

SHORT MINUTES : Ordinary Meeting MEETING DATE: 25.10.17 ENCL.NO.

RESCISSION MOTIONS AND NOTICES OF MOTION

ORD7 - AD370089 - Notice of Motion - Planning Proposal to rezone certain Council-owned small reserves MA2016/0007

This Notice of Motion **LAPSED** as the Rescission Motion (ORD6-AD370088) was **LOST**.
REPORTS FROM OFFICERS

REFERRED TO: DDD FOR: Attention DATE: 31.10.17

SHORT MINUTES : Ordinary Meeting MEETING DATE: 25.10.17 ENCL.NO.

RESCISSION MOTIONS AND NOTICES OF MOTION

ORD6 - AD370088 - Notice of Motion to Rescind Resolution of Council re PS1053 - DD370058 - Planning Proposal to rezone certain Council-owned small reserves MA2016/0007

MOTION (JG Diaz/JM Diaz)

That the Resolution adopted by Council on 27 September 2017 be rescinded.

MOTION (Griffiths/Bunting)

That the Motion be put. **CARRIED**

THE MOTION was, on being put to the meeting, declared **LOST**.

REFERRED TO:	DDD	FOR:	Attention	DATE:	31.10.17
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Ordinary Council Meeting

Minute Number:
25/10/2017

Council Meeting Date:
Report Number: AD370089

ITEM: <#>
SUBJECT: AD370089 - Notice of Motion - Planning Proposal to rezone
certain Council-owned small reserves MA2016/0007

A Notice of Motion has been received and signed by Crs Camilleri, Brillo and JG Diaz, as follows:

"We, the undersigned hereby move -

That Council not proceed with the sale of the small reserves listed in the Resolution under PS1053 without a definite designation of the purpose of the proceeds from the sale and a cost-benefit analysis."

REPORT RECOMMENDATION:

That Council not proceed with the sale of the small reserves listed in the Resolution under PS1053 without a definite designation of the purpose of the proceeds from the sale and a cost-benefit analysis.

Ordinary Council Meeting

Minute Number:
25/10/2017

Council Meeting Date:
Report Number: AD370088

ITEM: <#>

SUBJECT: AD370088 - Notice of Motion to Rescind Resolution of Council re PS1053 - DD370058 - Planning Proposal to rezone certain Council-owned small reserves MA2016/0007

A Notice of Motion to Rescind Resolution of Council re PS1053 - DD370058 - Planning Proposal to rezone certain Council-owned small reserves, resolved at the Ordinary Meeting of Council held on 27 September 2017, was received and signed by Crs Camilleri, Brillo and JG Diaz.

The Notice of Motion to Rescind Resolution of Council reads:
"We, the undersigned hereby move -
That the Resolution adopted by Council on 27 September 2017 be rescinded."

The Notice of Motion to Rescind relates to the Resolution as follows:

"1. Support the exhibited Planning Proposal subject to the following amendments:

- a. Remove Reserve 105 – Derwent Reserve, Walters Road, Blacktown and Reserve 402 – Clune Reserve, Carlisle Avenue, Blackett from the Planning Proposal, ie. not rezone the reserves.*
 - b. Progress only a partial rezoning of Reserve 230 – Vardys Road, Blacktown.*
 - c. Defer the rezoning of Reserve 377 – Shadwell Crescent, Kings Langley, to undertake further investigation about the issues raised during community consultation and obtain confirmation about the revised form of the easement and how it may impact on development potential.*
 - d. Progress the rezoning and reclassification of the remaining small reserves as exhibited.*
 - e. In respect of Reserve 631 - Crawley Avenue, Hebersham, place a hold on any sale of the land until the future operations and requirements of the adjacent land use, being Mount Druitt SES, is determined.*
- 2. Forward the amended Planning Proposal to the Department of Planning and Environment requesting that the Greater Sydney Commission makes the plan.*
 - 3. A further report be submitted to Council following the completion of further investigations as described in this report in respect of Reserve 377, Shadwell Crescent, Kings Langley.*
 - 4. Advise all submitters and public hearing attendees of the decision."*

REPORT RECOMMENDATION:

That the Notice of Motion to Rescind this Resolution of Council be received and considered.

PS1053 - DD370058 - Planning Proposal to rezone certain Council-owned small reserves
MA2016/0007

MOTION (Griffiths/Collins)

1. Support the exhibited Planning Proposal subject to the following amendments:
 - a. Remove Reserve 105 – Derwent Reserve, Walters Road, Blacktown and Reserve 402 – Clune Reserve, Carlisle Avenue, Blackett from the Planning Proposal, ie. not rezone the reserves.
 - b. Progress only a partial rezoning of Reserve 230 – Vardys Road, Blacktown.
 - c. Defer the rezoning of Reserve 377 – Shadwell Crescent, Kings Langley, to undertake further investigation about the issues raised during community consultation and obtain confirmation about the revised form of the easement and how it may impact on development potential.
 - d. Progress the rezoning and reclassification of the remaining small reserves as exhibited.
 - e. In respect of Reserve 631 - Crawley Avenue, Hebersham, place a hold on any sale of the land until the future operations and requirements of the adjacent land use, being Mount Druitt SES, is determined.
2. Forward the amended Planning Proposal to the Department of Planning and Environment requesting that the Greater Sydney Commission makes the plan.
3. A further report be submitted to Council following the completion of further investigations as described in this report in respect of Reserve 377, Shadwell Crescent, Kings Langley.
4. Advise all submitters and public hearing attendees of the decision. **CARRIED**

COUNCIL DIVISION:

Supported: Crs Quilkey, Singh, Gillies, Griffiths, Benjamin, Collins, Israel, Bunting, & Bali
Opposed: Crs JG Diaz, JM Diaz, Brillo, Santos & Camilleri
Absent: Cr Bleasdale

Note: A Notice of Motion to Rescind Resolution of Council has been received in relation to PS1053 - DD370058.

REFERRED TO:	DDD	FOR:	Attention	DATE:	5.10.17
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PS1053

DD370058 - Planning Proposal to rezone certain Council-owned small reserves MA2016/0007

RECOMMENDATION

1. Support the exhibited Planning Proposal subject to the following amendments:
 - a. Remove Reserve 105 – Derwent Reserve, Walters Road, Blacktown and Reserve 402 – Clune Reserve, Carlisle Avenue, Blackett from the Planning Proposal, ie. not rezone the reserves.
 - b. Progress only a partial rezoning of Reserve 230 – Vardys Road, Blacktown.
 - c. Defer the rezoning of Reserve 377 – Shadwell Crescent, Kings Langley, to undertake further investigation about the issues raised during community consultation and obtain confirmation about the revised form of the easement and how it may impact on development potential.
 - d. Progress the rezoning and reclassification of the remaining small reserves as exhibited.
 - e. In respect of Reserve 631 - Crawley Avenue, Hebersham, place a hold on any sale of the land until the future operations and requirements of the adjacent land use, being Mount Druitt SES, is determined.
2. Forward the amended Planning Proposal to the Department of Planning and Environment requesting that the Greater Sydney Commission makes the plan.
3. A further report be submitted to Council following the completion of further investigations as described in this report in respect of Reserve 377, Shadwell Crescent, Kings Langley.
4. Advise all submitters and public hearing attendees of the decision.

COMMITTEE DIVISION:

Supported: Crs Diaz .J.G; Quilkey; Singh; Gillies; Griffiths; Benjamin; Collins; Israel; Bunting; Camilleri

Absent: Crs Bali; Diaz .J.M; Brillo; Santos; Bleasdale

REFERRED TO:	DDD	FOR:	Attention	DATE:	28.9.17
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Planning Proposal to rezone certain Council-owned small reserves

Item: **PS1053** Report: **DD370058** File: **MA2016/0007**

Committee Meeting on 20 September 2017

Division is required

Topic	Post-consultation report on our Planning Proposal to rezone and reclassify certain Council-owned small reserves by amending Blacktown Local Environmental Plan (BLEP) 2015.
Analysis	<p>The Planning Proposal is a step to help us better manage our assets and primarily invest more funds in the improvement of other parks to better meet the recreational needs of the community.</p> <p>Community consultation for the proposal has included a public exhibition and 3 public hearing sessions chaired by an independent planning consultant.</p> <p>The independent chairperson for the public hearings concluded that the Planning Proposal has merit and recommends that Council should proceed with rezoning and reclassifying 21 of the 23 small reserves we exhibited.</p> <p>We recommend that Council support proceeding slightly at variance to the public hearing report recommendations, with an amended Planning Proposal that:</p> <ul style="list-style-type: none"> a. Removes Reserve 105 – Derwent Reserve, Walters Road, Blacktown and Reserve 402 – Clune Reserve, Carlisle Avenue, Blackett from the Planning Proposal. b. Progresses only a partial rezoning of Reserve 230 - Vardys Road, Blacktown. c. Defers the rezoning of Reserve 377 – Shadwell Crescent, Kings Langley. A further report will be brought back to Council on this matter. d. Rezones and reclassifies the remaining small reserves as exhibited. <p>Attachments:</p> <ul style="list-style-type: none"> Attachment 1 – Details of reserves and summary of issues raised during public consultation and our response to them Attachment 2 – Exhibited Planning Proposal (excluding detailed reserve information which is included in attachment 1) Attachment 3 – Public hearing report Attachment 4 – Summary of previous Council resolutions

Report Recommendation

1. Support the exhibited Planning Proposal subject to the following amendments:
 - a. Remove Reserve 105 – Derwent Reserve, Walters Road, Blacktown and Reserve 402 – Clune Reserve, Carlisle Avenue, Blackett from the Planning Proposal, ie. not rezone the reserves.
 - b. Progress only a partial rezoning of Reserve 230 – Vardys Road, Blacktown.
 - c. Defer the rezoning of Reserve 377 – Shadwell Crescent, Kings Langley, to undertake further investigation about the issues raised during community consultation and obtain confirmation about the revised form of the easement and how it may impact on development potential.
 - d. Progress the rezoning and reclassification of the remaining small reserves as exhibited.
 - e. In respect of Reserve 631 - Crawley Avenue, Hebersham, place a hold on any sale of the land until the future operations and requirements of the adjacent land use, being Mount Druitt SES, is determined.
2. Forward the amended Planning Proposal to the Department of Planning and Environment requesting that the Greater Sydney Commission makes the plan.
3. A further report be submitted to Council following the completion of further investigations as described in this report in respect of Reserve 377, Shadwell Crescent, Kings Langley.
4. Advise all submitters and public hearing attendees of the decision.

Key reasons

1. **In 2015 Council resolved to rezone and/or reclassify certain small reserves as part of implementing our Recreation and Open Space Strategy**
 - a. At its Ordinary Meeting on 18 November 2015, Council resolved to prepare and exhibit a Planning Proposal to rezone and reclassify 24 small reserves. Subsequently, at its meeting on 23 March 2016, Council resolved to remove 1 further reserve from the final list, leaving 23 reserves to proceed to public exhibition.
 - b. The reserves were chosen based on the results of a comprehensive review of small reserves across the City in response to changing demographic circumstances and community needs. The aim of the Planning Proposal is to help us to:
 - i. Redistribute funds from the sale of under-utilised land to improve other parks
 - ii. Reduce ongoing maintenance liabilities
 - iii. Improve safety and minimise potential for anti-social behaviour
 - iv. Unlock the potential of under-utilised Council land.
 - c. The repurposing of smaller parks is part of implementing the *Blacktown Recreation and Open Space Strategy (ROSS)*. This strategy sets out our plan for providing, developing, managing and maintaining open space and recreation facilities for our community.
 - d. As an important step in implementing the strategy, Council has also developed several detailed masterplans for district level reserves such as Endeavour Park and Grantham Park. These masterplans ensure the significant improvement of these important community assets for the benefit of the public. Endeavour Park was

officially opened on 2 September 2017.

2. We consulted widely with our community about the Planning Proposal

- a. As part of the Planning Proposal process we consulted with our local community and stakeholders:
 - i. 75 written submissions were received in response to the public exhibition between 8 March to 5 April 2017, including 4 written submissions from public authorities
 - ii. 25 people spoke at independent public hearings held on 1, 5 and 8 June 2017.
- b. The Supporting Analysis section of this report discusses the key issues raised during consultation. A detailed outline of the consultation process, including our responses to all the feedback we received, is at attachment 1, being a separately bound document.
- c. Additionally, in 2015 before making its decision about which reserves to include in the Planning Proposal, Councillors selected 50 reserves for early consultation. We sent approximately 24,000 letters to adjoining owners and local residents seeking feedback about how they use the reserves and their opinion about what is the future best use of the land. We received nearly 400 submissions in response. As a result of this consultation, 27 reserves were removed by Councillors from the rezoning.
- d. Consultation, advertising and notification of the Planning Proposal was undertaken in accordance with the relevant legislative requirements.

3. We recommend proceeding with rezoning and reclassification of 20 of the 23 reserves

- a. In response to all feedback received during public consultation, we propose to proceed with an amended Planning Proposal that rezones and reclassifies only 19 of the small reserves as they were exhibited. These reserves are outlined in Table 1 below.

Table 1. Proceed to rezoning as exhibited

No	Reserve No.	Location
Ward 2		
1	134	Headingly Reserve, Redwood Street, Blacktown
2	114	Cooinda Street, Seven Hills
3	318	Hope Street, Seven Hills
4	563	Prospect Highway, Seven Hills
5	564	Prospect Highway, Seven Hills
6	68	Freeman Street, Lalor Park
7	69	Freeman Street, Lalor Park
Ward 3		
8	181	Hayes Road, Seven Hills
9	537	Tallawong Avenue, Blacktown
10	40	Archer Street, Blacktown
11	159	Caldwell Place, Blacktown
12	237	Palmer Place, Blacktown

No	Reserve No.	Location
Ward 4		
13	452	Musgrove Crescent, Doonside

14	455	Wilkie Crescent, Doonside
Ward 5		
15	488	Siandra Avenue, Shalvey
16	631	Crawley Avenue, Hebersham (see Note below)
17	698	Edwina Place, Plumpton
18	866	Gracilis Way, Bidwill
19	674	Buckwell Drive, Hassall Grove

NOTE: Reserve 631, Crawley Avenue, Hebersham is recommended to proceed with rezoning but place a hold on any sale of the land until the future operations and requirements of the adjacent land use, the Mount Druitt SES, is determined. This is explained in detail in Section 4e. of Supporting Analysis.

- b. 1 reserve (see Table 2 below) is proposed to be partially rezoned so that the pedestrian accessway to Delta Place and the land that forms part of the footpath along Vardys Road are retained.

Table 2. Partial rezoning

No	Reserve No.	Location
Ward 2		
1	230	Ajax Park, Vardys Road, Blacktown

- c. 1 reserve (see Table 3 below) is proposed to be deferred so that we can undertake further detailed investigation about the matters raised during public consultation.

Table 3. Defer rezoning consideration and investigate further

No	Reserve No.	Location
Ward 2		
1	377	Shadwell Crescent, Kings Langley

- d. 2 reserves (see Table 4 below) are proposed to be removed from the final Planning Proposal as they are considered no longer suitable for rezoning. This is explained in detail in Sections 4a. and 4b. of Supporting Analysis.

Table 4. Retain the current open space zone

No	Reserve No.	Location
Ward 2		
1	105	Derwent Reserve, Walters Road, Blacktown
Ward 5		
2	402	Clune Reserve, Carlisle Avenue, Blackett

4. Proceeding with the Planning Proposal best supports the interests of our community

- We have carefully considered all the feedback we received from the community during the exhibition and at the public hearing sessions. We maintain that 20 small reserves are suitable for full or partial rezoning and reclassification and this will not result in a significant reduction of public recreation space, or environmental impacts that cannot be addressed through the development assessment process. It is reasonable to plan for a more suitable land use on these reserves.
- The proposal will help to support Council's work to efficiently direct resources to improving the quality and quantity of public open space in strategic locations across the City.
- It is considered that the amended Planning Proposal, as we propose in this report, is suitable to proceed.

5. Next steps

- a. If the Planning Proposal is approved and made law by the State Government, then our Property team can commence preparing for the sale of the land in accordance with the requirements of the *Local Government Act 1993* and Council Policy.

Supporting analysis

1. We received 75 submissions about our Planning Proposal

- a. Table 5 below outlines a summary of feedback from the public exhibition. A detailed summary of all submissions and our response is at attachment 1.

Table 5. Public exhibition process feedback

Feedback from public exhibition process	
Support	18 submissions from our community
	4 submissions from public authorities (Transport for NSW, NSW Roads and Maritime Services (RMS), Sydney Water, Endeavour Energy)
Object	40 objections from our community (these objections were mostly about specific reserves located near objectors' homes)
	1 petition with 82 signatures about Reserve 377 (Shadwell Crescent)
	9 petitions with in excess of 600 signatures about Reserve 105 (Derwent Reserve, Walters Road)
Unclear	3 submissions were unclear about their position and discussed general issues

2. 25 people attended public hearings to give their feedback about the Planning Proposal

- a. It is a statutory requirement under the *Local Government Act 1993* that we hold a public hearing when 'community land' is proposed to be reclassified as 'operational land':
- Community land can be accessed by the public, for example parks and reserves. It cannot be sold by a council.
 - Operational land is not generally open to the public and can be sold or developed for private use.
- b. Accordingly, 3 public hearings were held into the Planning Proposal on 1, 5 and 8 June 2017, chaired by an independent planning consultant, Scot Brown of MacroPlanDimasi.
- c. 25 local residents and business owners attended the public hearings. Matters raised at the hearings echoed written submissions we received during the exhibition. People spoke primarily about 6 reserves, as outlined in Table 6 below:

Table 6. Reserves spoken about at public hearings

25 people spoke at 3 public hearings		
1 June 2017	1 attendee	Reserve 230 Ajax Park, Vardys Road, Blacktown
	1 attendee	Reserve 377 Shadwell Crescent, Kings Langley
	1 attendee	Reserve 564 Prospect Highway, Seven Hills

5 June 2017	21 attendees	Reserve 105 Derwent Reserve, Walters Road, Blacktown
8 June 2017		Reserve 866 Gracilis Way, Bidwill

	1 attendee	Reserve 402 Clune Reserve, Carlisle Avenue, Blackett
		General (spoke about all reserves in general and the principle of the Planning Proposal)

- d. The independent chairperson's report (attachment 3) advises what was said at the public hearings and makes an assessment of our proposal. His recommendations compared to what we recommend for adoption in this report is shown in Table 7 below:

Table 7. Pubic hearing and our final recommendations

Reserve	Public hearing recommendation	Our final recommendation
377	Not rezone	Defer for further investigation
402	Not rezone	Not rezone
105	Rezone (but retain carpark and footpath in Council ownership)	Not rezone
230	Rezone	Partially rezone
Other reserves	Proceed as exhibited	Proceed as exhibited

- e. The public hearings were conducted in accordance with Clause 29 of the *Local Government Act 1993* and Clause 57 of the *Environmental Planning and Assessment Act 1979*.

3. The community wants us to protect public open space and prevent impacts from future development on the land

- a. Our review of all the issues raised by the community and our detailed planning responses to them is at attachment 1.
- b. The majority of submissions were about:
 - i. Ensuring that Council maintains its local parks near homes so that residents can easily access green spaces
 - ii. The potential impact on their neighbourhood if, after rezoning, the reserve near them is developed for residential or commercial uses.
- c. All the reserves are located in areas that are well served by larger reserves in close proximity to homes. If the amended Planning Proposal proceeds, local residents will still have access to a wide range of local formal and informal recreation facilities and public open spaces.
- d. The Planning Proposal is consistent with our Recreation and Open Space Strategy and will allow us to rationalise the number of very small reserves across our City that serve little purpose in providing meaningful open spaces.
- e. Considering the small size of these reserves, it is unlikely that the scale of potential future development on each site will impact on the character of the surrounding area. All development is regulated by planning controls including *Blacktown Local Environmental Plan (LEP) 2015* and *Blacktown Development Control Plan (DCP) 2015*, which both promote a high standard of design and minimise impacts on the surrounding area.

4. The Planning Proposal is recommended for amendment in response to public feedback received during public consultation between March and June 2017

The following amendments are proposed to the Planning Proposal as a result of the recent public exhibition process:

a. Delete Reserve 105 – ‘Derwent Reserve’, Walters Road, Blacktown

- i. The majority of submissions were in support of, or did not object to, the rezoning of the park as long as the adjoining pedestrian walkway and carpark is maintained.
- ii. We received 13 individual submissions and 9 petitions containing a combined total of 698 signatures objecting to the potential impact on the carpark and pedestrian walkway.
- iii. Council never intended to sell the carpark or pedestrian walkway as part of this Planning Proposal. The rezoning should have been confined to that land to the north of the shops only. However, having reconsidered this commercial residue site, it may be difficult to develop as a northerly extension to the shops and provide the necessary additional parking. On this basis we now recommend that the rezoning of the entire reserve not take place, noting that this is a variation to the recommendation of the independent planning consultant.

b. Delete Reserve 402 – ‘Clune Reserve’, Carlisle Avenue, Blackett

- i. The purpose of rezoning this reserve was to allow the under-utilised land to be more efficiently used by exploring opportunities to sell the land to adjoining properties, allowing them to expand their backyards. The site has limited development potential on its own because of the infrastructure on the land, poor access and irregular shape.
- ii. We received 1 submission objecting to rezoning this reserve. The issue was raised that vehicle access to the site would be difficult, if not impossible, because it is much lower than Carlisle Avenue. Concern was also raised about potential impacts on the existing pedestrian pathway which goes under Carlisle Avenue.
- iii. A public hearing attendee also had concerns about:
 - The future of Clune Reserve and Casey Reserve, which are connected to Reserve 402
 - Potential loss of the existing pedestrian footpath that provides connection between the houses along Carlisle Avenue and the Blackett Public School and the shops nearby.
- iv. We propose to remove this reserve because the site constraints and infrastructure affectation make it unsuitable for the proposed R2 Low Density Residential zone. We consider that the current open space zoning is the most suitable zoning, retaining the green corridor for pedestrian use and connectivity to the shops.

c. Partially rezone Reserve 230 – ‘Ajax Park’, Vardys Road, Blacktown

- i. On 18 November 2015 Council resolved to only rezone part of this reserve and to retain the pedestrian accessway to Delta Place and the land that forms part of the footpath along Vardys Road.
- ii. There was a drafting error on the maps included in the Planning Proposal, which showed the whole site as being proposed to be rezoned.
- iii. In order to be consistent with the previous Council resolution, we recommend amending the Planning Proposal to exclude the pedestrian accessway to Delta Place and the land that forms part of the footpath along Vardys Road from rezoning and reclassification.
- iv. We received 2 submissions objecting to rezoning this reserve.

d. Defer rezoning Reserve 377 – Shadwell Crescent, Kings Langley

- i. We received 2 submissions in support of the proposal and 8 submissions objected to it. We also received 1 petition objecting to the proposal containing 82 signatures. 1 person spoke about the reserve at the public hearings objecting to any rezoning or potential closure.
- ii. Submitters and the public hearing attendees reported that the reserve is highly valued by them because:
 - It provides convenient and safe access for school children and the local community to the bus stop
 - It is a daily congregation point for the school students waiting for the school bus
 - Students and residents also use the pathway to access the larger recreation area (Pearce Reserve) on the western side of Whitby Road
 - It provides a quicker and more direct path to Troubadour T-Way Bus Station.
- iii. The reserve is affected by a 15.24 m wide electricity easement. We have been informally advised by Endeavour Energy that this easement may be reduced in size. We are seeking formal written advice confirming the status of the easement.
- iv. Accordingly, we propose to defer a decision on rezoning of this reserve until:
 - We do further investigation about the issues raised during the community consultation, and
 - We get formal confirmation about the revised form of the easement and how this may impact on potential development.

This will give us time to determine the appropriateness of the proposed rezoning.

e. Rezone Reserve 631 – Crawley Avenue, Hebersham, but place a hold on any sale of the land

- i. We did not receive any submission about the rezoning of this reserve and no one spoke about it at the public hearings.
- ii. However, the Mount Druitt SES Area Commander has raised an objection, after the exhibition, that the potential residents of new dwellings on the land would be adversely affected by existing SES operations on the adjoining property.
- iii. We recommend that we proceed with rezoning Reserve 631, but place a hold on any sale of the land until the future operations and requirements of the Mount Druitt SES are determined.

Context

1. The Planning Proposal is part of implementing our Recreation and Open Space Strategy

- a. An overview of Council's reports and resolutions for the entire Small Reserves Review and Planning Proposal process to date is at attachment 4. Table 8 below provides a high level summary of these resolutions.

Table 8. Summary of Council resolutions and milestones in the Gateway process

Summary of Council resolutions and milestones in the Gateway process	
April 2009	Council adopted the <i>Blacktown Recreation and Open</i>

	<i>Space Strategy (ROSS)</i> . It aims to improve the quality and quantity of public open space in strategic locations across the City to meet rapidly growing demand.
March 2013	Council initiated a City-wide review of 152 small reserves to identify under-utilised land which is not contributing to the provision of accessible, safe, appealing and usable local open space for the community.
July 2013 September 2013 October 2013 November 2013 March 2014 April 2014 August 2014 September 2014	At its Ordinary Meetings on the dates listed in the left column, Council considered a series of reports on the small reserves, to refine the final number of reserves to proceed to the Councillor workshops which commenced in November 2014.
November 2014	A series of workshops commenced with Ward Councillors to consider the results of the review. The Councillors decided that early public consultation was warranted for certain reserves.
March 2015	Between March and April 2015, early community consultation was conducted to get direct feedback from local residents and businesses about certain reserves. We sent out 24,000 letters to our community.
August 2015	A series of workshops commenced with Ward Councillors to consider the results of the consultation and make recommendations for consideration by Council.
November 2015 and April 2016	Council decided which reserves would proceed to rezoning based on the result of the review.
July 2016	We submitted the Planning Proposal to rezone and/or reclassify 23 small reserves to the Department of Planning and Environment (DPE).
December 2016	DPE issued a Gateway Determination which allowed us to proceed to public consultation (attachment 5).

2. Zonings are established by BLEP 2015, which is the principal planning instrument that applies to our City

- a. *Blacktown Local Environmental Plan (BLEP) 2015* is the main legal document that controls what development and activities are allowed on land through zoning and development controls.
- b. It applies to all land across Blacktown City, but does not include our North West Priority Growth Area, Ropes Crossing, the Western Sydney Parklands or the Western Sydney Employment Area.

3. We are at the last step in the process of amending BLEP 2015

- a. After considering all the feedback from the public exhibition, Council can make its final decision about the changes to the LEP. Sometimes changes are made to the Planning Proposal to address issues raised by the community or public authorities.
- b. We will forward an amended Planning Proposal to the Greater Sydney Commission for final assessment and approval to make it law.
- c. The changes to the LEP become law when the amendment is published on the NSW legislation website.

Approval

Name and position	
→ Report author	Riazifar A., Strategic Policy Planner
→ Endorsed by	Taylor T., Manager Development Policy
→ Director approval	Glennys James, Director Design & Development





Signature:

→ General Manager approval	Kerry Robinson, General Manager
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Signature:



Attachments

Ref	Description	Files
1		 A1DD370058.pdf
2		 A2DD370058.pdf
3		 A3DD370058.pdf
4		 A4DD370058.pdf

Recommendations

Report Recommendation	<ol style="list-style-type: none"> Support the exhibited Planning Proposal subject to the following amendments: <ol style="list-style-type: none"> Remove Reserve 105 – Derwent Reserve, Walters Road, Blacktown and Reserve 402 – Clune Reserve, Carlisle Avenue, Blackett from the Planning Proposal, ie. not rezone the reserves. Progress only a partial rezoning of Reserve 230 – Vardys Road, Blacktown. Defer the rezoning of Reserve 377 – Shadwell Crescent, Kings Langley, to undertake further investigation about the issues raised during community consultation and obtain confirmation about the revised form of the easement and how it may impact on development potential. Progress the rezoning and reclassification of the remaining small reserves as exhibited. In respect of Reserve 631 - Crawley Avenue, Hebersham, place a hold on any sale of the land until the future operations and requirements of the adjacent land use, being Mount Druitt SES, is determined. Forward the amended Planning Proposal to the Department of Planning and Environment requesting that the Greater Sydney Commission makes the plan. A further report be submitted to Council following the completion of
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further investigations as described in this report in respect of Reserve 377, Shadwell Crescent, Kings Langley.

4. Advise all submitters and public hearing attendees of the decision.

Details of reserves and a summary of issues raised during public exhibition and public hearing and our planning responses

Small Reserves Planning Proposal (MA2016/0007)

Reserve No.	Reserve Location	No of submissions	Recommendation
Ward 2			
134	Headingly Reserve, Redwood Street, Blacktown	3	Rezone
230	Ajax Park, Vardys Road, Blacktown	2	Partially rezone
377	Shadwell Crescent, Kings Langley	11	Defer rezoning
114	Cooinda Street, Seven Hills	0	Rezone
318	Hope Street, Seven Hills	3	Rezone
563	Prospect Highway, Seven Hills	0	Rezone
564	Prospect Highway, Seven Hills	1	Rezone
68	Freeman Street, Lalor Park	1	Rezone
69	Freeman Street, Lalor Park	1	Rezone
Ward 3			
181	Hayes Road, Seven Hills	1	Rezone
537	Tallawong Avenue, Blacktown	1	Rezone
105	Derwent Reserve, Walters Road, Blacktown	22	Not rezone
40	Archer Street, Blacktown	1	Rezone
159	Caldwell Place, Blacktown	2	Rezone
237	Palmer Place, Blacktown	2	Rezone
Ward 4			
452	Musgrove Crescent, Doonside	1	Rezone
455	Wilkie Crescent, Doonside	2	Rezone
Ward 5			
488	Siandra Avenue, Shalvey	1	Rezone
631	Crawley Avenue, Hebersham	0	Rezone
698	Edwina Place, Plumpton	7	Rezone
866	Gracilis Way, Bidwill	2	Rezone
402	Clune Reserve, Carlisle Avenue, Blackett	1	Not rezone
674	Buckwell Drive, Hassall Grove	2	Rezone

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1.0 Executive summary

The Planning Proposal to rezone and reclassify 23 Council-owned small reserves across Blacktown City was initiated to make land suitable for redevelopment and/or sale. This is a step in the process for helping us to better manage our assets and efficiently invest funds in the improvement of other parks that better meet the recreational needs of the community.

We have consulted with the community about the Planning Proposal. This included a public exhibition and writing to relevant public authorities.

We also held 3 public hearing sessions into the reclassification of the reserves. These were chaired by an independent planning consultant. The independent chairperson concluded that the Planning Proposal has merit and should proceed with the rezoning and reclassification of 21 of the 23 small reserves that were exhibited.

Our assessment of all submissions received is dealt with for each reserve in Section 10.0.

We recommend that Council support finalising the rezoning and reclassification of only 20 reserves.

This is the last step in the process. If Council endorses the Plan, it will be submitted to the Greater Sydney Commission for final assessment and approval to make it law.

2.0 Introduction

This document is attachment 1 to Council report DD370058, which reports on the outcome of the public consultation about the Planning Proposal.

Section 10.0 of this attachment contains:

- A detailed summary of all feedback received during the public exhibition and public hearings - from the community and public authorities.
- Planning responses to all issues raised in submissions and at public hearings.

This document considers the feedback we received about 20 reserves. We did not receive any submissions about 3 reserves and they are recommended to proceed as exhibited.

3.0 Background

- a. The Planning Proposal was initiated as part of implementing Council's *Blacktown Recreation and Open Space Strategy* (ROSS).
- b. In April 2009, Council adopted the ROSS as its plan to manage, maintain, improve and expand public open spaces across the City to meet rapidly growing recreational demands. The ROSS identified that there are a number of very small parks that provide limited community open space benefit. Action 2.1.4 of the ROSS required that Council:

"Assess the provision of local parks less than 0.15 ha and review the capacity for development in line with community need".

- c. In April 2013, Council resolved to undertake a comprehensive review of 152 very small sized reserves located across the Blacktown local government area. Council sent out

approximately 24,000 letters to our residents and landowners as part of early consultation about certain reserves selected by Ward Councillors for feedback from the community. We asked about how the reserves were valued and utilised by people living within close proximity, and which reserves should be:

- Retained as is
- Retained and expanded
- Partially rezoned
- Fully rezoned.

Each reserve was assessed against the following criteria:

- Proximity to other useable open spaces
 - Suitability of access to the reserve
 - Passive surveillance to the reserve
 - Connections to a wider pedestrian network
 - Land ownership
 - Drainage on and from the land
 - Utilities and infrastructure on the land
 - Existence of any Council assets on the reserve
 - Physical condition of the reserve
 - Site history
 - Council's Works Improvement Program
 - Strategic planning principles and objectives.
- d. As a result of the review process, 24 reserves were selected by Ward Councillors to progress to formal rezoning because they were found to be under-utilised and not serving the public interest, and were therefore suitable for a full or partial rezoning.
- e. At its Ordinary Meeting on 18 November 2015, Council resolved to prepare and exhibit a Planning Proposal to rezone and reclassify 24 small reserves. Subsequently, at its Ordinary Meeting on 23 March 2016, Council resolved to remove 1 reserve from the final list.
- f. We submitted the Planning Proposal to rezone and reclassify 23 small reserves to the Department of Planning and Environment (DPE) on 1 July 2016. The aim of the Planning Proposal is to help us to:
- i. Redistribute funds from the sale of under-utilised land to improve other parks
 - ii. Reduce ongoing maintenance liabilities
 - iii. Improve safety and minimise potential for anti-social behaviour
 - iv. Unlock the potential of under-utilised Council land.
- g. The DPE issued a Gateway Determination on 20 December 2016 which allowed us to proceed to public consultation. A Gateway Determination specifies whether a Planning Proposal is to proceed and in what circumstances. The purpose of the Gateway Determination is to ensure there is sufficient justification early in the process to proceed with the Planning Proposal.

4.0 Public exhibition

- a. We have consulted with local communities and stakeholders, in accordance with the legislative requirements for this process. The Planning Proposal was on public exhibition from 8 March to 5 April 2017.
- b. Consultation, advertising and notification of the Planning Proposal included:
 - A notice posted on Council's website
 - Advertisements in the local newspapers
 - Writing to landowners and occupiers within 200 m of each reserve (around 4,000 letters)
 - Writing to relevant public authorities
 - Exhibition in Council's Civic Centre, Flushcombe Road, Blacktown.
- c. In response to the public exhibition, we received 75 written submissions, including 4 written submissions from public authorities. None of the public authorities objected to the Planning Proposal. Table 1 below outlines a summary of public exhibition outcomes. A detailed summary of all submissions for each reserve, and our planning response, is provided in Section 10.0 of this document.
- d. As per Condition 3 of the Gateway Determination, we also wrote to the following public authorities seeking their feedback on the Planning Proposal:
 - i. Transport for NSW
 - ii. Roads and Maritime Services (RMS)
 - iii. Endeavour Energy
 - iv. Sydney Water.

Table 1. Summary of feedback received from the public exhibition

Outcome of public exhibition	
Support	18 submissions from our community
	4 submissions from public authorities (Transport for NSW, NSW Roads and Maritime Services (RMS), Sydney Water, Endeavour Energy)
Object	40 objections from our community. These objections were mostly about specific reserves located near objectors' homes and businesses.
	1 petition with 82 signatures about Reserve 377 (Shadwell Crescent, Kings Langley)
	9 petitions with more than 600 signatures in total about Reserve 105 (Derwent Reserve, Walters Road, Blacktown)
Unclear	3 submissions were unclear about their position and discussed general issues

- e. Table 2 below outlines the number of submissions and petitions that we received during public consultation between March and June 2017 for each reserve:

Table 2. Number of submissions and petitions that we received for each reserve

Reserve No.	Reserve Location	Object	Support	Unclear	Petition	Total
Ward 2						
134	Redwood Street, Blacktown	0	2	1	0	3
230	Vardys Road, Blacktown	2	0	0	0	2
377	Shadwell Crescent, Kings Langley	8	2	0	1	11
114	Cooinda Street, Seven Hills	0	0	0	0	0
318	Hope Street, Seven Hills	2	1	0	0	3
563	Prospect Highway, Seven Hills	0	0	0	0	0
564	Prospect Highway, Seven Hills	0	1	0	0	1
68	Freeman Street, Lalor Park	1	0	0	0	1
69	Freeman Street, Lalor Park	0	1	0	0	1
Ward 3						
181	Hayes Road, Seven Hills	0	0	1	0	1
537	Tallawong Avenue, Blacktown	1	0	0	0	1
105	Walters Road, Blacktown	10	3	0	9**	22
40	Archer Street, Blacktown	1	0	0	0	1
159	Caldwell Place, Blacktown	0	2	0	0	2
237	Palmer Place, Blacktown	1	1	0	0	2
Ward 4						
452	Musgrove Crescent, Doonside	0	1	0	0	1
455	Wilkie Crescent, Doonside	1	1	0	0	2
Ward 5						
488	Siandra Avenue, Shalvey	1	0	0	0	1
631	Crawley Avenue, Hebersham	0	0	0	0	0
698	Edwina Place, Plumpton	6	1	0	0	7
866	Gracilis Way, Bidwill	2	0	0	0	2
402	Carlisle Avenue, Blackett	1	0	0	0	1
674	Buckwell Drive, Hassall Grove	1	1	0	0	2
Other						
Public authorities	-	0	4	0	0	4
General	-	2	1	1	0	4
Total	-	40	22	3	10	75

** Note: This total includes 1 petition that was received at a public hearing session and 1 petition that was received at Council's Ordinary Meeting on 3 May 2017.

- f. Table 3 below outlines the reserves for which we did not receive any submissions during the public exhibition.

Table 3. Reserves that received no submissions

Reserve	Recommendation
Reserve 114, Cooinda Street, Seven Hills	Rezone to R2 Low Density Residential
Reserve 563, Prospect Highway, Seven Hills	Reclassify to 'operational' land (already zoned Residential)
Reserve 631, Crawley Avenue, Hebersham	Rezone to R2 Low Density Residential

5.0 Public hearing

- a. Under the *Local Government Act 1993*, we must hold a public hearing when 'community land' is proposed to be reclassified as 'operational land'.
- b. 3 public hearings were held into the Planning Proposal on 1, 5, and 8 June 2017, chaired by an independent planning consultant, Scot Brown of MacroPlanDimasi.
- c. We notified the public hearing by:
- Posting a notice on Council's website
 - Advertising in local newspapers
 - Sending letters and emails to people who made submissions to the public exhibition.
- d. A total of 25 local residents and business owners attended the public hearing sessions. Matters raised at the hearings echoed written submissions we received during the exhibition. People spoke primarily about 6 reserves as shown in Table 4 below:

Table 4. Summary of public hearing sessions

25 people spoke at 3 public hearings		
1 June 2017	1 attendee	Reserve 377 Shadwell Crescent, Kings Langley
	1 attendee	Reserve 230 Ajax Park, Vardys Road, Blacktown
	1 attendee	Reserve 564 Prospect Highway, Seven Hills
5 June 2017	21 attendees	Reserve 105 Derwent Reserve, Walters Road, Blacktown
8 June 2017	1 attendee	Reserve 866 Gracilis Way, Bidwill
		Reserve 402 Clune Reserve, Carlisle Avenue, Blackett
		General (spoke about all reserves in general and the principle of the Planning Proposal)

- e. The independent planning consultant has prepared a report on what was said at the public hearing sessions and has made recommendations about each reserve. He recommended that we proceed to rezone 21 reserves and delete 2 reserves from the Planning Proposal (Reserves 377 and 402). A copy of this report is at attachment 3 of report DD370058.
- f. A detailed summary of all issues raised at the public hearing sessions and our planning response is provided in Section 10.0 of this document.

6.0 Public authority and general submissions

- a. Table 5 below outlines the comments received from public authorities.

Table 5. Public authority feedback

Public authority	Feedback
Sydney Water	No objection to the Planning Proposal. Detailed comments on connections and services will be provided once development applications on the rezoned sites are referred to Sydney Water.
Endeavour Energy	No objection to the Planning Proposal.
Roads and Maritime Services	No objection to the Planning Proposal. The Planning Proposal would not have any significant traffic impact on the State road network. For Reserves 563 and 564, access from Prospect Highway is denied.
Transport for NSW	No objection to the Planning Proposal.

- b. We received 4 submissions from the community during the public exhibition, including 1 submitter interested in purchasing the reserves. The Blacktown and District Environment Group Inc submission made general comments and specifically referenced 11 reserves. Table 6 below shows the summary of these submissions.

Table 6. General submissions

Submitter 1	Will make a submission. It is questioned whether this matter will be discussed in a Council meeting or not? Seeking further information.
Submitter 2	Strongly objecting to the Planning Proposal. Wants the reserves to remain as public open space. Concerned about the intensification and traffic noise. Requesting to have more open space even if they are empty land with no facilities on them. Believing that when we lose an open space, we will never get it back.
Submitter 3	On behalf of Blacktown & District Environment Group Inc. Details below - objects to rezoning of Reserves 230, 377, 318, 105, 40, 237, 455, 488, 698, 866 and 674.
Submitter 4	Interested in purchasing the reserves.

i. General submission on behalf of Blacktown & District Environment Group Inc.

The submission objects to the rezoning and sale of public reserves in principle, particularly when the population and therefore demand for public open space is growing rapidly. The submission specifically objects to the following reserves being included in the Planning Proposal:

- Reserve 230 Vardys Road, Blacktown
- Reserve 377 Shadwell Crescent, Kings Langley
- Reserve 318 Hope Street, Seven Hills
- Reserve 105 Walters Road, Blacktown
- Reserve 40 Archer Street, Blacktown
- Reserve 237 Palmer Place, Blacktown
- Reserve 455 Wilkie Crescent, Doonside
- Reserve 488 Siandra Avenue, Shalvey

- Reserve 698 Edwina Place, Plumpton
- Reserve 866 Gracilis Way, Bidwill
- Reserve 674 Buckwell Drive, Hassall Grove.

Objections were also raised about rezoning and selling these reserves because they have trees on them which:

- Contribute to local biodiversity and provide habitat for local fauna
- Provide shade and generally contribute to the wellbeing of local residents
- Provide important social and recreational community benefit
- Contribute to the visual appeal and character of the local area.

Additionally, the submitter expressed an interest in inspecting the trees with Council representatives to assess the merit of the proposed sale.

Further concerns raised in the submission included:

- Concern that if the amount of open space is reduced and less maintenance is required then this will reduce employment opportunities, which is not appropriate when local population is growing
- Disagree that it is appropriate to rezone land to meet housing demand because demand is greater for public open space.

Response to submission

The provision of recreational pathway linkages, playgrounds and other recreation facilities is carefully planned by our Recreation Planning and Design Team, so that residents, both current and future, across the City have equitable access to high quality facilities.

The 23 reserves included in the Planning Proposal were selected by Ward Councillors based on the results of a comprehensive city-wide review of small reserves. A brief summary of the review results for the reserves listed in the submission is in Table 7 below. The review was initiated by an action in our *Blacktown Recreation and Open Space Strategy*.

It is also noted that all the sites included in the Planning Proposal are located near other larger reserves that have outdoor recreational facilities, well-established trees, walking paths and playground equipment to serve the needs of local residents.

The *Blacktown Recreation and Open Space Strategy* sets out Council's plan for efficiently and equitably providing our community with easy access to high quality open space across the City. Relevant to this Planning Proposal is the objective of making the most of our available resources for providing our community with high quality open spaces and recreational facilities, and keep pace with the growing demands of our expanding population.

With regard to connected green corridors for walking and passive recreational activities, the Strategy includes an action plan for increasing the provision of trails and cycleways within linear parks and improving the corridors across and beyond our City.

Under our plan for improving reserves across the City to meet the demands of our growing population, it is not expected that redirecting funds from the selected small reserves will result in any loss of employment opportunities in park maintenance.

Table 7. Summary of small reserve review results for each reserve listed in submission

Reserve	Results of small reserves review
Reserve 230 Vardys Road, Blacktown	<ul style="list-style-type: none"> • Vacant irregular shaped site with no play equipment. • In close proximity to district level reserves 'Morgan Power Reserve/Fred Vassel Fields', 'Gala Reserve' and 'Kingsford Reserve'.
Reserve 377 Shadwell Crescent, Kings Langley	<ul style="list-style-type: none"> • Narrow vacant site, no play equipment. • Footpath is only a minor part of the local pedestrian network. • Not part of wider pedestrian network. • Close proximity to district level reserve 'Pearce Reserve'. 'Troubador Reserve' is also nearby.
Reserve 318 Hope Street, Seven Hills	<ul style="list-style-type: none"> • Unsuitable for use as public outdoor recreation space. • Vacant site with no play equipment. • Narrow strip of land along laneway behind existing commercial premises. • Part of laneway verge and has a footpath linked to the local pedestrian network.
Reserve 105 Walters Road, Blacktown	<ul style="list-style-type: none"> • Irregular shaped site adjoining existing neighbourhood commercial centre. • Not part of wider pedestrian network. • In close proximity to 'Brewongle Walkway' which provides open space and recreation space. • The site does not provide significant community benefit in the form of public outdoor recreation space.
Reserve 40 Archer Street, Blacktown	<ul style="list-style-type: none"> • Irregular shaped site adjoining existing neighbourhood commercial centre. • No play equipment. • Not part of wider pedestrian network. • Close proximity to Reserve 39 and to 'Brewongle Walkway' which provide open space and recreation space.
Reserve 237 Palmer Place, Blacktown	<ul style="list-style-type: none"> • Vacant land, no equipment. • Small lot in Palmer Place cul-de-sac. • Unsuitable for use as public outdoor recreation space.

Reserve	Results of small reserves review
Reserve 455 Wilkie Crescent, Doonside	<ul style="list-style-type: none"> • Corner lot, no play equipment. • Not part of wider pedestrian network. • Close proximity to larger district level reserve 'Bill Colbourne Reserve'.
Reserve 488 Siandra Avenue, Shalvey	<ul style="list-style-type: none"> • Vacant land, no play equipment. • Not part of wider pedestrian network. • Site adjoins Reserve 431, which is a well utilised area of public outdoor recreation space. • Close proximity to larger district level reserve 'Peter Van Hasselt Park'.
Reserve 698 Edwina Place, Plumpton	<ul style="list-style-type: none"> • Vacant site with no play equipment. • Not currently used for recreational purposes. • In close proximity to larger district level reserve 634, Bungalow Road, Plumpton. <p>Note: The rezoning also includes part of the road reserve which is subject to a current road closure application.</p>
Reserve 866 Gracilis Way, Bidwill	<ul style="list-style-type: none"> • Small sloped corner lot with an irregular shape and unsuitable for recreation purposes. • Not part of wider pedestrian network. • In close proximity to larger district level reserves including 'Reserve 342' and 'Zeldaline Gardens'.
Reserve 674 Buckwell Drive, Hassall Grove	<ul style="list-style-type: none"> • Long narrow site behind existing neighbourhood commercial centre. • Not part of wider pedestrian network. • Unsuitable for use as public outdoor recreation space. • In close proximity to district level reserves 'Hannah Reserve' and 'Mittigar Reserve'.

Council spatial mapping records show that these reserves are not affected by endangered or sensitive ecological communities. While there are mature trees on the sites, they are not densely vegetated and are located in well-established developed parts of the City. It is unlikely that the proposed new zones will significantly affect the biodiversity of the local area. The future of mature trees on the land is not a matter for this Planning Proposal, which is limited to the zoning of the land. Removal of trees requires development consent and it is our policy that they are retained where possible. This matter will be a consideration for our Property Team when they are preparing the sites for sale and also as part of the assessment of future individual subdivision/development applications.

With regard to the objection about the appropriateness of zoning the land for housing when there is also high demand for public open space, based on the review of small reserves the selected sites are considered to not provide a significant benefit to the community in the form of public recreation space, which is what they are currently zoned for. Accordingly, when selecting the proposed new zones, we considered the zoning of

adjoining land, the existing local character and pattern of development, and the rising demand for housing and business land.

The Planning Proposal has been prepared according to "*A guide to preparing a planning proposal*", the guideline prepared by the State Government for how to amend LEPs. It has been publicly exhibited for 28 days and 3 public hearing sessions were held into the reclassifications. This complies with the process and requirements set out in State Government legislation for rezoning and reclassifying public land.

No final decision has been made about the sale of the land. However, if Council decides to rezone and sell the land, it will be tendered in the open market and advertised in local papers and on commercial websites. Sale of the land must be approved by Council and comply with legislative requirements.

7.0 Conclusion

- a. We have carefully considered all the feedback we received from the community during the exhibition and at the public hearing sessions.
- b. We maintain that 20 of the 23 small reserves are suitable for full or partial rezoning and reclassification and this will not result in a significant reduction of public recreation space or environmental impacts that cannot be addressed through development assessment processes. It is reasonable to plan for a more suitable land use on these reserves.

8.0 Recommendation

- a. It is recommended that Council:
 1. Support the exhibited Planning Proposal subject to the following amendments:
 - a. Remove Reserve 105 – Derwent Reserve, Walters Road, Blacktown and Reserve 402 – Clune Reserve, Carlisle Avenue, Blackett from the Planning Proposal, ie. not rezone the reserves.
 - b. Progress only partial rezoning of Reserve 230 - Vardys Road, Blacktown.
 - c. Defer the rezoning of Reserve 377 – Shadwell Crescent, Kings Langley, to undertake further investigation about the issues raised during community consultation and obtain confirmation about the revised form of the easement and how it may impact on development potential.
 - d. Progress the rezoning and reclassification of the remaining small reserves as exhibited.
 - e. In respect of Reserve 631 - Crawley Avenue, Hebersham, place a hold on any sale of the land until the future operations and requirements of the adjacent land use, being Mount Druitt SES, is determined.

9.0 Next steps

- a. If the Planning Proposal is approved and made into law by the State Government, then our Property Team can commence preparing for the sale of the land in accordance with the requirements of applicable legislation.

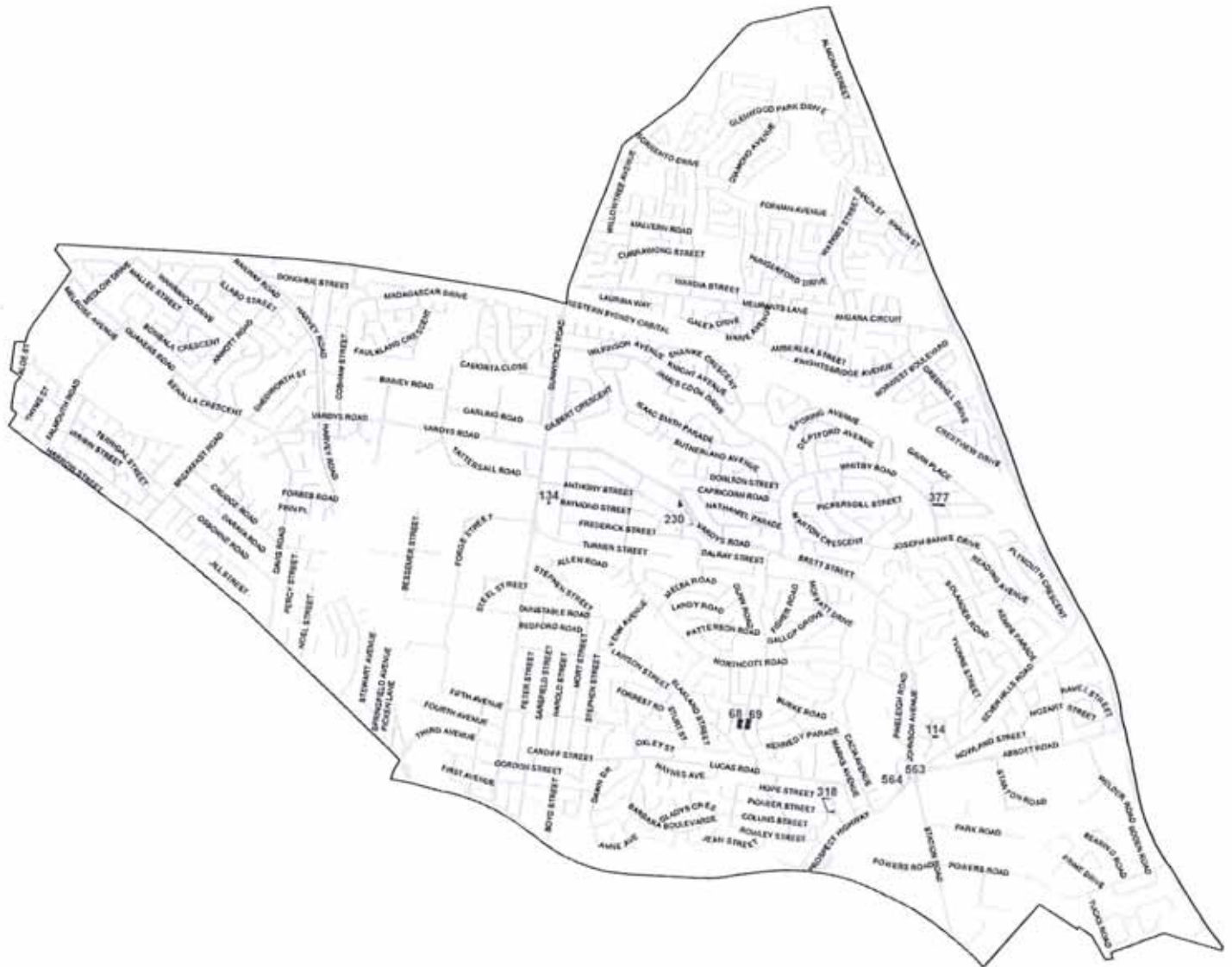
10.0 Detailed response to issues raised about each reserve during public consultation

- a. This section contains our analysis of key issues raised about each reserve and our response to them.

Ward 1

No small reserves in Ward 1 are being rezoned.

Ward 2



- Reserve 134, Redwood Street, Blacktown
- Reserve 230, Vardys Road, Blacktown
- Reserve 377, Shadwell Crescent, Kings Langley
- Reserve 114, Cooina Street, Seven Hills
- Reserve 318, Hope Street, Seven Hills
- Reserve 563, Prospect Highway, Seven Hills
- Reserve 564, Prospect Highway, Seven Hills
- Reserve 68, Freeman Street, Lalor Park
- Reserve 69, Freeman Street, Lalor Park

Legend

-  Ward Boundary
-  Reserve
-  Road

0 0.25 0.5 1 1.5 2 Kilometres

Ward 2 small reserves

No.	Reserve	Exhibition results	Our recommendation
1	Reserve 134 Redwood Street, Blacktown	3 submissions (2 support, 1 unclear)	Rezone
2	Reserve 230 Vardys Road, Blacktown	2 submissions (2 object)	Partially rezone
3	Reserve 377 Shadwell Crescent, Seven Hills	11 submissions (2 support, 8 object, 1 petition objecting)	Defer rezoning
4	Reserve 114 Cooinda Street, Seven Hills	0 submissions	Rezone
5	Reserve 318 Hope Street, Seven Hills	3 submissions (1 supports, 2 object)	Rezone part of reserve as exhibited
6	Reserve 563 Prospect Highway, Seven Hills	0 submissions	Rezone
7	Reserve 564 Prospect Highway, Seven Hills	1 submission (1 supports)	Rezone
8	Reserve 68 Freeman Street, Lalor Park	1 submission (1 objects)	Rezone (but retain laneway connection through subdivision of the land)
9	Reserve 69 Freeman Street, Lalor Park	1 submission (1 supports)	Rezone (but retain laneway connection through subdivision of the land)

Reserve 134

'Headingly Reserve', Redwood Street, Blacktown

1. Recommendation

Proceed with exhibited proposal to rezone Reserve 134 to R2 Low Density Residential.

2. View of reserve



View of reserve from Redwood Street facing south

3. Summary of community feedback

3 written submissions from public exhibition (2 in support and 1 with general comments).
No one spoke about this reserve at the public hearing.

4. Key site details and information about Planning Proposal

Land details	<p>The land is known as Lot 30 DP 204269 and has an area of 406 sqm. It was acquired on 7 April 1961 for 'public garden and recreation space' as part of a development subdivision.</p> <p>The land is not affected by any easements. The estimated land value is \$400,000.</p>
Effect of Planning Proposal	<p>Rezoning from RE1 Public Recreation to R2 Low Density Residential. This will also change the maximum height of building control to 9 m and the minimum lot size to 450 sqm to match the new zoning.</p> <p>Reclassifying from 'Community' to 'Operational'.</p>
Justification for rezoning and reclassification	<p>The site does not provide significant community benefit in the form of public outdoor recreation space. The sale of the land will reduce Council's maintenance burden and proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.</p>

5. Aerial photo



6. Proposed zoning of reserve – R2 Low Density Residential



7. Key issues raised during public consultation

A. Improving the reserve

There were no objections to the proposed rezoning, however 1 submitter suggested that if play equipment was installed on the land it might be used more frequently by children.

Planning comment

Local residents have access to several nearby open spaces for recreational activities, including 'Lynwood Park' and Reserve 54. These reserves have community facilities, recreational facilities and playground equipment for children. The provision of playgrounds and other recreation facilities is carefully planned by our Recreation Planning and Design Team so that residents across the City have equitable access to high quality facilities.

The rezoning and reclassification of this reserve will make it possible for our Property Team to proceed with the sale of a small number of small reserves. This is considered to be the best use of available funding as proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.

Council's plan for efficiently and equitably providing our community with easy access to high quality open space across the City is set out in our *Blacktown Recreation and Open Space Strategy*. Relevant to this Planning Proposal is the objective to make the most of available resources and provide our community with high quality open space and recreational facilities that keep pace with the growing demands of our expanding population.

B. Support of the proposal

2 submitters supported the Planning Proposal and said that the reserve does not provide much community benefit and is a bit of a hazard because it attracts undesirables and anti-social behaviour.

It was stated that the proposed R2 Low Density Residential zoning is satisfactory.

Planning comment

The support of the Planning Proposal is noted.

The site was selected for rezoning by Ward Councillors based on the results of a comprehensive city-wide review of small reserves. This review was initiated by an action in our *Blacktown Recreation and Open Space Strategy*. It found that Reserve 134:

- Is vacant and has no play equipment
- Has poor surveillance due to its narrow street frontage
- Has no biodiversity values
- Is not part of a wider pedestrian network
- Is in close proximity to 'Lynwood Park'.

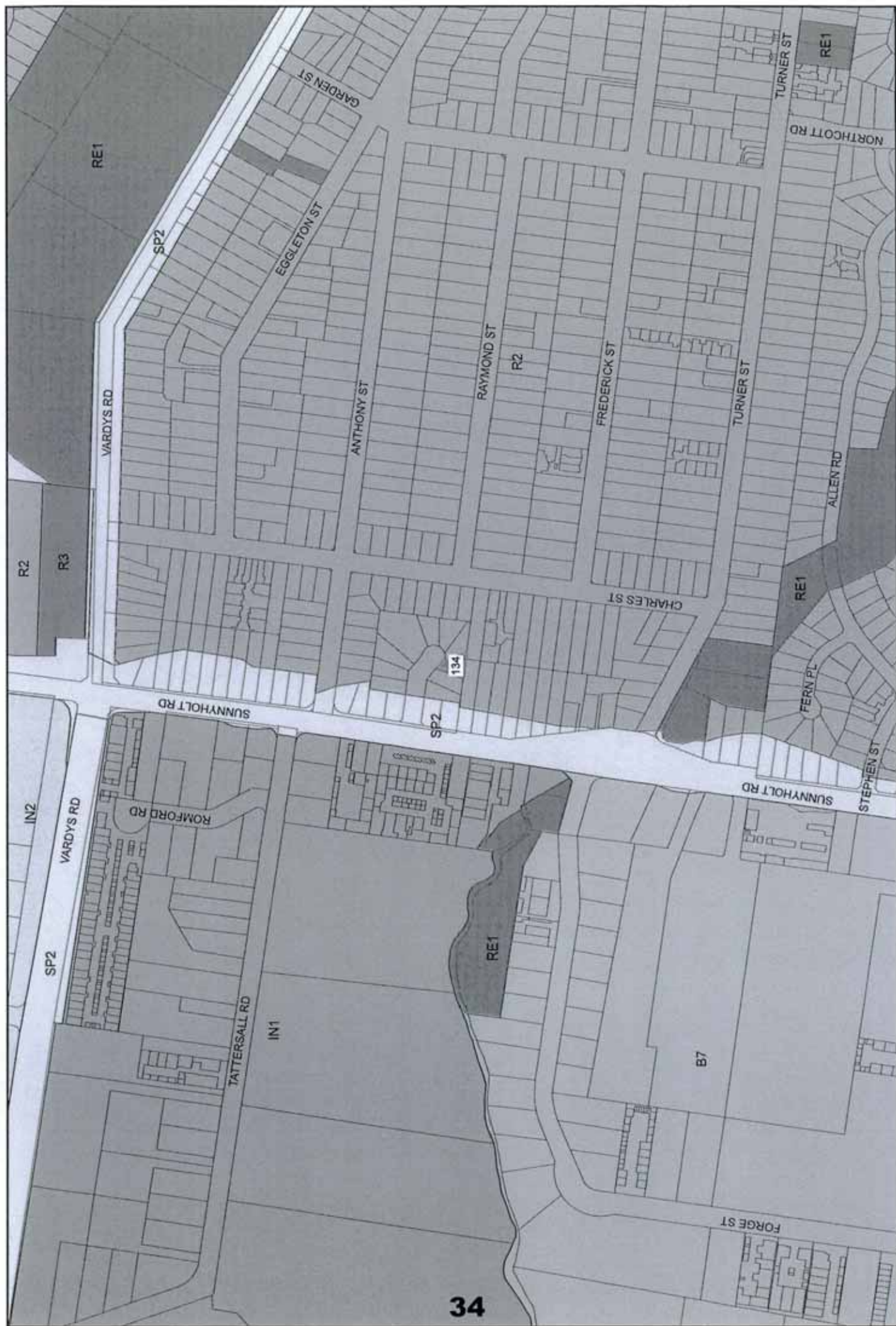
The reserve is a small irregular shaped lot located in a residential cul-de-sac. It is considered that the proposed R2 Low Density Residential zone will result in orderly development of the land that is consistent with the scale and character of the surrounding area.

C. Detailed summary of issues

A detailed summary of each submission is at Appendix 1.



Reserve 134, Headingly Reserve Redwood Street, Blacktown
Air Photo Image - Copyright Sinclair Knight Merz 2014



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Reserve 134, Headingly Reserve, Redwood Street, Blacktown
Current Land Zone

Reserve 230

'Ajax Park', Vardys Road, Blacktown

1. Recommendation

Proceed with a partial rezoning of Reserve 230 to R2 Low Density Residential. This will exclude the pedestrian accessway to Delta Place and the land that forms part of the footpath along Vardys Road.

2. View of reserve



View of reserve from Vardys Road facing west

3. Summary of community feedback

2 written submissions from public exhibition objecting to the proposed rezoning.

1 attendee spoke about this reserve at the public hearing.

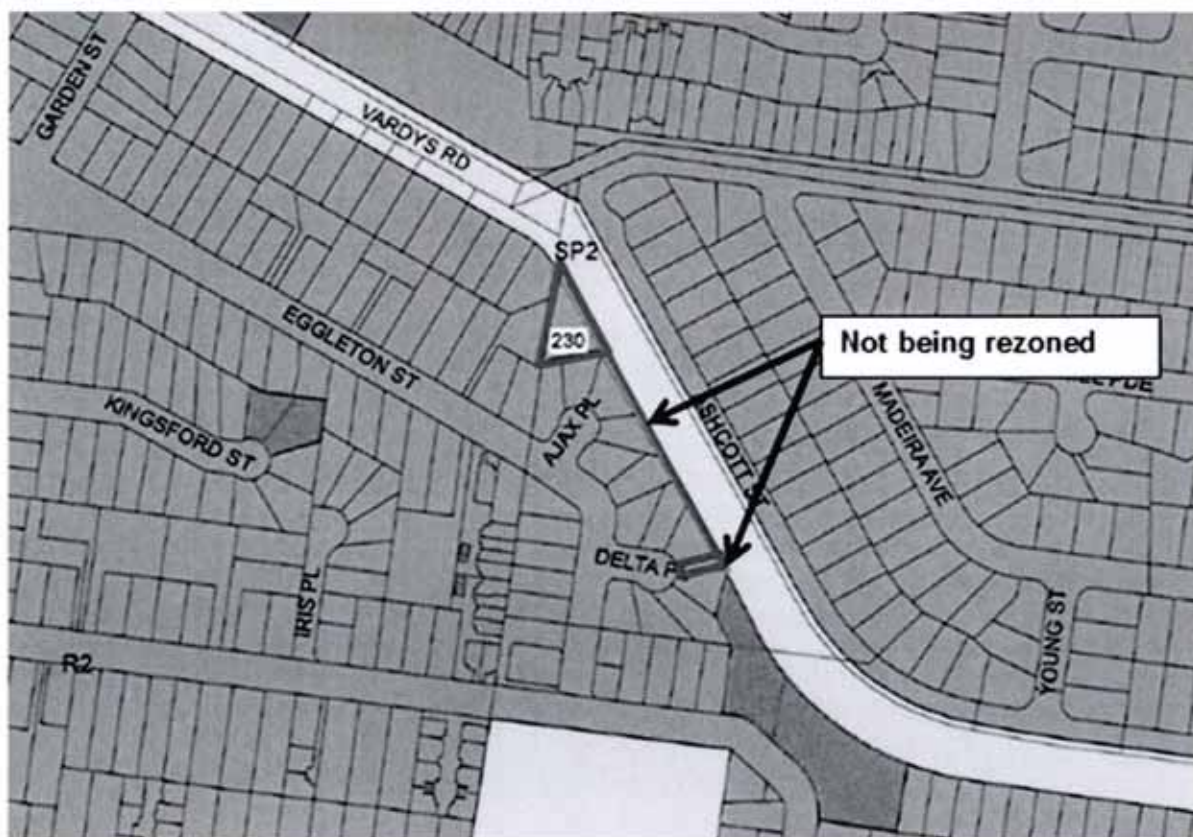
4. Key site details and information about Planning Proposal

Land details	<p>The land is known as Lot 230 DP 600232 and has an area of 1,240 sqm. It was acquired in 1961 for 'public garden and recreation space' as part of a development subdivision.</p> <p>The land is not affected by any easements and has a caveat for use as a public reserve. The estimated land value is \$650,000.</p>
Effect of Planning Proposal	<p>Partial rezoning from RE1 Public Recreation to R2 Low Density Residential. This will also change the maximum height of building control to 9 m and the minimum lot size to 450 sqm to match the new zoning.</p> <p>Reclassifying from 'Community' to 'Operational'.</p>
Justification for rezoning and reclassification	<p>The site does not provide significant community benefit in the form of public outdoor recreation space. The sale of the land will reduce Council's maintenance burden and proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.</p>

5. Aerial photo



6. Proposed zoning of reserve – R2 Low Density Residential



7. Reserve proposed to be partially rezoned

On 18 November 2015 Council resolved to only rezone part of the reserve and to retain the pedestrian accessway to Delta Place and the land that forms part of the footpath along Vardys Road.

There was a drafting error on the relevant maps included in the Planning Proposal which showed the whole site as being proposed to be rezoned.

In order to be consistent with the previous Council resolution, it is recommended that we amend the Planning Proposal to exclude the pedestrian accessway to Delta Place and the land that forms part of the footpath along Vardys Road from rezoning and reclassification.

8. Key issues raised during public consultation

A. Potential loss of green space and local public open space

The submitter reports that they have lived in the area for many years and consider the open space to be part of their territory. Additionally, they are concerned that rezoning the land will exacerbate the rate of urban sprawl and is at odds with historical policies for:

- The mandatory provision of 1 extra lot for public open space for subdivisions exceeding 10 lots
- The establishment of green belt zones between suburbs starting with the Cumberland County Plan.

The submitter states that they are not satisfied that the limited recreational utility is sufficient basis for reclassification, rezoning and sale because:

- The reserve provides public benefit by creating a natural barrier against noise and pollution from Vardys Road and providing a relaxing area for people
- Small public reserves throughout Blacktown LGA provide breathing space, green relief in the urban environment and ecological benefits, and they do not provide only recreational benefits
- Residents have to drive to a mega park to stretch the legs or throw a ball for the dog.

There is also concern that the rezoning, reclassification and future sale of the land will result in the removal of trees from the site.

Planning comment

The site was selected for rezoning by Ward Councillors based on the results of a comprehensive city-wide review of small reserves. This review was initiated by an action in our *Blacktown Recreation and Open Space Strategy*. It found that Reserve 230:

- Is a vacant irregular shaped site with no play equipment
- Is in close proximity to district level reserve 'Morgan Power Reserve/Fred Vassel Fields', 'Gala Reserve' and 'Kingsford Reserve'.

The *Blacktown Recreation and Open Space Strategy* sets out Council's plan for efficiently and equitably providing our community with easy access to high quality open space across the City. Relevant to this Planning Proposal is the objective to make the most of our available resources and provide our community with high quality open spaces and recreational facilities that keep pace with the growing demands of our expanding population.

With regard to connected green corridors for walking and passive recreational activities, the Strategy includes an action plan for increasing the provision of trails and cycleways within linear parks and improving the corridors across and beyond our City. The Strategy states that:

Local residents have access to several nearby open spaces for recreational activities, including 'Morgan Power Reserve/Fred Vassel Fields' and 'Gala Reserve'. These reserves have community facilities, recreational facilities, and playground equipment for children. The provision of recreational pathway linkages, playgrounds and other recreation facilities is carefully planned by our Recreation Planning and

Design Team so that residents across the City have equitable access to high quality facilities.

The rezoning and reclassification of part of this reserve will make it possible for our Property Team to proceed with the sale of a small number of small reserves. This is considered to be the best use of available funding as proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.

While it is noted that there are mature trees on the site, this is not a matter for this Planning Proposal which is limited to the zoning of the land. Removal of trees requires development consent and it is our policy that they are retained where possible. This matter will be a consideration for our Property Team when they are preparing the site for sale and also as part of the assessment of any future subdivision or development applications.

B. Potential impacts of future development on traffic and road safety

The submitters are concerned about the potential impacts of future development of the site, including traffic, safety, noise and view if the reserve is developed for residential uses. Specific issues they raised include:

- Traffic in the area is very busy along Vardys Road and close to Vardys Road Public School, particularly at Heffron Road and Capricorn Road. Council must consider the traffic issues carefully and would need to put some measures in place to mitigate danger
- The reserve has a passive role by creating a natural barrier from the noise and pollution arising from Vardys Road
- The positioning of a major sewer line and the branch line connections that enter the reserve may be affected by development on the land.

Additionally, the submitters state that the reserve does not lend itself to orderly residential development due to its irregular shape.

Planning Comment

It is considered that the proposed R2 Low Density Residential zone will result in orderly development of the land that is consistent with the scale and character of the surrounding area.

Site specific issues relating to the potential future development of the land, including views, overshadowing and privacy, will be carefully considered as part of future development assessment processes. However, given the size and the shape of the land it is expected that traffic generated by development on the site will not significantly affect or increase existing traffic in the local area. Additionally, the site is of sufficient size to accommodate appropriate low density residential development despite the sewer line traversing part of the land.

Any future development of the land will require development approval and must comply with the relevant planning controls in *Blacktown Local Environmental Plan (LEP) 2015* and *Blacktown Development Control Plan (DCP) 2015*. These planning controls ensure a high standard of design and minimise impacts on surrounding properties. Part C of our DCP provides clear and detailed guidelines for development in residential zones.

With regard to its functions as a natural barrier, the reserve is not well vegetated and any tree removal will require consent. It is Council policy to retain trees where possible.

C. Detailed summary of issues

A detailed summary of each submission is at Appendix 1 and a summary of issues raised at the public hearing is at Appendix 2.



Reserve 230, Ajax Park, Vardys Road, Blacktown
 Air Photo Image - Copyright Sinclair Knight Merz 2014



Reserve 230, Ajax Park, Vardys Road, Blacktown
Current Land Zone

Reserve 377

Shadwell Crescent, Kings Langley

1. Recommendation

Defer the rezoning of Reserve 377 so that we can undertake further investigation about the issues raised during the community consultation and receive confirmation about the revised form of the easement and how it may impact on development potential of the site.

2. View of reserve



View of reserve from Whitby Road facing east



View of reserve from Shadwell Crescent facing west

3. Summary of community feedback

11 written submissions from public exhibition (2 in support, 8 objecting and 1 petition with 82 signatures).
1 attendee spoke about this reserve at the public hearing.

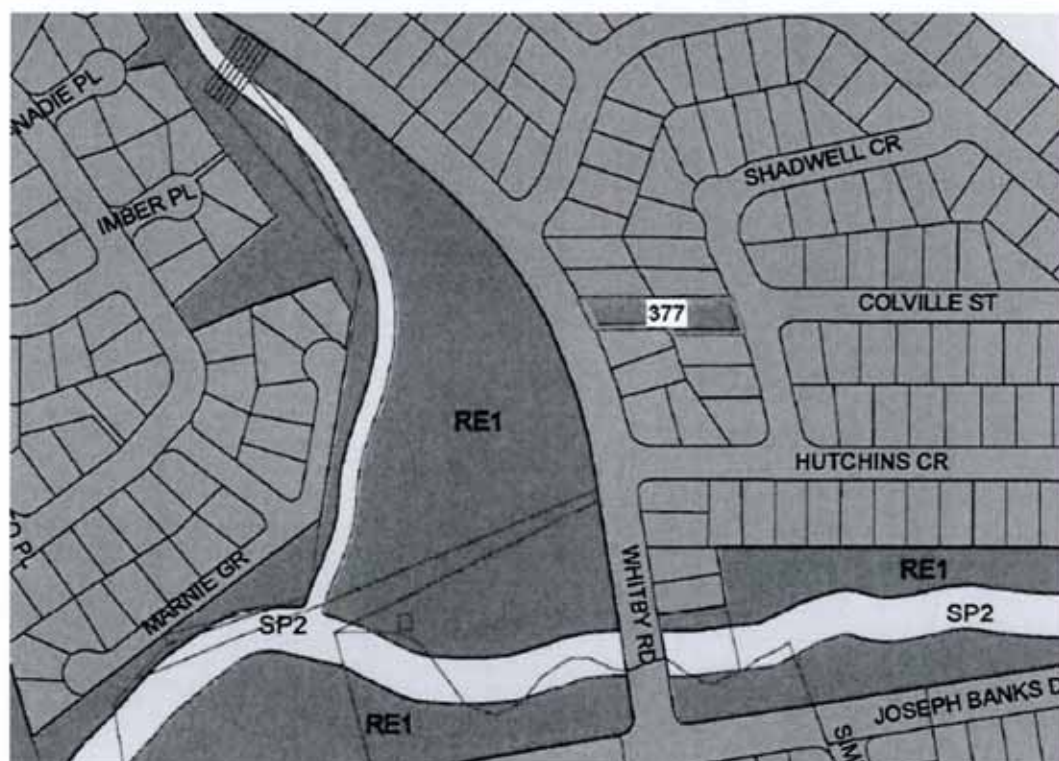
4. Key site details and information about Planning Proposal

Land details	The land is known as Lot 556 DP 244360 and has an area of 1,405 sqm. It was acquired in 1973 for 'public reserve' as part of a development subdivision. It is affected by 3 easements for service infrastructure and has a caveat for use as a public reserve. With regard to the large electricity easement across the site, the energy provider has informally advised that the easement size may be reduced. We need confirmation regarding the extent of the reduction before any potential rezoning or sale of the land occurs. The estimated value of the land is \$960,000.
Effect of Planning Proposal	No effect at this stage because the reserve is proposed to be deferred from the Planning Proposal.
Deferred matter	After addressing all issues and undertaking further investigation, this reserve could be included in a separate Planning Proposal for rezoning to R2 Low Density Residential. If this occurs it will also need to be reclassified from 'Community' to 'Operational'.
Original justification for rezoning and reclassification	The site does not provide significant community benefit in the form of public outdoor recreation space. Reserve 731 is located across the road and provides the local community with a better and larger area of easily accessible public outdoor recreation space. The sale of the subject site will not significantly impact on local recreational opportunities. The sale of the land will allow Council to rationalise maintenance costs and free funds to improve other more utilised district level reserves.

5. Aerial photo



6. Proposed rezoning of reserve to R2 Low Density Residential now proposed to be deferred



7. Reserve proposed to be deleted from Planning Proposal – deferred for more investigation

Following the assessment of public feedback, we recommended not proceeding with the rezoning of this reserve at this time until:

- More detailed investigation is undertaken to address key issues raised during community consultation
- We get formal confirmation about the revised form and size of the easement and how this may impact on the development potential of the land.

A further report will be brought back on this reserve at a later date.

A summary of the issues raised and our preliminary responses are detailed below.

8. Key issues raised during public consultation

A. Preservation of local green open space

Submitters objected to how the rezoning of small reserves in Kings Langley generally will change the existing leafy character of the area and that this particular rezoning may set a precedent for other parks to be sold. Submitters and the public hearing attendees reported that the reserve is highly valued by them because:

- The trees located on the reserve provide highly valued landscape amenity and were an important reason why they chose to buy their home
- Children use the path in the reserve for recreation and a safe pathway (ie. for scooters and bikes)
- It is home to local birds including cockatoos, rosellas and galahs
- It contributes to a pleasant path for running
- The local community use it for events such as the street Christmas party.

Residents wrote to say that they are very interested in retaining the reserve and suggested options including adopting the reserve as part of Council's 'Adopt a Park' program, help with maintenance of the land or paying slightly higher rates for its maintenance.

The 2 submitters who supported the proposal agree that the reserve does not provide any public benefit and it is better to spend funds on the improvement of other parks.

Planning comment

The provision of recreational pathway linkages, playgrounds and other recreation facilities is carefully planned by our Recreation Planning and Design Team so that residents, both current and future, across the City have equitable access to high quality facilities.

The *Blacktown Recreation and Open Space Strategy* sets out Council's plan for efficiently and equitably providing our community with easy access to high quality open space across the City. Relevant to this Planning Proposal is the objective to make the most of our available resources and provide our community with high quality open spaces and recreational facilities that keep pace with the growing demands of our expanding population. Rationalising the size and number of local parks across our City is considered to serve this objective.

It was noted in the review of small reserves that local residents have access to several nearby open spaces for recreational activities, including 'Pearce Reserve' and 'Troubadour Reserve'. These reserves have community facilities, recreational facilities and playground equipment for children.

Council spatial mapping records show that the reserve is not affected by endangered or sensitive ecological communities. The site is located in a well-established residential area and it is unlikely that the proposed new zone will significantly affect the biodiversity of the local area. The future of mature trees on the land is not a matter for this Planning Proposal, which is limited to the zoning of the land. Removal of trees requires development consent and it is our policy that they are retained where possible as part of

any development.

B. Potential loss of safe and direct access to public transport

Submitters and the public hearing attendees reported that the reserve is highly valued by them because:

- It provides convenient and safe access for school children and local community to the bus stop
- It is a daily congregation point for the school students waiting for the school bus
- Students and residents also use the pathway to access the larger recreation area ('Pearce Reserve') on the western side of Whitby Road
- It provides a quicker and more direct path to the Troubadour t-way bus station.

Planning comment

As stated above, it is recommended that the reserve is not rezoned at this time until outstanding matters are addressed and the issue is further considered by Council. Accordingly, it is proposed to be deferred and deleted from the Planning Proposal.

While the exhibited proposal to rezone the land R2 Low Density Residential may not prevent any pathways being maintained through the land, the concerns raised by the community are acknowledged. Maintaining strong local pedestrian networks is important.

C. Potential future development of the site for private use

Submitters were concerned about the impacts of potential future development of the land and raised the following matters:

- The reserve is at a higher level than adjoining land and this will create issues for the amenity, privacy and view of the adjoining properties
- Concerned the character of the area will change and there will be increased density and local traffic. It was also noted that the local schools are at capacity for additional students
- The property values of adjoining land will be potentially reduced, particularly noting that they recently purchased property and paid a premium price due to the amenity, ecological and significant public benefit provided by the reserve
- The reserve provides a stormwater drainage function that could impact on adjoining property if it is developed.

It was also noted in submissions that the reserve is affected by electricity easements which will limit the development potential of the land.

Planning Comment

The reserve is affected by a 15.24 m wide electricity easement. We have been informally advised by Endeavour Energy that it may be reduced in size. Until we have written confirmation of this, and the extent of the reduction, it is recommended that rezoning does not proceed. Accordingly, the reserve has been deleted from the Planning Proposal and will be reconsidered at a later date.

With regard to development impacts on the local area, it is considered that the proposed R2 Low Density Residential zone will result in orderly development consistent with the scale and character of the local area. Any future development must comply with the relevant planning controls in *Blacktown Local Environmental Plan (LEP) 2015* and *Blacktown Development Control Plan (DCP) 2015*. These planning controls ensure a high standard of design and minimise impacts on surrounding properties. Part C of our DCP provides clear and detailed guidelines for development in residential zones.

Site specific issues relating to the potential future development of the land, including views, overshadowing and privacy, will be carefully considered as part of future development assessment processes. However, it is considered that the site has sufficient area to accommodate development that

minimises impacts on adjoining land or the sewer line affecting part of the site.

D. Concerns about the process followed and merit of proposal

A few submitters were concerned about the process and strategic merit of the proposal, perceiving the project as a 'cash grab' and that reserve funding would be cut in the long term. More information was wanted about the following matters:

- Cost benefit from removing the maintenance of this green space and cost comparison of converting this green space from a grassed and thinly wooded area to a replanted native habitat that would self-sustain itself
- A study of any local Aboriginal significance
- Details of how the sale process will take place and who will set the pricing
- A written guarantee that the revenue generated from the sale and from maintenance costs will flow into other local green space in the area, with clear plans outlined as to what will be the benefits.

Planning comment

No final decision has been made about the sale of the land. However, if Council decides to eventually rezone and sell the land, it will be sold in the open market and advertised in local papers and on commercial websites. Sale of the land must be approved by Council and comply with legislative requirements.

The Planning Proposal has been prepared according to "A guide to preparing a planning proposal", the guideline prepared by the State Government for how to amend LEPs. It has been publicly exhibited for 28 days and 3 public hearing sessions were held into the reclassifications. This complies with the process and requirements set out in State Government legislation for rezoning and reclassifying public land.

The reserve was selected by Ward Councillors after a comprehensive city-wide review of small reserves, initiated by an action in the *Blacktown Recreation and Open Space Strategy*. It found that Reserve 377:

- Is a narrow vacant site with no play equipment
- Contains a footpath which is a minor part of the local pedestrian network
- Is not part of the wider pedestrian network
- Is in close proximity to district level reserve 'Pearce Reserve'. 'Troubadour Reserve' is also nearby.

The *Blacktown Recreation and Open Space Strategy* sets out Council's plan for efficiently and equitably providing our community with easy access to high quality open space across the City. Relevant to this Planning Proposal is the objective to make the most of available resources, in providing our community with high quality open spaces and recreational facilities and to keep pace with the growing demands of our expanding population. Under this plan, rationalising the size and number of local parks across our City, including the sale of certain small reserves, is considered to be the best use of available funding and resources.

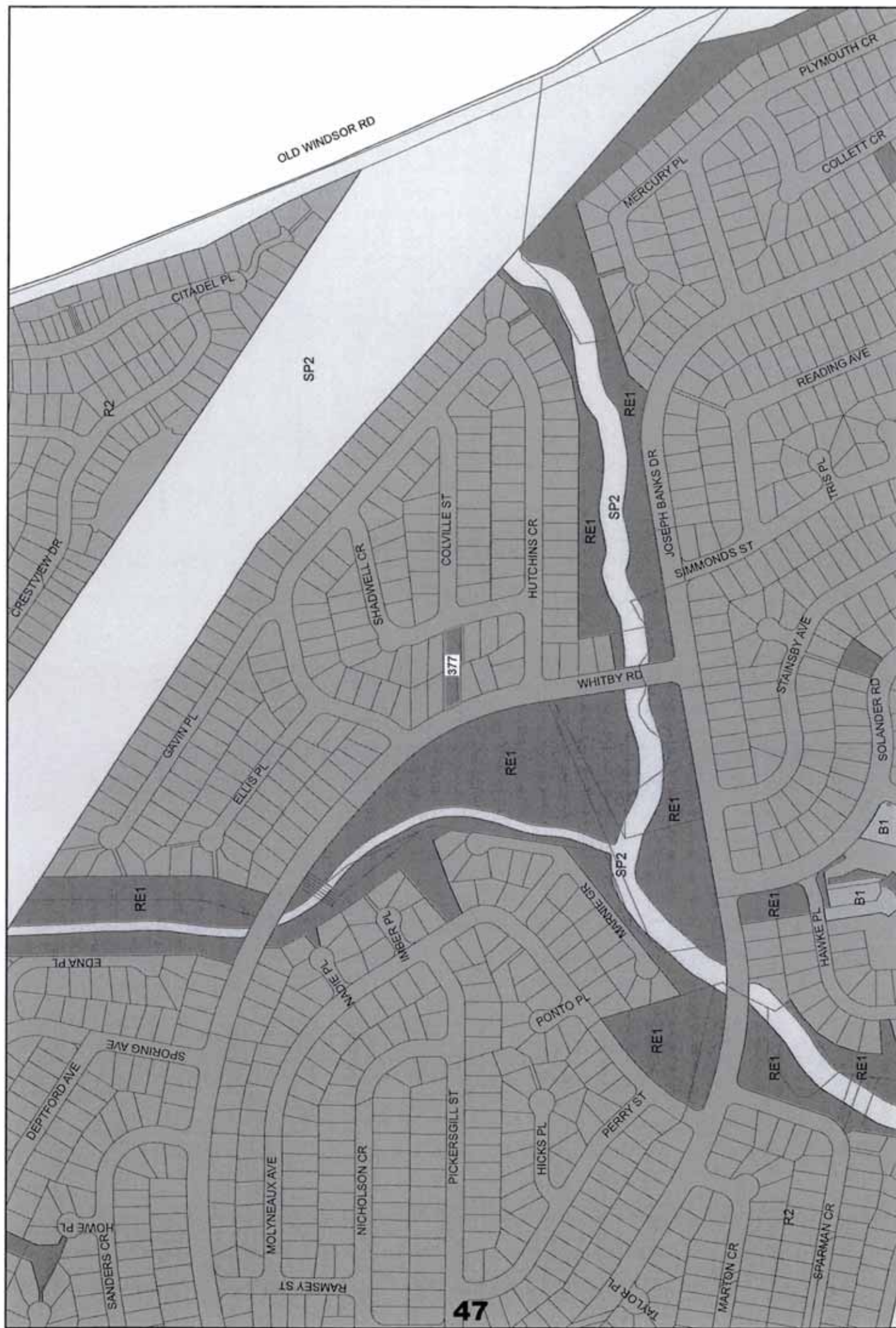
E. Detailed summary of issues

A detailed summary of each submission is at Appendix 1 and a summary of the issues raised at the public hearing is at Appendix 2.



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Reserve 377, Shadwell Crescent, Kings Langley
 Air Photo Image - Copyright Sinclair Knight Merz 2014



Reserve 377, Shadwell Crescent, Kings Langley
Current Land Zone

Reserve 114

Cooinda Street, Seven Hills

1. Recommendation

Proceed with exhibited proposal to rezone Reserve 114 to R2 Low Density Residential.

2. View of reserve



View of reserve from Cooinda Street facing east

3. Summary of community feedback

No written submission received from public exhibition.

No-one spoke about this reserve at the public hearing.

4. Key site details and information about Planning Proposal

Land details	The land is known as Lot 51 DP 31087 and has an area of 562 sqm. It was acquired in 1960 for 'public garden and recreation space' as part of a development subdivision. There is a covenant prohibiting fences. The estimated land value is \$600,000.
Effect of Planning Proposal	<p>Rezoning from RE1 Public Recreation to R2 Low Density Residential. This will also change the maximum height of building control to 9 m and the minimum lot size to 450sqm to match the new zoning.</p> <p>Reclassifying from 'Community' to 'Operational'.</p>
Justification for rezoning and reclassification	<p>The site does not provide significant community benefit in the form of public outdoor recreation space. Reserve 115 is located at the end of Cooinda Street and provides the local community with a better and larger area of easily accessible public outdoor recreation space.</p> <p>The sale of the land will allow Council to rationalise maintenance costs and free up funds to improve other more utilised district level reserves.</p>

5. Aerial photo



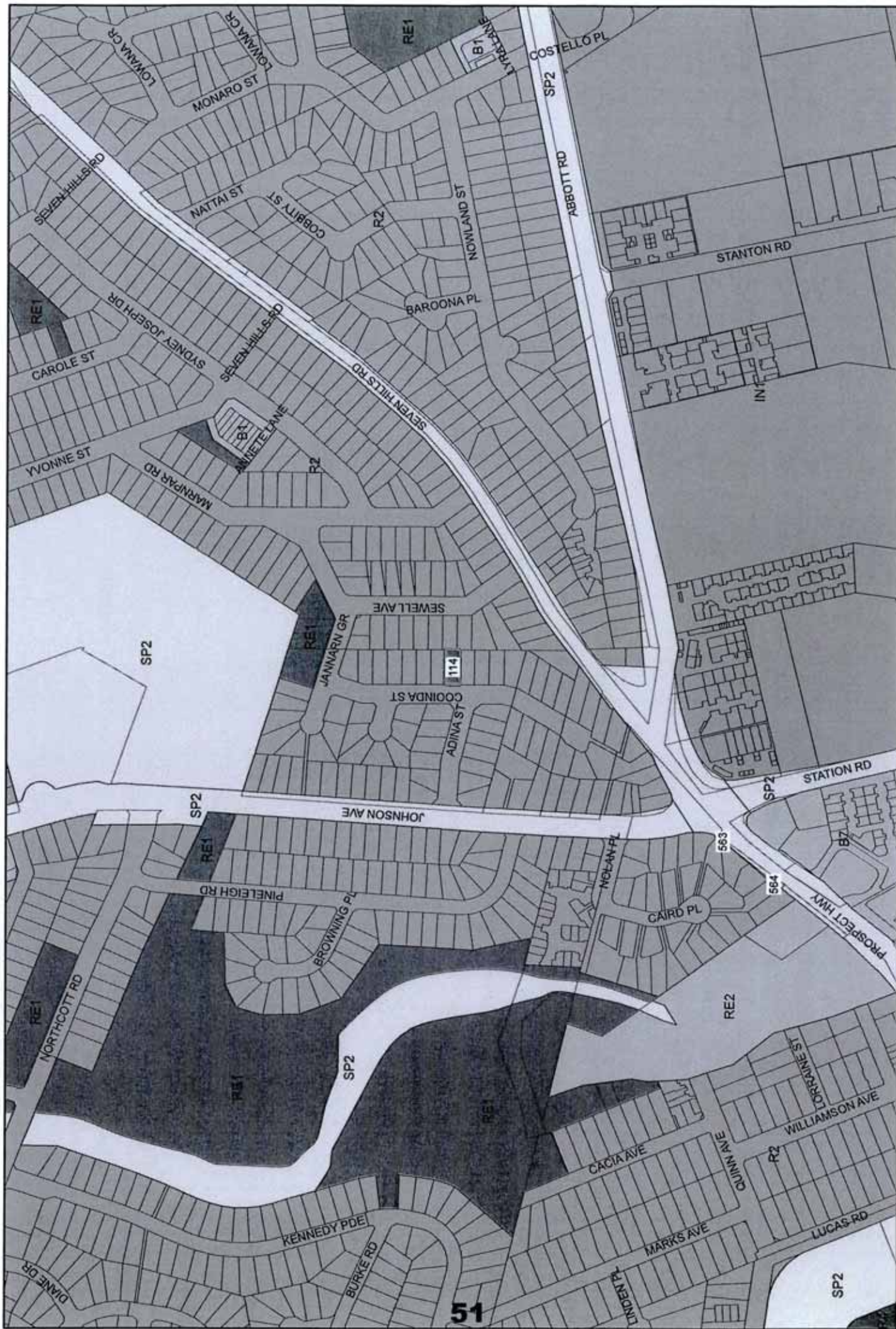
6. Proposed zoning of reserve – R2 Low Density Residential





Reserve 114, Coocinda Street, Seven Hills
Air Photo Image - Copyright Sinclair Knight Merz 2014





Reserve 114, Cooida Street, Seven Hills
Current Land Zone

Reserve 318

Hope Street, Seven Hills

1. Recommendation

Proceed with exhibited proposal to rezone part of Reserve 318 to R4 High Density Residential. The part of the reserve that is excluded from rezoning is the land along the laneway behind the existing shops and adjoining residential dwellings.

2. View of reserve



View of reserve from Hope Street facing east

3. Summary of community feedback

3 written submissions from public exhibition (1 in support, 2 objections).
No-one spoke about this reserve at the public hearing.

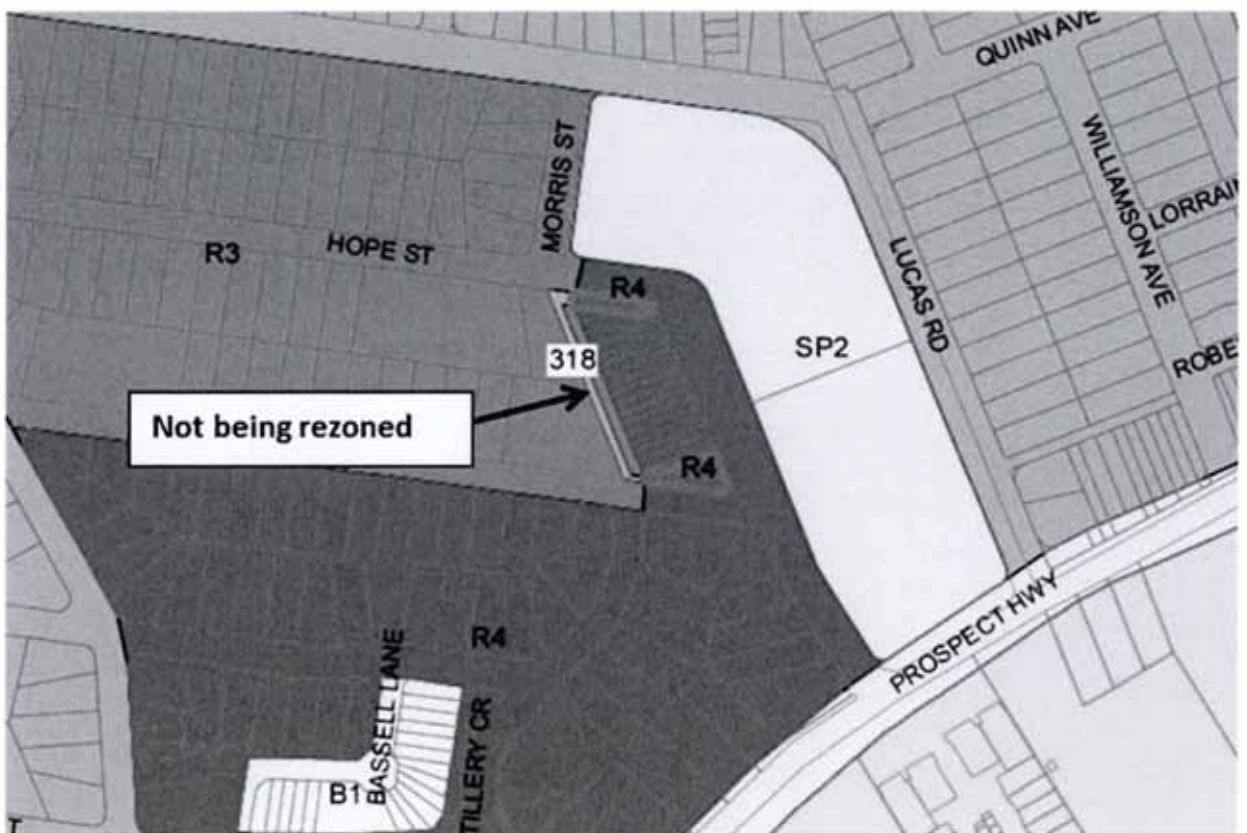
4. Key site details and information about Planning Proposal

Land details	The reserve is made up of 4 lots: Lot D DP 36060, Lot G DP 36466, Lot H DP 36466, Lot 362 DP 36466. The land has an area of 1,178 sqm and was dedicated to Council in 1974 as 'Public Reserve' under section 6(b) of the <i>Housing Act 1912</i> . The title has a caveat on it forbidding unauthorised dealings with public reserves. The estimated value of the site is \$10,000.
Effect of Planning Proposal	Rezoning from RE1 Public Recreation to R4 High Density Residential. This will also change the maximum height of building control to 14 m consistent with the adjoining R4 High Density Residential zone. Reclassifying from 'Community' to 'Operational'.
Justification for rezoning and reclassification	It is proposed to rezone and reclassify only that part of the reserve located to the east of the lane (Lot G DP 36466, Lot H DP 36466, and Lot 362 DP 36466). The lots are small and not currently used as public outdoor recreation space. It is considered reasonable to rezone the land to be consistent with the adjoining R4 High Density Residential zone. Funds from the sale of the land could be dedicated to improving the part of the reserve located along the western side of the lane.

5. Aerial photo



6. Proposed zoning of the reserve – Part R4 High Density Residential



7. Key issues raised during public consultation

A. Preserve the existing public open space in the local area

The 2 submitters who objected to the proposal report that they think that the rezoning is inconsistent with Council's objectives to maintain and improve its district reserves. They state that, because the population of the Blacktown region is growing significantly, Council should provide more open spaces rather than diminish them.

Objectors did not agree that the 'The lots are small and not currently used as public outdoor recreation space' and felt that this was inappropriate and may be misunderstood. They said that public reserves are an area of land set aside for public use and have value to the community even if they are not used for active recreation activities, because they can be used for picnics, family gatherings, children's playgrounds, gardens, scenery spots or as convenient resting / relaxing places for passers-by, etc.

Planning comment

The site was selected for rezoning by Ward Councillors based on the results of a comprehensive city-wide review of small reserves. This review was initiated by an action in the *Blacktown Recreation and Open Space Strategy*. It found that Reserve 318:

- Is unsuitable for use as public outdoor recreation space
- Is a vacant site with no play equipment
- Is a narrow strip of land along the laneway next to existing commercial premises
- Is a part of the laneway verge and has a footpath linked to the local pedestrian network.

The site consists of 2 small lots next to land zoned for R4 High Density Residential development. Within 300 m of the site is 'International Peace Park', which provides large areas of public open space, including sporting fields, pathways for walking and playground equipment.

The rezoning and reclassification of this reserve will make it possible for our Property Team to proceed with the sale of a small number of small reserves. This is considered to be the best use of available funding as proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.

The *Blacktown Recreation and Open Space Strategy* sets out Council's plan for efficiently and equitably providing our community with easy access to high quality open space across the City. Relevant to this Planning Proposal is the objective to make the most of our available resources and provide our community with high quality open spaces and recreational facilities that keep pace with the growing demands of our expanding population. Rationalising the size and number of local parks across our City is considered to serve this objective.

With regard to connected green corridors for walking and passive recreational activities, the Strategy includes an action plan for increasing the provision of trails and cycleways within linear parks and improving the corridors across and beyond our City.

The provision of open spaces, pathways for walking, playgrounds and other recreation facilities is carefully planned by our Recreation Planning and Design Team, so that residents across the City have equitable access to high quality facilities.

B. Potential impacts of future high density residential development on amenity and value of the neighbouring properties

The submitters who objected to the proposal said that, because the proposed changes will provide the opportunity for the land to be developed for high rise buildings, it is important to keep the reserve to help maintain the local street environment and diminish the potential side effects of possible future multiple storey building development, including loss of privacy and sunlight for dwellings along Hope Street. Additionally, they raised concerns that the rezoning may diminish neighbourhood land values.

Planning comment

The proposed R4 High Density Residential zone matches the zoning of adjoining land and is considered to be the most appropriate zone for the desired future character of the area. Given the size and shape of the land, it is considered inappropriate to use the land for open space and it is expected that the impacts of the future development on the site will be manageable.

The proposed zoning is consistent with adjoining land, and given the relatively small size of the land to be rezoned it is not expected that the rezoning will negatively impact on the value of surrounding properties. Both small sites comprising the rezoning will need to be developed in conjunction with redevelopment of the adjacent shops.

Site specific issues relating to the potential future development of the land, including setbacks, views, overshadowing and privacy, will be carefully considered as part of the assessment of future development proposals.

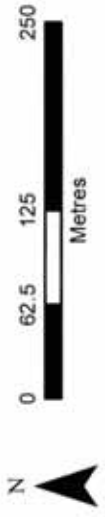
Any future development on the land will require development approval and must comply with the relevant planning controls in *Blacktown Local Environmental Plan (LEP) 2015* and *Blacktown Development Control Plan (DCP) 2015*. Part C of our DCP provides clear and detailed guidelines for development in residential zones. These planning controls ensure a high standard of design and minimise impacts on surrounding properties.

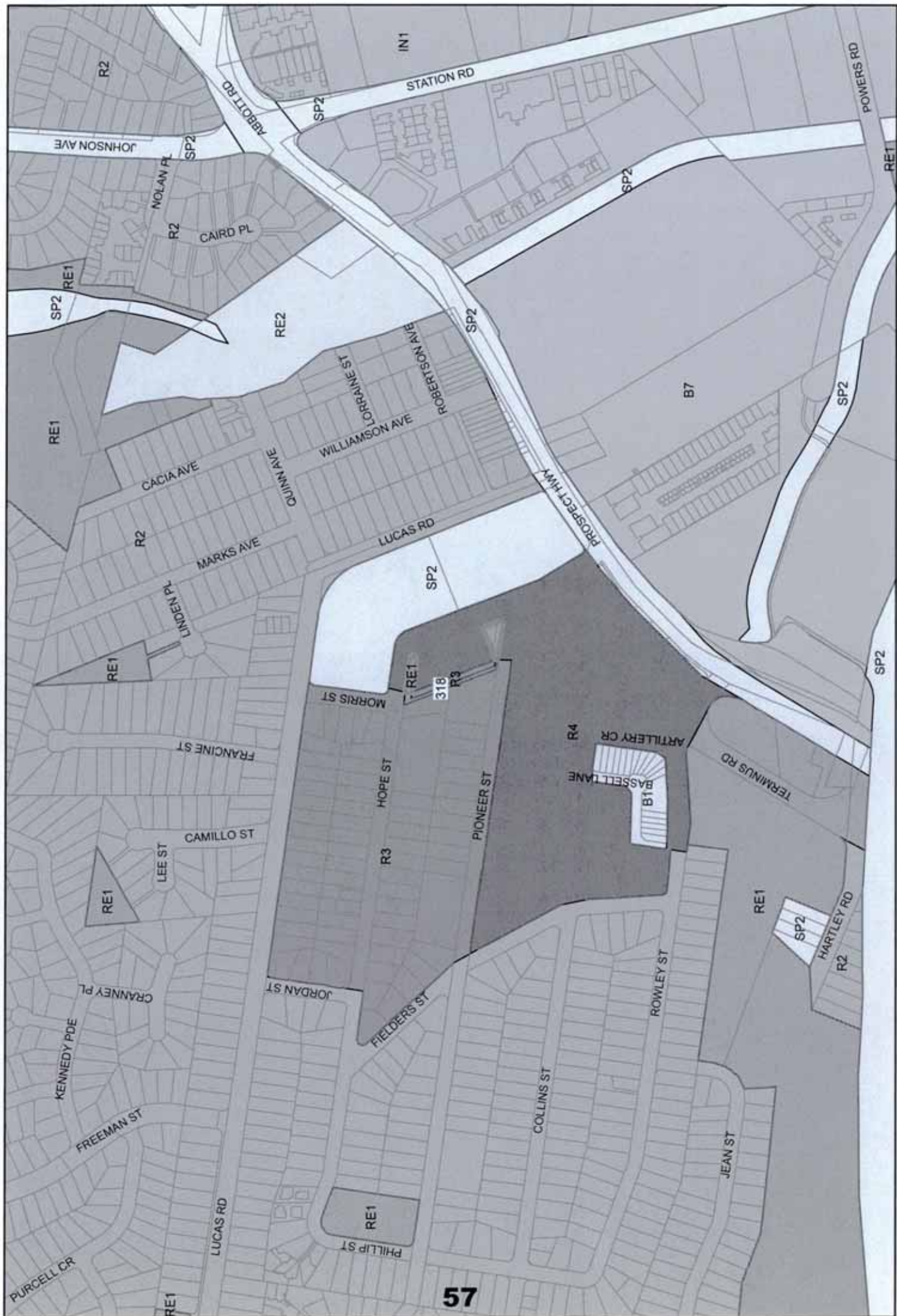
C. Detailed summary of issues

A detailed summary of each submission is at Appendix 1.



Reserve 318, Hope Street, Seven Hills
Air Photo Image - Copyright Sinclair Knight Merz 2014





Reserve 318, Hope Street, Seven Hills
Current Land Zone

Reserve 563

Prospect Highway, Seven Hills

1. Recommendation

Proceed with exhibited proposal to reclassify Reserve 563 Prospect Highway, Seven Hills from 'Community' land to 'Operational' land. The land is currently zoned R2 Low Density Residential and is a small narrow strip of land on the verge of Prospect Highway.

2. View of reserve



View of reserve from Prospect Highway facing north-west

3. Summary of community feedback

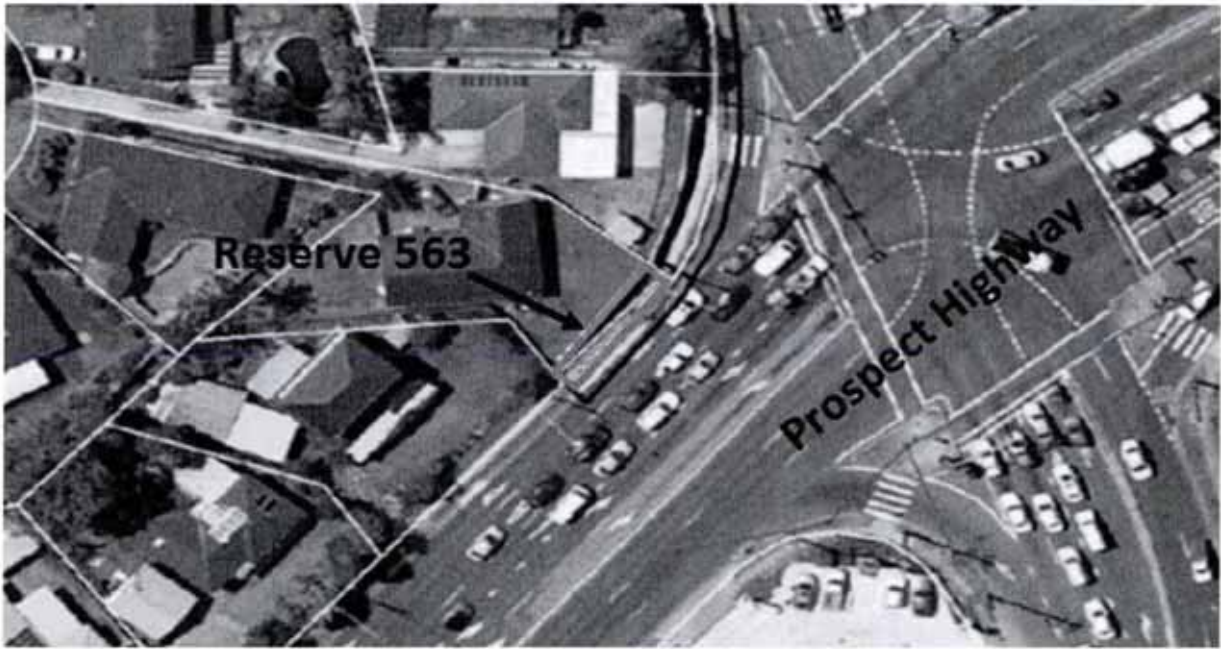
No written submission received from public exhibition.

No-one spoke about this reserve at the public hearing.

4. Key site details and information about Planning Proposal

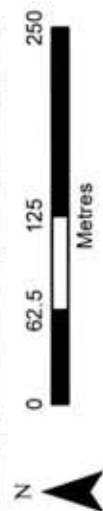
Land details	The land is known as Lot 47 DP 263823 and has an area of 157 sqm. It was acquired in 1983 for 'public reserve' and dedicated as part of a development subdivision. There is an easement for drainage over the land. It is affected by a caveat forbidding unauthorised dealings with public reserves and restrictions on the use of the land. The estimated land value is \$5,000.
Effect of Planning Proposal	Reclassifying from 'Community' to 'Operational'.
Justification for reclassification	<p>The subject site is an extremely small parcel of land on Prospect Highway that is too small to have value as recreation space or open space.</p> <p>The reclassification will facilitate the potential sale of the land, which will allow Council to dedicate more resources to maintaining and improving its district level reserves.</p> <p>Although the site has an area less than the minimum lot size, it is likely that the land will be purchased by adjoining landowners to slightly enlarge their existing property. This is considered to be a reasonable and orderly outcome for the sale of this unutilised site.</p>

5. Aerial photo

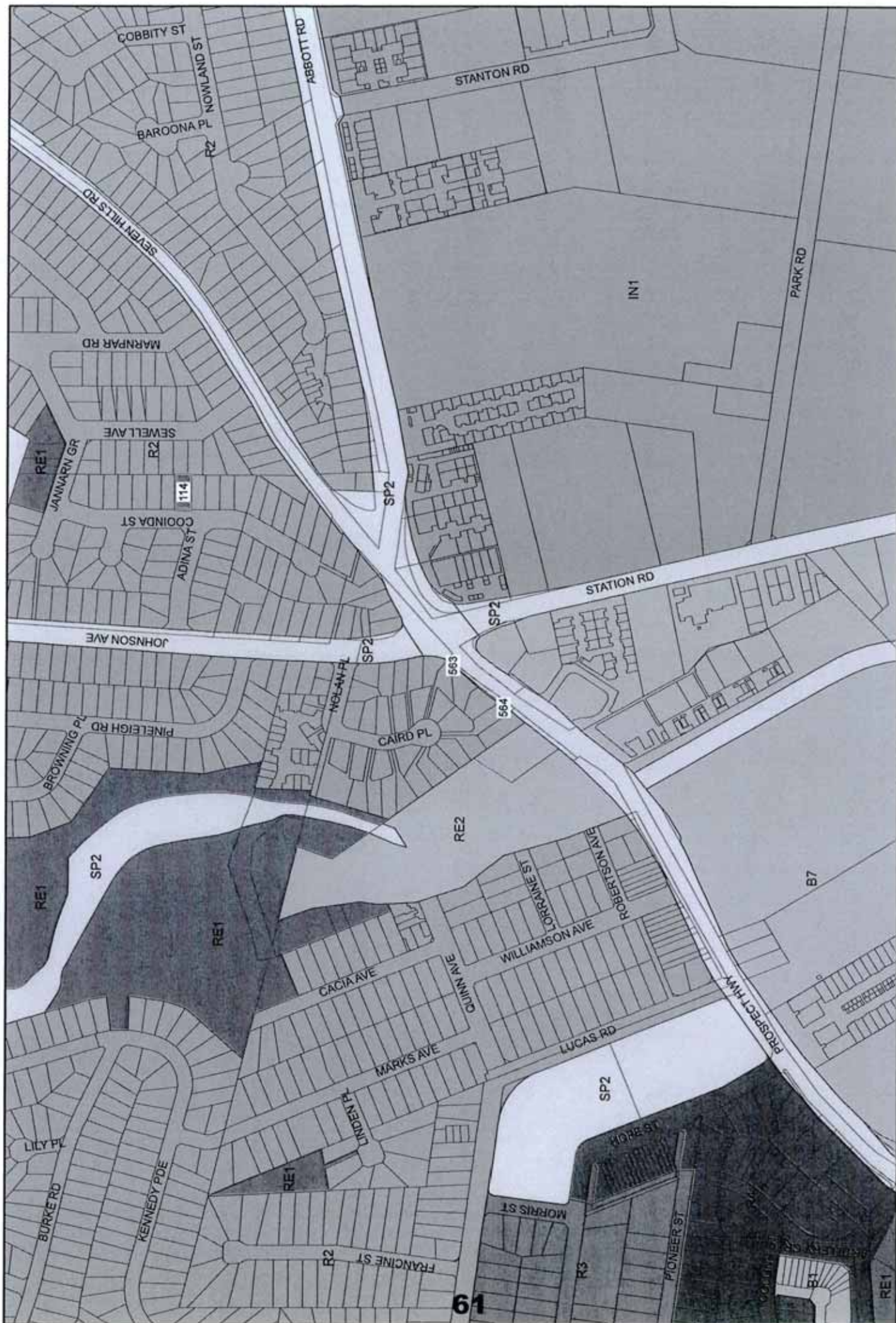


6. No rezoning – Land is proposed to be reclassified only

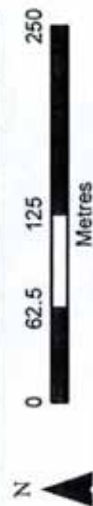




Reserve 563, Prospect Highway, Seven Hills
 Air Photo Image - Copyright Sinclair Knight Merz 2014



Reserve 563, Prospect Highway, Seven Hills
Current Land Zone



Reserve 564

Prospect Highway, Seven Hills

1. Recommendation

Proceed with exhibited proposal to reclassify Reserve 564 Prospect Highway, Seven Hills from 'Community' land to 'Operational' land. The land is currently zoned R2 Low Density Residential and is a small narrow strip of land on the verge of Prospect Highway.

2. View of reserve



View of reserve from Prospect Highway facing north-west

3. Summary of community feedback

- 1 written submission from public exhibition in support of the proposed rezoning.
- 1 attendee spoke about this reserve at the public hearing.

4. Key site details and information about Planning Proposal

Land details	The land is known as Lot 13 DP 262177 and has an area of 23 sqm. It was acquired in 1981 for 'public reserve' and dedicated as part of a development subdivision. There are no easements over the land. It is affected by a caveat forbidding unauthorised dealings with public reserves and restrictions as part of the use of the land. The estimated land value is \$5,000.
Effect of Planning Proposal	Reclassifying from 'Community' to 'Operational'.
Justification for reclassification	<p>The subject site is an extremely small parcel of land on Prospect Highway that is too small to have value as recreation space or open space.</p> <p>The reclassification will facilitate the potential sale of the land, which will allow Council to dedicate more resources to maintaining and improving its district level reserves.</p> <p>Although the site has an area less than the minimum lot size, it is likely that the land will be purchased by adjoining landowners to slightly enlarge their existing property. This is considered to be a reasonable and orderly outcome for the sale of this unutilised site.</p>

5. Aerial photo



6. No rezoning – Land is proposed to be reclassified only



7. Key issues raised during public consultation

A. Interest in purchasing the land

The submitter generally supports the Planning Proposal and expressed an interest in purchasing the reserve depending on the price.

Planning comment

Support of the Planning Proposal is noted.

The process for selling property is not relevant to the merit assessment of the Planning Proposal, which is limited to the appropriateness of the proposed reclassification of the land.

The submitter's details and concerns have been registered and will be forwarded to Council's Property Team, who will manage any potential future sale of the land.

B. Concern about loss of existing access to highway if reserve is sold to someone else

The submitter raised concerns that if someone other than the adjoining owner purchases the reserve then they will lose access to Prospect Highway. Additionally, they are concerned that the purchase of the land will increase their annual Council rates.

Planning comment

The process for selling property is not relevant to the merit assessment of the Planning Proposal, which is limited to the appropriateness of the proposed reclassification of the land.

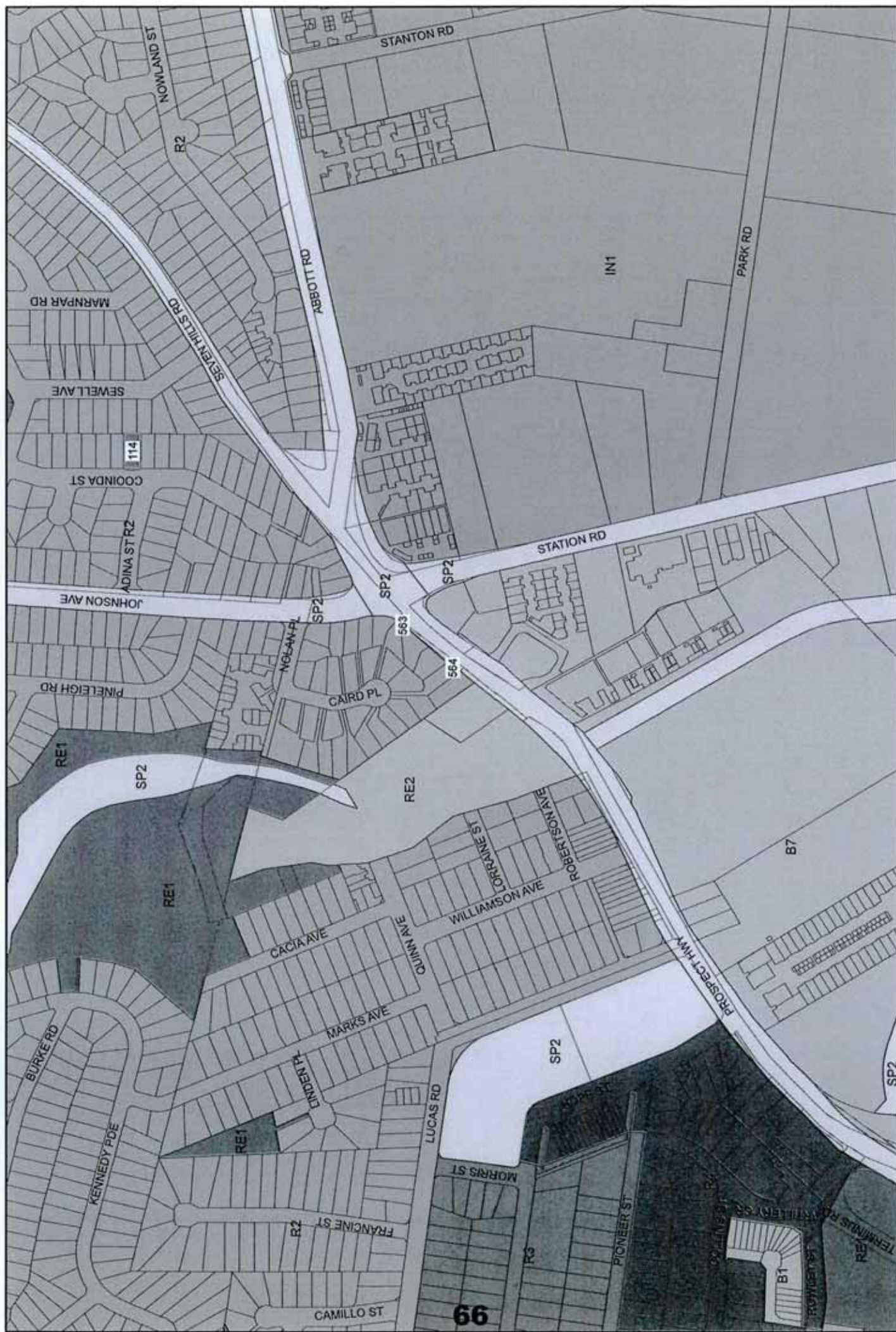
No final decision has been made about the sale of the land. However, given the small size and the location of the land, it is not expected that the sale of the land for private purposes would proceed if it would adversely impact on adjoining landowners. It is also noted that the resident's property is a battleaxe lot with Caird Place being the primary frontage.

C. Detailed summary of issues

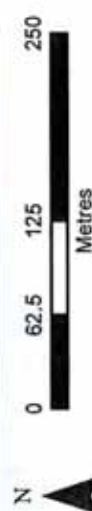
A detailed summary of the submission is at Appendix 1 and a summary of issues raised at the public hearing is at Appendix 2.



Reserve 564, Prospect Highway, Seven Hills
Air Photo Image - Copyright Sinclair Knight Merz 2014



Reserve 564, Prospect Highway, Seven Hills
Current Land Zone



Reserve 68

Freeman Street, Lalor Park

1. Recommendation

Proceed with exhibited proposal to rezone Reserve 68 to R2 Low Density Residential. The laneway linkage forms part of a wider pedestrian network and should be retained.

2. View of reserve



View of reserve from Freeman Street facing west

3. Summary of community feedback

1 written submission from public exhibition objecting to the proposed rezoning.
No-one spoke about this reserve at the public hearing.

4. Key site details and information about Planning Proposal

Land details	The land is known as Lot 491 DP 209195 and has an area of 2,403 sqm. It was dedicated to Council in 1974 by the NSW Housing Commission as 'public reserve' pursuant to Section 6(b) of the <i>Housing Act 1912</i> . There is currently no easement on the land. It has a caveat on it forbidding unauthorised dealings with public reserves. The estimated land value is \$1,800,000.
Effect of Planning Proposal	Rezoning from RE1 Public Recreation to R2 Low Density Residential. This will also change the maximum height of building control to 9 m and the minimum lot size to 450 sqm to match the new zoning. Reclassifying from 'Community' to 'Operational'.
Justification for rezoning and reclassification	The site does not provide significant community benefit in the form of public outdoor recreation space. The sale of the land will reduce Council's maintenance burden and proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.

5. Aerial photo



6. Proposed zoning of reserve – R2 Low Density Residential



7. Key issues raised during public consultation

A. Preserving and improving existing public open space in the local area

The submitter reports that children play in the reserve and residents currently help to maintain the reserve by mowing the grass and picking up rubbish. Their submission also said that they have previously requested Council put seating or play equipment in the reserve but did not get anything and as a ratepayer they expect to be heard.

Planning comment

The site was selected for rezoning by Ward Councillors based on the results of a comprehensive city-wide review of small reserves. This review was initiated by an action in the *Blacktown Recreation and Open Space Strategy*. The review found that Reserve 68:

- Is in close proximity to larger district level reserves - 'Chifley Reserve' and 'Wheeler Reserve'
- Contains a laneway linkage which forms part of wider pedestrian network and should be retained
- Has no play equipment
- Has good development potential based on its size and location.

The *Blacktown Recreation and Open Space Strategy* sets out Council's plan for efficiently and equitably providing our community with easy access to high quality open space across the City. Relevant to this Planning Proposal is the objective to make the most of our available resources and provide our community with high quality open spaces and recreational facilities that keep pace with the growing demands of our expanding population. Rationalising the size and number of local parks across our City is considered to serve this objective.

The rezoning and reclassification of this reserve will make it possible for our Property Team to proceed with the sale of a small number of small reserves. This is considered to be the best use of available funding as proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.

Local residents have access to several nearby open spaces for recreational activities, including 'Chifley Reserve' and 'Wheeler Reserve'. These reserves have community facilities, recreational facilities and playground equipment for children. The provision of playgrounds and other recreation facilities is carefully planned by our Recreation Planning and Design Team so that residents across the City have equitable access to high quality facilities.

It is also noted that there is a mature tree on the site that may require inspection. However, the future of this tree is not a matter for this Planning Proposal, but is a future consideration for our Property Team and at the time of subdivision/development applications.

B. Potential impacts on local wildlife, particularly birds

There are various types of birds in the reserve and the submitter is concerned that they will disappear if the reserve is built over.

Planning comment

Reserve 68 is not part of a green corridor and maps in Council records show that there are no endangered or sensitive ecological communities on the land.

With respect to birdlife and existing vegetation, the site is not densely vegetated and the surrounding area is developed for low density residential activities. The biodiversity values of the site are relatively low. It is unlikely that the proposed R2 Low Density Residential zoning will significantly affect the biodiversity of the local area.

C. Potential impacts on the views from submitter's home

The submitter is an adjoining landowner and reports that they lived there for many years and they are concerned about losing the nice view to the reserve. Their front door opens to the reserve. In addition, the extension of a neighbouring house has already blocked their view.

Planning comment

The proposed R2 Low Density Residential zone is consistent with the existing character and zoning of the surrounding local area. Site specific issues relating to the potential future development of the land, including views, overshadowing and privacy, will be carefully considered as part of future development assessment processes.

Any future development on the land will require development approval and must comply with the relevant planning controls in *Blacktown Local Environmental Plan (LEP) 2015* and *Blacktown Development Control Plan (DCP) 2015*. These planning controls ensure a high standard of design and minimise impacts on surrounding properties. Part C of our DCP provides clear and detailed guidelines for development in residential zones.

D. Detailed summary of issues

A detailed summary of the submission is at Appendix 1.

Reserve 69

Freeman Street, Lalor Park

1. Recommendation

Proceed with exhibited proposal to rezone Reserve 69 to R2 Low Density Residential. The laneway linkage forms part of a wider pedestrian network and should be retained.

2. View of reserve



View of reserve from Freeman Street facing east

3. Summary of community feedback

1 written submission from public exhibition in support of the proposed rezoning.
No-one spoke about this reserve at the public hearing.

4. Key site details and information about Planning Proposal

Land details	The land is known as Lot 601 DP 31954 and has an area of 2,719 sqm. It was dedicated to Council in 1974 by the NSW Housing Commission as 'public reserve' pursuant to Section 6(b) of the <i>Housing Act 1912</i> . The estimated land value is \$1,837,500.
Effect of Planning Proposal	Rezoning from RE1 Public Recreation to R2 Low Density Residential. This will also change the maximum height of building control to 9 m and the minimum lot size to 450sqm to match the new zoning. Reclassifying from 'Community' to 'Operational'.
Justification for rezoning and reclassification	The site does not provide significant community benefit in the form of public outdoor recreation space. The sale of the land will reduce Council's maintenance burden and proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.

5. Aerial photo



6. Proposed zoning of reserve – R2 Low Density Residential



7. Key issues raised during public consultation

A. Submitter supports the proposal and is interested in purchasing the land

The submitter lives within 200 m of the reserve and agrees that the reserve does not benefit the community as it has no public toilets, playground, barbeque area or seats and is just a blank block of land.

Agree that the proposed R2 Low Density Residential zone is appropriate and consistent with the surrounding area.

Planning comment

The support of the Planning Proposal is noted and the submitter's details were added to a register that will be forwarded to Council's Property Team who will manage the potential future sale of the land.

The site was selected for rezoning by Ward Councillors based on the results of a comprehensive city-wide review of small reserves. This review was initiated by an action in the *Blacktown Recreation and Open Space Strategy*. It found that Reserve 69:

- Is in close proximity to larger district level reserves - 'Chifley Reserve' and 'Wheeler Reserve'
- Contains a laneway linkage which forms part of a wider pedestrian network and should be retained
- Has no play equipment
- Has good development potential considering its size and location.

The *Blacktown Recreation and Open Space Strategy* sets out Council's plan for efficiently and equitably providing our community with easy access to high quality open space across the City. Relevant to this Planning Proposal is the objective to make the most of our available resources and provide our community with high quality open spaces and recreational facilities that keep pace with the growing demands of our expanding population. Rationalising the size and number of local parks across our City is considered to serve this objective

Local residents have access to several nearby open spaces for recreational activities, including 'Chifley Reserve' and 'Wheeler Reserve'. These reserves have community facilities, recreational facilities and playground equipment for children.

The rezoning and reclassification of this reserve will make it possible for our Property Team to proceed with the sale of a small number of small reserves. This is considered to be the best use of available funding as proceeds from the sale can be devoted to other community purposes, including the upgrading of major open spaces.

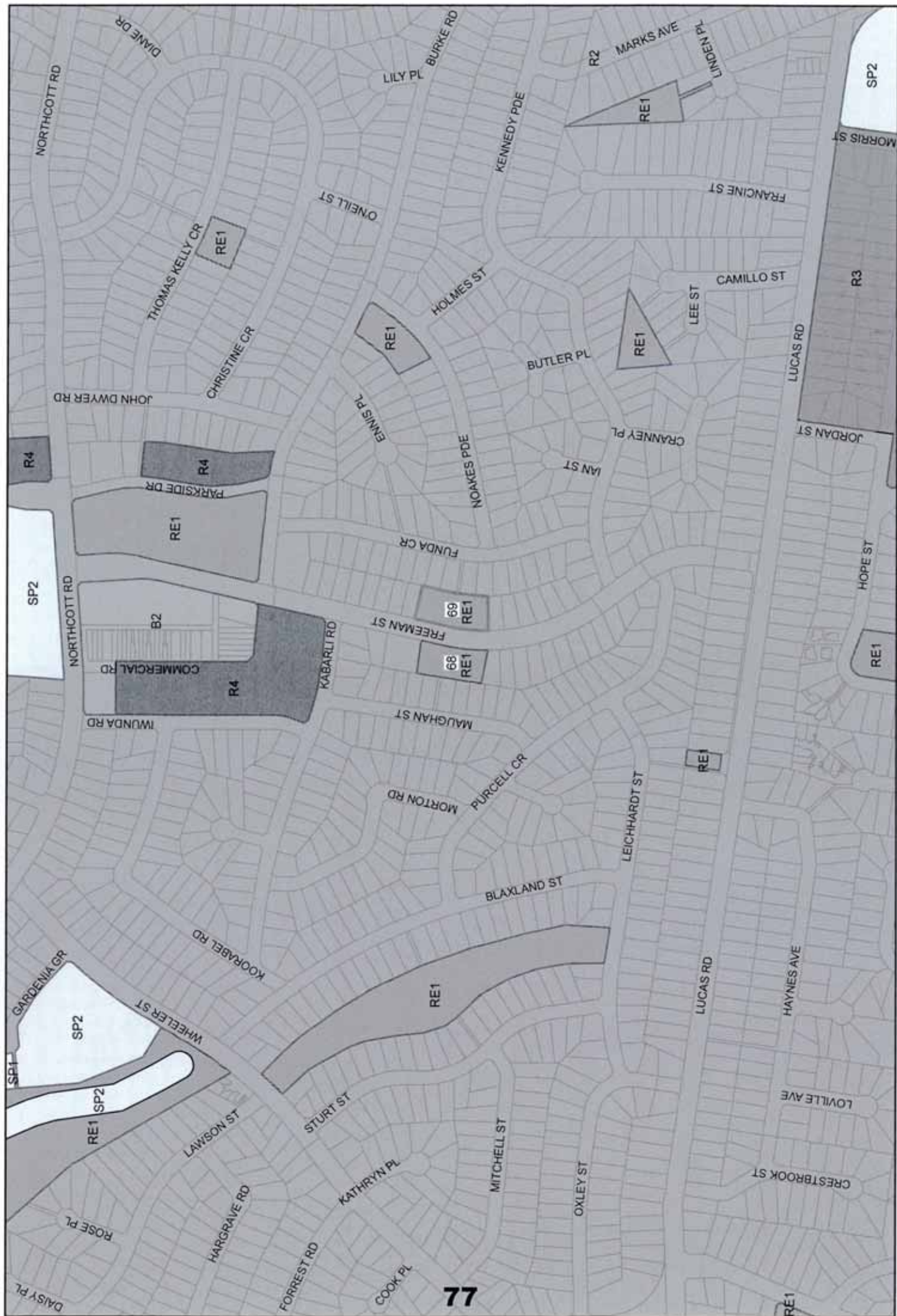
It is considered that the proposed R2 Low Density Residential zone will result in orderly development of the land that is consistent with the scale and character of the surrounding area. The local area is well-established and developed for low density residential activities with access to local shops, public outdoor recreation facilities and bus services.

B. Detailed summary of issues

A detailed summary of the submission is at Appendix 1.

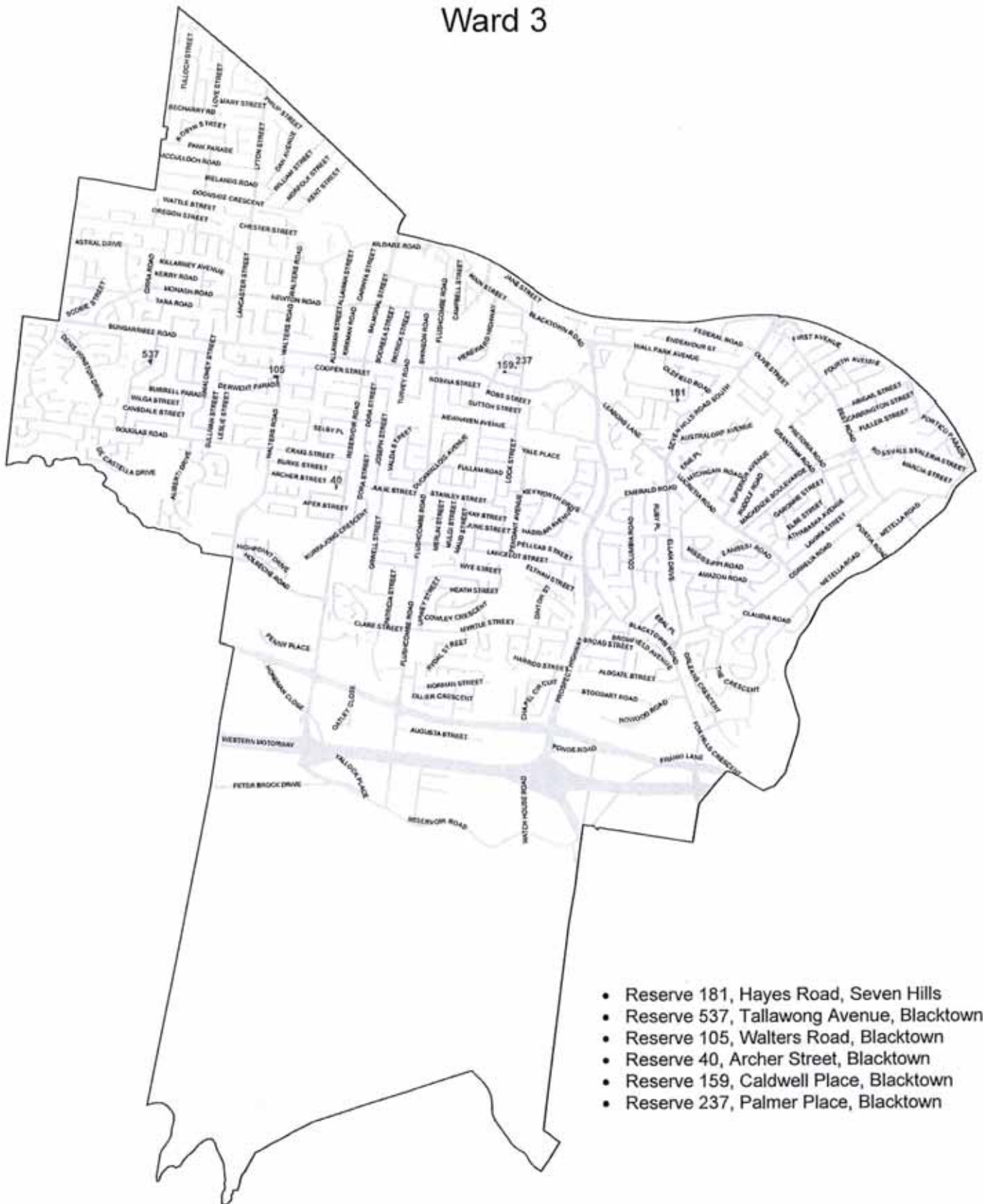


Reserve 69, Freeman Street, Lalor Park
 Air Photo Image - Copyright Sinclair Knight Merz 2014



Reserve 69, Freeman Street, Loral Park
Current Land Zone

Ward 3



- Reserve 181, Hayes Road, Seven Hills
- Reserve 537, Tallawong Avenue, Blacktown
- Reserve 105, Walters Road, Blacktown
- Reserve 40, Archer Street, Blacktown
- Reserve 159, Caldwell Place, Blacktown
- Reserve 237, Palmer Place, Blacktown

Legend

- Reserve
- Ward Boundary
- Road

Ward 3 small reserves

No.	Reserve	Exhibition results	Our recommendation
1	Reserve 181 Hayes Road, Seven Hills	1 submission (1 unclear)	Rezone
2	Reserve 537 Tallawong Avenue, Blacktown	1 submission (1 objects)	Rezone
3	Reserve 105 Walters Road, Blacktown	22 submissions (3 support, 10 object and 9 objection petitions with over 600 signatures)	Not rezone
4	Reserve 40 Archer Street, Blacktown	1 submission (1 objects)	Rezone
5	Reserve 159 Caldwell Place, Blacktown	2 submissions (2 support)	Rezone
6	Reserve 237 Palmer Place, Blacktown	2 submissions (1 supports, 1 objects)	Rezone

Reserve 181

Hayes Road, Seven Hills

1. Recommendation

Proceed with exhibited proposal to rezone Reserve 181 to R2 Low Density Residential.

2. View of reserve



View of reserve from Hayes Road facing north

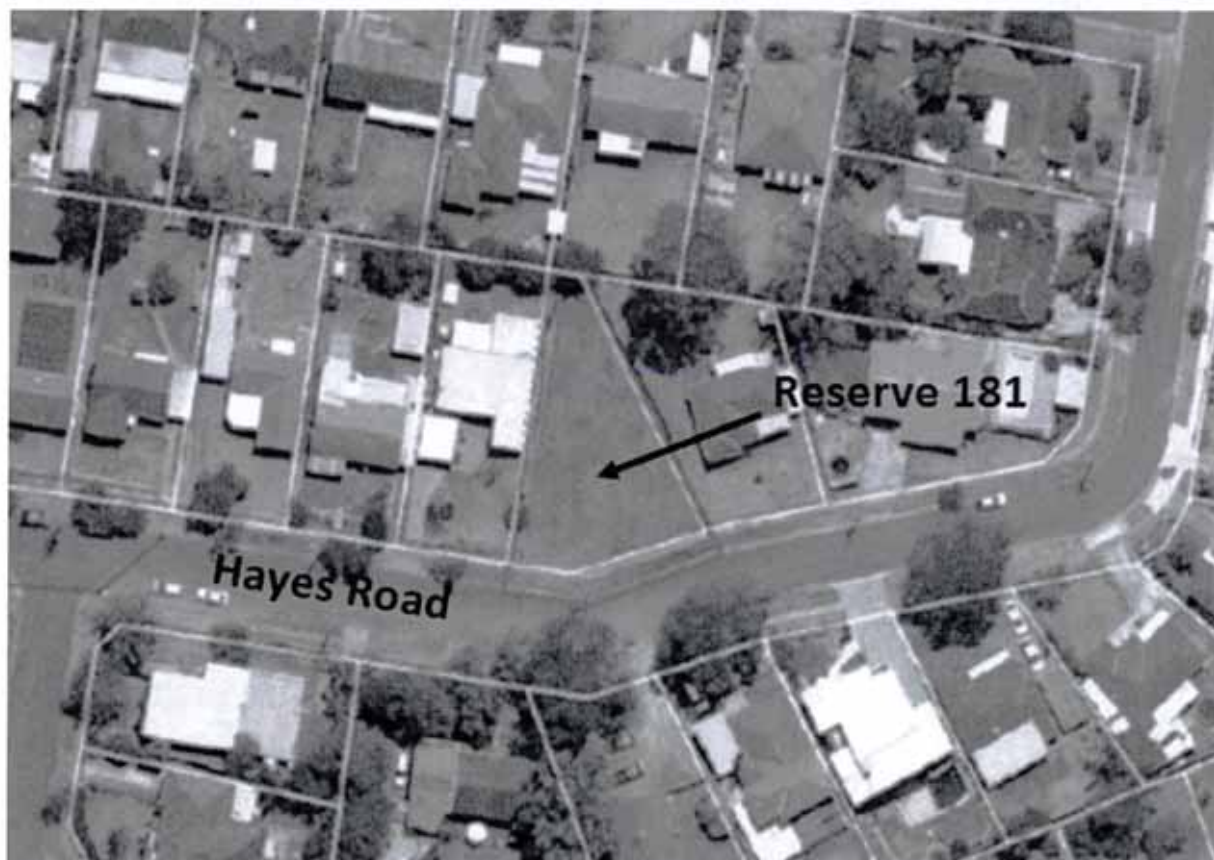
3. Summary of community feedback

1 written submission from public exhibition with a general comment.
No-one spoke about this reserve at the public hearing.

4. Key site details and information about Planning Proposal

Land details	The land is known as Lot 50 DP 28701 and has an area of 567 sqm. It was acquired in 1958 for 'public reserve' and dedicated as part of a development subdivision. There is a covenant prohibiting fences. The estimated land value is \$550,000.
Effect of Planning Proposal	Rezoning from RE1 Public Recreation to R2 Low Density Residential. This will also change the maximum height of building control to 9 m and the minimum lot size to 450 sqm to match the new zoning. Reclassifying from 'Community' to 'Operational'.
Justification for rezoning and reclassification	The site does not provide significant community benefit in the form of public outdoor recreation space. There are a number of reserves within 400 m radius of the subject site which provide suitable outdoor recreation space to meet community needs. The sale of the land will reduce Council's maintenance burden and will free funds to improve other more utilised outdoor recreation areas.

5. Aerial photo



6. Proposed zoning of reserve - R2 Low Density Residential



7. Key issues raised during public consultation

A. Potential future development impact on drainage

The submitter is concerned that they will be inundated with water runoff through their property because there is no drainage pipe behind their houses in Orana Avenue and Reserve 181 slopes down towards their property. Additionally, they are concerned that the new owner of the reserve will be liable to sort out the water drainage issues.

The submitter reported that they have written about the drainage issue to Council on a couple of occasions but never received a reply.

Planning comment

We have forwarded the drainage concerns to our Property Team for consideration before they finalise any plans for sale of the land.

Any future development must comply with the relevant planning controls in *Blacktown Local Environmental Plan (LEP) 2015* and *Blacktown Development Control Plan (DCP) 2015*. These planning controls ensure a high standard of design and minimise impacts on surrounding properties. Part C of our DCP provides clear and detailed guidelines for development in residential zones.

Site specific issues relating to the potential future development of the land, including drainage, will be carefully considered as part of future development assessment processes. The land will not be able to be developed unless it can be effectively drained, and not to the detriment of adjoining properties.

B. Detailed summary of issues

A detailed summary of the submission is at Appendix 1.



Reserve 181, Hayes Road Seven Hills
 Air Photo Image - Copyright Sinclair Knight Merz 2014



Reserve 181, Hayes Road, Seven Hills
Current Land Zone



Reserve 537

Tallawong Avenue, Blacktown

1. Recommendation

Proceed with exhibited proposal to rezone Reserve 537 to B1 Neighbourhood Centre.

2. View of reserve



View of reserve from Tallawong Avenue facing north-west

3. Summary of community feedback

1 written submission from public exhibition objecting to the proposed rezoning.
No-one spoke about this reserve at the public hearing.

4. Key site details and information about Planning Proposal

Land details	The land is known as Lot 615 DP 29101 and has an area of 972 sqm. It was acquired in 1958 for 'Public Garden and Recreation Space' and dedicated as part of a development subdivision. It is affected by an easement for electricity and a covenant prohibiting fences and advertising structures. A caveat forbids unauthorised dealings with public reserves. The estimated value of the land is \$972,000.
Effect of Planning Proposal	Rezoning from RE1 Public Recreation to B1 Neighbourhood Centre. This will also change the maximum height of building control to 12 m to match the new zoning. Reclassifying from 'Community' to 'Operational'.
Justification for rezoning and reclassification	The subject site is not utilised for recreation and is located in close proximity to other larger areas of public outdoor recreation space. It is considered appropriate to rezone the land B1 Neighbourhood Centre consistent with the adjoining land. The rezoning and reclassification of the land will enable its sale and provide for the community need for more commercial land.

5. Aerial photo



6. Proposed zoning of reserve – B1 Neighbourhood Centre



