



Planning,
Industry &
Environment

IRF21/1313

Gateway determination report – PP-2021-2980

Billabong Reclassification: Land at Apex
Park and Bradbury Park (0 homes, 0 jobs)

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Table 1: Reports and plans supporting the proposal

Relevant reports and plans
Attachment A – Planning Proposal – February 2021
Attachment A1 – LEP Practice Note PN-16-001
Attachment A2 – Land Tittle Search – 18 November 2020
Attachment A3 – Council Report – 9 February 2021
Attachment A4 – Council Resolution – 9 February 2021
Attachment A5 – Letter to DPIE – 11 February 2021

1 Planning Proposal

1.1 Overview and objectives of planning proposal

Table 2: Planning proposal details

LGA	Campbelltown
PPA	Campbelltown City Council
NAME	Reclassification of Land at Apex Park and Bradbury Park (0 homes, 0 jobs)
NUMBER	PP-2021-2980
LEP TO BE AMENDED	Campbelltown Local Environmental Plan 2015
ADDRESS	Apex Park and Bradbury Park, Bradbury, Campbelltown
DESCRIPTION	<ul style="list-style-type: none"> • Part Lot 532 DP 230227, The Parkway, Bradbury (<i>Incorporating Bradbury Park and The Gordon Fetterplace Aquatic Centre</i>) • Lot 1 DP 137067, The Parkway, Bradbury (<i>incorporating Bradbury Park</i>) • Lot 4 DP 259807, The Parkway, Bradbury (<i>incorporating Bradbury Park</i>) • Lot 66 DP 1127402, The Parkway, Bradbury (<i>incorporating Bradbury Park</i>) • Part Lot 67 DP 1127402, The Parkway, Bradbury • Part Lot 68 DP 1127402, 318 Queen Street, Campbelltown • Lot 35 DP 702933, The Parkway, Bradbury (<i>incorporating Bradbury Park</i>) • Part Lot 1 DP 213026, The Parkway, Bradbury (<i>incorporating Bradbury Park</i>)
RECEIVED	8/04/2021
FILE NO.	IRF21/1313
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objective of the planning proposal is the reclassification of land located at Apex Park and Bradbury Park from Community to Operational. The purpose of the reclassification of land is to facilitate the ongoing use and management of the Campbelltown Billabong Parklands, which is currently under construction. Located within the site is the Gordon Fetterplace aquatic centre, basketball and netball courts, a skate park, play equipment, and the Bradbury Oval and clubhouse.

1.2 Explanation of provisions

The planning proposal seeks to amend the Campbelltown LEP 2015 as per the changes below:

Table 3: Current and Proposed controls

Control	Current	Proposed
Number of dwellings	N/A	N/A
Number of jobs	N/A	N/A
Reclassify land from	Community	Operational

The planning proposal objectives and intended outcomes are unclear as it states “*the planning proposal will be achieved by amending the CLEP 2015 through the inclusion of the subject site as Operational Land under Part 1 of Schedule 4 of the CLEP 2015. The proposed wording is outlined below in Figure 3 - Insert into Part 2 of Schedule 4 of CLEP 2015*”.

Council have clarified by email (**Attachment Email**) that the objectives and intended outcomes of the planning proposal will be achieved by amending the CLEP 2015 through the inclusion of the subject site as ‘Operational Land’ under Part 2 of Schedule 4 of the CLEP 2015.

Table 4: Proposed wording to be inserted into CLEP 2015

Column 1	Column 2
Locality	Description
Bradbury Park and Apex Park	Part Lot 532 DP 230227 Lot 1 DP 137067 Lot 4 DP 259807 Lot 66 DP 1127402 Part Lot 67 DP 1127402 Part Lot 68 DP 1127402 Lot 35 DP 702933 Part Lot 1 DP 213026

1.3 Site description and surrounding area

The site is located approximately 500m south west of Campbelltown CBD. The site comprises of the 8 Lots, as listed above (**Table 4**), that form Bradbury Park and Apex Park (**Figure One**). The site is bound by the Oxley Bypass and The Parkway to the west, and residential housing to the east (**Figure Two**).

The site is zoned RE1 Public Recreation and located within the site is the Gordon Fetterplace aquatic centre, basketball and netball courts, a skate park, play equipment, and the Bradbury Oval and clubhouse. Fishers Ghost Creek runs between the parks (North South).

As part of the Western Sydney City Deal, Campbelltown City Council will deliver the Campbelltown Billabong Parklands, a landmark and iconic swimming lagoon at Apex Park and Bradbury Park. The project will create a series of interlinked and flexible open spaces in a riverine-like parkland setting. It will offset the urban heat island effect experienced in the Campbelltown CBD, integrate with adjacent areas to create a community and recreational hub and celebrate Campbelltown's Aboriginal community through sensitive interpretation within the project design.

The Campbelltown Billabong Parklands project has received funding of \$31,000,000 which included \$7,500,000 from the Australian Government, \$7,500,000 from the NSW Government and \$16,000,000 from Council.

The Campbelltown Billabong Parklands project is under construction and is due to be completed in June 2022. In order to facilitate the project and ensure that the site successfully operates as a Billabong, a planning proposal is required to make the land operational.



Figure 1 Subject site (source: Planning Proposal)

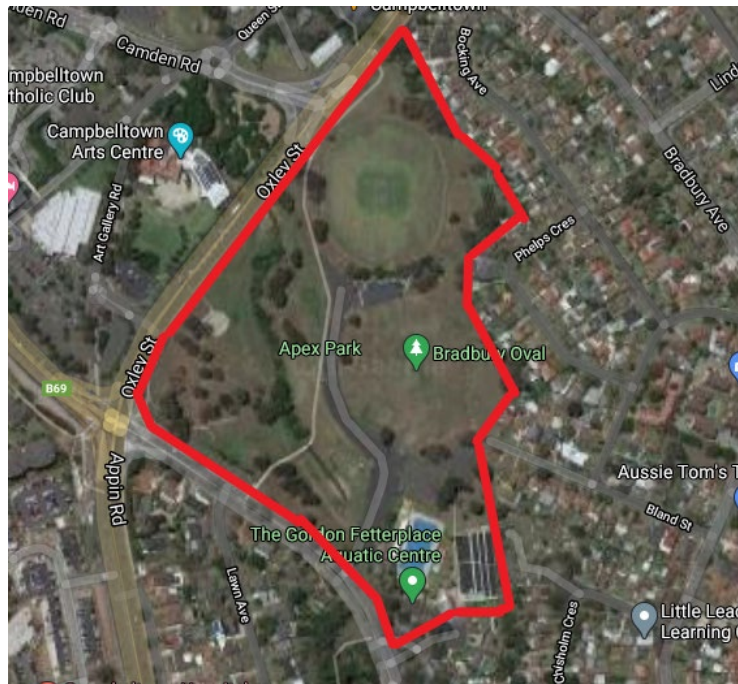


Figure 2 Site context (source: Google Maps)



Figure 3 Billabong (source: Planning Proposal)

1.4 Mapping

The planning proposal does not seek to amend or propose any mapping. The site will remain zoned RE1 Public Recreation.

2 Strategic assessment

2.1 Regional Plan

The following table (**Table 5**) provides an assessment of the planning proposal against relevant aspects of the Greater Sydney Regional Plan.

Table 5 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 6. Services and infrastructure meet communities' changing needs	The reclassification will enable continued embellishment of the Bradbury Park and Apex Park to meet the needs of the community
Objective 7. Communities are healthy, resilient and socially connected	The reclassification will enable continued embellishment of the Bradbury Park and Apex Park to meet the health and wellbeing needs of the community

2.2 District Plan

The site is within the Western City District and the Greater Sydney Commission released the Western City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets. The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 6 District Plan assessment

District Plan Priorities	Justification
Planning Priority W3 - Providing services and social infrastructure to meet people's changing needs	The reclassification will enable continued embellishment of the Bradbury Park and Apex Park to meet the needs of the community
Planning Priority W6 - Creating and renewing great places and local centres, and respecting the District's heritage	The reclassification will enable continued embellishment of the Bradbury Park and Apex Park with the design of the Billabong is aligning with local Indigenous and Aboriginal communities to promote the importance that the community has played in the past and in the future.
Planning Priority W18 - Delivering high quality open space	The reclassification will enable continued embellishment of the Bradbury Park and Apex Park and will create a new and improved open space area that will be utilised by many community residents.

2.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 7 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	<p>The LSPS identifies the Campbelltown Billabong as a key component in promoting Campbelltown as becoming a vibrant and liveable city. Priority 4 of the LSPS details the construction of the Campbelltown Billabong as being a short-term action which would aid in developing a new public open space for the residents of Campbelltown. The reclassification of the subject site will assist Council to:</p> <ul style="list-style-type: none"> • unlock potential management options and future complementary co-located facilities. • allow for greater flexibility and unlock other land uses for community benefit. • the embellishment of the remainder park including the current playing fields at the northern end of the site so that the facilities can cater for large groups and provide recreational opportunities year-round.
Re-imagining Campbelltown CBD	<p>The subject site is within the boundary of the Reimagining Campbelltown CBD study area and is consistent with the Master Plan and the four key growth principles:</p> <ul style="list-style-type: none"> • Centre of opportunity • No grey to be seen • City and bush • The good life <p>The planning proposal assists in the development of the Billabong and will provide a green friendly Council amenity within the Campbelltown CBD and will provide an environmental outlet within an urban setting that will be able to be utilised by the residents of Campbelltown.</p>

2.4 Section 9.1 Ministerial Directions

As stated in the planning proposal, this reclassification of land is consistent with relevant section 9.1 directions.

The table below (**Table 8**) details all 9.1 directions applicable to this planning proposal.

Table 8: 9.1 Ministerial Direction assessment

Directions	Consistent	Reasons for Consistency or Inconsistency
6.2 Reserving Land for Public Purposes	Yes	The planning proposal does not propose any additional land for public purposes, it only seeks to reclassify existing public land from community to operational land to facilitate the provision of public services and facilities.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Yes	The planning proposal achieves the overall intent of the precinct plans and does not undermine the achievement of its objectives, planning principles and priorities for the urban renewal corridor.

7.12 Implementation of Greater Macarthur 2040	Yes	The planning proposal achieves the overall intent of the Greater Macarthur 2040 plan and does not undermine the achievement of its objectives, planning principles and priorities for the Greater Macarthur Growth Area.
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2.5 State environmental planning policies (SEPPs)

As stated in the planning proposal this reclassification of land is consistent with relevant SEPPs. Relevant SEPPs that comply are listed in **Table 9**.

Table 9 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Proposal	Complies
SEPP 19 – Bushland in Urban Areas	The general aim of this Policy is to protect and preserve bushland within the urban area	The planning proposal does not affect the bushland in the subject area.	Yes
SEPP (Sydney Region Growth Centres) 2006	Land use in recreational zoned	The planning proposal seeks to enhance, restore and protect the natural and cultural heritage values of the land.	Yes

3 Site-specific assessment

3.1 Environmental

The site is public open space used for sport and recreation. The proposed reclassification of land will enable the embellishment of Bradbury Park and Apex Park. It is noted that this planning proposal seeks to reclassify land from community to operational and therefore does not directly impact biodiversity. In addition, Council's planning proposal states "there is no critical habitat or threatened species, populations' or ecological communities or habitat located on the site".

3.2 Social and economic

The planning proposal is not supported by a social or economic technical study, as the planning proposal seeks to reclassify the land from community to operational land to facilitate the development of the Campbelltown Billabong Parklands. The reclassification will enable continued embellishment of the Bradbury Park and Apex Park to create a new and improved open space area that will be utilised by many community residents. The parks will continue to be owned by Council and open to the community to use.

3.3 Infrastructure

The planning proposal will not result in a need for additional public infrastructure.

4 Consultation

4.1 Community

A community consultation period of 28 days is required by LEP Practice Note PN-16-001.

The minimum 28-day exhibition period proposed is considered appropriate, followed by a public hearing, as required by LEP Practice Note PN-16-001.

4.2 Agencies

No agencies are required to be consulted with on the planning proposal.

5 Timeframe

Council proposes a 12 month time frame to complete the LEP.

The Department recommends a time frame of 12 months to allow for potential timeframe delays relating to Council elections on 4 September 2021 and adequate time in gaining the Governors approval. Also, to ensure the LEP is completed in line with the Departments commitment to reduce processing times without a need for timeframe extensions, it is recommended that if the Gateway is supported it also includes conditions requiring Council to adhere to the following specified milestone dates.

A condition to the above effect is recommended in the Gateway determination.

- Public exhibition by 1 September 2021
- Public hearing by 1 November 2021
- Send planning proposal to DPIE for Governor Approval and finalisation of the LEP by 24 December 2021

6 Local plan-making authority

Council does not request delegation to be the Local Plan-Making authority.

7 Assessment Summary

The planning proposal is supported to proceed to Gateway with conditions for the following reasons:

- To align with the Practice Note 16-0001, where all relevant interests as identified in the planning proposal are to be extinguished and discharged prior to public exhibition of the planning proposal.

8 Recommendation

It is recommended the delegate of the Secretary:

- Agree that there are no inconsistencies with section 9.1 Directions

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
 - align with the requirements of Practice Note 16-0001, where all relevant interests identified be extinguished and discharged prior to public exhibition.
2. Prior to community consultation the planning proposal is to be revised to address condition 1
3. The planning proposal should be made available for community consultation for a minimum of 28 days followed by a public hearing by the following dates:
 - Public exhibition to commence by 1 September 2021

- Public hearing to be held by 1 November 2021
4. The planning proposal must be finalised 12 months from the date of the Gateway determination. Council must send planning proposal to DPIE for Governor Approval and finalisation of the LEP by 24 December 2021
 5. Given the nature of the proposal, Council should not be authorised to be the local plan-making authority.



9 April 2021

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12 April 2021

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