

## 5. REPORTS FROM OFFICERS CONSIDERED IN CLOSED SESSION

### 5.1 Planning Proposal – Reclassification of Land – Campbelltown

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#### Executive Summary

- All Council land is categorised as either community land or operational land under the *Local Government Act, 1993* (LG Act). The subject land, which includes the Campbelltown Animal Care Facility (ACF) and Kanbyugal Reserve is partly operational land and partly community land.
- The Planning Proposal (PP) seeks to reclassify a portion of land currently classified as Community land under the LG Act, to operational land.
- The PP also seeks to rezone the portion of land that is or will be Operational land from RE1 – Public Recreation to IN2 – Light Industrial under the Campbelltown Local Environmental Plan (CLEP) 2015.
- The ACF is currently situated on both Community and Operational land.
- Dual classification of land is not considered to be an orderly or efficient use of land, and unreasonably constrains the use of the land. Those parts of the Animal Care Facility located on community land are inconsistent with the plan of management for the land.
- Reclassifying a portion of the site to Operational land will increase the land's operational flexibility. Rezoning the reclassified section to the IN2 – Light Industrial Zone will align with the existing IN2 zone for the Animal Care Facility.
- The process for changing the classification of land is through an amendment to the Campbelltown Local Environmental Plan 2015 (CLEP 2015). The process to rezone the reclassified portion of the site is also through a PP.
  - A PP has been prepared and is at attachment 1 to this report.
  - Advice on the PP is sought from the Panel.

#### Panel Consideration and Advice

The Panel notes the report and proposed reclassification of land at Campbelltown from community to operational land. The Panel is aware of the ongoing operation and purpose of the Campbelltown Animal Care Facility as a facility to house animals.

To ensure the public have an appropriate level of scrutiny in regards to this decision, a public hearing with an independent chairperson should be held in regards to this planning proposal, post gateway determination and public exhibition. The Panel considers the draft planning proposal to have strategic and site specific merit and is appropriate. However, the Panel advises that Council should seek:

- independent legal advice before Council decides whether to forward the Planning Proposal to the Department for Gateway approval regarding the permissibility of the boundary realignment between Kanbyugal Reserve and property No. 2 Rose Street, Campbelltown and any legal constraints that may prevent this change.
- To ensure that any amendment to the Campbelltown Local Environmental Plan 2015 results in the existing and proposed land use being permissible on the land;

The Panel is of the view that the reclassification of land would simplify the land classification of the site and would remove constraints from having a dual classification across the site. The fragmented structure presently is not considered to be an efficient or orderly use of the land. The Panel considers that the reclassification will be of benefit to the ongoing management and use of the site as a housing facility for animals.

To ensure the public have an appropriate level of scrutiny in regards to this decision, a public hearing with an independent chairperson must be held in regards to this planning proposal, post gateway determination and public exhibition.

### **Voting**

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The next meeting of the Local Planning Panel is scheduled for 26 October 2022.

### **Chairperson**

Meeting Concluded: 3.09pm