Region West
Planning Services