
Assessment Against the Practice Note 'PN16-001 Classification and reclassification of public land through a local environmental plan'

Site and Legal Description	Site:	75A, 75B and 75C Marco Avenue, Revesby
	Legal Description:	Lot 1 DP214260 Lot 2 DP214260 Lot 3 DP214260

Provide a copy of the titles for all lots to be reclassified	The Titles for all lots to be reclassified are included in Appendix H.
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Specify if the land is a 'public reserve' (defined under the LG Act) provide a summary of council's interests in the land including how the land was first acquired and the nature of any trusts or dedications	<p>The land is not defined as a 'public reserve' as defined under the LG Act 1999. Councils' interests in the land, including how the land was first acquired, and the nature of any trusts or dedications are summarised below.</p> <p><u>Historical Context</u></p> <p>Council's records show the site was resumed for a public purpose in 1937. Subsequently, Council extended the Marco Avenue roadway through the land to create two separate areas. The area to the north of Marco Avenue is an active recreation area with an aquatic centre and sporting field. The park is referred to as Amour Park, the aquatic centre is known as the 'Max Parker Leisure and Aquatic Centre'.</p> <p>The land south of Marco Avenue has never served as open space. Over several decades, it was leased by the NSW Government to provide housing and community facilities for individuals with disabilities. This historical usage is evidenced by records maintained by the Council. The site was previously leased for various purposes, including by organisations such as the Intellectually and Physically Handicapped Children's Association of NSW, the Department of Ageing, Disability and Home Care (DADHC), a Women's Health Facility, a Uniting Dive Childcare, and the Whitehall Children's Home, as detailed in Explanatory Note 3 of the Planning Proposal.</p> <p>When the Commonwealth and NSW Governments changed their funding and care arrangements for people with disabilities, the buildings were demolished, and it became a strategic development site to fund the upgrade of the existing community facilities within the locality or to fund the purchase of land better suited as open space. It is currently vacant, fenced off and is not accessible to the public.</p>
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History of the site - 'Whitehall'

	<p>In 1961, Council leased the land to the Intellectually and Physically Handicapped Children’s Association of NSW for a nominal rent. The lease permitted the construction of a building on the site, with the condition that the Association would bear all costs associated with the facility’s operation and management. This lease was renewed in 1982 for a further 21 years. In late 2002, the Association expressed its intention to disband and requested to assign the lease responsibility to the Department of Ageing, Disability and Home Care.</p>
<p>The strategic and site specific merits of the reclassification and evidence to support this;</p>	<p>The request was considered by Council and Council resolved that the deed of assignment be granted until 30 June 2006.</p> <p>The Open Space Needs analysis for Revesby, as outlined in Explanatory Note 2, identifies the requirement for open spaces within the Revesby Town Centre. The analysis conclusively demonstrates that there is an excess of open space to accommodate present and future demands without the need for the RE1 zoned land at 75A-75C Marco Avenue, Revesby. Below, this planning proposal provides additional rationale to support this assertion.</p> <p>For more information on how this matter is addressed in detail, refer to Part 2 Explanation of Provisions of the planning proposal.</p>
<p>Whether the planning proposal is the result of a strategic study or report;</p>	<p>Council adopted the Local Area Plan at its Extraordinary Meeting of 11 May 2016. While the Local Area Plans have been subsumed into the Council’s LSPS and now gazetted CBLEP 2023, they remain applicable to the longer-term strategic planning and open space provision actions of Council. The Local Area Plan details Council’s endorsed approach to sustainably accommodate residential and employment growth based on the centre’s hierarchy, and outline the delivery of supporting infrastructure, facilities and open space. Based on this set of criteria, this planning proposal seeks to (Action L1, page 51 and Action G1, page 104):</p> <ul style="list-style-type: none"> • Divest the site which is surplus to Council’s infrastructure needs. • Reclassify the site from community land to operational land. • Rezone the site from a RE1 zone to a R4 zone to reflect the proximity to the commercial core and Amour Park. <p>The divestment funds would be allocated by Council to support the upgrade of the exiting community facilities within the locality or purchase land better suited as open space.</p> <p>For more information on how this matter is addressed in detail, refer to Part 2 Explanation of Provisions of the planning proposal.</p>
<p>Whether the planning proposal is consistent with council’s community plan or other local strategic plan;</p>	<p>As above, the rezoning of the land at 75A, 75B and 75C Marco Avenue, Revesby and its reclassification is entirely consistent with Council’s adopted strategic planning framework and is endorsed by Council.</p>

<p>The effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged)</p>	<p>The reclassification of the land will provide the opportunity for new high density apartment housing to be delivered on the land that is located within walking distance of the Revesby Railway station, shops and services and public recreation facilities and open space. The provision of housing within the Revesby Centre aligns with the objective of the LSPS to locate housing in centres and the sale of the land will ensure funds are spent by Council on new or improved community facilities. The land currently is fenced off and now accessible to the community with exception of the small hall building on the western end of the site.</p>
<p>Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);</p>	<p>The proposed reclassification of the land at 75A, 75B and 75C Marco Avenue, Revesby is the subject of a planning proposal PP-2024-536. At the Council's Ordinary Meeting of 24 October 2023 (refer to Item 5.1 page 47 of the Agenda, and meeting minutes), Council resolved to proceed with the planning proposal to rezone the land at 75A, 75B and 75C Marco Avenue, Revesby. In order to implement the Council's resolution, reclassifying the land from Operational to Community is required.</p>
<p>How council may or will benefit financially, and how these funds will be used;</p>	<p>The proceeds of the sale of the land will be held by Council for use on community infrastructure in the Revesby area. See below.</p>
<p>Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.</p>	<p>None applicable. Any comments received during the exhibition of the planning proposal and at the public hearing for the reclassification of the land will be considered by Council prior to a decision being made whether to proceed with the finalisation of the planning proposal.</p>
<p>Advise whether an interest in land is proposed to be discharged and if so an explanation of the reasons why</p>	<p><u>Establishment of a Working Party</u></p> <p>A report was submitted to Council on 27 June 2006 on the future uses of the former Whitehall Children's Home, Revesby and Council resolved the following:</p> <ul style="list-style-type: none"> • <i>A Councillors inspection of the former Whitehall site and its facilities be arranged at a suitable time.</i> • <i>Following that inspection, a further report be brought back to Council on the preferred options for the site.</i> • <i>A Working Party of Councillors and staff be convened to provide a recommendation to Council on the future use of the site.</i> <p>A Working Party of interested Councillors and staff was established in response to Council's resolution on 27 June 2006. The Working Party convened on multiple occasions to deliberate on the future uses of the land and buildings. One key consideration was accommodating the Coolaburra Neighbourhood Centre, which eventually led to the refurbishment of the Padstow Park Progress Hall to house the Centre.</p>

Considerations of the Working Party

Four options were identified and considered by the Working Party regarding the site and its buildings:

- Option 1: Refurbishment of the building to accommodate appropriate community services
- Option 2: Sale of the site with existing buildings
- Option 3: Demolition of the building, sale of part of the site and construction of an appropriate community facility with the proceeds of the sale
- Option 4: Demolish the building and return of the total site within the adjacent parkland.

Following several meetings between the Working Party considering all 4 options, it was agreed that the following 2 options presented the most feasible opportunity for the site and were to be put to Council.

Option 1 - Refurbishment of the existing buildings

This option entailed maintaining the community land classification, zoning, and existing buildings, with a focus on exploring potential adaptive reuse opportunities for various community groups. The approach involved either allocating the site to selected groups or initiating an expression of interest process to assess community demand and interest openly.

Considering the constraints imposed by the community land classification and current zoning regulations, the buildings were assessed to have the capacity to accommodate a range of programs and services suitable for various not-for-profit organisations. However, it was noted that this process would be restricted to community organisations aligned with supporting the Bankstown Community.

Given the age and condition of the existing facility, which would have necessitated an investment of approximately \$420,000 (in 2006) to bring it up to current Building Code of Australia requirements, coupled with the potential for minimal return on investment, the working group deemed this option to be the less viable of the two alternatives.

Option 2 - Sale of the site (preferred option)

A valuation was conducted for the site in August 2006 as part of an initial assessment of potential options for the facility and for future planning purposes.

In 2006, the valuation report indicated that the site could potentially accommodate 16-18 villas or townhouses on an area of approximately 5,526m². Consequently, the valuation was estimated to fall within the range of \$2.4-2.8 million. This

assessment assumed that the land was operational, devoid of any improvements, zoned as 2(a) Residential, and capable of supporting 16-18 villa 'town house' style dwellings.

This option emerged as the preferred choice among the majority of the Working Party members, contingent upon certain conditions:

- Council offering suitable accommodation for the Coolaburro Neighbourhood Centre at the Padstow Park Progress Hall on Ryan Road, Padstow. This matter had been previously addressed by Council, with refurbishment completed to facilitate the relocation of the Coolaburro Neighbourhood Centre.
- The responsibility for demolishing the existing structures on the site would lie with the purchaser of the site.

This option was viewed as advantageous for Council, as it promised a greater one-off financial return while also addressing and aligning with some of the requirements of the new planning legislation at the time.

Council recommendation and resolution

On 24 February 2009, Council unanimously resolved at its ordinary meeting that:

- 1 Council agrees in principle to sell the three sites known as 75A, 75B and 75C Marco Avenue Revesby (Lots 1,2 & 3, DP214260, Marco Avenue, Revesby).
- 2 Council proceeds with the demolition of the buildings and structures located on the Whitehall; site as a matter of urgency and this project be listed as a capital work project in the current year's program
- 3 Council identified funds of up to \$160,000 to cover the cost of the building demolition and reflects the budget variation in its next quarterly review
- 4 Demolition be subject to Council's normal tender procedures.
- 5 (i) Council resolves to prepare and exhibit a Draft Local Environmental Plan to amend the zone and FSR of the sites known as 75A, 75B and 75C Marco Avenue in Revesby (Lots 1, 2 & 3, DP 214260).
(ii) Council resolves to prepare and exhibit a Draft Local Environmental Plan to reclassify the sites known as 75A, 75B and 75C Marco Avenue in Revesby (Lots 1, 2 & 3, DP 214260) from Community land to Operational land within the meaning of the Local Government Act 1993.
(iii) Council advise the Department of Planning (DoP) of this decision in accordance with section 54 of the environmental Planning and Assessment Act, and request delegation under sections 65 and 69 of the act in accordance with the Best Practice Guidelines published by the DoP entitled "LEPS and Council land - Guidelines for Councils using delegated powers to prepare LEPs involving land that is or was controlled by Council".

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- (iv) Council holds a public hearing following exhibition regarding the proposed reclassification of the sites known as 75A, 75B and 75C Marco Avenue in Revesby (Lots 1, 2 & 3, DP 214260) in accordance with section 68 of the Environmental Planning and Assessment Act.
 - (v) Council consider a further report on the matter at the closure of the exhibiting period and after the report from the public hearing has been received
- 6 All proceeds from the future sale be placed in the Land Investment Fund and held for Community purposes in accordance with the future City plan priorities and the relevant Budget process
- 7 Discussion and negotiations on options for the existing scout activities conducted at the Revesby Scout Hall be held with the Scout Association.

A copy of this Council Resolution is included in Appendix M.

Discussion

It should be noted that since the valuation was obtained for the site, the market has experienced a significant increase in property prices. A more recent valuation was conducted for the site in January 2023. The valuation rationale used was the sale in one line to form one large R4 zoned high density residential development site of about 6,948.7m². On the basis of adopting an FSR of 1.6:1 the consolidated site(s) have a GFA area of about 11,118m², and at an average density rate of approximately 80m² per unit, the potential yield is estimated to be approximately 139 units.

After analysing sale evidence, adopting a range of \$950-\$1300 per square metre of GFA. And an approximate range of \$75,000 - \$100,000/unit site, it was estimated that the market value range of the site is \$10,500,000 to \$14,500,000. This represents a significant increase in comparison to the valuation received in 2006.

Given the very specific nature of the previous use of this facility, the site has not played a significant role in the provision of general community services accommodation and public recreation open space facilitation for the community of Canterbury Bankstown. Council leased the property of Lot 1 to the Scout Association of NSW for use by the 1st Revesby Scouts in 1962. Council resolved in 1961 to lease the land to the Scout Association, build the hall and sell the building back to the scouts at a value of 1,000 pounds. That payment was made by the Scouts in 1967, fulfilling their obligations. The buildings have since been demolished by Council.

When the 1st Revesby Scouts were deregistered, the hall management was transferred to the East Hills Pipes and Drums Scout Fellowship. The Scout Group in turn sublet the hall for use by non-scouting groups for activities such as dancing and fitness classes with Council's approval. Like many other leases, the Scout association lease expired on 20 June 2003, and it has been

operating on a month-by-month basis ever since. Lots 1,2 and 3 have been largely disused since the relinquishment of the lease agreement.

Given the current market conditions, a need for well-located housing near existing public transport and centres, and opportunities for reinvestment from proceeds of the sale of the site, this planning proposal seeks to rezone Lots 1, 2, and 3 from RE1 to R4, apply new height and FSR controls to align with adjacent existing R4 zoned land and reclassifying the land from Community to Operational. Proceeds from the sale would be allocated to community purposes associated with the provision of new or improved community infrastructure in the Revesby area such as contributing funds to possible future upgrades of the Max Parker Aquatic Centre or Amour Park enhancements.

Provide details of current or proposed business dealings (e.g. agreement for the sale or lease of the land)

75A Marco Avenue, Revesby (Lot 3 DP 214260) has no active registered, unregistered or proposed business dealings and no historic lease agreements of note.

75B Marco Avenue, Revesby (Lot 2 DP 214260) has no active registered, unregistered or proposed business dealings. The following historic lease agreements once applied to the land in the past:

- Lease to Renny Maxwell Campbell, John Drummond Edwards and Ivan James (unknown)
- Lease to the Intellectually and Physically Handicapped Children's Association of new South Wales (1961 – 30 June 2003)
- Lease to the Department of Ageing, Disability and Home Care (2003 – 30 June 2006)

75C Marco Avenue, Revesby (Lot 1 DP 214260) has no active registered, unregistered or proposed building dealings. The following historic lease agreements applied to the land:

- Lease to the Scout Association of Australia, New South Wales Branch, (unknown – 20 June 2003, currently ongoing month-to-month extension)

Provide any plan of management that applies to the land explain how Council will ensure the funds remain available to fund community infrastructure within the area or acquiring land better suited for open space purposes

During council's Ordinary Meeting on 24 February 2009, Council resolved to sell the three sites. One of the resolution conditions states:

"6. All proceeds from the future sale be placed in the Land Investment Fund and held for Community purposes in accordance with future City Plan priorities and the relevant Budget process."

At the Council's Ordinary Meeting of 24 October 2023 ([refer to item 5.1 page 47 of the Agenda](#), and [meeting minutes](#)), Council resolved to proceed with the planning proposal to rezone the land at 75A, 75B and 75C Marco Avenue, Revesby. In order to implement the Council's resolution, reclassifying the land from Operational to Community is required.

On the basis of the above Council Resolutions, Council will proceed with the rezoning and reclassification of the land and maintain the funds of the sale in a separate fund which shall not be used for any other purpose than those noted in the resolution.

Provide a Land Reclassification Map

A Land Reclassification Map for the site is included in Appendix J
