

8.4 Planning Proposal - Reclassification of Land - Campbelltown Sports Stadium, Leumeah

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.5 - Host and promote major sporting events, showcasing our city's sporting facilities and encouraging community participation in sport and recreation

Officer's Recommendation

1. That Council endorse the Planning Proposal at attachment 1 which seeks to reclassify part of 12 Old Leumeah Road, Leumeah, identified in the Planning Proposal, from community land to operational land and forward the Planning Proposal to the Department of Planning, Industry and Environment for a Gateway Determination.
2. That should the Minister determine that the proposal may proceed, public exhibition occur in accordance with the Gateway Determination.
3. That following the completion of the public exhibition, a separate public hearing be held with the outcome of both the public exhibition and the public hearing reported back to Council.

Purpose

The purpose of the report is to inform the Council of a Planning Proposal (PP) which seeks to reclassify Council owned land at Leumeah from community land to operational land to simplify the land classification for the site. The report also seeks Council's endorsement for the PP to be forwarded to the Minister for Planning and Public Spaces for a Gateway Determination.

The PP is located at attachment 1 to this report.

History

This report relates to 12 Old Leumeah Road, Leumeah (Lot 2 DP 1019063) which contains Campbelltown Sports Stadium, Campbelltown athletics centre and related car park. Campbelltown Sports Stadium is one of NSW's premier regional football stadiums. The athletics centre is an internationally certified synthetic athletics centre. The site also includes car parking.

Council has recently undertaken work relating to the review of its Local Environmental Plan (LEP) which included the simplification of Council's LEP. The LEP Review included but was not limited to, the transfer of deferred areas to the standard instrument and improving its readability. As part of Council's ongoing planning for the Campbelltown Local Government Area (LGA), further work is required to simplify mapping anomalies and fragmented planning controls.

This PP seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) to address the fragmented land classification for the subject land, which includes the Campbelltown Sports Stadium.

Report

1. Summary of the Planning Proposal

The draft PP seeks to reclassify part of the land at 12 Old Leumeah Road, Leumeah (Lot 2 DP 1019063) from community land to operational land.

The subject site is owned and operated by Campbelltown City Council and currently consists of both community and operational land. The land currently consists of a stadium, track and field (athletics) centre, car parking and offices. The current zoning of the site is split into the RE1 – Public Recreation, B2 – Local Centre and SP2 – Drainage zones. This PP does not seek Council's permission to change the current land use zones of the site.

The proposed reclassification of the site is intended to achieve an orderly land classification for the site, and is unlikely to have an impact on the ongoing use of the site.

The existing primary use of the site is for sporting events and school sports competitions.

There are currently early investigations for additional refurbishments of the site to continue the improvement of the site. The reclassification would assist the investigation pathways when considering additional opportunities for the site that are complimentary with the existing and desired future use as a sporting and entertainment hub.

There are a number of property interests (eg easements) across the site. Further information regarding these interests is contained in attachment 1.

A title search of the Lot and Deposited Plan for the site is also located at attachment 3.

2. Assessment of the draft Planning Proposal

2.1 Justification

The State Government's – A Guide to Preparing Planning Proposal's – issued under s3.33 (3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides guidance and information for preparing planning proposals. The preparation of the PP subject of this report has been undertaken in accordance with the latest version of the guide.

The guide states that planning proposals should contain enough information to identify relevant environmental, social, economic and other site specific considerations. The scope for investigating any key issues should be identified in the initial PP that is submitted for Gateway Determination.

The purpose of this Gateway Determination stage is to ensure there is sufficient justification in the process to proceed with a PP. It enables planning proposals that lack strategic merit to be stopped early in the process before time and significant human and financial resources are committed.

The Gateway Determination is expected to confirm if any further information is required before the PP can be placed on public exhibition. The PP may need to be updated/amended in minor ways in response to the Gateway Determination.

An LEP Practice Note (PN-16-001) 'Classification and reclassification of public land through a local environmental plan' has been used to assess the PP. The LEP practice note and responses are located at attachment 2.

2.2 Ministerial Directions

Section 9.1 (formerly Section 117) of the EP&A Act allows the Minister for Planning and Public Spaces to provide direction to Council in relation to the amendment or preparation of draft local environmental plans. The Section 9.1 Ministerial Directions are outlined in the PP located in attachment 1.

Overall the PP is considered consistent with the relevant section 9.1 directions as the proposal does not seek to rezone any land or alter the land uses permissible on the land.

2.3 Consideration of State Environmental Planning Policies

An assessment of the PP against all State Environmental Planning Policies (SEPPs) has confirmed that the PP is not inconsistent with those SEPPs. Further detail in relation to the relevant SEPPs is outlined in the PP which is located at attachment 1.

2.4 Consideration of the Campbelltown Local Environmental Plan 2015

No change is proposed to the zoning of the land under this PP. The current zones are RE1 – Public Recreation, SP2 – Drainage and B2 – Local Centre.

2.5 Consideration of the Local Government Act 1993

The *Local Government Act 1993* (LG Act) establishes the concept of classifying Council land as either being Community land or Operational land.

Community land is generally Council land made available for use by the general public such as parks, reserves and sports grounds.

Operational land is generally Council land that facilitates the functions of Council. Typically, operational land is not dissimilar to privately owned lands/facilities, and would generally not be open to the public.

The LG Act places restrictions on the management of community land which restricts the flexibility of the use of the site and the ability to capitalise on opportunities as they arise, when compared to land that is classified as operational land.

The site subject of this report does not operate like other public open space, in that access to the site is only available by a booking system for the exclusive use of the entity making the booking. For example, when a school books the athletics centre for a school carnival, the general public is not able to use the athletics centre.

Similarly, at the Campbelltown Stadium, access for the general public may be restricted or ticketed, depending on the event. In this regard the site operates in a different way to that of other general areas of open space across the LGA and more akin to a commercial premises, and therefore in the circumstances, it is considered more appropriate that the operational land classification apply to the whole site.

Having regard to the above, the LG Act establishes a procedure for reclassifying land to either community or operational land. The procedure allows for public comment and utilises the LEP amendment process to initiate the reclassification. The reclassification of land can arise from a change in circumstances in relation to particular land parcels which is evident in this case.

3. Strategic Context – Relationship to Local and State Policies

3.1 Greater Sydney Region Plan

The Greater Sydney Regional Plan (the Plan) provides a framework for the predicted growth in Greater Sydney. The plan identifies key goals of delivering a metropolis of 3 x 30 minute cities through 4 key themes, infrastructure and collaboration, liveability, sustainability and productivity.

The Planning Proposal is consistent with the Plan as it aims to improve the quality of open space and provide a state of the art facility for the community to use. Further information is provided at attachment 1.

3.2 Western City District Plan

The Western City District Plan (WCDP) 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 W3, W6 and W18 identified in the WCDP. The consistency of the Planning Proposal with the WCDP is outlined further in attachment 1.

3.3 Campbelltown Community Strategic Plan 2027

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

The PP 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.

3.4 Reimagining Campbelltown City Centre Master Plan

The Reimagining Campbelltown City Centre Master Plan is a key strategic vision that provides a structured plan for the future growth of the Campbelltown City Centre. The subject site is within the boundary of the Reimagining Campbelltown City Centre Master Plan study area and is consistent with the masterplan.

The PP assists in the development of the sports and entertainment precinct and will simplify the land classification to assist with continuing to provide a modern facility for the benefit of the wider community.

The PP allows for the simplification of the ongoing management of the site, including the ongoing maintenance of the site and also simplifies the process where there are any additional uses to be incorporated into the site that would be complementary to the precinct at a later time.

3.5 Glenfield to Macarthur Corridor Strategy

The Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) 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 PP is consistent with the Strategy and is consistent with the Leumeah Precinct Plan adopted as part of this Strategy.

3.6 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 LGA.

Its purpose is to:

- Provide a 20 year land use vision for the 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 CLEP 2015 and Council's Development Control Plan
- Implement the Region and District Plans as relevant to the LGA
- Identify where further detailed strategic planning may be needed.

The LSPS identifies the Campbelltown Sports Stadium as a key component in Theme 1 of the document which promotes Campbelltown as becoming a vibrant and liveable city. In accordance with priority 1 of the LSPS the promotion of Campbelltown Sports Stadium as a key sporting venue and the venue of choice for major events in the Macarthur region.

Further information is detailed in attachment 1.

3.7 Campbelltown Local Planning Panel advice

On 28 July 2021 the Campbelltown Local Planning Panel (the Panel) considered a report on the subject PP. The Panel provided comments on the PP and recommended advancing the PP to Council for their consideration and also to the Department of Planning, Industry and Environment for Gateway consideration.

In summary, the Panel's considerations and advice to Council was that it:

- was aware of the ongoing operation and purpose of the Campbelltown Sports Stadium as a venue for elite sporting events
- was of the view that the reclassification of land would simplify the land classification of the site in comparison to the fragmented structure presently
- considered that the reclassification would bring benefit to the ongoing management and use of the site as a community meeting place
- noted that the PP does not seek to amend the current zoning of the site and that the ongoing use as a sports stadium and track and field centre will continue to operate
- held the view that in consideration of the circumstances of this site and the future intended uses, it is appropriate to classify this significant community infrastructure site as operational land
- believed that an independent public hearing with an independent chairperson should be held in regards to this PP, post gateway determination and public exhibition, so as to ensure the public is provided an appropriate level of scrutiny on the matter
- considers the draft PP have sufficient strategic and site specific merit and is appropriate
- supports Council seeking a Gateway Determination.

Further to the above, the Panel recommended that further wording be provided within the PP to summarise under a heading the site specific merits of the PP as detailed in the report.

Additionally, the Panel recommended that Council adjust the responses to question 9 in section C and question 10 in section D of the PP in regards to social and economic effect and public infrastructure.

The wording of the PP at attachment 1 to this report has been modified to include the additional wording recommended by the Panel.

Public Participation

In the case that Council supports the progression of the PP, or otherwise amends it, the PP will be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination.

Should a Gateway determination be obtained then the PP would be publically exhibited at which time the public and anyone with an interest in the land would have the opportunity to comment.

Additionally, under the provisions of the LG Act a public hearing would need to be held in regards to the PP after the completion of the exhibition period. This public hearing would be facilitated by an independent chairperson.

The results of the public exhibition and a report prepared by the independent chairperson following the public hearing would be subsequently reported to Council.

Conclusion

The existing land classification for the subject site is fragmented and its simplification by reclassifying that part of the site currently classified as community land, to operational land, will provide a consistent land classification across the entire site. This will also simplify the ongoing management of the land. There is no intention to sell the land.

The proposed reclassification is considered reasonable in the circumstances and is expected to increase the level of opportunity for the site to operate as the premier sporting facility of Campbelltown and the Macarthur region.

Attachments

1. Planning Proposal - Reclassification - Campbelltown Stadium (contained within this report) [↓](#)
2. LEP Practice Note and Responses (contained within this report) [↓](#)
3. Title Search (contained within this report) [↓](#)
4. Land Classification Map (contained within this report) [↓](#)
5. Draft LEP Map (contained within this report) [↓](#)



Planning Proposal

Reclassification of Land at Campbelltown Sportsground from Community Land to Operational Land

September 2021

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 Campbelltown Sports Stadium from Community to Operational Land. The purpose of the reclassification of land is to facilitate the ongoing use and management of the Stadium and to classify the whole site, which currently is part community land and part operational land, as operational land.

The subject site is located at 12 Old Leumeah Road, Leumeah (Lot 2 DP 1019063). The subject site is bounded by Rose Payten Drive to the north-east, Pembroke Road to the south-east, West Leagues Club and Old Leumeah Road to the south west and the Main southern railway and Wests Tennis Club to the north -west.

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



Figure 1: Subject site

The site is currently zoned B2 – Local Centre, RE1 – Public Recreation and SP2 – Drainage and includes both existing operational and community land. The existing operational land encompasses a significant portion of the B2 – Local Centre zone and SP2 – Drainage zone whilst the community land is encompassed by both the RE1 – Public Recreation zone and B2 – Local Centre zones. Figure 2 outlines the zoning of the site and Figure 3 shows the distribution of community and operational land across the site. This planning proposal only seeks to reclassify the community land to operational land.

Background

Campbelltown Sports Stadium is a key asset for the local community. Campbelltown Sports Stadium is one of NSW's premier regional football stadiums and an internationally certified synthetic athletics centre. The stadium also includes on site car parking and hosts approximately 50 event days during a regular calendar year. The athletics centre hosts athletics events at all levels from school carnivals to elite and is heavily booked throughout the year.

Council has recently undertaken work relating to the LEP Review which included the simplification of Council's LEP. The LEP Review included but was not limited to, the transfer of deferred areas to the standard instrument and the rectification of planning controls to improve readability. As part of Council's ongoing planning for the LGA, further work is required to simplify mapping anomalies and fragmented planning controls. This planning proposal seeks to amend the CLEP 2015 to address the fragmented land classification for the Campbelltown Sports Stadium.

Campbelltown Sports Stadium is identified as a key location for entertainment and sporting events in the Reimagining Campbelltown City Centre Master Plan. The amendment would allow Council to investigate further opportunities for the site which would include colocation with and expansion of Council's facilities.

Existing Situation

The site currently comprises of a single lot of land that in Leumeah. The site is located on Old Leumeah Road and is bounded by Rose Payten Drive and Pembroke Road in Leumeah as well as the main southern railway. The site incorporates Campbelltown Stadium, an athletics track and stadium and associated car parking.

The site is zoned RE1 – Public Recreation, B2 – Local Centre and SP2 – Drainage under the Campbelltown Local Environmental Plan 2015. A zoning map of the site is shown in Figure 2 below.

The proposal to reclassify the land only relates to a portion in the middle of the site. Figure 3 in this planning proposal identifies the breakdown and location of community land and operational land within the site.



Part 1 – Objectives or Intended Outcomes

The current distribution of community and operational land as outlined in Figure 3 is complex and irregular. The proposal would assist Council in simplifying the status of the site and having one consistent set of rules to govern its management and use.



Figure 3: Current land classification for the subject site. Green represents community land and yellow is operational land.

The planning proposal does not seek to amend the zoning or any other planning controls under CLEP 2015.

The intended land classification for the entirety of the site is outlined in Figure 4 below.

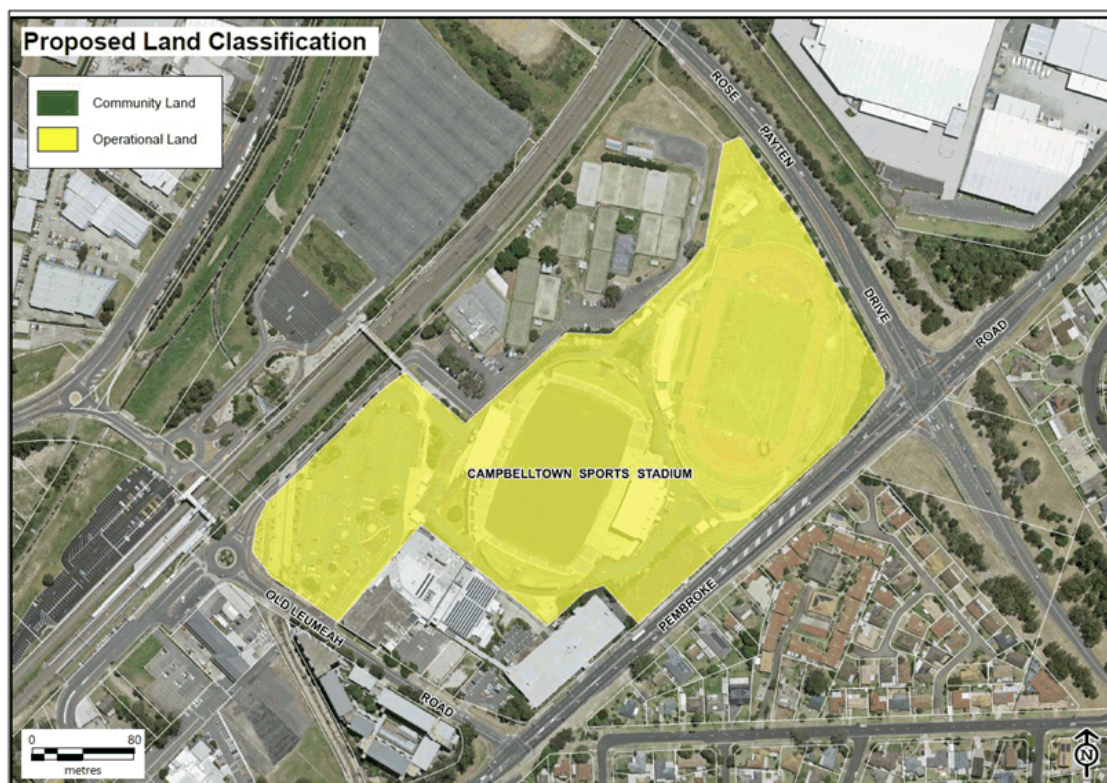


Figure 4: Proposed land classification for the subject site. The planning proposal seeks to reclassify the remaining community land to operational land.

Site Specific Merits of the Proposed Reclassification

The existing land classification of the site outlined in Figure 3 is considered to be fragmented and is not consistent with any Council or State Government policies. The proposal to reclassify the land to operational land as shown in Figure 4 does not incorporate any rezoning of the site.

It is intended to maintain the use of the site as a prime sporting facility within Campbelltown and the Macarthur region. There are currently early investigations for additional refurbishments of the site to continue the improvement of the site. The reclassification would assist Council in investigating additional opportunities for the site that would be considered complimentary with the existing use as a sports and entertainment precinct.

The current site does not operate like a normal RE1 – Public Recreation zone in that access to the site is only available by a booking system. When the site is booked, access to the site is restricted for people who are not related to the particular event. For example, when a school books the athletics centre for a school carnival, the general public are not able to use the athletics centre. Similarly, when the Macarthur Bulls are playing at the Campbelltown Stadium, access for the general public is through the purchase of a ticket, they are not able to turn up and use the grounds

at the same time. In this regard the site operates differently from other open space across the Campbelltown Local Government Area.

Reclassification of the site would not amend the existing arrangements for the use of the site which is currently based on a bookings system and a contractual agreement for Macarthur FC A-League team and the NRL's Wests Tigers.

The proposed reclassification of the site would improve on the fragmented nature of the current classification and would benefit the greater community by removing potential complication if improvements to the Stadium infrastructure, or other sports and entertainment activities, are made in the near future.

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 the following:

Column 1	Column 2
Locality	Description
Campbelltown Sports Ground	Lot 2 DP 1019063 12 Old Leumeah Road, Leumeah

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.

Property Information	Interest	Proposed Action	Recommended Schedule 4 Part	Are all interests proposed to be removed?

<p>Lot 2 DP 1019063</p> <p>Lot 2 DP 1019063 was created on 12 January 2001 by the consolidation of around 20 lots</p> <p>Council is the landowner.</p> <p>A certificate of title is provided in attachment 2.</p>	<p>The land excludes minerals (S141 Public Works Act, 1912) as regards</p> <p>The land designated (X) in the title diagram and reservations and conditions in the Crown grant(s) as regards the residue.</p>	No further action is required.	1	No
As above	GB868332 Covenant affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	G922754 Covenant affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	G876149 Covenant affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	G876150 Covenant affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	G954679 Covenant affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	G908696 Covenant affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No

As above	K307969 Easement for co-axial cable affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	DP268962 Easement for electricity purposes 6 metre(s) wide affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	DP268962 Easement for underground mains 1 metre(s) wide & variable affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	DP268962 Easement to drain water 2 metre(s) wide and variable affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	DP1019063 Easement for electrical substation affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	DP1019063 Easement to drain water 11.52 metre(s) wide and variable appurtenant to the land above described	No further action is required.	1	No

As above	DP1019063 Easement to drain water 2 metre(s) wide and variable appurtenant to the land above described	No further action is required.	1	No
As above	DP1019063 Right of way 9.7 metre(s) wide appurtenant to the land above described	No further action is required.	1	No
As above	DP1019063 Easement for support 2.3 metre(s) wide appurtenant to the land above described	No further action is required.	1	No
As above	DP1019063 Easement for underground cables 2 wide affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	DP1019063 Easement to drain water 3.05 metre(s) wide affecting the part(s) shown so burdened in the title diagram	No further action is required.	1	No
As above	DP1195758 Easement for water supply purposes 4 metre(s) wide affecting the part(s) shown so burdened in DP1195758	No further action is required.	1	No
As above	DP1195758 Easement for water supply purposes 3 metre(s) wide affecting the part(s) shown so burdened in DP1195758	No further action is required.	1	No

As above	DP1195758 Easement for water supply purposes 3 metre(s) wide affecting the part(s) shown so burdened in DP1197903	No further action is required.	1	No
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Figure 5: 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 contains a stadium, track and field (athletics) oval and car parking. Plans to refurbish the precinct are currently being considered. The potential of this site is documented in the Reimagining Campbelltown City Centre Master Plan.

The planning proposal is therefore in part a result of the work undertaken through the Re-imagining Campbelltown City Centre Master Plan where the stadium will play a key part within a greater entertainment and sports precinct. The vision for the site incorporates an indoor facility, upgraded oval and aquatic centre. In more recent times, the stadium has undergone renovations and is home to the A-League football side Macarthur Bulls Football Club who play all their home matches at the venue.

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.

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 further upgrades to the site. The proposal aims to simplify the land classification for the site.

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 current Campbelltown Stadium and surrounding grounds is considered to be an important piece of social infrastructure. The reclassification of the land will assist Council in simplifying the land classification for the site and would promote other uses to be integrated onto the site. The need for entertainment facilities was a key matter raised by the community during public consultation during the preparation of the Western City District Plan.

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 consistent with the Strategy and is consistent with the Leumeah Precinct Plan adopted as part of this 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 Sports Stadium as a key component in Theme 1 of the document which promotes Campbelltown as becoming a vibrant and liveable city. In accordance with priority 1 of the LSPS the promotion of Campbelltown Sports Stadium as a key sporting venue and the venue of choice for major events in the Macarthur region.

The reclassification of the subject site would assist to simplify the land classification for the site and would also assist in 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.

Action 9.15 of the LSPS identifies that by investigating other future uses and colocation opportunities to complement the site, Campbelltown would be able to leverage existing international and national events at the Stadium and attract further investment for major events and businesses.

Reimagining Campbelltown City Centre Master Plan

The Reimagining 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 entertainment precinct and will continue to provide a modern Council facility within the Campbelltown CBD. The proposal would allow for the ongoing maintenance of the site and also allow for additional uses to be incorporated into the site that would be complementary to the Stadium and entertainment precinct.

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.

State Environmental Planning Policies	Comment
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 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 55 – Remediation of Lands	Consistent. The use of the land for public recreation purposes is not changing as part of this planning proposal. The use as a Stadium and Track and Field Centre will continue to operate.
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	The planning proposal is not inconsistent with the SEPP. 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 (Concurrences and Consents)	Not relevant to the Proposal
SEPP (Building Sustainability Index: BASIX) 2004	Not relevant to the Proposal
SEPP (Aboriginal Land) 2019	Not relevant to the Proposal
SEPP (Activation Precincts) 2020	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 (Gosford City Centre) 2018	The SEPP does not apply to the land.
SEPP (Infrastructure) 2007	Not relevant to the Proposal
SEPP (Housing for Seniors or People with a Disability)	Not relevant to the Proposal
SEPP (Koala Habitat Protection) 2020	The site does not include any koala habitat.
SEPP (Koala Habitat Protection) 2021	The site does not include any koala habitat.
SEPP (Kosciusko National Park) 2007	Not relevant to the Proposal
SEPP (Kurnell Peninsular) 1989	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 (Primary Production and Rural Development) 2019	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

Consideration of Deemed SEPPs	Comment
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. No development is proposed as part of the proposal.

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.

Consideration of s9.1 Directions	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	The proposal does not seek to amend the existing B2 zoned land on the site. The proposal only seeks to reclassify the existing community land to operational land.
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	Not applicable
2. Environment and Heritage	
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
2.5 Application of E2 and E3 zones and Environmental Overlays in Far North Coast LEP's	Not applicable
2.6 Remediation of Contaminated Land	Not applicable
3. Housing, Infrastructure and Urban Development	
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
4. Hazard and Risk	
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 proposal will not impact this Direction.
4.4 Planning for Bushfire Protection	The proposed amendments will not impact on this Direction and the Proposal is generally consistent.
5. Regional Planning	
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.
5.11 Development of Aboriginal Land Council Land	Not applicable
6. Local Plan Making	
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.
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 simplify the land classification for the site.
6.3 Site Specific Provisions	The planning proposal is not inconsistent with this Direction.
7. Metropolitan Planning	
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 Campbelltown Sportsground. The proposal seeks to achieve a simplified approach for the land classification</p>

	by amending the existing community land portion for the site.
7.8 Implementation of the Western City Aerotropolis Plan	The proposal is consistent with this Direction.
7.9 Implementation of Bayside West Precincts	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
7.11 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
7.12 Implementation of Greater Macarthur 2040	The planning proposal is not inconsistent with this Direction. The proposal does not seek to amend the zoning or the current use of the site. The planning proposal seeks to achieve a more simplified approach to the land classification on the site. The current land classification for the entirety of the site is considered unorderly.

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?

Yes.

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 simplify the status of land for the Campbelltown Sportsground (stadium, athletics centre and car parks) and to promote future development that is complementary to the existing sporting complex.

Section D – State and Commonwealth Interests

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

Yes.

The planning proposal will not result in a need for additional public infrastructure. This proposal seeks to simplify the management of public infrastructure for the benefit of the whole community.

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

Consultation will occur with any public authorities identified in the Gateway Determination.

The reclassification planning proposal aims to include an operational land status for the remaining parts of the site. The existing site includes both community and operational land that would be considered fragmented.

Part 4 – Mapping

The Planning Proposal seeks to include a new Land Reclassification (Part Lots) Map into CLEP 2015. The map is located at attachment 4 to this 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). Council's libraries also have access to the website.

The planning proposal will also be made available on the NSW Planning Portal website (www.planningportal.nsw.gov.au).

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 Councils 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.

Dates	Item
22 July 2021	Local Planning Panel advice
14 September 2021	Council endorsement
September 2021	Referral to DPIE for Gateway Determination
October 2021	Gateway Determination
November/December 2021	Public exhibition of planning proposal and referral to any required public authorities
February 2021	Independent Public Hearing
April 2022	A report to Council on Submissions received and Independent Public Hearing report
April 2022	Send planning proposal to DPIE for finalisation
April 2022	Council request DPIE to seek Governor's approval and make LEP Amendment
May 2022	Making of LEP Amendment

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

LEP practice note

LOCAL PLANNING

Ref No.	PN 16-001
Issued	5 October 2016
Related	Supersedes PN 09-003

Classification and reclassification of public land through a local environmental plan

The purpose of this practice note is to update guidance on classifying and reclassifying public land through a local environmental plan (LEP). This practice note emphasises the need for councils to demonstrate strategic and site specific merit, includes a comprehensive information checklist and clarifies issues arising for public reserves and interests in land. It should be read in conjunction with *A guide to preparing local environmental plans* and *A guide to preparing planning proposals*.

Classification of public land

Public land is managed under the *Local Government Act 1993* (LG Act) based on its classification. All public land must be classified as either community land or operational land (LG Act ss.25, 26).

- **Community land** – is land council makes available for use by the general public, for example, parks, reserves or sports grounds.
- **Operational land** – is land which facilitates the functions of council, and may not be open to the general public, for example, a works depot or council garage.

What is public land?

Public land is defined in the LG Act as any land (including a *public reserve*) vested in, or under council control. Exceptions include a public road, land to which the *Crown Lands Act 1989* applies, a common, land subject to the *Trustees of Schools of Arts Enabling Act 1902* or a regional park under the *National Parks and Wildlife Act 1974*.

Why classify public land?

The purpose of classification is to identify clearly that land made available for use by the general public (community) and that land which need not (operational). How public land is classified determines the ease or difficulty a council can have dealings in public land, including its sale, leasing or licensing. It also provides for transparency in council's strategic asset management or disposal of public land.

Community land must not be sold, exchanged or otherwise disposed of by a council. It can be leased,

but there are restrictions on the grant of leases and licences, and also on the way community land can be used. A plan of management (PoM), adopted by council, is required for all community land, and details the specific uses and management of the land.

There are no special restrictions on council powers to manage, develop, dispose, or change the nature and use of operational land.

How is public land classified or reclassified?

Depending on circumstances, this is undertaken by either:

- council resolution under ss.31, 32, or 33 (through LG Act s.27(2)), or
- an LEP under the *Environmental Planning and Assessment Act* (through LG Act s.27(1)).

Councils are encouraged to classify or reclassify land by council resolution where suitable.

Classification of public land occurs when it is first acquired by a council and classified as either community or operational.

Reclassification of public land occurs when its classification is changed from community to operational, or from operational to community.

Reclassification through an LEP

Classification and reclassification of public land through an LEP is subject to both the local plan-making process in the EP&A Act and the public land management requirements of the LG Act.

A planning proposal to classify or reclassify public land, will need to be prepared in accordance with this practice note and the additional matters specified in Attachment 1 to this practice note.

Reclassification through an LEP is the mechanism with which council can remove any public reserve status applying to land, as well as any interests affecting all or part of public land (LG Act s.30).

It is critical that all interests are identified upfront as part of any planning proposal. If public land is reclassified from community to operational, without relevant interests being identified and discharged, then the land will need to be reclassified back to community (usually by council resolution under LG Act s.33¹) before being reclassified in a new planning proposal to operational, to explicitly discharge any interests.

While a reclassification proposal to remove the public reserve status of land and/or discharge interests may not necessarily result in the immediate sale or disposal of the land, the community should be aware the public land in question is no longer protected under the LG Act from potential future sale once it has been reclassified to operational.

Councils should obtain their own advice when proposing to discharge any interests and be aware that this may attract a claim for compensation under the *Land Acquisition (Just Terms Compensation) Act 1991*.

Where land has been dedicated to council by a State agency for a particular purpose and a trust exists, it is advisable for council to seek the views of that agency prior to council commencing any planning proposal affecting the land.

Public reserve is defined in the LG Act and includes a public park and land declared or dedicated as a public reserve.

Land can be dedicated as a public reserve by either:

- registering a deposited plan with a statement creating a lot(s) as 'public reserve', or
- publishing a notification in the Government Gazette for an existing parcel.

Interests in land refers to property ownership as well as rights and privileges affecting land, such as leasehold, easements, covenants and mortgages.

For the purpose of reclassification through an LEP, 'interests' means trusts, estates, dedications, conditions, restrictions and covenants affecting the land.

A legal owner of land may not be the only person with an interest in the land. For example, one person may have the benefit of an easement for services, such as water, electricity or sewerage over someone else's land.

Certain interests are registered on title to ensure they are on record and cannot be disregarded if sold to a new owner. An electronic title search is generally conducted to determine the land owner, correct land description and the type of interests which may affect the land.

Standard Instrument LEP requirements

Clause 5.2—Classification and reclassification of public land in Standard Instrument LEPs enables councils to classify or reclassify public land as operational land or community land in accordance with the LG Act. The land to be reclassified or classified is described in Schedule 4 of the LEP.

Schedule 4 is not to refer to any land already classified or reclassified.

Where there is no public land to be classified, or reclassified, through a principal LEP (i.e. the LEP applies to the whole of a local government area), Schedule 4 will appear blank.

Note: At a later stage council may lodge a planning proposal to remove previous listings in Schedule 4. This will not affect the classification status of these parcels of land.

Department assessment

A proposal to classify or reclassify public land through an LEP must have planning merit. The Department will undertake an assessment to determine whether the proposal demonstrates strategic and site specific merit.

Community consultation

Planning proposals to reclassify public land are to be publicly exhibited for at least 28 days.

A copy of this practice note is to be included in the public exhibition materials.

¹ Note: Council is required to give public notice of the proposed resolution and provide a period of at least 28 days during which submissions may be made (LG Act s.34).

Public hearings

Councils must hold a public hearing when reclassifying public land from community to operational (EP&A Act s.57 & LG Act s.29). This gives the community an opportunity to expand on written submissions and discuss issues with an independent person in a public forum.

After the exhibition period has ended, at least 21 days public notice is to be given before the hearing. This allows the person chairing the hearing sufficient time to consider written submissions and all issues raised.

There are specific requirements for the independence of the person chairing the hearing, their preparation of a public hearing report and council making the report publicly available (LG Act s.47G).

Governor's approval

The Governor's approval is required when a reclassification proposal seeks to remove any public reserve status and/or discharge any interests affecting public land (s.30).

When a council reports back to the Department on the community consultation undertaken and requests the Department make the LEP, the Department will arrange legal drafting of the LEP, including recommending the Governor approve the provisions before the LEP can be legally made.

Where the Governor's approval is required, the council's report accompanying the final planning proposal must address:

- council's interests in the land;
- whether the land is a 'public reserve';
- the effect of the reclassification, including loss of open space, any discharge of interests, and/or removal of public reserve status;
- the strategic and site specific merits of the reclassification and evidence to support this;
- any current use of the land, and whether uses are authorised or unauthorised;
- how funds obtained from any future sale of the land will be used;
- the dates the planning proposal was publicly exhibited and when the public hearing was held;
- issues raised in any relevant submissions made by public authorities and the community;
- an explanation of how written and verbal submissions were addressed or resolved; and
- the public hearing report and council resolution.

Authorisation of delegation

Local plan making functions are now largely delegated to councils.

A Written Authorisation to Exercise Delegation is issued to a council as part of the Gateway determination. However, where an LEP requires the Governor's approval, this council delegation cannot be issued. In this instance, the council must request the Department make the LEP.

A decision to classify or reclassify public land cannot be sub-delegated by council to the general manager or any other person or body (LG Act s.377(1)(l)).

Background

On July 1, 1993 when the LG Act commenced, the following land under council ownership or control, was automatically classified as *community* land:

- land comprising a public reserve,
- land subject to a trust for a public purpose,
- land dedicated as a condition of consent under s.94 of the EP&A Act,
- land reserved, zoned or otherwise designated for use under an environmental planning instrument as open space,
- land controlled by council and vested in Corporation Sole - Minister administering the EP&A Act.

Councils must keep a register of land under their ownership or control (LG Act s.53) and anybody can apply to a council to obtain a certificate of classification (LG Act s.54).

Further information

A copy of this practice note, *A guide to preparing planning proposals* and *A guide to preparing local environmental plans* is available at:

<http://www.planning.nsw.gov.au>

For further information, please contact the Department of Planning and Environment's Information Centre by one of the following:

Post: GPO Box 39, Sydney NSW 2001.

Tel: 1300 305 695

Email: information@planning.nsw.gov.au

Authorised by:
Carolyn McNally
Secretary

Important note: This practice note does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this practice note.

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ATTACHMENT 1 – INFORMATION CHECKLIST FOR PROPOSALS TO CLASSIFY OR RECLASSIFY PUBLIC LAND THROUGH AN LEP

The process for plan-making under the EP&A Act is detailed in *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*.

Importantly, *A guide to preparing local environmental plans* contains the Secretary's requirements for matters that must be addressed in the justification of all planning proposals to reclassify public land. Councils must ensure the Secretary's requirements are addressed.

Councils must also comply with any obligations under the LG Act when classifying or reclassifying public land. More information on this can be found in *Practice Note No. 1 - Public Land Management* (Department of Local Government, 2000).

All planning proposals classifying or reclassifying public land must address the following matters for Gateway consideration. These are in addition to the requirements for all planning proposals under section 55(a) – (e) of the EP&A Act (and further explained in *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*).

- ☐ the current and proposed classification of the land;
- ☐ whether the land is a 'public reserve' (defined in the LG Act);
- ☐ the strategic and site specific merits of the reclassification and evidence to support this;
- ☐ whether the planning proposal is the result of a strategic study or report;
- ☐ whether the planning proposal is consistent with council's community plan or other local strategic plan;
- ☐ a summary of council's interests in the land, including:
 - how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution)
 - if council does not own the land, the land owner's consent;
 - the nature of any trusts, dedications etc;
- ☐ whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why;
- ☐ 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);
- ☐ evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents);
- ☐ current use(s) of the land, and whether uses are authorised or unauthorised;
- ☐ current or proposed lease or agreements applying to the land, together with their duration, terms and controls;
- ☐ current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time);
- ☐ any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);
- ☐ how council may or will benefit financially, and how these funds will be used;
- ☐ how council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal;
- ☐ a Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot; and
- ☐ preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.

Responses to Attachment 1

- The current and proposed classification of the land

The subject site includes both part community and part operational land. The planning proposal seeks to reclassify the community land portion of the site to operational land.

- Whether the land is a public reserve (defined in the LG Act)

The land would not be considered a public reserve under the Local Government Act 1993.

- The strategic and site specific merits of the reclassification and evidence to support this.

The strategic and site specific merits of the reclassification and evidence are outlined within the planning proposal.

- Whether the planning proposal is consistent with council's community plan or other local strategic plan.

The proposed reclassification is considered consistent with Council's community plan and other local strategic plans. Further detail is outlined in the planning proposal.

- A summary of council's interests in the land, including:

1. how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution)
2. if council does not own the land, the land owner's consent;
3. the nature of any trusts, dedications etc;

Council is the relevant land owner with regards to the subject site. Further information relating to the land is outlined in the planning proposal.

- Whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why.

As part of the planning proposal, there are no interests proposed to be discharged. The subject site is currently owned by Council in its entirety and there are no interests on the land that would impact on the proposed reclassification.

- 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).

The reclassification does not seek or achieve to diminish the public open space. The use of the site will continue to operate as a publicly accessible area through the Campbelltown Sports Stadium.

- Evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents);

Title searches for all lots are attached to this planning proposal.

- Current use(s) of the land, and whether uses are authorised or unauthorised

The site currently serves as a sports stadium. Further information relating to the current status of the land is provided in the planning proposal.

- Current or proposed lease or agreements applying to the land, together with their duration, terms and controls;

There are currently no lease agreements applying to the land.

- Current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time);

Council does not currently have any business dealings proposed as part of the reclassification of the site. Council will investigate potential uses in the future that will accompany the sporting precinct. Potential uses on the site will relate to business establishment and would thus require a future rezoning for a portion of the site. A rezoning of any portion of the land is not proposed as part of this planning proposal and would be subject to a future planning proposal when appropriate.

- Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy);

Not applicable to this planning proposal.

- How council may or will benefit financially, and how these funds will be used.

The reclassification of the land will unlock further uses of the land and allow Council to investigate potential other uses that would complement and assist the functioning of the Campbelltown Sports Stadium.

- How council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal.

The Campbelltown Sports Stadium will maintain its use as a useable space for the residents of Campbelltown.

- A Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot.

The extent of the reclassification is outlined in the planning proposal.

- Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.

Not applicable.



**LAND
REGISTRY
SERVICES**

Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1019063

SEARCH DATE	TIME	EDITION NO	DATE
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24/5/2021	3:13 PM	4	11/8/2014

LAND

LOT 2 IN DEPOSITED PLAN 1019063
AT LEUMEAH
LOCAL GOVERNMENT AREA CAMPBELLTOWN
PARISH OF ST PETER COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1019063

FIRST SCHEDULE

CAMPBELLTOWN CITY COUNCIL (T 7560578)

SECOND SCHEDULE (21 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912) AS REGARDS
THE LAND DESIGNATED (X) IN THE TITLE DIAGRAM AND RESERVATIONS
AND CONDITIONS IN THE CROWN GRANT(S) AS REGARDS THE RESIDUE
- 2 G868332 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN
THE TITLE DIAGRAM
- 3 G922754 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN
THE TITLE DIAGRAM
- 4 G876149 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN
THE TITLE DIAGRAM
- 5 G876150 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN
THE TITLE DIAGRAM
- 6 G954679 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN
THE TITLE DIAGRAM
- 7 G908696 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN
THE TITLE DIAGRAM
- 8 K307969 EASEMENT FOR CO-AXIAL CABLE AFFECTING THE PART(S)
SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 9 DP268962 EASEMENT FOR ELECTRICITY PURPOSES 6 METRE(S) WIDE
AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE
DIAGRAM
- 10 DP268962 EASEMENT FOR UNDERGROUND MAINS 1 METRE(S) WIDE &
VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN
THE TITLE DIAGRAM
- 11 DP268962 EASEMENT TO DRAIN WATER 2 METRE(S) WIDE AND VARIABLE
AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE
DIAGRAM
- 12 DP1019063 EASEMENT FOR ELECTRICAL SUBSTATION AFFECTING THE
PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 13 DP1019063 EASEMENT TO DRAIN WATER 11.52 METRE(S) WIDE AND

END OF PAGE 1 - CONTINUED OVER

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NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1019063

PAGE 2

SECOND SCHEDULE (21 NOTIFICATIONS) (CONTINUED)

- VARIABLE APPURTENANT TO THE LAND ABOVE DESCRIBED
- 14 DP1019063 EASEMENT TO DRAIN WATER 2 METRE(S) WIDE AND VARIABLE APPURTENANT TO THE LAND ABOVE DESCRIBED
- 15 DP1019063 RIGHT OF WAY 9.7 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED
- 16 DP1019063 EASEMENT FOR SUPPORT 2.3 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED
- 17 DP1019063 EASEMENT FOR UNDERGROUND CABLES 2 WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 18 DP1019063 EASEMENT TO DRAIN WATER 3.05 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 19 DP1195758 EASEMENT FOR WATER SUPPLY PURPOSES 4 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1195758
- 20 DP1195758 EASEMENT FOR WATER SUPPLY PURPOSES 3 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1195758
- 21 DP1197903 EASEMENT FOR UNDERGROUND CABLES 2 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1197903

NOTATIONS

NOTE: DP625593 (REGISTERED)

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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Received: 24/05/2021 15:13:35

Attachment 4 – Land Reclassification

Existing Land Classification



Proposed land Classification

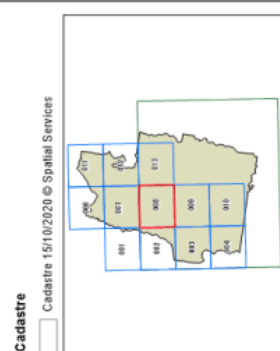




Campbelltown Local Environmental Plan 2015
Land Reclassification (Part Lots) Map
 – Sheet RPL_008

Land Reclassification (Part Lots)

- Operational Land
- Community Land



Map identification number:
 1500_C004_RPL_008_20210820

Meeting note: Having declared an interest in Items 8.4 and 8.6 Councillor Greiss, Councillor Gilholme and Councillor Lound left the meeting at 8:13 pm and did not take part in the discussions or vote on the matters.

8.4 Planning Proposal - Reclassification of Land - Campbelltown Sports Stadium, Leumeah

It was **Moved** Councillor Oates, **Seconded** Councillor Morrison:

1. That Council endorse the Planning Proposal at attachment 1 which seeks to reclassify part of 12 Old Leumeah Road, Leumeah, identified in the Planning Proposal, from community land to operational land and forward the Planning Proposal to the Department of Planning, Industry and Environment for a Gateway Determination.
2. That should the Minister determine that the proposal may proceed, public exhibition occur in accordance with the Gateway Determination.
3. That following the completion of the public exhibition, a separate public hearing be held with the outcome of both the public exhibition and the public hearing reported back to Council.

A Division was recorded in regard to the Resolution for Item 8.4 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, M Chivers, B Moroney, P Lake, W Morrison and T Rowell.

Voting against the Resolution were Nil.

196 The Motion on being Put was **CARRIED** unanimously.

8.5 Electric Vehicle Charging Stations - Draft Amendment to Campbelltown (Sustainable City) Development Control Plan 2015

It was **Moved** Councillor Hunt, **Seconded** Councillor Gilholme:

1. That Council endorse the public exhibition of the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 shown at attachment 1.
2. That where submissions are received through the exhibition period, a further report be provided to Council tabling the issues raised in those submissions.
3. That where no submissions are received during the exhibition period, the draft amendment be adopted and commenced upon public notification being completed in accordance with Environmental Planning and Assessment Regulations, 2000.

A Division was recorded in regard to the Resolution for Item 8.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, P Lake, W Morrison, G Greiss and T Rowell.

Voting against the Resolution were Nil.
