



## **Planning Proposal**

**Reclassification of Land at Apex Park and Bradbury Park  
from Community Land to Operational Land to facilitate the  
Campbelltown Billabong Project**

**May 2021**

## **Introduction**

This Planning Proposal seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) and explains the intent of, and justification for, the reclassification of land located at Apex Park and Bradbury Park from Community to Operational Land. The purpose of the reclassification of land is to facilitate the ongoing use and management of the Billabong which is under construction, and any future co-located facilities, following funding under the Western Sydney City deal to construct the Billabong.

## **The Site**

The subject site currently includes the following properties:

- Part Lot 532 DP 230227, The Parkway, Bradbury, (Incorporating Bradbury Park and The Gordon Fetterplace Aquatic Centre)
- Lot 1 DP 137067, The Parkway, Bradbury, (incorporating Bradbury Park)
- Lot 4 DP 259807, The Parkway, Bradbury, (incorporating Bradbury Park)
- Lot 66 DP 1127402, The Parkway, Bradbury, (incorporating Bradbury Park)
- Part Lot 67 DP 1127402, The Parkway Bradbury,
- Part Lot 68 DP 1127402, 318 Queen Street, Campbelltown
- Lot 35 DP 702933, The Parkway, Bradbury, (incorporating Bradbury Park)
- Part Lot 1 DP 213026, The Parkway, Bradbury, (incorporating Bradbury Park)

A map of the subject site is provided in Figure 1 below.



Figure 1: Subject site

The subject site incorporates 8 lots as identified above and are all owned and managed by Council. The site is currently zoned RE1 – Public Recreation and is identified as Community Land. The purpose of the planning proposal is to reclassify the land from community to operational land.

## Background

In March 2018 the Greater Sydney Commission released 'A Metropolis of Three Cities – The Greater Sydney Region Plan', together with five supporting district plans which establish a clear future vision for Greater Sydney to 2056.

As part of the Western Sydney City Deal, the three levels of government committed to provide \$150 million towards the Western Parkland City Liveability Program. The Program includes \$60 million each from the Australian and NSW governments and a minimum contribution of \$30 million from City Deal Councils (Blue Mountains City, Camden, Campbelltown City, Fairfield City, Hawkesbury City, Liverpool City, Penrith City and Wollondilly Shire). Some Councils contributed additional funding which will result in the Program far exceeding the initial \$150 million commitment. Taken together with committed the total funding for the Program will exceed \$190 million.

In January 2019, the Federal Minister for Population, Cities and Urban Infrastructure, the Hon Alan Tudge MP and NSW Minister for Western Sydney, the Hon Stuart Ayres MP jointly announced

projects valued at up to \$149.82 million under Round One of the Western Parkland City Liveability Program. These projects will provide vital community infrastructure and public spaces across the Western Parkland City, including parks, sporting facilities, rejuvenated town centres and art and cultural event spaces.

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, Bradbury. 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 project 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.

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.

### **Existing Situation**

The site currently comprises 8 lots of land that form part of Bradbury Park and Apex Park. The site is located on the corner of Moore-Oxley Bypass and The Parkway in Bradbury. The site incorporates Bradbury Oval and associated clubhouse, a skate park, basketball and netball courts and the Gordon Fetterplace aquatic centre.

The site is zoned RE1 – Public Recreation under the Campbelltown Local Environmental Plan 2015. A zoning map of the site is shown in Figure 2 below.

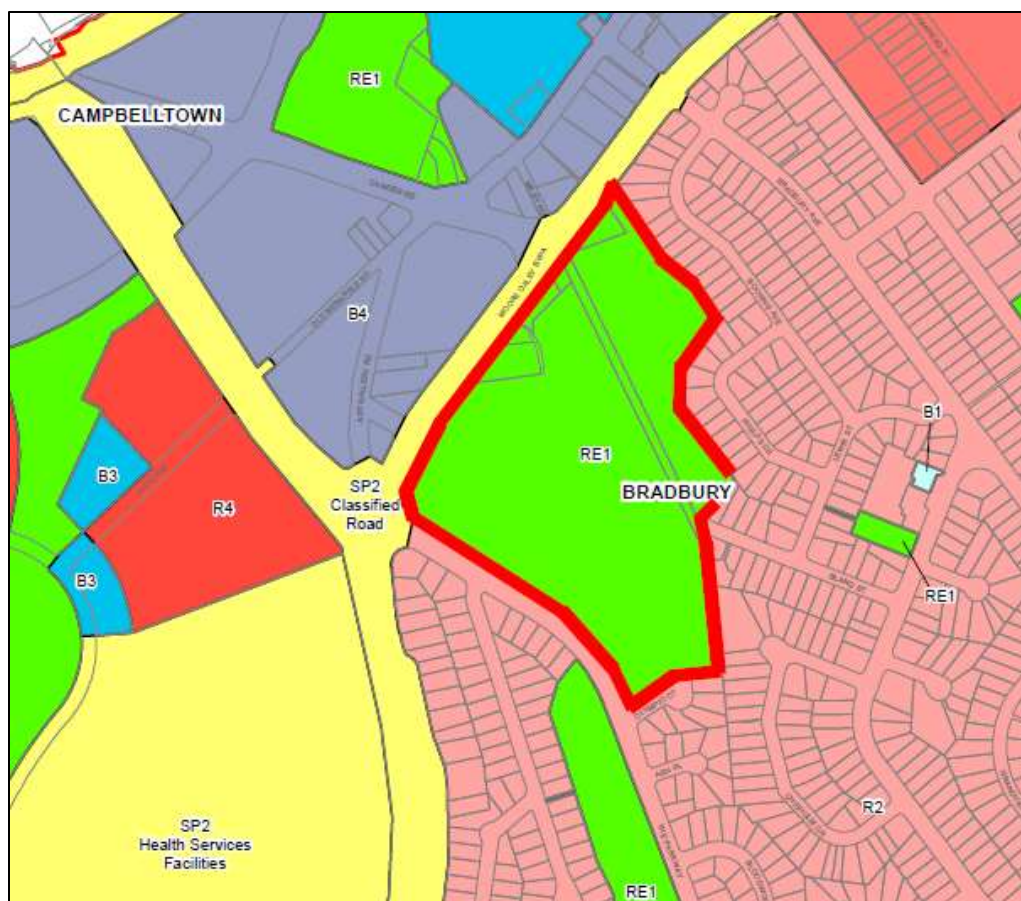


Figure 2: Zoning of subject site.

## Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to reclassify the subject site from community to operational land. The proposed reclassification would assist Council in the process of turning the proposed Billabong into a functioning project once it is completed in 2022. The reclassification would also allow Council to unlock land that may be considered under utilised and promote other uses that would work in cohesion with the Billabong.

The land is currently owned by Campbelltown City Council and is classified as 'Community Land' under the Local Government Act 1993. In order for the land to be functioning and used for business purposes it will be required to reclassify the land to 'Operational Land' which is undertaken by a Local Environmental Plan amendment under the Environmental Planning and Assessment Act 1979.

The planning proposal does not seek to amend the zoning or any other planning controls under CLEP 2015. The proposed use as a Billabong would be considered a permissible use in accordance with the RE1 – Public Recreation zone under CLEP 2015 thus not requiring an amendment to the LEP.

## Part 2 – Explanation of provisions

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 Schedule 4 of the CLEP 2015. The proposed wording is outlined below in Figure 3.

Insert into Part 1 of Schedule 4 of CLEP 2015:

Column 1	Column 2
Locality	Description
Bradbury Park and Apex Park	Lot 1 DP 137067

Insert into Part 2 of Schedule 4 of CLEP 2015:

Column 1	Column 2
Locality	Description
Bradbury Park and Apex Park	Part Lot 532 DP 230227 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

Figure 3: Proposed wording to be inserted into CLEP 2015

The following table in figure 4 provides greater detail in response to the Secretary's requirements as stated in the Practice Note 16-0001 checklist including interests in the land. A detailed response to each checklist item can be found in attachment 1 and the results of a title search of each lot can be found in attachment 2.

Lot and DP	Interest	Proposed Action	Recommended Schedule 4 Part	Are all interests proposed to be removed	Certificate of title provided	Public reserve	Is Council the Landowner?
Lot 532 DP 230227	The lot currently incorporates the Gordon Fetterplace Aquatic Centre. Caveat by the Registrar General	No further action is required to the caveat. It is proposed to extinguish the caveat as part of the	2	Yes	Yes	Yes	Yes

<b>Lot and DP</b>	<b>Interest</b>	<b>Proposed Action</b>	<b>Recommended Schedule 4 Part</b>	<b>Are all interests proposed to be removed</b>	<b>Certificate of title provided</b>	<b>Public reserve</b>	<b>Is Council the Landowner?</b>
	<p>forbidding registration of instruments not authorised by the provisions of the Local Government Act 1919, relating to public reserves.</p> <p>Council is the landowner. The land was dedicated as public reserve on registration of DP 230227 on 28 November 1966.</p>	<p>planning proposal. It is recommended that a condition of the gateway determination be included requiring the caveat be discharged after public exhibition of the planning proposal.</p>					
Lot 1 DP 137067	<p>Land excludes minerals under section 536AA of the Local Government Act 1919. The land subject to the lot and dp is outlined as</p>	<p>No further action is required.</p>	1	No	Yes	Yes	Yes

<b>Lot and DP</b>	<b>Interest</b>	<b>Proposed Action</b>	<b>Recommended Schedule 4 Part</b>	<b>Are all interests proposed to be removed</b>	<b>Certificate of title provided</b>	<b>Public reserve</b>	<b>Is Council the Landowner?</b>
	<p>a public reserve.</p> <p>Council is the landowner. The lot is a former road resumed by Council under the Local Government Act 1919 for the purpose of 'the replanning or resubdivision of existing parcels of land in one or more lots, the closing of a public road and providing, controlling and managing grounds for public recreation' (Government Gazette No.20 of 18 February 1966, page 871).</p>						



<b>Lot and DP</b>	<b>Interest</b>	<b>Proposed Action</b>	<b>Recommended Schedule 4 Part</b>	<b>Are all interests proposed to be removed</b>	<b>Certificate of title provided</b>	<b>Public reserve</b>	<b>Is Council the Landowner?</b>
Lot 4 DP 259807	Land excludes minerals vide memorandum V595431. E471945 – Restriction(s) on the use of the land. By the Roads and Traffic Authority. E977491 – Transfer from Roads Authority to Council.  Council is the landowner. Council purchased the lot from the RTA for \$10,000 on 15 December 1992 (registered dealing E977491).	It is recommended that a condition of the gateway determination be included requiring the restriction on the land be discharged after public exhibition of the planning proposal.	2	Yes	Yes	Yes	Yes
Lot 66 DP 1127402	Limited title – Section 28T of the Conveyancing Act.	It is recommended that a condition of the gateway determination be	2	Yes	Yes	Yes	Yes

<b>Lot and DP</b>	<b>Interest</b>	<b>Proposed Action</b>	<b>Recommended Schedule 4 Part</b>	<b>Are all interests proposed to be removed</b>	<b>Certificate of title provided</b>	<b>Public reserve</b>	<b>Is Council the Landowner?</b>
	Council is the landowner. Council purchased from Marjorie Helen Wonson and Patricia Ann Robinson for \$42,500 on 10 April 1972 (old system conveyance Bk 3048 No 414).	included requiring the restriction on the land be discharged after public exhibition of the planning proposal.					
Lot 67 DP 1127402	Limited title – Section 28T of the Conveyancing Act.  Council is the landowner. Council purchased from Marjorie Helen Wonson and Patricia Ann Robinson for \$42,500 on 10 April 1972 (old system conveyance	It is recommended that a condition of the gateway determination be included requiring the restriction on the land be discharged after public exhibition of the planning proposal.	2	Yes	Yes	Yes	Yes

<b>Lot and DP</b>	<b>Interest</b>	<b>Proposed Action</b>	<b>Recommended Schedule 4 Part</b>	<b>Are all interests proposed to be removed</b>	<b>Certificate of title provided</b>	<b>Public reserve</b>	<b>Is Council the Landowner?</b>
	e Bk 3048 No 414).						
Lot 68 DP 1127402	Limited title – Section 28T of the Conveyancing Act.  Council is the landowner. Council purchased from Marjorie Helen Wonson and Patricia Ann Robinson for \$42,500 on 10 April 1972 (old system conveyance Bk 3048 No 414).	It is recommended that a condition of the gateway determination be included requiring the restriction on the land be discharged after public exhibition of the planning proposal.	2	Yes	Yes	Yes	Yes
Lot 35 DP 702933	Departmental Dealing – V256669  Council is the landowner. The lot was resumed by Council under the Local Government Act 1919 for the	It is recommended that a condition of the gateway determination be included requiring the restriction on the land be discharged	2	Yes	Yes	Yes	Yes

<b>Lot and DP</b>	<b>Interest</b>	<b>Proposed Action</b>	<b>Recommended Schedule 4 Part</b>	<b>Are all interests proposed to be removed</b>	<b>Certificate of title provided</b>	<b>Public reserve</b>	<b>Is Council the Landowner?</b>
	purpose of 'improving and embellishing the area by planning new roads and subdivisions, rearranging existing roads and replanning or resubdividing existing parcels of land, and selling or leasing the whole or any portion of such land in one or more lots' (Government Gazette No.151 of 20 November 1970, page 4739, listed in the schedule of land as 'lot 35 of the Bradbury Park Estate shown on Roll Plan 378').	after public exhibition of the planning proposal.					

<b>Lot and DP</b>	<b>Interest</b>	<b>Proposed Action</b>	<b>Recommended Schedule 4 Part</b>	<b>Are all interests proposed to be removed</b>	<b>Certificate of title provided</b>	<b>Public reserve</b>	<b>Is Council the Landowner?</b>
Lot 1 DP 213026	<p>BK 2630 No 60 Covenant – for land to be used as public park and recreation</p> <p>BK 3596 No 31 – Land excludes Road as shown in DP 259807 attached</p> <p>Council is the landowner. Council purchased the lot from Meryl Esther McLean for £8,500 on 14 September 1962 (old system conveyance Bk 2630 No 60). Note: this conveyance states that 'the purchaser covenants with the vendor that the land</p>	It is recommended that a condition of the gateway determination be included requiring the restriction on the land be discharged after public exhibition of the planning proposal.	2	Yes	Yes	Yes	Yes

<b>Lot and DP</b>	<b>Interest</b>	<b>Proposed Action</b>	<b>Recommended Schedule 4 Part</b>	<b>Are all interests proposed to be removed</b>	<b>Certificate of title provided</b>	<b>Public reserve</b>	<b>Is Council the Landowner?</b>
	subject of this conveyance will be used for the purposes of a public park and recreation ground'.						

Figure 4: Interests on the subject site

### **Part 3 – Justification**

#### **Section A – Need for the planning proposal**

##### **1. Is the planning proposal a result of any strategic study or report?**

The subject site is currently in Council ownership and is a public reserve containing two ovals, an aquatic centre and a skate park. As part of the Billabong development Bradbury Oval and the Aquatic Centre will continue to operate during and after construction.

The planning proposal is a result of the joint funding agreement between the Federal Government, State Government and Campbelltown City Council. The Western Sydney City Deal signed in March 2018 is the catalyst for a collaborative approach across three tiers of government to create world-class jobs and a great quality of life through the vision of the Western Parkland City. The Billabong project forms part of the Livability Program and seeks to respect and build on the local character of the area.

Figure 4 below outlines the extent of the Billabong project.



Figure 5: Billabong Masterplan

The Billabong Parklands are identified with green on the map. The Billabong precinct is outlined by a red line.

## **2. Is the planning proposal the best means of achieving the objective or intended outcomes, or is there a better way?**

The Planning Proposal is the best way to achieve the intended outcomes and objectives. It follows the LEP practice note for Classification and reclassification of public land through a local environmental plan issued by the NSW Department of Planning, Industry and Environment.

The planning proposal also responds to the PN 16-001 Checklist (Attachment 1) and provides additional detail relating to historical information that exists for the relevant lots as well as a Title Search (Attachment 2).

## **Section B – Relationship to strategic planning framework**

### **3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

Yes.

The Planning Proposal is consistent with the relevant objectives and actions outlined in the Greater Sydney Region Plan and the Western City District Plan.

#### **A Plan for Growing Sydney**

'A Plan for Growing Sydney' sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

This Planning Proposal is not inconsistent with the objectives outlined within the Plan.

#### **Greater Sydney Region Plan**

The Plan provides a framework for the predicted growth in Greater Sydney. The Plan identifies key goals of delivering a metropolis of three 30 minute cities through four key themes, infrastructure and collaboration, liveability, productivity and sustainability.

The Planning Proposal is consistent with the Greater Sydney Region Plan as it aims to improve the quality of open space and provide a state of the art facility for the community to use. The planning proposal is considered to be consistent with Objective 7 'Communities are healthy, resilient and socially connected' of the Plan. The planning proposal will facilitate flexibility in the future management and operation of the precinct thereby enhancing opportunities for another major meeting place that will promote connected communities and an additional facility for residents to use.

#### **Western City District Plan**

The Western City District Plan sets out priorities and actions for the Western Parkland City which are structured on themes that are based on the Greater Sydney Region Plan. The planning proposal is considered to be consistent with Planning Priorities W3, W6 and W18 identified in the Plan. The proposed development of the Billabong will create a new and improved open space area that will be utilised by a large number of community residents when it is opened in June 2022. The design of the Billabong is aligned with local Indigenous and Aboriginal communities to promote the



importance that the community has played in the past and in the future. The reclassification of the land will assist Council in establishing the Billabong as a key meeting point within the LGA.

### **Glenfield to Macarthur Urban Renewal Corridor Strategy**

The Glenfield to Macarthur Urban Renewal Precinct was identified as a growth corridor by the State Government for the purposes of providing further jobs, open space, improved movement networks and revitalisation of existing urban centres through good design.

The Planning Proposal is not inconsistent with the Strategy.

### **4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

#### **Campbelltown Community Strategic Plan – Campbelltown 2027**

The overarching Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

The proposal is considered to be consistent with the relevant outcomes headed accordingly within the Plan:

- A vibrant, liveable city;
- A respected and protected natural environment;
- A thriving attractive city; and
- A successful city.

The planning proposal is consistent with the outcomes listed.

#### **Campbelltown Local Strategic Planning Statement (LSPS)**

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020.

The LSPS is Campbelltown City Council's plan for our community's social, environmental and economic land use needs over the next 20 years.

The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA).

Its purpose is to:

- Provide a 20 year land use vision for the Campbelltown LGA
- Outline the characteristics that make our city special
- Identify shared values to be enhanced or maintained
- Direct how future growth and change will be managed
- Prioritise changes to planning rules in the Local Environmental Plan (Campbelltown Local Environmental Plan 2015) and Council's Development Control Plans

- Implement the Region and District Plans as relevant to the Campbelltown LGA
- Identify where further detailed strategic planning may be needed.

The LSPS responds to region and district planning initiatives and information received from the Campbelltown community during the public exhibition period for the future of our city. The public exhibition of the Draft LSPS provided an opportunity for our community and key stakeholders to provide feedback. Consultation with Government Departments and Agencies, and the Greater Sydney Commission was also undertaken to ensure alignment with other planning initiatives and priorities for Greater Sydney.

The LSPS identifies the Campbelltown Billabong as a key component in Theme 1 of the document which promotes Campbelltown as becoming a vibrant and liveable city. In accordance with priority 4 of the LSPS the construction of the Campbelltown Billabong is noted as being a short term action which would aid in developing a new space to be utilised for the residents of Campbelltown.

As part of the process, the reclassification of the subject site would assist Council in achieving a timely opening of the site and unlocking potential management options and future complementary co-located uses. The reclassification of the land would allow for greater flexibility to the greater site which would potentially unlock other land uses for community benefit. Investigation is also being undertaken for the potential embellishment of the remainder of the site that does not encompass the Billabong. The regional level parklands to accompany the Billabong will encompass the whole land including the current playing fields at the northern end of the site so that the facilities are able to cater for large groups and provide recreational opportunities for the whole the year, including periods when it is too cold to swim.

### **Re-imagining Campbelltown CBD**

The Re-imagining Campbelltown City Centre Master Plan is a key strategic vision that provides a structured plan for the future growth of the Campbelltown CBD which includes the suburbs of Leumeah, Campbelltown and Macarthur. The subject site is within the boundary of the Re-imagining Campbelltown CBD study area and is consistent with the Master Plan.

The planning proposal is consistent with the four key growth principles outlined within the document:

- Centre of opportunity
- No grey to be seen
- City and bush
- The good life

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.

### **5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the Planning Proposal.

<b>State Environmental Planning Policies</b>	<b>Comment</b>
SEPP No. 1 Development Standards	Not relevant to the proposal
SEPP 14 – Coastal Wetlands	Not applicable
SEPP 19 – Bushland in Urban Areas	Consistent. The planning proposal does not affect the bushland in the subject area.
SEPP 21 – Caravan Parks	Not relevant to the Proposal
SEPP 26 – Littoral Rainforests	Not relevant to the Proposal
SEPP 30 – Intensive Agriculture	Not relevant to the Proposal
SEPP 33 – Hazardous or Offensive Development	Not relevant to the Proposal
SEPP 36 – Manufactured Home Estates	Not relevant to the Proposal
SEPP 44 – Koala Habitat Protection	Consistent. The planning proposal to reclassify does not impact on koala habitat.
SEPP 47 – Moore Park Showground	Not relevant to the Proposal
SEPP 50 – Canal Estate Development	Not relevant to the Proposal
SEPP 52 – Farm Dams	Not relevant to the Proposal
SEPP 55 – Remediation of Lands	Consistent. The use of the land for public recreation purposes is not changing as part of this planning proposal.
SEPP 62 – Sustainable Aquaculture	Not relevant to the Proposal
SEPP 64 – Advertising and Signage	Not relevant to the Proposal. Any future signage would be subject to the provisions of SEPP 64.
SEPP 65 – Design Quality of Residential Apartment Development	Consistent. Residential apartment development is not proposed as part of this Planning Proposal.
SEPP 70 – Affordable Housing Schemes	Not relevant to the Proposal
SEPP 71 – Coastal Protection	Not relevant to the Proposal
SEPP (Building Sustainability Index: BASIX) 2004	Not relevant to the Proposal
SEPP (Educational Establishments and Child Care (Facilities) 2017	Not relevant to the Proposal
SEPP (Affordable Rental Housing) 2009	Not relevant to the Proposal
SEPP (Exempt and Complying Development Codes) 2008	Not relevant to the Proposal
SEPP (Infrastructure) 2007	Not relevant to the Proposal
SEPP (Housing for Seniors or People with a Disability)	Not relevant to the Proposal
SEPP (Integration and Repeals) 2016	Not relevant to the Proposal
SEPP (Kosciusko National Park) 2007	Not relevant to the Proposal
SEPP (Kurnell Peninsular) 1989	Not relevant to the Proposal

SEPP (Mining and Extractive Industries) 2007	Not relevant to the Proposal
SEPP (Miscellaneous Consent Provisions)	Not relevant to the Proposal
SEPP (Penrith Lakes Scheme) 1989	Not relevant to the Proposal
SEPP (Rural Lands) 2008	Not relevant to the Proposal
SEPP (State and Regional Development) 2011	Not relevant to the Proposal
SEPP (State Significant Precincts) 2005	This SEPP does not apply to the land
SEPP (Sydney Drinking Water Catchment) 2011	This SEPP does not apply to the land
SEPP (Sydney Region Growth Centres) 2006	The proposal is consistent with this SEPP
SEPP (Three Ports) 2013	This SEPP does not apply to the land
SEPP (Urban Renewal) 2010	This SEPP does not apply to the land
SEPP (Western Sydney Employment Area) 2009	This SEPP does not apply to the land
SEPP (Western Sydney Parklands) 2009	This SEPP does not apply to the land
SEPP (Vegetation in Non-Rural Areas) 2017	Not relevant to the Proposal

Figure 6 - Consistency with State Environmental Planning Policies

<b>Consideration of Deemed SEPPs</b>	<b>Comment</b>
REP (Sydney Harbour Catchment) 2005	Not relevant to this Planning Proposal
Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment	Consistent. The proposal would not impact on the water quality and river flows of the Georges River and its tributaries. The proposal is designed to mimic the Georges River and thereby will provide greater community affinity with the River and its qualities.

Figure 7 - Consistency with Deemed State Environmental Planning Policies

## 6. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The following table provides a brief assessment of consistency against each section 9.1 direction relevant to the planning proposal.

<b>Consideration of s9.1 Directions</b>	<b>Comment</b>
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	Not applicable
1.2 Rural Zones	Not relevant to the Proposal. The Proposal does not propose any amendments to rural zones.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	The Proposal is not inconsistent with this Direction.
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Not applicable
2.4 Recreation Vehicle Areas	Not applicable

<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Not applicable
3.2 Caravan Parks and Manufactured Homes	Not applicable
3.3 Home Occupations	Not applicable
3.4 Integrating Land Use and Transport	Not applicable
3.5 Development Near Licensed Aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	Not applicable
4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flood Prone Land	The planning proposal is consistent with this Direction. The proposed amendments do not propose to increase the planning provisions related to flood prone land.
4.4 Planning for Bushfire Protection	The proposed amendments will not impact on this Direction and the Proposal is generally consistent.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable
5.2 Sydney Drinking Water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.5 - 5.7	Repealed
5.8 Second Sydney Airport	Not applicable
5.9 North West Rail Link Corridor Strategy	Not applicable
5.10 Implementation of Regional Plans	The proposal is consistent.
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	The Planning proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority. The Gateway Determination issued for the planning proposal requires consultation with Transport for NSW and NSW Mining, Exploration and Geoscience.
6.2 Reserving Land for Public Purposes	The Proposal does not propose any additional land for public purposes. The planning proposal seeks to reclassify already existing public land from community to operational land to facilitate the start of the Billabong.
6.3 Site Specific Provisions	The planning proposal is not inconsistent with this Direction.
<b>7. Metropolitan Planning</b>	

7.1 Implementation of a Plan for Growing Sydney	The Proposal is consistent with this Direction.
7.2 Implementation of Greater Macarthur Land Release Investigation	The proposal is not inconsistent with this Direction.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	<p>The Proposal is not inconsistent with this Direction.</p> <p>The planning proposal seeks to facilitate the reclassification of the land from community to operational for the purposes of a Billabong.</p>

Figure 8 – Consistency with Section 9.1 Directions

### **Section C – Environmental, social and economic impact**

#### **7. Is there any likelihood that critical habitat or threatened species, populations' or ecological communities or their habitat will be adversely affected as a result of the proposal?**

No.

There is no critical habitat or threatened species, populations' or ecological communities or habitat located on the site.

#### **8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No.

It is anticipated that there would be no environmental effects as a result of the planning proposal. The planning proposal seeks reclassification of land only.

#### **9. Has the planning proposal adequately addressed any social and economic effects?**

No.

The Planning Proposal is not supported by a social or economic assessment. The planning proposal seeks to reclassify the land from community to operational land to facilitate the development of

the Campbelltown Billabong which will continue to be owned by Council and open to the community to use.

#### Section D – State and Commonwealth Interests

### **10. Is there adequate public infrastructure for the planning proposal?**

No.

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

### **11. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?**

Consultation will occur with public authorities identified in the Gateway Determination. Three tiers of Government have already been involved in the process and have provided funding to undertake the construction of the Campbelltown Billabong.

The reclassification planning proposal aims to validate the development and allow for the operation and opening of the Billabong to commence in July 2022.

#### **Part 4 – Mapping**

The Planning Proposal does not seek to amend any mapping as part of the planning proposal.

#### **Part 5 – Community consultation**

In accordance with ‘A guide to preparing local environmental plans’ prepared by the Department of Planning and Environment (2016), the consultation strategy is:

An advertisement placed in any local paper in publication at the time of exhibition (potentially including the Macarthur Chronicle and Campbelltown – Macarthur Advertiser) identifying the purpose of the Planning Proposal and where the Planning Proposal can be viewed.

The Planning Proposal to be exhibited on Council’s website ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)). Council’s libraries also have access to the website.

The Planning Proposal will also be exhibited on the NSW Planning Portal website (<https://www.planningportal.nsw.gov.au/ppr/under%20exhibition> ).

Due to the recent events relating to COVID-19, an amendment to the EP&A Act, specifically the inclusion of Clauses 10.17 and 10.18, allowed Council’s to satisfy the requirements for public exhibition by having documentation on Council’s website.

- **Public Hearing**

A public hearing will be held and facilitated by an independent chairperson following the exhibition period. A report from the independent chairperson on the outcomes of the hearing will be submitted to Council and incorporated in a report to Council on the public exhibition of the planning proposal.

## **Part 6 – Project Timeline**

The planning proposal will require the Governor’s approval in accordance with attachment 1 (PN-16-001). Where an LEP requires the Governor’s approval, delegation to make the plan cannot be requested. In this instance, Council will request that DPIE make the amendment.

Weeks after Gateway Determination	Item
16 December 2020	Local Planning Panel advice
February 2021	Council endorsement
February 2021	Referral to DPIE for Gateway Determination
April 2021	Gateway Determination
June 2021	Public exhibition of planning proposal
July 2021	Public Hearing
October 2021	A report to Council on Submissions received and Independent Public Hearing report
October/November 2021	Send planning proposal to DPIE for finalisation
December 2021	Council request DPIE to seek Governor’s approval and make LEP Amendment
February 2022	Making of LEP Amendment

It should be noted that the Council elections will be held in September 2021 and the project timeline has taken this into account.