



Director Design & Development

Planning, Development, Historical & Assets

Reclassification of land at Park Road, Seven Hills

Item: PD1030 Report: DD370010 File: RZ-06-1982/24

Ordinary Meeting on 15 March 2017 Committee Meeting on 1 March 2017

Division is required

Topic	Proposed Planning Proposal to reclassify Council owned land at Lot 3 DP 226547 Park Road, Seven Hills that has been rezoned to IN1 General Industrial.
Analysis	The Planning Proposal will reclassify the land to 'operational land' by amending Schedule 4 of Blacktown Local Environmental Plan (BLEP) 2015. The land was rezoned in 2015 but the reclassification was deferred to help us speed up gazettal of our new Standard Instrument BLEP 2015. Attachments: Attachment 1 – Aerial photo location map Attachment 2 – Land zone map
Report Recommendation	1. Prepare a Planning Proposal to reclassify land at Lot 3 DP 226547 Park Road, Seven Hills and submit it to the NSW Planning Portal seeking a Gateway Determination from the Greater Sydney Commission. 2. Exhibit the draft amendment once the Gateway Determination has been issued. Following exhibition, a further report be presented to Council.

Key reasons

1. **The land was rezoned for industrial use and now we need to reclassify it as 'operational land'**
 - a. Lot 3 DP 226547 Park Road, Seven Hills is Council owned land in the Seven Hills industrial area. The site is shown on the location map at attachment 1.
 - b. The site is a rectangular lot with an area of 1,657 sqm which was acquired by Council in 1965 and is currently used as a sullage depot. Whilst the site remains operational, it sees minimal use. It is currently used to dispose of effluent from 15 properties through our sullage pump-out service and nightsoil from 12 Riverstone Meatworks cottages that still have a pan service.
 - c. Sullage is effluent from a septic tank which drains to a separate collection well. A sullage pump-out is provided where the sewer is not available and alternative means of treatment and on-site disposal for this effluent cannot be provided. The contents of the tank are pumped into a tanker and transported to our sullage depot. At the

sullage depot, the effluent is discharged from the tanker into Sydney Water's sewer system via a settling tank.

- d. There are alternative collection and disposal options available, with possible disposal sites in Windsor, St Marys and Homebush.
 - e. We do not have any significant commercial arrangements with waste disposal companies that would be impacted by closure of the depot.
 - f. In acknowledgement of the minimal contemporary need for a sullage depot, and in anticipation of broadening future options for the land, we rezoned the site to IN1 General Industrial as part of the Blacktown Local Environmental Plan (BLEP) 2015 process. This new zoning came into effect on 7 July 2015.
 - g. All Council owned land in NSW is classified as either 'operational land' or 'community land'. Community land generally includes public access lands such as parks and reserves. Community land is not able to be sold by a council. Operational land is not generally open to the public, but may be used for public purposes such as works (including sullage depots). Operational land can be sold or developed for private use. The sullage depot site is classified as community land at present.
 - h. The reclassification to 'operational land' is necessary to allow us to sell the land.
- 2. To speed up the transition to our new LEP, all reclassifications were deferred at that time**
- a. The land was not reclassified at the same time as it was rezoned. This was because, at its Extraordinary Meeting on 9 December 2013, Council resolved to defer all land reclassifications until after gazettal of our new Standard Instrument LEP.
 - b. This deferral was deemed necessary to speed up the gazettal of the new LEP and to reduce confusion and uncertainty for development across Blacktown City. The public hearings and review process associated with the reclassifications would have delayed the already lengthy LEP process.
- 3. To reclassify the land we must prepare a Planning Proposal to amend BLEP 2015**
- a. To reclassify public land, it must be listed in Schedule 4 of BLEP 2015. This is done by preparing a Planning Proposal to amend BLEP 2015 through the NSW Government's Gateway process.

Supporting analysis

1. The Planning Proposal is the first step in the Gateway process

- a. A Planning Proposal explains the changes proposed to an LEP and why the changes are necessary. It is the first step in the Gateway process.
- b. Council submits the Planning Proposal to be assessed by the Greater Sydney Commission for approval to proceed. This is called a Gateway Determination and allows public exhibition to start.
- c. After public exhibition, a public hearing must be held into the proposed reclassification. It is chaired by an independent person who will provide Council with a report on the hearing outcome. The independent chairperson must not be a Councillor or Council staff.
- d. All the public feedback we receive from the exhibition and public hearing is considered before Council makes its final decision about the changes to the LEP. Sometimes changes are made to the Planning Proposal to address issues raised by

the community.

- e. The changes to the LEP become law when the amendment is published on the NSW legislation website.

Context

1. The sullage depot was a permissible land use under BLEP 1988 when the land was zoned 6(a) Public Recreation. Because of the public purpose zone, it was automatically classified as 'community land' by the Local Government Act 1993.
2. In anticipation of the reduced need for this facility and to provide options for the site, including potential sale, it was decided to zone the site IN1 General Industrial when preparing the final Blacktown Local Environmental Plan 2015.

Approval

Name and position	
→ Report author	McKellar K., Strategic Planner
→ Endorsed by	Taylor T., Manager Development Policy
→ Director approval	Glennys James, Director Design & Development
Signature:	
→ General Manager approval	Kerry Robinson, General Manager
Signature:	

Attachments

Ref	Description	Files
1		  A1DD370010.pdf
2		  A2DD370010.pdf

Recommendations

Report Recommendation	1. Prepare a Planning Proposal to reclassify land at Lot 3 DP 226547 Park Road, Seven Hills and submit it to the NSW Planning Portal seeking a Gateway Determination from the Greater Sydney Commission. 2. Exhibit the draft amendment once the Gateway Determination has been issued. Following exhibition, a further report be presented to Council.
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been issued. Following exhibition, a further report be presented to Council.

Committee Division	Supported: Collins; Bleasdale; Israel; Griffiths; Camilleri
Council Resolution	1. Prepare a Planning Proposal to reclassify land at Lot 3 DP 226547 Park Road, Seven Hills and submit it to the NSW Planning Portal seeking a Gateway Determination from the Greater Sydney Commission. 2. Exhibit the draft amendment once the Gateway Determination has been issued. Following exhibition, a further report be presented to Council.
Council Division	Supported: Griffiths; Bali; Diaz .J.G; Quilkey; Singh; Diaz .J.M; Benjamin S; Collins; Santos; Israel; Bleasdale; Bunting; Camilleri Absent: Brillo F