

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) [↓](#)

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3. That the submission authors be advised of Council's decision.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Greiss, D Lound, K Hunt, M Chowdhury, R Manoto, M Oates, W Morrison, M Khalil, J Cotter, G Brticevic, M Chivers, M George, J Chew and R Munro.

Voting against the Resolution were Councillor M Stellino.

063/2022 The Motion on being Put was **CARRIED**.

Meeting note: Additional documents supplied by Brendan O'Brien on behalf of Lendlease and Patricia and Barry Durman and were tabled at the meeting.

Procedural Motion

It was **Moved** Councillor Brticevic, **Seconded** Councillor Greiss:

That Item 8.4 Outcome of Public Exhibition - Evelyn Street, Macquarie Fields Planning Proposal be brought forward to be considered after Item 8.2 Outcome of Public Exhibition - Mount Gilead Development Control Plan.

064/2022 The Motion on being Put was **CARRIED**.

8.3 Outcome of Public Exhibition and Public Hearing - Reclassification of Land at Campbelltown Sportsground Planning Proposal

It was **Moved** Councillor Brticevic, **Seconded** Councillor Khalil:

1. That Council forward the Planning Proposal to reclassify land at Campbelltown Sportsground at attachment 1 to this report to the Minister for Planning and Public Spaces and request that the Planning Proposal be made.
2. That all those who made a formal submission on this Planning Proposal, be notified of Council's decision.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Greiss, D Lound, K Hunt, M Chowdhury, R Manoto, M Oates, W Morrison, M Khalil, M Stellino, J Cotter, G Brticevic, M Chivers, M George, J Chew and R Munro.

Voting against the Resolution were Nil.

065/2022 The Motion on being Put was **CARRIED**.
