



CAMPBELLTOWN
CITY COUNCIL

ORDINARY BUSINESS PAPER

12 OCTOBER 2021

COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BASIX	Building Sustainability Index Scheme
BCA	Building Code of Australia
BIC	Building Information Certificate
BPB	Buildings Professionals Board
CLEP 2002	Campbelltown Local Environmental Plan 2002
CLEP 2015	Campbelltown Local Environmental Plan 2015
CBD	Central Business District
CPTED	Crime Prevention Through Environmental Design
CSG	Coal Seam Gas
DA	Development Application
DCP	Development Control Plan
DDA	<i>Disability Discrimination Act 1992</i>
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
FFTF	Fit for the Future
FSR	Floor Space Ratio
GRCCC	Georges River Combined Councils Committee
GSC	Greater Sydney Commission
HIS	Heritage Impact Statement
IDO	Interim Development Order
IPR	Integrated Planning and Reporting
KPoM	Koala Plan of Management
LEC	Land and Environment Court
LEC Act	<i>Land and Environment Court Act 1979</i>
LEP	Local Environmental Plan
LGA	Local Government Area
LG Act	<i>Local Government Act 1993</i>
LPP	Local Planning Panel
LTFP	Long Term Financial Plan
NGAA	National Growth Areas Alliance
NOPO	Notice of Proposed Order
NSWH	NSW Housing
OEH	Office of Environment and Heritage
OLG	Office of Local Government, Department of Premier and Cabinet
OSD	On-Site Detention
OWMS	Onsite Wastewater Management System
PCA	Principal Certifying Authority
PoM	Plan of Management
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PMF	Probable Maximum Flood
PN	Penalty Notice
PP	Planning Proposal
PPR	Planning Proposal Request
REF	Review of Environmental Factors
REP	Regional Environment Plan
RFS	NSW Rural Fire Service
RL	Reduced Levels
RMS	Roads and Maritime Services
SANSW	Subsidence Advisory NSW
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
SSD	State Significant Development
STP	Sewerage Treatment Plant
SWCPP	Sydney Western City Planning Panel (District Planning Panel)
TCP	Traffic Control Plan
TMP	Traffic Management Plan
TNSW	Transport for NSW
VMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement
PLANNING CERTIFICATE	- A Certificate setting out the Planning Rules that apply to a property (formerly Section 149 Certificate)
SECTION 603 CERTIFICATE	- Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	- Certificate from Sydney Water regarding Subdivision



05 October 2021

In response to the COVID-19 pandemic, you are hereby notified that the next Ordinary Council Meeting will be held Online via MS Teams on Tuesday 12 October 2021 at 6:30 pm. The meeting will be livestreamed and a recording will be uploaded to Council's website the next day for on-demand viewing.

Lindy Deitz
General Manager

Agenda Summary

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1. ACKNOWLEDGEMENT OF LAND

I acknowledge the Dharawal people whose ongoing connection and traditions have nurtured and continue to nurture this land.

I pay my respects and acknowledge the wisdom of the Elders – past, present and emerging and acknowledge all Aboriginal people here tonight.

2. APOLOGIES/LEAVE OF ABSENCE

Nil at time of print.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 14 September 2021

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 14 September 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

Report

That the Minutes of the Ordinary Meeting of Council held 14 September 2021 are presented to Council for confirmation.

Attachments

1. Minutes of the Ordinary Meeting of Council held 14 September 2021 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 14 September 2021.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 14 September 2021

Present The Mayor, Councillor G Brticevic
 Councillor M Chivers
 Councillor M Chowdhury
 Councillor B Gilholme
 Councillor G Greiss
 Councillor K Hunt
 Councillor P Lake
 Councillor D Lound
 Councillor R Manoto
 Councillor B Moroney
 Councillor W Morrison
 Councillor M Oates
 Councillor T Rowell
 Councillor B Thompson

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson Councillor Brticevic.

Council Prayer

The Council Prayer was presented by the General Manager.

2. APOLOGIES/LEAVE OF ABSENCE

Nil

Note: Councillor R George has been granted a leave of absence from Council incorporating all meetings until further notice.

3. CONFIRMATION OF MINUTES**3.1 Minutes of the Ordinary Meeting of Council held 3 August 2021**

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

That the Minutes of the Ordinary Council Meeting held 3 August 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

173 The Motion on being Put was **CARRIED**.

4. DECLARATIONS OF INTEREST

Declarations of Interest were made in respect of the following items:

Pecuniary Interests

Nil

Non Pecuniary – Significant Interests

Nil

Non Pecuniary – Less than Significant Interests

Nil

Other Disclosures

Nil

5. MAYORAL MINUTE

5.1 Infrastructure Contributions – Sydney Metropolitan Councils

It was **Moved** Councillor Brticevic:

1. That Council calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the EPA Amendment Bill) from the NSW Parliament.
2. That Council calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
3. That Council support the placement of a joint Sydney Metropolitan Councils full-page advertisement in relevant publications outlining the estimated financial impact of the EPA Amendment Bill (as detailed in Attachment 1) including a financial contribution towards the cost of the advertising and the Mayors signature and Council logo within the advertisement.
4. That Council write to Mr Greg Warren MP and Mr Anoulack Chanthivong MP seeking their support.

A Division was **Called** by Councillor Brticevic **Seconded** Councillor Lake.

A Division was recorded in regard to the Resolution for Item 5.1 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, B Thompson, G Greiss and T Rowell.

Voting against the Resolution were Nil.

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

6. PETITIONS

7. CORRESPONDENCE

7.1 Local Planning Panel - Statutory Declarations

It was **Moved** Councillor Moroney, **Seconded** Councillor Thompson:

That the letter be received and the information be noted.

175 The Motion on being Put was **CARRIED**.

8. REPORTS FROM OFFICERS

8.1 Outcome of Public Exhibition - Draft Campbelltown (Sustainable City) Development Control Plan - Tree Permits

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

1. That Amendment No. 14 to Part 11 (Vegetation and Wildlife Management) of the Campbelltown (Sustainable City) Development Control Plan 2015 be adopted.
2. That Council give public notice of its decision in accordance with the Environmental Planning and Assessment Regulation 2000.
3. That those who made a submission be advised of this decision.

A Division was recorded in regard to the Resolution for Item 8.1 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, B Thompson, G Greiss and T Rowell.

Voting against the Resolution were Nil.

176 The Motion on being Put was **CARRIED**.

8.2 Development Application Status

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

That the information be noted.

177 The Motion on being Put was **CARRIED**.

8.3 Bush Fire Management Policy

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

1. That the revised Bush Fire Management Policy as attached to this report be adopted.
2. That the Bush Fire Management Policy review date be set at 30 September 2024.

178 The Motion on being Put was **CARRIED**.

8.4 Easement for Electrical Supply Affecting Part Lot 4 DP 259807 and Part Lot 532 DP 230227

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

1. That approval be granted for the creation of an easement for electrical supply in favour of Endeavour Energy over Council land at Bradbury.
2. That approval be granted for the General Manager or her delegated authority to sign all documentation associated with the creation of the easement for electrical supply.
3. That the Common Seal of Council be affixed to the documentation, if required.

179 The Motion on being Put was **CARRIED**.

8.5 Investments and Revenue Report - July 2021

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

That the information be noted.

180 The Motion on being Put was **CARRIED**.

8.6 Reports and Letters Requested

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

That the information be noted.

181 The Motion on being Put was **CARRIED**.

8.7 Minutes of the Audit Risk and Improvement Committee Report

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

That the minutes of the Audit Risk and Improvement Committee held 10 August 2021 be noted.

182 The Motion on being Put was **CARRIED**.

8.8 2021 Local Government NSW Annual Conference

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

1. That Council nominate Councillor Oates, Councillor Hunt, Councillor Lound, Councillor Manoto, Councillor Gilholme, Councillor Moroney, Councillor Greiss, Councillor Rowell and Councillor Brticevic as the 9 voting delegates for the 2021 Local Government NSW Annual Conference and the 2021 Local Government NSW Board Election.
2. That Council nominate Councillor Oates, Councillor Hunt, Councillor Lound, Councillor Manoto, Councillor Gilholme, Councillor Moroney, Councillor Greiss, Councillor Rowell and Councillor Brticevic as the 9 voting delegates for the determination of Local Government NSW 'Special Conference' Motions, noting that substitutions of Councillors are permitted pending the outcome of the Local Government election.
3. That other interested Councillors also be authorised to attend the 2021 Local Government NSW Annual Conference and the Local Government NSW 'Special Conference' Motions together with the General Manager and/or delegate.
4. That the registration fees and travel expenses for the Local Government NSW 'Special Conference' Motions be met in accordance with Council's Policy.

183 The Motion on being Put was **CARRIED**.

8.9 Quarterly Business Review Statement as at 30 June 2021

It was **Moved** Councillor Thompson, **Seconded** Councillor Lound:

That the adjustments in the Quarterly Business Review originally funded in the 2020-21 budget and subsequent financial reviews, be reallocated for expenditure during 2021-22.

184 The Motion on being Put was **CARRIED**.

8.10 Easements and Road Widening for Part Lot 2411 DP 1252979

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

1. That approval be granted for:
 - a) An easement for electrical supply in favour of Endeavour Energy to supply the Bunnings development;
 - b) An easement for a right of carriageway in favour of Council to enable maintenance access to an existing drainage channel and culvert; and
 - c) Road widening to a portion of the lot adjoining Blaxland Road to allow for the extension of an existing shared pedestrian/cycle path.
2. That approval be granted for the General Manager, or delegated authority, to sign all documentation associated with the creation of the easements and road widening.
3. That the Common Seal of Council be affixed to the documentation, if required.
4. That following the Sub-division and registration with NSW Land Registry Services that the land remain classified as Operational Land under the *Local Government Act 1993*.

185 The Motion on being Put was **CARRIED**.

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Support for the Homeless in Campbelltown

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

1. That a report be presented detailing the initiatives, services and strategies that Council has implemented, and is continuing to implement, during [and before] the COVID-19 crisis, to assist local community organisations and NGOs, working to support homeless people in our LGA.
2. That Council investigate future opportunities to reduce/eliminate homelessness in the Campbelltown LGA and include these initiatives in the report.

186 The Motion on being Put was **CARRIED**.

11.2 Creative Arts Fund

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

1. That a report be presented investigating the establishment/trial of a local creative arts fund with the purpose of providing opportunities to improve the wellbeing, resilience and social cohesion of our community through creative expression and social connection.
2. That the report also include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council including the cost associated with these initiatives.

187 The Motion on being Put was **CARRIED**.

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates attended an online meeting with other Mayors and Deputy Mayors and Linda Scott from LGNSW. The event was an opportunity for councils who are in the same situation regarding COVID-19 lockdowns to share what has been working and how they have been responding to the COVID-19 crisis. The event ended on a high with all participants leaving looking towards solutions.

2. Councillor Meg Oates today attended the online ceremony for the NSW Volunteer of the Year Awards for the South Western Sydney region. Councillor Oates explained the nomination process with nominations for volunteers received for Young Volunteer of the Year, Adult Volunteer of the Year, Senior Volunteer of the Year and Volunteer Team of the Year. The regional finalist will be invited to the state ceremony for the announcement of the 2021 NSW Volunteer of the Year. Councillor Oates shared how wonderful it was to have the opportunity to celebrate our volunteers and to thank all the nominees for their dedication and time they give to volunteer across the Macarthur region.
3. Councillor Masood Chowdhury last week attended the South West Multicultural and Community Centre to assist packing food hampers for the community. Councillor Chowdhury thanked all involved for helping to assist members of our community during these difficult times.
4. Councillor Masood Chowdhury spoke about the Afghan refugees that recently left Afghanistan on flights to the USA and Australia. Councillor Chowdhury extended a warm welcome to all Afghan refugees who are settling in the LGA.
5. Councillor Paul Lake congratulated the Campbelltown LGA residents noting Campbelltown's high vaccination rates, 87 per cent of residents have received a first dose and 48 per cent of residents have received a second dose.
6. Councillor Ben Moroney echoed Councillor Chowdhury's comments regarding the situation in Afghanistan and expressed pride that Campbelltown LGA is and remains a welcome refugee zone and the community will do their part to assist any refugees.
7. Councillor Ben Moroney advised the meeting that the COVID-19 infection reproduction rate dropped below one for the first time during this outbreak of COVID-19. Councillor Moroney shared this as a sign of hope, that things are getting better.
8. Councillor Bob Thompson passed on his thanks to the City Delivery Team for all their work in keeping Campbelltown looking beautiful.
9. Councillor Ted Rowell shared how he experienced some major issues with his technology recently and passed on this thanks to Monique for coordinating, to the IT Team members James and Tim for their expertise in finding solutions and to the rangers for their assistance in delivering the devices.
10. The Mayor, Councillor George Brticevic thanked staff for the support they provide to all Councillors during the lockdown.
11. The Mayor, Councillor George Brticevic passed on his appreciation to the citizenship team for enabling citizenship ceremonies to be held during lockdown. The number of citizens awaiting citizenship has reduced from 1,300 to 370.
12. The Mayor, Councillor George Brticevic thanked Council staff for their assistance at the vaccination hubs at Macquarie Fields and Claymore in helping with traffic flow and people movement providing comfort to those waiting in the line for vaccination by moving the line into the shade. Councillor Brticevic thanked the General Manager and Director City Delivery for their assistance in opening the Catholic Club as an additional vaccination centre with the Pfizer vaccination also available on some days.

13. The Mayor, Councillor George Brticevic thanked the community, local businesses, community groups and local charities who have stepped up to help fellow residents and support them through these tough times.
14. The Mayor, Councillor George Brticevic today attended an online meeting with the Premier and all Mayors from LGAs of concern. Councillor Brticevic advised that the meeting was split into groups of 4 Mayors and he was with the Mayors from Liverpool, Canterbury-Bankstown and Fairfield. Councillor Brticevic advised he raised concerns that the Campbelltown LGA has low numbers of COVID-19 infections and was seeking to have Campbelltown removed as an LGA of concern and further concessions to ease restrictions earlier. Councillor Brticevic also raised the resilience our city has shown but also that we need assistance for Non-Government Organisations regarding the issue of food security and called for considerations to be provided to businesses for security, particularly those which are closed with no online presence. Councillor Brticevic commended the LGA noting the high vaccination rates and with infection rates decreasing.
15. The Mayor, Councillor George Brticevic today attended an online meeting with the NSW Treasurer, Dominic Perrottet MP, the Western Sydney Minister, Stuart Ayres MP and the General Manger for further discussions resulting from the Western Sydney Economic Forum. They discussed resilience and business and the extension of some programs to encourage the economy, encourage safe events and to help activate areas in our LGA.
16. The Mayor, Councillor George Brticevic shared how pleased he is to see the Campbelltown LGA residents coming forward to get vaccinated with 87 per cent having received the first dose and 46 per cent are fully vaccinated with their second dose.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Nil

There being no further business the meeting closed at 8:15 pm.

Confirmed by Council on

..... General Manager Chairperson

4. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

5. MAYORAL MINUTE

5.1 Community Service Award - Mr Noel Laming

Recommendation

That Noel Laming be recognised with a posthumous Community Service Awards in recognition of his contributions to the Campbelltown community.

Late last month, Noel Laming, one of Campbelltown's true stalwarts sadly lost his battle with cancer.

Mr Laming was known throughout our community and beyond for his selfless commitment to his city. He dedicated his life to serving various local groups including the Catholic community, real estate, and various charities over the 6 decades he called Campbelltown home, however he was most known for his contribution to cricket.

Mr Laming's passion and service to cricket in our community was significant. His love of cricket began as a player, before becoming an umpire, coach, administrator, President, Chairman and Life Member. He was the inaugural President of the Campbelltown Camden District Cricket Club from 1985 to 1993 and was named a life member in 2005. He was the Chairman of the Sydney Cricket Association from 1990 to 2001 and became a life member in 2001.

Mr Laming was instrumental in the development of the Ghosts home ground being established at Raby Sports Complex to serve our local sporting community and broader region. He was also known for his collection of cricket memorabilia and made personal donations to the Bradman Museum to share his love of the game.

I would like to take this opportunity to recognise Noel Laming and his contributions to our community through the presentation of a posthumous Community Service Award, which will be presented to his family.

Attachments

Nil

6. PETITIONS

7. CORRESPONDENCE

Nil

8. REPORTS FROM OFFICERS**8.1 Annual General Meeting Presentation****Reporting Officer**

Executive Manager Corporate Services and Governance
General Manager

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

That Council note the Annual General Meeting Presentations.

Attachments

Nil

8.2 Financial Statements 2020-21

Reporting Officer

Executive Manager Corporate Services and Governance
General Manager

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the financial reports and the Auditors reports for the period 1 July 2020 to 30 June 2021 be received and noted.

Purpose

Presentation of Councils annual financial statements for the period 1 July 2020 to 30 June 2021.

Report

Council at its meeting held 3 August 2021 resolved to refer the 2020-21 General Purpose Financial Reports and the 2020-21 Special Purpose Financial Reports to audit. Following completion of the audit by Council's auditor, Audit Office of New South Wales, and in accordance with Section 417 of the *Local Government Act 1993*, Council was issued with an audit opinion as outlined in the Auditor's reports.

Presentation of Financial Reports

Section 415 to Section 421 of the *Local Government Act 1993* outlines Council's annual financial reporting and auditing requirements. Council must give notice of the public meeting at which the audited financial reports together with the Auditor's reports are to be presented. Public notice is scheduled to commence on 5 October 2021 via Council's website.

In accordance with Section 420 of the *Local Government Act 1993*, written submissions are invited with respect to the audited financial reports or the Auditor's reports. Council must ensure that copies of all submissions are referred to Council's Auditor together with any action that Council considers appropriate in response to submissions received.

In accordance with Section 418 of the *Local Government Act 1993*, Council is required to hold a public meeting to review the Financial Reports within 5 weeks of receiving the Auditor's reports. Section 419 of the *Local Government Act 1993* advises that Council's Auditor may attend the meeting at which the Financial Reports are presented. Ms Somaiya Ahmed, Director Financial Audit Services from the Audit Office of New South Wales, will be in attendance to discuss any matters that Council may wish to raise.

The Financial Reports

The Financial Reports have been prepared in accordance with the *Local Government Act 1993* and regulations thereunder, Australian Accounting Standards and other pronouncements, the Local Government Code of Accounting Practice and Financial Reporting (Update 28).

The Financial Statements are available on Council's website:
<https://www.campbelltown.nsw.gov.au/CouncilandCouncillors/FinancialInformation>

Operational Result

The financial result for the reporting period reflects an increase in equity of \$162 million, which includes depreciation of Council's infrastructure assets, capital grants and contributions and gains on revaluation of infrastructure, property, plant and equipment. The operating result before capital grants and contributions provided a surplus of \$17.8 million. Capital grants and contributions amounted to \$36 million, which resulted in an adjusted operating result after capital grants and contributions of a surplus of \$53.9 million.

In complying with the Australian Accounting Standards, income is assessed to be recognised either as sufficiently specific performance obligations are met, or where not applicable, recognised on receipt. As such some grant income, developer contributions and other income is brought to account on receipt or raised as an accounts receivable. The subsequent expenditure required from this income may not be carried out until a future financial period which distorts the operating result. These funds are however, protected by placing a restriction over the income. Details of restricted funds are disclosed in Note C1-3 to the Financial Statements. For the 2020-21 financial year externally restricted funds, which are required to be committed to the purposes for which they were provided, amount to \$72.5 million.

Performance Measures

The Office of Local Government requires a minimum number of prescribed indicators to be presented in Note F6-1 of the Financial Reports as follows:

1. Operating Performance

The operating performance percentage measures Council's achievement in containing operating expenditure within operating revenue. This indicator was impacted by the loss of revenue due to COVID-19 in 2020 however exceeds the benchmark of > 0 for 2021 due to the growth rates and annual charges and contained operating expenditure.

2021	2020
3.98%	0.52%

2a. Own Source Operating Revenue

The own source operating revenue percentage measures fiscal flexibility and the degree of reliance on external funding sources such as grants and contributions. This indicator has remained consistent for 2020-21 and remains above the benchmark of >60 per cent.

2021	2020
68.35%	65.32%

2b. Own Source Operating Revenue (exclusive of non-cash dedications)

The own source operating revenue ratio (2a) is distorted by non-cash revenues received through the dedication of non-current assets. This additional disclosure is provided to demonstrate that Council significantly exceeds the benchmark of >60 per cent after excluding \$20 million in non-cash dedications which better reflects a fairer comparison to other NSW councils who may not receive material dedications revenue as a result of high levels of growth.

2021	2020
75.45%	79.17%

3. Unrestricted Current Ratio

The unrestricted current ratio assesses the adequacy of working capital and the ability to satisfy obligations in the short term from the unrestricted activities of Council. This ratio has consistently remained above the benchmark of 1.5:1 as a result of the retirement of debt, budget surpluses and strong liquidity.

2021	2020
3.78:1	1.9:1

4. Debt Service Cover Ratio

The debt service cover ratio measures the availability of operating cash to service debt and lease repayments. This result reflects the strong operating result and the continued retirement of debt levels. Council has been consistently higher than the benchmark of >2.

2021	2020
11.34:1	7.51:1

5. Rates and Annual Charges Outstanding Percentage

The rates and annual charges outstanding percentage is reported to Council on a monthly basis as part of the Rates Summary Report. The percentage has significantly improved over recent years and is an excellent result for the 2020 and 2021 years given the pressures of COVID-19 on our ratepayers.

2021	2020
4.62%	4.29%

6. Cash Expense Cover Ratio

Indicates the number of months Council can contribute paying immediate expenses without additional cash flow. Council is above the benchmark of >3 months.

2021	2020
18.12 months	17.98 months

The Budget Result

The budget result for the year is aligned to funding and takes into consideration Council's total expenditure and revenue, including not only operational items but capital expenditure, loan borrowings and sale of assets. Council's original budget predicted a balanced budget for the 2020-21 financial year, which was maintained through quarterly reviews, after accounting for \$13 million of Council's unrestricted cash holdings, accumulated from prior year surpluses, being utilised to support the funding of the Billabong Parklands project in accordance with the Council resolution.

Infrastructure Assets

Council's fixed assets continue to be re-valued in accordance with Australian Accounting Standards and as at 30 June 2021, all asset classes are stated at their fair value and will be re-valued every 3 or 5 years or as significant changes affect assets. Council should note that this significantly impacts depreciation which has a flow on effect, increasing the difficulty in maintaining a surplus operating result before capital grants and contributions.

The Infrastructure Assets Special Schedule details the condition of Council's buildings and infrastructure and reports the current backlog at \$10 million. This backlog and future funding gaps is being addressed by the special rate variation and loan borrowings under the Local Infrastructure Renewal Scheme. Since the special rate variation implementation Council's backlog has decreased from the initial amount of \$33.7 million.

Summary

Council as at 30 June 2021 remains in a sound and stable financial position for the short to medium term. After allowing for capital grants and contributions, the operational surplus of \$53.9 million has now been consolidated into Council's total equity which now stands at \$2.776 billion.

Council's financial performance indicators continue to meet or exceed industry benchmarks. The ratios adequately provide for the delivery of the objectives set out in Council's Operational Plan. Council's financial indicators will be highlighted in the presentation at the Annual General Meeting.

Overall, Council is proving its financial sustainability through meeting key financial performance indicators. These indicators underpin a Fit for the Future status and ensure Council is able to deliver quality services and infrastructure the community deserves and strengthen the system of local government.

Attachments

1. Financial Statements 2020-21 (distributed under separate cover)

8.3 Development Application Status

Reporting Officer

Director City Development
City Development

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.8 - Enable a range of housing choices to support different lifestyles

Officer's Recommendation

That the information be noted.

Purpose

To advise Council of the status of development applications within the City Development Division.

Report

In accordance with the resolution of the Council meeting held 13 March 2018, that:

Councillors be provided with monthly information detailing the status of each report considered by the Local Planning Panel (LPP), South Western City Planning Panel and approved by the General Manager under delegation of a value of more than \$1 million, the attachment to this report provides this information as requested.

Attachments

1. List showing status of Development Applications (contained within this report) [↓](#)

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
389/2017/DA-RA	'Raith' 74 Fern Avenue, Campbelltown	Construction of a residential development containing 134 residences and alterations to and use of the existing heritage building.	\$26,000,000	>20 million (registered prior to \$30mil threshold)	Panel briefed in March 2021. Under assessment	
434/2020/DA-C	158 Queen Street Campbelltown	Amalgamation of two allotments, demolition of structures and construction of an 11 storey building comprising of a 2 storey RSL club with 152 hotel rooms above	\$50,056,894	>\$30 million capital investment value	Deferred at Panel's February 2021 meeting to allow for finalisation of Planning Proposal	
4609/2018/DA-SW	Appin Road, Gilead	Staged subdivision to create 424 residential lots, 20 residue lots and associated civil works	\$33,446,465	>\$30 million capital investment value	Under assessment	
4079/2017/DA-CD	Western Sydney University, 183 Narellan Road, Campbelltown	Concept application for the staged development of residential, mixed use and open space land uses including Stage 1 for super lot subdivision and civil works	\$6,175,279	>\$5 million capital investment value Crown development	Awaiting further information from applicant	
906/2020/DA-SW	Gidley Crescent, Claymore	Stage 4 Claymore Renewal - Subdivision to create 179 residential lots two residual lots including associated works	\$13,940,148	>\$5 million capital investment value Crown development	Under assessment	

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
504/2021/DA-SW	Clarendon Place, Winbourne Place, Rawdon Place, Dalkeith Place, Greengate Road, Airds	Stage 8 Airds/Bradbury Renewal - Subdivision to create 82 lots comprising of 80 residential lots and 2 lots for parks and associated works	\$6,354,141	>\$5 million capital investment value Crown development	Panel briefed May 2021. Further information required	
535/2021/DA-SW	Woolwash Road, Greengate Road, Teeswater Place, Wallinga Place, Katella Place and Mamre Crescent, Airds	Stage 7 Airds/Bradbury Renewal - Subdivision of 71 existing lots to create 214 lots comprising of 207 residential lots, 2 lots for future development, 1 lot containing an existing senior housing	\$13,914,412	>\$5 million capital investment value Crown development	Panel briefed May 2021. Further information required	
3532/2020/DA-SW	Goldsmith Avenue, Campbelltown	Concept master plan for a high density residential and mixed use development (known as Macarthur Gardens North), and construction of Stage 1 of the master plan, encompassing roads, parks, civil works, landscaping and subdivision of the site into super lots	\$ 281,673,000	>\$5 million capital investment value Crown development	Under assessment	
2036/2021/DA-C	Camden Road, Campbelltown	Removal of 2 trees and construction of a four storey health service facility	\$21,988,885	>\$5 million capital investment value on Council land	Exhibition completed, under assessment	

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
1384/2020/DA-SW	Goldsmith Avenue, Campbelltown	Subdivision to create 56 residential lots and 2 residue lots and associated drainage and road works and construction of 56 dwellings	\$14,000,000	>\$5 million capital investment value Crown development	Awaiting further information from applicant	
11/2021/DA-SW	Various lots, Fullwood Reserve, Gould Road, Preston and Abrahams Ways and Beryl Close, Claymore	Stage 11 Claymore Renewal - Subdivision creating 91 Torrens titled residential allotments, 1 residue lot and associated site, civil and landscape works	\$8,621,292	>\$5 million capital investment value Crown development	Panel briefed April 2021. Further information required from applicant	
4604/2020/DA-SW	Various Lots, Norman Crescent, Dobell Road and Arkley Avenue, Claymore	Stage 5 Claymore Renewal - Subdivision of land to create 86 residential lots 1 residue lot 1 lot for future park and associated road and drainage works	\$14,290,245	>\$5 million capital investment value Crown development	Panel briefed April 2021. Further information required from applicant	
774/2021/DA-SW	Various lots, Riverside Drive, Airds	Consolidation of four existing lots to create four new lots and new road, landscape and open space infrastructure embellishment works - Airds/Bradbury Renewal	\$11,456,074	>\$5 million capital investment value Crown development	Panel briefing held June 2021, under assessment	

Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
1308/2021/DA-SL	Julius Road, Rosemeadow	Construction of a part two storey and three storey senior housing development comprising of 45 independent living units and car parking	\$18,460,200	>\$5 million capital investment value Crown development	Panel briefed August 2021.	
2635/2021/DA-SL	20 - 24 Karingal Place and 47 - 55 Creigan Road, Bradbury	Consolidation of four existing lots to create four new lots and new road, landscape and open space infrastructure embellishment works - Airds/Bradbury Renewal	\$11,929,500	>\$5 million capital investment value Crown development	Preparing for public exhibition	

DAs to be considered by the Department of Planning						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
Nil	Nil	Nil	Nil	Nil	Nil	Nil

Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2675/2008/DA-S	Lot 7304 Kellerman Drive, St Helens Park	Subdivision into 355 residential lots and associated civil and road works	\$9,000,000	More than 10 unique objections	Under assessment	
2687/2018/DA-SW	14 - 20 Palmer Street, Ingleburn	Construction of a five storey mixed use commercial and residential building	\$17,972,417	Development standard variation greater than 10%	Under assessment	
1786/2020/DA-C	10 Wickfield Street, Ambarvale	Mixed use commercial, child care centre and residential development	\$12,585,013	SEPP 65 - Residential Apartment	Under assessment	
2687/2018/DA-SW	Appin Road, Gilead	Subdivision of land and associated civil works into 139 residential lots and 3 residue lots	\$7,972,417	More than 10 unique objections, planning agreement	Under assessment	
681/2018/DA-SW	Menangle and Cummins Roads, Menangle Park	Subdivision of land and associated civil works into 90 residential lots and 3 residue lots	\$6,930,000	Planning agreement	Under assessment	
3566/2020/DA-BH	4 Donaldson Street, Bradbury	Construction of a boarding house and associated site works	\$890,250	More than 10 unique objections	Completed	Refused for several reasons at August meeting
3569/2020/DA-BH	6 Donaldson Street, Bradbury	Construction of a boarding house and associated site works	\$871,530	More than 10 unique objections	Completed	Refused for several reasons at August meeting

Development Application Register

DAs with a value of \$1 million or more approved under Delegated Authority since last Council meeting,						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
4103/2018/DA-SW	Bensley and Oxford Roads, Ingleburn	Subdivision into 92 Torrens title allotments including vegetation removal, earthworks and associated civil and storm water works.	\$8,523,581	Delegated	Completed	Approved with conditions
1730/2020/DA-M	87 - 89 Oxford Road, Ingleburn	Demolition of existing dwellings, consolidation of two lots into one lot and construction of 8 two storey dwellings	\$1,742,221	Delegated	Completed	Approved with conditions
1862/2020/DA-I	183 Airds Road, Leumeah	Demolition of existing structures and construction of a mixed use development containing a child care centre, place of public worship, three light industrial tenancies and five high technology / light industry tenancies	\$5,955,817	Delegated	Completed	Approved with conditions
1580/2021/DA-U	Campbelltown Mall, 271 Queen Street, Campbelltown	Construction of internal fit out and use of tenancy as a gym	\$ 2,942,278	Delegated	Completed	Approved with conditions

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

Introduction

This Planning Proposal seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) and explains the intent of, and justification for, the reclassification of land located at 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 Site

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.

The site is currently owned and managed by Campbelltown City Council and includes a sports stadium, athletics track and grandstand and associated car parks.

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.



Figure 2: Zoning of subject site. Light blue represents B2 – Local Centre, green represents RE1 – Public Recreation and yellow represents an SP2 – Drainage zone. Note: the employment zones reform being led by the NSW Department of Planning, Industry and Environment may result in changes to the B2 Local Centre.

Part 1 – Objectives or Intended Outcomes

The objective of this Planning Proposal is to reclassify the portion of the site that is community land to operational land. The proposed reclassification would create the potential for additional future uses that would work in cohesion with the existing facilities.

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.

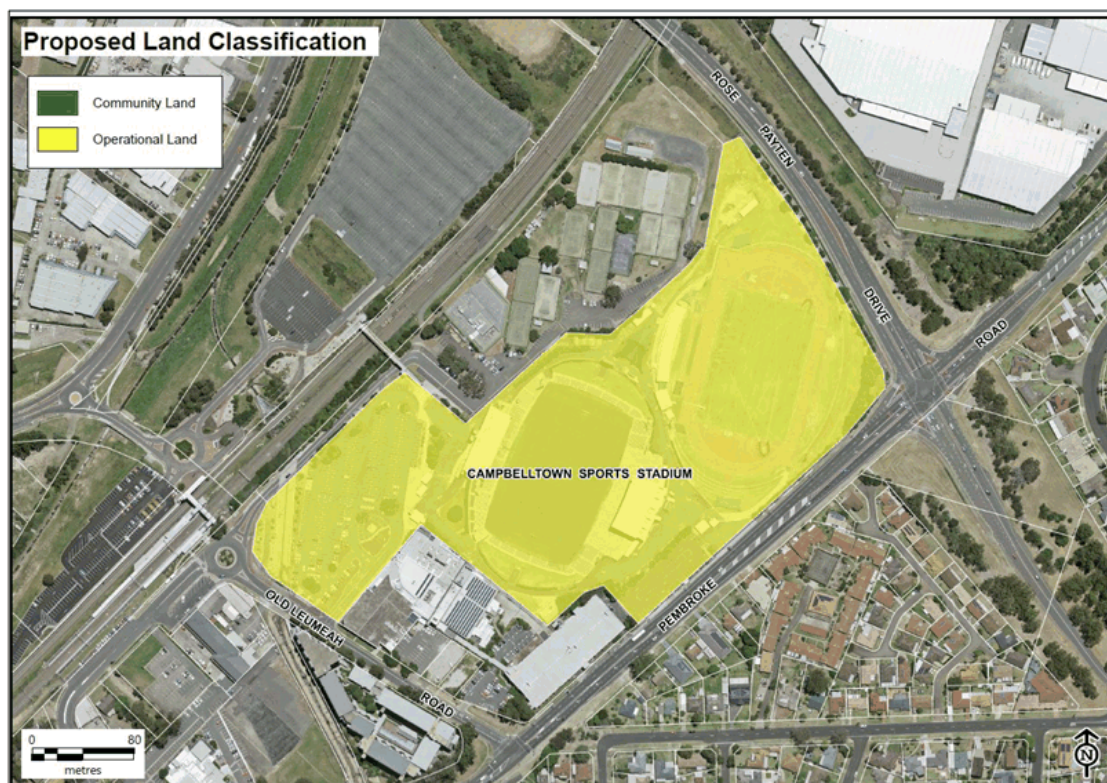


Figure 4: Proposed land classification for the subject site. The planning proposal seeks to reclassify the remaining community land to operational land.

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>	<p>No further action is required.</p>	<p>1</p>	<p>No</p>
<p>As above</p>	<p>GB868332 Covenant affecting the part(s) shown so burdened in the title diagram</p>	<p>No further action is required.</p>	<p>1</p>	<p>No</p>
<p>As above</p>	<p>G922754 Covenant affecting the part(s) shown so burdened in the title diagram</p>	<p>No further action is required.</p>	<p>1</p>	<p>No</p>
<p>As above</p>	<p>G876149 Covenant affecting the part(s) shown so burdened in the title diagram</p>	<p>No further action is required.</p>	<p>1</p>	<p>No</p>
<p>As above</p>	<p>G876150 Covenant affecting the part(s) shown so burdened in the title diagram</p>	<p>No further action is required.</p>	<p>1</p>	<p>No</p>
<p>As above</p>	<p>G954679 Covenant affecting the part(s) shown so burdened in the title diagram</p>	<p>No further action is required.</p>	<p>1</p>	<p>No</p>
<p>As above</p>	<p>G908696 Covenant affecting the part(s) shown so burdened in the title diagram</p>	<p>No further action is required.</p>	<p>1</p>	<p>No</p>

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	The Proposal is not inconsistent with this Direction. 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

	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

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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

Development Services

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NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1019063

PAGE 2

SECOND SCHEDULE (21 NOTIFICATIONS) (CONTINUED)

- 14 DP1019063 VARIABLE APPURTENANT TO THE LAND ABOVE DESCRIBED
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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* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

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

Cadastral

▭ Cadastre 15/10/2020 © Spatial Services

Scale: 1 : 20,000 @ A3

Project: 654_1004
Map: 200_00

Map identification number:
1500_C004_RPL_008_20210200

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

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.5 - Plan for and ensure that development in our city is sustainable and resilient

Officer's Recommendation

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.

Executive Summary

Over the past 2 years Council has been undertaking investigation and feasibility work relating to electric vehicles. The promotion of electric vehicles has been demonstrated through Council's purchase of an electric vehicle for use for Council business.

As a result of national and state environmental policies, the number of electric vehicles driving on our roads will continue to increase and as such the installation of electric vehicle infrastructure, such as charging stations, will be required to support the increasing existence of electric vehicles.

In this regard, it is considered reasonable to introduce development controls and objectives within the Campbelltown (Sustainable City) Development Control Plan 2015, to encourage the installation of electrical vehicle infrastructure within certain types of development.

Purpose

The purpose of this report is to seek Council's endorsement to proceed with the public exhibition of a draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015, to introduce new controls providing guidance for Electric Vehicle Charging Stations within certain development types across the Campbelltown Local Government Area.

History

Council at its meeting held 16 February 2016 adopted the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP), which came into effect on 11 March 2016 to coincide with the commencement of Campbelltown Local Environmental Plan 2015 (CLEP 2015).

Since its commencement in March 2016, the SCDCP has been amended on other occasions in response to frequent amendments of State wide planning policies and guidelines and/or adopt site specific development controls under Volume 1 Site Specific DCPs.

Council, at its meeting held on 9 July 2019, resolved that:

A report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing, at appropriate locations, electric car charging stations.

In addition, Council, at its meeting held on 10 March 2020 considered a report which presented the latest findings on climate change. At that meeting, Council resolved in part:

That Council strengthens its commitment to the reduction of emissions as a consequence of its activities, increase the speed and priority of its adopted mitigation and adaptation measures, and continues its innovative and strong leadership in reducing its impact on the climate by... supporting the use of electric vehicles.

Further to the above, Council at its meeting held on 13 July 2021, resolved the following:

That Council develop planning controls to be included in the Sustainable City Development Control Plan that encourage the provision of electric vehicle charging infrastructure.

The report to the 13 July 2021 meeting presented findings of a growing transition towards Electric Vehicles, and included the following information:

The New South Wales (NSW) Government continues to increase its support for the transition to a cleaner and greener transport future. There are currently many key policy directions which support both uptake of Electric Vehicles (EV's) and the infrastructure required to support them, including the:

- Climate Change Policy Framework
- Net Zero Policy
- Proposed Design and Place State Environmental Planning Policy
- Future Transport 2056 Strategy
- Electric and Hybrid Vehicle Plan

Most recently, on 20 June 2021, the NSW Government announced a financial package of \$490 million to support the transition of new car sales to reach 52 per cent electric:

- From 1 September, stamp duty will be waived on all new private purchases of EV's priced under \$78,000
- From 1 September, a rebate of \$3,000 will be provided for the first 25,000 private purchases of EV's priced under \$68,750
- Road user tax for zero and low emissions vehicles will be waived for 6 years or until new EVs make up 30 per cent of new car sales
- \$171 million will be spent on new charging infrastructure.

Report

Current Situation

The Campbelltown (Sustainable City) Development Control Plan does not currently include any development controls relating to electric vehicle charging stations.

The purpose of this report is to consider the inclusion of development controls and objectives which would encourage and guide the installation of electric vehicle charging stations in new development through the development application process.

Proposed DCP Amendment

In order to facilitate the orderly inclusion of electric vehicle charging stations within private developments across Campbelltown, an amendment to the SCDCP is required.

The proposed SCDCP amendment (attachment 1) has been drafted to address the gap in policy and provide suitable controls and encouragement for the development of electric vehicle charging stations in existing and new developments.

The SCDCP amendment would facilitate Council's continued transition to a cleaner and greener transport future. By doing so, this will facilitate and encourage the inclusion of sustainable infrastructure.

Amendments are proposed across the SCDCP and include the provision of objectives related to electric vehicle charging infrastructure and controls guiding their location. A summary of the objectives and controls relating to each part is as follows:

Part 3 – Low and Medium Density Development and Part 4 – Rural Residential Development

- Any electric vehicle charging stations must be located behind the building line.
- Encourage the installation of vehicle charging stations.

Part 5 – Residential Flat Building and Mixed Use Development

- Investigate the potential inclusion of electric vehicle charging stations.

Part 6 – Commercial Development

- Inclusion of electric vehicle infrastructure.
- Inclusion of car parking for hybrid vehicles, electric vehicles and small cars in multi-unit car parking settings.
- For public car parks, a minimum 10 per cent allocated are to be designed and labelled for small and environmental vehicles in commercial, office or shopping centre development wherever 10 or more spaces are required.
- For public car parks, design of car parking spaces shall take into consideration the principles of Crime Prevention Through Environmental Design (CPTED) to minimise opportunities for crime and enhance security.

Part 7 – Industrial Development

- Investigate the potential inclusion of electric vehicle charging stations.

The intention of the proposed objectives and controls is to bring awareness to the need for electric vehicle charging infrastructure within private development and to support and guide the installation of electronic vehicle charging stations to ensure that electric vehicle charging infrastructure within new development is well located and able to be suitably accessed.

The proposed amendments relate to car parking in Part 3 – 7 of the SCDCP and will promote further sustainability and a shift towards the use of non-fossil fuel vehicles.

Public Exhibition

The draft SCDCP amendment is proposed to be exhibited for 28 days as required under the provisions of the Campbelltown Community Participation Plan. Notice of the proposed public exhibition will be published on Council's website. If submissions are received, a further report will be provided to Council after the completion of public exhibition.

Conclusion

A draft amendment to the SCDCP has been prepared to both encourage and provide consistent controls for electric vehicle charging stations within the Campbelltown LGA. The draft SCDCP would facilitate orderly development of electric vehicle charging stations and encourage good environmental outcomes.

Accordingly, it is recommended that Council publicly exhibit the draft amendment to the SCDCP. It is also recommended that if no submissions are received that the amendment be made. Where submissions are received a further report will be provided to Council to consider those submissions.

Attachments

1. Amendments to Campbelltown (Sustainable City) Development Control Plan 2015 – Electric Vehicle Charging Stations (contained within this report) [↓](#)

**AMENDMENTS TO CAMPBELLTOWN (SUSTAINABLE CITY) DEVELOPMENT CONTROL PLAN 2015 –
Electric Vehicle Charging Stations – Proposed changes identified in red**

3.4 General Requirements for all Types of Residential Development

3.4.2 Car Parking & Access

Objectives:

- Provide adequate on-site car parking for residents and visitors that is convenient, secure and safe having regard to the traffic generated by the proposed development.
- Ensure efficient and safe vehicle and pedestrian movement within, into and out of the development.
- Ensure that the location and design of driveways, parking, service areas and access areas are practical, easily maintained, convenient, safe and suitably landscaped.
- Provide safe convenient access for vehicles, pedestrians and cyclists whilst minimising conflict between them.
- **Promote the use of electric vehicles across the Local Government Area.**
- **Encourage the installation of electric vehicle charging infrastructure.**

Design requirements

- a) The minimum dimensions of any required parking space shall be 2.5 m x 5.5 m. If the car parking space adjoins a vertical edge which is 100 mm of higher, the minimum width of the car parking shall be 2.7 m.
- b) The minimum internal dimension of an enclosed garage shall be 3 m x 6 m.
- c) Transitional grades shall comply with AS2890.1 (as amended) Parking Facilities – Off-Street Car Parking.
- d) The maximum garage floor levels (above or below) for a garage setback 6 m from the front property boundary shall be in accordance with the requirements contained under *Council's Engineering Guide for Development*, (Appendix K – Standard Drawings No. SD-R08 and SD-R09), which is available at Council's website at www.campbelltown.nsw.gov.au.
- e) Driveways greater than 30 m in length as viewed from the street shall be avoided.
- f) Driveways shall be located a minimum distance of 6 metres from the tangent point of any unsignalled intersection.
- g) The minimum width of the driveway provides access for one dwelling; and
 - a. 2.5 m where the driveway provides access for one dwelling; and
 - b. 5 m where a single driveway provides access for 2 or more dwelling (excluding secondary dwellings).
- h) For residential developments incorporating more than 20 dwellings, a Traffic Impact Assessment Report shall be prepared by a suitably qualified person and submitted with the development application.

- i) Driveways shall be designed and located perpendicular to the road (Figure 3.4.2.2).
- j) Plain concrete driveways including crossover and layback shall not be permitted. Details of driveway colours and patterns shall be submitted with the development application.
- k) Garages and driveways shall be located and designed to minimise the loss of any on street parking and ensure that sufficient area is maintained along the site frontage for the provision of on street parking spaces, where possible.
- l) Internal driveways and vehicle access shall be provided with sufficient widths to ensure easy access to and from designated car parking areas/garages.
- m) Internal driveways for multi dwellings shall be designed to provide two-way vehicular access.
- n) **Electric vehicle charging stations must be located behind the building line.**

Medium Density Residential Development – Zone R3

3.7.1.5 Private Car Parking Requirement for Attached Dwellings –Zone R3

- a) each dwelling that is part of attached dwellings shall be provided with a minimum of one single garage
- b) despite Clause 3.7.1.5 a) above and Clause 3.7.1.2 b), where individual allotment is in existence before the gazettal date of the CLEP and has a width less than 7.5 m, standard garages shall not be permitted on the primary street frontage unless the garage component is recessed by at least 2 m from the main building line.
- c) For the purposes of Clause 3.7.1.5 b) above, covered car parking spaces fronting the primary street shall only be provided in a non-obstructive open type design so as not to detract from the street façade of the development.
- d) **Electric vehicle charging stations must be located behind the building line.**

Multi Dwelling Housing – Zone R3

Objectives:

- Ensure that multi dwelling housing is designed to enhance the streetscape character of established residential neighbourhoods.
- Ensure that multi dwelling housing offers a high standard of internal and external amenity for its occupants and maintains the amenity of other residents in the locality.
- Encourage innovative designs and layout to produce a medium density style development with contemporary buildings that utilise façade modulation and incorporate shade elements, such as pergolas, verandahs and the like.
- **Promote electric vehicle usage across the Local Government Area.**
- **Provide and encourage the installation of electric vehicle charging infrastructure.**

3.7.2.5 Private Car Parking Requirement for Multi Dwelling Housing – Zone R3

- a) Each multi dwelling housing unit shall be provided with a minimum of one single garage or car parking space.

- b) One external additional visitor car parking space shall be provided for every 3 units (or part thereof), unless all dwellings within the development have a direct frontage to a public street.
- c) No visitor car parking space shall be located forward of the primary or secondary street boundary.
- d) No visitor car parking space shall be in a 'stacked' configuration.
- e) **Electric vehicle charging stations must be located behind the building line.**

3.7.3.6 – Private Car Parking Requirements for Manor Houses – Zone R3

- a) A minimum of one car parking space shall be provided for each dwelling proposed as part of a manor house development.
- b) All required car parking spaces must meet compliance with Australian Standard (AS) – AS 2890.1 (2004) – “Parking facilities – Off –street car parking”.
- c) The visual and/or environmental impacts of car parking and garages shall not dominate the streetscape.
- d) Basement car parking should not protrude more than 1m above finished ground level except at the entrance to the car park.
- e) The maximum dimensions of any basement car park entry will be 2.7 m high by 3.5 m wide
- f) ‘Studio’ sized dwellings, located within 400 m of a railway station, are exempt from having to provide any car parking spaces on-site.
- g) **Electric vehicle charging stations must be located behind the building line.**

Part 4 Rural Residential Development and Ancillary Rural Residential Structures

Objectives:

- Ensure efficient and safe vehicle and pedestrian movement within, into and out of development.
- Ensure that the location and design of driveways, parking, service areas and access are practical, easily maintained, convenient, safe, suitably landscape and respect the broader landscape context.
- **Promote the use of electric vehicles across the Local Government Area.**
- **Encourage the installation of electric vehicle charging infrastructure.**

Design Requirements

- a) The minimum dimensions of any required parking space shall be 2.5 m x 2.5 m.
- b) The minimum internal dimensions of an enclosed garage shall be 3.0 m x 6.0 m.
- c) Transitional grades shall comply with AS2890.1 (as amended) Parking Facilities – Off-Street Car Parking.
- d) Driveways shall meet the following criteria:
 - a. Constructed to a standard that allows criteria:

- b. Designed and located to follow contours to avoid excessive site works, erosion and sedimentation run off;
 - c. Have a minimum width of 2.5 m and a maximum width of 5.0 m;
 - d. Allow for entry to and exit from the property in a forward direction;
 - e. Located to minimise the impact on vegetation and the removal of mature trees; and
 - f. One driveway access is permitted per property, in addition to any access required by the NSW Rural Fire Service, where relevant.
- e) Driveways shall be located a minimum distance of 6 m from the tangent point of any unsignalised intersection.
- f) Driveways shall be designed and constructed so that they do not divert stormwater from the adjoining road onto the property.
- g) **Electric vehicle charging stations must be located behind the building line.**

Part 5 Residential Flat Buildings and Mixed-Use Development

Mixed-Use Development

5.4.10 Car parking

- a) Car parking provided for the residential dwellings shall be secured, separated from commercial car parking (where relevant and have a separate access).
- b) The design of car parking spaces shall take into consideration the principles of Crime Prevention Through Environmental Design (CPTED) to minimise opportunities for crime and enhance security.

Residential Flat Buildings (Zone R4)

Objectives

- Encourage high quality, high-density residential flat development which is innovative and responsive to the site's environmental characteristics and setting.
- Ensure a high level of amenity for the occupants of residential flat buildings and adjoining occupants of residential flat buildings.

5.5.4 Car Parking and Access

Design Requirements

- a) All car parking and access for vehicles, including disabled access spaces, shall be in accordance with *AS2890 parts 1 and 2 (as amended)*, except as otherwise specified in the Plan.
- b) The minimum dimensions of any parking space shall be 2.5 m x 5.5 m. The minimum width of any car parking space shall be increased by 300mm for each side that adjoins a vertical edge.
- c) Driveways shall be located a minimum distance of 6 m from the splay of any unsignalised intersection (refer to Figure 5.5.4).
- d) For development incorporating 20 or more dwellings, the DA shall be accompanied by a *'Traffic Impact Assessment Report'*.

- e) Where existing, vehicular entry points shall be located at the rear or side streets.
- f) Development containing 3 or more storeys shall provide all required car parking at basement level.
- g) Parking provided at ground level shall be appropriately screened from public view.
- h) Each dwelling shall be provided with a minimum of one car parking space, and:
 - a. An additional car parking space for every 4 dwelling (or part thereof); and
 - b. An additional visitor car parking space for every 10 dwellings (or part thereof).
- i) No required car parking space shall be in a stacked configuration.
- j) Each development shall make provision for bicycle storage at a rate of 1 space per 5 dwellings within common property.
- k) **Electric vehicle charging stations must be located behind the building line.**

5.7 Mixed Use Development (Zones RU5, B1 & B2)

5.7.4 Car Parking and Access (areas zoned, RU5, B1 and B2)

Design Requirements

- a) Each residential dwelling shall be provided with a minimum of one car parking space.
- b) Private car parking for the residential component of a mixed use development/shop top housing shall be clearly identified and separated from regular business/retail car parking.
- c) In addition to the required residential car parking rates (section 5.7.4 a) above, the development shall provide one car parking space per 25 m² of leasable floor space at ground level and one car parking space per 35 m² of floor space at upper levels for all commercial/retail parts of the building.
- d) Pedestrian access to residential dwellings shall be separated from the commercial/retail uses.
- e) The development shall provide adequate space for the on-site parking, loading and unloading of all delivery service vehicles as detailed in Part 6.5.2 of this Plan
- f) **Electric vehicle charging stations must be located behind the building line.**

Part 6 Commercial Development

6.4 General Requirements

6.4.2 Car Parking and Access

Objectives:

- Ensure that sufficient car parking is accommodated on site to meet the traffic demand generated by the development.
- Ensure that the layout of car parking spaces is safe, functional and maintains the free flow of traffic into and out of the site.
- Minimise parking demand through integration of land use and transport.

- Ensure consistency with desired future character of the area.
- To ensure that new development does not compromise the effective and ongoing operation of the Queen Street commercial core; and
- To prevent or reduce the potential impact of traffic on any commercial development adjacent to Queen Street.
- Promote the use of electric vehicles across the Local Government Area.
- Encourage the installation of electric vehicle charging infrastructure.

Design Requirements

- a) Off street parking and loading shall be designed in accordance with Australian Standards 2890.1 and 2 (as amended), except as otherwise provided by this Plan.
- b) The minimum car parking rates shall be provided in accordance with Table 6.4.2.1. If in the opinion of Council, additional car parking spaces are required due to the constraints of the site and or the nature of the use, additional car parking spaces shall be provided as part of the development.
- c) All car parking spaces that are required under clause 6.4.2.1 b) shall not be locked off, obstructed, reserved or separately allocated to any individual use at any time.
- d) Commercial development shall be designed to accommodate all related vehicle movements on site such that:
 - i. all vehicles shall enter and exit the site in a forward direction;
 - ii. the area for manoeuvring of delivery and service vehicles is separate from vehicle parking areas, and preferably accessed via a rear service lane;
 - iii. cause minimal interference to the flow of traffic within the surrounding road network; and
 - iv. safe and convenient access is provided for pedestrians.
- e) A Traffic Impact Assessment Report shall be prepared by a suitably qualified person and submitted as part of a development application addressing the following criteria if the development exceeds the relevant thresholds within SEPP (Infrastructure) 2007:
 - i. the existing traffic environment;
 - ii. anticipated traffic generation from the proposed development;
 - iii. the potential cumulative impact in the locality;
 - iv. the need for traffic improvements in the locality;
 - v. traffic egress/ingress to arterial/sub arterial roads; and
 - vi. sight distance and other safety issues.

- f) Each site shall have a:
 - i. maximum of one ingress and one egress for heavy vehicles (combined or separated); and
 - ii. Each site may have an additional ingress/egress for cars (and other light vehicles).
- g) No car parking spaces shall be designed in a stacked configuration.
- h) No required car parking spaces shall be created as a separate Strata or Torrens Title allotment.
 - i. Above ground multi-level car parking structures shall be designed so as to integrate with the surrounding built form, incorporate design methods and architectural form that compliments and adds value to the character of the local area.
- i) Carparks must be developed with the infrastructure required for electric vehicle charging.
- j) On-site car parking is to be provided to support a range of vehicles, including small cars, hybrid cars and fully electric cars in multi space car parks.
- k) Spaces allocated to environmental vehicles should be marked and managed according to the specific vehicle type targeted.

Public Carpark

- a) A minimum 10 per cent of parking spaces are to be designed and labelled for small & environmental vehicles in commercial, office or shopping centre developments wherever 10 or more spaces are required.
- b) The design of car parking spaces shall take into consideration the principles of Crime Prevention Through Environmental Design (CPTED) to minimise opportunities for crime and enhance security.

Part 7 Industrial

7.3 Car Parking and Access

7.3.1 General Requirements

- a) Off street parking and loading shall be designed in accordance with Australian Standard AS 2890.1 and 2 (as amended), except as otherwise provided by this Plan.
- b) For that part of the gross floor area occupied by office areas, lunch rooms and any associated office storage areas, car parking shall be provided at a rate of one space per 35 m².
- c) For that part of the gross floor area occupied by uses other than office areas, lunch rooms and any associated office storage areas, car parking rates shall be provided in accordance with the following:
 - i. A minimum of 2 spaces (per unit), plus
 - ii. One space for every 100sqm of gross floor areas for buildings up to 2000 m²; plus
 - iii. One space per 250 m² for that part of the building exceeding 2000 m² in gross floor area.

- iv. Despite clause 7.3.1 c) ii), any proposed factory unit development (regardless of the overall combined floor area), shall provide parking at a rate of one space per 100 m².
- v. In addition to clauses 7.3.1 (b) & (c) , one car parking space shall be provided for every 300sqm of outdoor storage space.
- vi. Mezzanine areas that are exclusively used for storage purposes shall be excluded from the calculation of total gross floor area for the purpose of car parking spaces, providing that the mezzanine areas:
 - i. Are not divided into smaller spaces by internal walls; and
 - ii. Have no external windows.
- i. In addition to clause 7.3.1 ©, motor vehicle industries shall provide a minimum of 3 car parking spaces per work bay/hoist.
- ii. Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point movement to exit the site in a forward direction.
- iii. No car parking spaces shall be designed in a stacked configuration.
- iv. No required car parking spaces shall be created as a separate Strata or Torrens title allotment.
- v. Each site shall have a:
 - A minimum of 10 per cent of the required car parking spaces, including disabled spaces, shall be located within close proximity to the main pedestrian entry to the building.

b) Electric vehicle charging stations must be located behind the building line.

8.6 Planning Proposal - Signage as Exempt Development under Campbelltown Local Environmental Plan 2015

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

Officer's Recommendation

1. That Council endorses and forwards the Planning Proposal at attachment 1 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 public exhibition either:
 - a) where submissions are received a further report be presented to Council on those submissions, or
 - b) where no submissions are received during the public exhibition period, the Planning Proposal be finalised.
4. The NSW Department of Planning, Industry and Environment be requested to issue authority to the General Manager to exercise plan making delegations.

Purpose

To assist Council in its decision whether to support the progression of the subject application for a Gateway Determination in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Report

Executive Summary

- A Planning Proposal has been prepared seeking to amend the local exempt development provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015) to permit common forms of small scale advertising signs to be erected at Council sports fields and road side bus shelters without development consent.
- The proposed exempt development criteria would control the location, scale and design of small scale advertising on Council owned sports fields and road side bus shelters to ensure these forms of advertising signage are appropriately managed with no adverse environmental impacts.
- The inclusion of these sign types in the local exempt development provisions of CLEP 2015 would also streamline the existing Council approval process for the placement of these particular sign types by removing the need for development consent.
- The Campbelltown Local Planning Panel (the Panel) considered the proposal at its meeting on 25 August 2021 and has provided advice in support of the proposal, with a recommendation for Council to make sure that there is clear direction set for any delegated staff member who will be making the decision as to whether the proposed signs meet the listed criteria.
- It is recommended that Council seek a Gateway Determination in regards to the Planning Proposal and then proceed to public exhibition.

Introduction

Advertising signs are regulated under the EP&A Act and related environmental planning instruments. Commonly used types of signs for businesses and other purposes are provided for as 'exempt development' in the State Environmental Planning Policy – Exempt and Complying Development Code (Codes SEPP), provided they meet the standards set for those types of signs. The operation of the Codes SEPP in this manner provides a streamlined approach for Council to regulate the erection of numerous types of low-impact signs without the obligation for development consent to be obtained under the EP&A Act.

A review of the regulatory framework for the erection of commonly erected signage by Council has identified 2 types of low-impact signage that are not listed as exempt development under the Codes SEPP.

These comprise of the following sign types commonly erected on Council land:

- Advertising signage at sports fields
- Advertising signage on bus shelters.

The size and design of the above sign types are regulated by Council under individual agreements with the users of Council owned or managed land, ensuring that design outcomes are appropriately managed and there are no adverse environmental impacts. Accordingly, there is considered to be no planning need to require a separate development application for these 2 sign types for concurrent assessment and approval under the EP&A Act.

By amending CLEP 2015 to include these 2 particular sign types and corresponding development criteria within the Schedule 2 'exempt development' provisions, the need for development consent is avoided and any potential environmental impacts are able to be efficiently managed.

Relevant Planning Policy Framework

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) identifies certain types of development as 'exempt development', which may be carried out without the need for development consent. The Infrastructure SEPP permits the construction, maintenance or repair of bus shelters for or on behalf of Council as exempt development, however these provisions do not extend to commercial advertising.

There are no provisions of the Infrastructure SEPP that relate to advertising signage on Council owned sports fields.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The majority of exempt and complying development types and their development standards are found in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP). The Codes SEPP provides a list of common types of signage that may be erected and maintained as exempt development.

The Codes SEPP permits 12 specific types of signage that may be erected as exempt development, listed as follows:

- building identification signs
- wall signs
- fascia signs
- under awning signs
- top hamper signs
- window signs
- replacement of identification signs
- internal signs
- community notice and public information signs
- temporary event signs
- real estate signs
- election signs

Generally to be considered exempt development under the Codes SEPP, the sign must:

- have consent in writing from the owner of the land on which the sign is located; if the sign is located over adjoining land, the consent of the owner of the adjoining land is also required
- be approved under section 138 of the *Roads Act 1993* if the sign or part of the sign projects over a public road (including a footpath)
- not be carried out on or in relation to a building being used as a restricted premise
- not cover any mechanical ventilation outlets located on any building in which the business is carried out not obstruct or interfere with any traffic sign

- all signage must be securely fixed to the building in accordance with the relevant Australian Standards.

There are no provisions of the Codes SEPP that relate to advertising signage on Council owned sports fields or the placement of advertising signs on Council bus shelters.

State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)

This State planning policy generally applies to all signage that is visible from any public place or public reserve including transport corridors, and aims to ensure that signage is of a high quality design and compatible with the desired amenity and visual character of an area. The Policy does not apply to signage that is exempt development under an environmental planning instrument.

The PP is consistent with the aims and objectives of SEPP 64, through the provision of appropriate criteria to ensure such signage is low impact and compatible with the desired character of the area. The PP does not introduce any potential land uses conflicts with this SEPP, and aligns with the provisions of the policy that exclude its application for low impact signs identified as exempt development.

Campbelltown Local Environmental Plan 2015

Land Use Table – Zoning Restrictions

Council sports fields are typically zoned RE1 Public Recreation under CLEP 2015. The RE1 zoning table requires development consent for the erection of signage.

Council bus stops within the Local Government Area are generally located within the road reserve, being zoned SP2 Infrastructure zone under CLEP 2015 for main roads and the adjoining zone for local roads, whether that be a residential, rural, industrial or commercial/business zone. Advertising or commercial signage on bus shelters is prohibited under the SP2 Infrastructure zone and in all residential zones.

Clause 7.11 – Advertising on Bus Shelters

Clause 7.11 of CLEP 2015 provides an approval pathway for advertising signs to be placed on bus shelters only with development consent. This provision does not extend to allowing advertising signs on bus shelters without development consent.

Schedule 2 Exempt development

The Schedule 2 provisions of CLEP 2015 provide exempt development criteria for the Campbelltown Local Government Area, in addition to the exempt development specified under Codes SEPP and Infrastructure SEPP. The local provisions under Schedule 2 currently permit limited forms of 'Advertising signs' to be erected as exempt development, however this provision does not extend to advertising signs on Council sports fields or bus shelters.

The proposal seeks to amend the exempt development provisions in Schedule 2 of CLEP 2015 to include additional signage types as discussed below.

Proposed Amendments – Schedule 2 Exempt Development Provisions of CLEP 2015

Part 3 of CLEP 2015 provides the local exempt and complying development provisions for the Campbelltown Local Government Area, comprising additional exempt and complying development not covered by the Codes SEPP or other State environmental planning policies. Development that meets the requirements of Part 3 (particularly clause 3.1) and specific criteria provided in Schedule 2 of CLEP 2015 is exempt development, and therefore may be erected without development consent.

Schedule 2 of CLEP 2015 is proposed to be amended to include additional provisions for advertising signs on bus shelters and sporting fields, allowing these sign types to be carried out without the need for development consent under the EP&A Act. These provisions have been prepared to limit the environmental and social impacts of such advertising signage and to ensure appropriate safety standards are maintained. Such signage would still be managed and approved by Council as the land owner under a separate agreement with the advertising sign users.

Details of the proposed amendment to the Schedule 2 Exempt development provisions of CLEP 2015 are provided below:

Signage – Bus Shelter Advertising

- (1) Maximum – one advertising panel per bus shelter, but the panel may have an advertisement on each side
- (2) Maximum display area per panel – 1.2 m x 1.8 m
- (3) Must not be positioned or illuminated in a manner that distracts drivers, including flashing or continuously moving electronic content
- (4) Must be integrated into the design of the bus shelter so as not to obscure pedestrian paths of travel
- (5) Must not adversely impact the amenity of a heritage item
- (6) Must be erected by or on behalf of Council.

Advertisements--signs on field fencing and amenity facilities at sports fields in Zone RE1

- (1) Must have the consent, in writing, of Council
- (2) Must only provide information about sponsors of teams or organisations using the sporting facility
- (3) Must not contain direct or indirect advertising for alcohol, tobacco products or any form of adult entertainment involving nudity, indecent acts or sexual activity
- (4) Must not contain any offensive images or references including sexual references, nudity or illegal activity
- (5) Must not obstruct any gates, access points or openings
- (6) Must not be obvious from any adjoining public road area, or impede or dominate views from the road or from outside of the site on which it is displayed
- (7) If affixed to perimeter fencing of the playing area
 - a. must not extend above the top or below the bottom of the fencing, and
 - b. have a maximum length of 3 m, and
 - c. have a maximum height of 1 m.
- (8) Must be removable signs or fixings, and must not be painted directly onto fencing or any amenity facilities.
- (9) Must not cover more than 20 per cent of the wall surface area of any amenity facilities.

- (10) Must not be illuminated.
- (11) Must be installed in accordance with relevant building standards.

The final design of the above sign types would continue to be regulated by Council under separate agreements with users to ensure that these sign types are appropriately managed, continue to provide opportunities to generate revenue through the advertising of audience appropriate industries and businesses, and ensure such advertisement has a negligible impact on the visual amenity of the community.

Campbelltown City Local Planning Panel (CLPP)

The draft Planning Proposal was considered by the Panel, at its meeting on 25 August 2021 who provided the following advice in accordance with Section 2.19 of the EP&A Act and the Direction No.2 of the Local Planning Panels Direction – Planning Proposals.

“The Panel recommend that the Planning Proposal attached to the report proceed as recommended in Part 6 on page 496 of the Agenda.

The Panel commends the Council for seeking to simplify the planning process for signage.

The Panel recommends that Council make sure there is clear direction set for any delegated staff member who will be making the decision as to whether the proposed signs meet the listed criteria.”

In response to this advice:

- 1) The Planning Proposal as supported by the Panel, with minor changes, is attached for the consideration and endorsement of Council in accordance with the recommendations of this report; and
- 2) The administrative processes of Council governing the placement of signs at Council sporting fields and roadside bus shelters have been reviewed to require appropriate consideration and consistency with the listed exempt development criteria under the subject proposal.

Conclusion

A Planning Proposal has been prepared seeking to amend the local exempt development provisions of Campbelltown Local Environmental Plan 2015 to permit common forms of small scale advertising signs to be erected at Council sports fields and road side bus shelters without development consent.

The inclusion of additional types in Schedule 2 of the Campbelltown Local Environmental Plan 2015 would provide strategic merit by providing consistent environmental criteria for the regulation of these small-scale signs, and streamlining the existing Council sign approval process by removing the need for a duplicate assessment under a development application. The proposed amendments to Campbelltown Local Environmental Plan 2015 are considered to be the most appropriate means of achieving the desired outcome for the proposal.

The proposal has been considered and is supported by the Campbelltown Local Planning Panel.

Accordingly, it is requested that Council endorse and support the submission of the Planning Proposal for a Gateway Determination in accordance with the recommendations of this report.

Attachments

1. Planning Proposal - Signage as Exempt Development under CLEP 2015 (contained within this report) [↓](#)



Planning Proposal

Amendment of Campbelltown Local Environmental Plan 2015

Exempt development criteria for advertising signs on

Council sports fields and road side bus shelters.

August 2021

Executive Summary

The Planning Proposal seeks to amend the local exempt development provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015) to permit common forms of small scale advertising signs to be erected at Council sports fields and road side bus shelters without development consent.

The proposed exempt development criteria would control the location, scale and design of small scale advertising on Council owned sports fields and road side bus shelters to ensure they are of minimal environmental impact.

The inclusion of these sign types in the local exempt development provisions of CLEP 2015 would provide consistent criteria for the design and erection of these small-scale signs, and would streamline the existing Council approval process by removing the need for development consent.

Land to which the Proposal Relates

The proposal relates to all of the land to which the exempt provisions of CLEP 2015 apply.

The Planning Proposal

Part 1 – Objectives or Intended Outcomes

The intended outcomes of this planning proposal are to:

- I. streamline the Council approval process for the placement of low-scale advertising at Council owned sports fields and road side bus shelters.
- II. provide consistent criteria for the design and location of these sign types to be considered as low-impact without the requirement for development consent.

Part 2 – Explanation of provisions

The intended outcomes will be achieved by including exempt development provisions for low-scale advertising on Council sports fields and road side bus shelters under the Schedule 2 Exempt development of the Campbelltown Local Environmental Plan 2015.

Draft provisions are provided below.

Schedule 2 – Exempt Development

Signage – Bus Shelter Advertising

- (1) Maximum – 1 advertising panel per bus shelter, but the panel may have an advertisement on each side.
- (2) Maximum display area per panel – 1.2m x 1.8m.
- (3) Must not contain flashing or continuously moving electronic content.
- (4) Must be integrated into the design of the bus shelter so as not to obscure pedestrian paths of travel.
- (5) Must not adversely impact the amenity of a heritage item.
- (6) Must be erected by or on behalf of Council.

Advertisements--signs on field fencing and amenity facilities at sports fields in Zone RE1

- (1) Must have the consent, in writing, of Council.
- (2) Must only provide information about sponsors of teams or organisations using the sporting facility.
- (3) Must not contain direct product advertising for alcohol, tobacco products, or any form of adult entertainment (involving nudity, indecent acts or sexual activity).
- (4) Must not contain any offensive images or references (including sexual references, nudity, or illegal activity)
- (5) Must not obstruct any gates, access points or openings.
- (6) Must not dominate views from the street or from outside of the site on which it is displayed.
- (7) If affixed to perimeter fencing of the playing area
 - a. must not extend above the top or below the bottom of the fencing, and
 - b. have a maximum length of 3 m, and
 - c. have a maximum height of 1 m.

- (8) Must be removable signs or fixings, and must not be painted directly onto fencing or any amenity facilities.
- (9) Must not cover more than 20 per cent of the wall surface area of any amenity facilities.
- (10) Must not be illuminated.
- (11) Must be installed in accordance with relevant building standards

Part 3 – Justification

Section A – Need for the planning proposal

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

The planning proposal is the result of a strategic review of the regulatory framework for the approval of advertising signs at Council owned sports fields and road side bus shelters throughout the Campbelltown Local Government Area.

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

Yes, the planning proposal is considered to be the best way to achieve the intended outcomes.

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 considered to be consistent with the relevant objectives and actions outlined in the Greater Sydney Region Plan and the Western City District Plan. Tables 1 and 2 below demonstrate the consistency of the Planning Proposal with the relevant provisions of the Greater Sydney Region Plan and the Western City District Plan.

Table 1: Greater Sydney Region Plan

Greater Sydney Region Plan Priority	Compliance Statement
Infrastructure and Collaboration	
<p>Objective 4: Infrastructure use is optimised Applicable Actions and Strategies: <input type="checkbox"/> Maximisation of the utility of existing infrastructure assets and consideration to the strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptable and flexible regulations to allow decentralised utilities.</p>	Consistent. The proposal will optimise the use of existing Council assets.
<p>Objective 5: Benefits of growth realised by collaboration of governments, community and business</p>	Consistent. The proposal will streamline collaboration between Council and community and business groups relating to placement of the specified advertising signage.

<p>Liveability</p>	
<p>Objective 6: Services and infrastructure meet communities changing needs Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> • Deliver social infrastructure to reflect the needs of the community now and in the future. • Optimise the use of available public land for social infrastructure. 	<p>Consistent. The proposal will facilitate the sustainable management of Council bus shelters and optimise the use of Council sports fields by community sporting groups.</p>
<p>Objective 7: Communities are healthy, vibrant and socially connected. Applicable Actions and Strategies:</p> <p>Provide inclusive places for people of all abilities that support healthy, vibrant and socially connected communities</p> <p>□ Providing walkable places with active street life and a human scale. Prioritising opportunities for people to walk, cycle and use public transport. co-locating schools, social, health, sporting, cultural and shared facilities.</p> <ul style="list-style-type: none"> ○ promoting local access to healthy fresh food and supporting local fresh food production. ○ 	<p>Consistent. The Planning Proposal will improve the public use of Council sports fields and will provide efficiencies for the use and maintenance of these facilities. This is consistent with the promotion of a healthy and resilient community.</p>
<p>Objective 12: Great Places that bring people together Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> • Deliver great places by prioritising people friendly public realms, balancing the function of streets, providing fine grain urban form and walkability, encourage contemporary heritage where possible and used a placed based approach. • In Collaboration Areas, Planned Precincts and Planning for Centres investigate the need for precinct based provision of adaptable car parking and infrastructure in lieu of private provision of car parking. Ensure parking availability takes into account the level of public transport and consider the capacity for places to change and evolve 	<p>Consistent. The proposal will facilitate the maintenance and financial management of bus shelters, enhancing the public realm through improved connectivity and access to public transport.</p>

<p>to accommodate different activities over time.</p>	
<p>Objective 13: Environmental heritage is conserved and enhanced Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> • Conserve and enhance environmental heritage by engaging with the community early in the planning process to understand Aboriginal, European and natural heritage values. • Conserve and interpret Aboriginal, European and natural heritage to foster distinctive local spaces. 	<p>Consistent. The proposal does not affect listed items of environmental heritage.</p>
<p>Sustainability</p>	
<p>Objective 31: Public open space is accessible, protected and enhanced</p>	<p>Consistent. The proposal will facilitate the use and maintenance of public open space areas by community groups.</p>

Table 2: Response to Western City District Plan Priorities

Western City District Plan Priority	Compliance Statement
<p>Infrastructure and Collaboration</p>	
<p>Planning Priority W1: Planning for a city supported by infrastructure Applicable Actions: (2) Infrastructure aligns with forecast growth - growth infrastructure compact (4) Infrastructure use is optimised.</p>	<p>Consistent. The proposal will optimise use of sports fields by community sporting groups and improve revenue streams from low scale advertising associated with Council’s bus shelter assets.</p>

<p>Planning Priority W2: Working through collaboration</p>	<p>Consistent. The proposal will allow streamlined collaboration between Council, community sporting groups and advertisers to approve new advertising signage in a consistent manner without development consent.</p>
<p>Liveability</p>	
<p>Planning Priority W3: Providing services and social infrastructure to meet people’s changing needs. Applicable Actions: (9) Deliver social infrastructure to reflect the needs of the community now and in the future.</p>	<p>Consistent. The proposal will streamline the sustainable use of social infrastructure on Council sports fields and road side bus shelters.</p>
<p>Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities Applicable Actions: (11) Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by: a. providing walkable places at a human scale with active street life b. prioritising opportunities for people to walk, cycle and use public transport c. co-locating schools, health, aged care, sporting and cultural facilities promoting local access to healthy fresh food and supporting local fresh food production.</p>	<p>Consistent. The proposal will optimise the sustainable use of Council sporting fields by providing local community groups consistent criteria for the placement of advertising signs without development consent. The proposal will improve the financial management and upkeep of bus shelters facilitating improved opportunities for public transport.</p>
<p>Sustainability</p>	
<p>Planning Priority W18: Delivering high quality open space</p>	<p>Consistent. The proposal will provide consistent criteria to control the visual impacts of advertising signage on Council sporting fields.</p>

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 Campbelltown Community Strategic Plan 2027(CSP) represents the principal community outcome focused strategic plan guiding Council’s policy initiatives and actions.

Campbelltown 2027 focusses on delivering four key outcomes over the next 10 years:

- a vibrant, liveable city
- a respected and protected natural environment □ a thriving, attractive city □ a successful city.

The planning proposal is consistent with the following relevant strategies of the CSP relevant to the achievement of the above key outcomes:

- 3.1- Support the resilience, growth and diversity of the local economy
- 3.2- Ensure that service provision supports the community to achieve and meets their needs.
- 4.3- Responsibly manage growth and development, with respect for the environment, heritage and character of our city.

The Planning Proposal would facilitate revenue streams for Council and community sporting groups and would promote local business opportunities through sponsorship. The proposal would provide consistent criteria to ensure advertising signage on sports fields and bus shelters is low scale and low impact. As such, the proposal is consistent with the above strategies and broader outcomes identified by the CSP.

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.

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.

Four related themes comprise the community's vision for the City of Campbelltown as a vibrant place to live, a successful, thriving and attractive city that respects and protects its heritage and natural environment. These themes will be monitored against identified measures over time and implemented through 16 planning priorities.

The proposed CLEP 2015 amendments are consistent with the following planning priorities of the LSPS:

- Planning Priority 1 - :Creating a great place to live, work, play and visit
- Planning Priority 11 -Striving for increased local employment
- Planning Priority 15 - Strengthening relationships with key stakeholders □ Planning Priority 16 - Involving our community.

The proposal will provide consistent criteria for advertising signage at sporting fields by community sporting groups providing a better environmental outcome and streamlining the regulation of these signs by removing the need for development consent. The proposal will improve the regulation and display of advertising signage on Council bus shelters providing better environmental outcomes for

public transport users, opportunities for local business advertising, and an enhanced revenue stream for Council.

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) that is relevant to the Planning Proposal.

State Environmental Planning Policies	Comment	Consistency
SEPP (Exempt and Complying Development Codes) 2008	<p>The policy provides exempt and complying development criteria to permit development without development consent.</p> <p>The proposal complements the exempt development provisions of the Codes SEPP for the erection of signage without development consent in the LGA</p>	Consistent
SEPP (Infrastructure) 2007	<p>The policy aims to facilitate the delivery of infrastructure across the State.</p> <p>The proposal complements the exempt development provisions of the Infrastructure SEPP for the erection of signage without development consent in the LGA</p>	Consistent.
SEPP 64 – Advertising and Signage	<p>The policy aims to ensure signage is compatible with desired amenity and visual character of the area.</p> <p>SEPP 64 does not alter the permissibility of signage, and the proposal does not introduce any potential land uses conflicts with this SEPP. Under this proposal third party advertising would only be permitted subject to appropriate criteria to ensure signage is low impact and compatible with the desired character of the area.</p>	Consistent
Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment	The proposal would not impact on the water quality and river flows of the Georges River and its tributaries.	Consistent

6. Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?

A review of the consistency of this planning proposal with the relevant Ministerial Directions under Section 9.1 has been undertaken. Each Ministerial Direction is listed below with an annotation stating whether it is relevant to the planning proposal and confirming consistency.

Consideration of S9.1 Directions	Comment	Consistency
1. Employment and Resources		
1.1 Business and Industrial Zones	The Proposal does not directly relate to business and industrial zoned land.	Not applicable
1.2 Rural Zones	Not relevant to the Proposal. The Proposal does not propose any amendments to rural zones.	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable	Not applicable
1.4 Oyster Aquaculture	Not applicable	Not applicable
1.5 Rural Lands	This direction does not apply to Campbelltown Local Government Area.	Not applicable
2. Environment and Heritage		
2.1 Environment Protection Zones	This proposal would not result in any adverse impacts to listed items of environmental heritage or places of indigenous heritage significance.	Consistent
2.2 Coastal Protection	Not applicable	Not applicable
2.3 Heritage Conservation	This direction does not apply as no listed heritage items or conservation areas exist within the subject site.	Not applicable
2.4 Recreation Vehicle Areas	Not applicable	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable	Not applicable
2.6 Remediation of Contaminated Land	Not applicable	Not applicable
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	The proposal would not impact upon housing or related infrastructure. The exempt development requirements would limit the potential impact of advertising signs on the environment.	Consistent
3.2 Caravan Parks and Manufactured Homes	Not applicable	Not applicable
3.3 Home Occupations	The Ministerial Direction was revoked on 9 November 2020.	Not applicable

3.4 Integrating Land Use and Transport	The proposal would be consistent with improving public transport access by regulating the placement of advertising signs associated with road side bus shelters.	Consistent
3.5 Development Near Licensed Aerodromes	Not applicable	Not applicable
3.6 Shooting Ranges	Not applicable	Not applicable
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable	Not applicable
4. Hazard and Risk		
4.1 Acid Sulfate Soils	The proposal would not result in an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps	Consistent
4.2 Mine Subsidence and Unstable Land	The proposal would not result in increased potential for damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence. Consultation with the Mines Subsidence Board is required.	Consistent subject to consultation with Mines Subsidence Board
4.3 Flood Prone Land	The proposal would not create, remove or alter a zone or a provision that affects flood prone land	Not applicable
4.4 Planning for Bushfire Protection	The proposal does not expand or alter land uses in bush fire prone areas. Consultation with NSW Rural Fire Service is required.	Consistent subject to consultation with NSW Rural Fire Service
5. Regional Planning		
5.1 Implementation of Regional Strategies	The Ministerial Direction was revoked on the 17th of October 2017.	Not applicable
5.2 Sydney Drinking Water Catchments	The proposal does not affect land within the Sydney drinking water catchment.	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	Not applicable
5.5 - 5.8	Ministerial Directions have been Revoked	Not applicable
5.9 North West Rail Link Corridor Strategy	Not applicable	Not applicable

5.10 Implementation of Regional Plans	Refer to Tables 1 and 2 of this proposal for an assessment of consistency with the relevant actions and priorities of the Greater Sydney Region Plan and Western City District Plan.	Consistent
5.11 Development of Aboriginal Land Council Land	The proposal does not affect land shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.	Not applicable
6. Local Plan Making		
6.1 Approval and Referral Requirements	The proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.	Consistent
6.2 Reserving Land for Public Purposes	The proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.	Not applicable
6.3 Site Specific Provisions	This direction does not propose any restrictive site specific planning controls.	Consistent
7. Metropolitan Planning		
7.1 Implementation of a Plan for Growing Sydney	Ministerial Direction revoked 9 November 2020.	Not applicable
7.2 Implementation of Greater Macarthur Land Release Investigation	Ministerial Direction revoked 28 November 2019.	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable

7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	The proposal does not introduce development that is inconsistent with the precinct plans approved by the Minister for Planning and published on the Department's website on 22 December 2017.	Consistent
7.8 Implementation of the Western Sydney Aerotropolis Plan	The proposal does not introduce development that is inconsistent with the Western Sydney Aerotropolis Plan.	Consistent
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable	Not applicable
7.11 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable	Not applicable
7.12 Implementation of Greater Macarthur 2040	The proposal does not introduce development that is inconsistent with the Greater Macarthur 2040	Consistent
7.13 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable	Not applicable

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.

The proposed exempt development provisions would not result in any critical habitat or threatened species, populations or ecological communities or habitat being adversely affected.

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

No.

The proposed exempt development provisions will effectively mitigate any likely environmental impacts.

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

Yes.

The proposal would provide a consistent set of standards to control the placement of low impact advertising signs on bus shelters and sporting fields without the need for development consent, reducing costs and time associated with the duplicate approval of these sign types by Council. The proposed exempt development provisions will facilitate advertising by local businesses in a consistent manner to limit any environmental and social impacts of such advertising signage and to ensure appropriate safety standards are maintained. Such signage would still be managed and approved by Council as the land owner under a separate agreement with the advertising sign users.

Section D – State and Commonwealth Interests

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

Yes.

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

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

Consultation will occur with relevant State Government authorities identified in the Gateway Determination.

Part 4 – Mapping

No maps are proposed to be amended by this proposal.

Part 5 – Community consultation

Community consultation would take place following a Gateway determination in accordance with the Gateway Determination directives. It is anticipated that public exhibition would include:

A notice and all relevant documentation forming the PP to be placed on Council's website and the NSW Planning Portal

- A 28 day exhibition period
- Consultation with the following Stage Government agencies:
 - Transport for NSW / Roads and Maritime Services
 - NSW Rural Fire Service
 - Mines Subsidence Board

Part 6 – Project Timeline

The anticipated timeline for finalising the LEP amendment is provided as follows:

Date	Item
25 August 2021	Review by Local Planning Panel
October 2021	Report to Council for endorsement and submission to DPIE for Gateway Determination
December 2021	Gateway Determination
January - February 2022	Public exhibition period and government agency consultation
March 2022	Consider submissions and complete post-exhibition report
April 2022	Council meeting to consider post exhibition report
May 2022	Finalise drafting of proposed amendments with DPIE
June 2022	Making of LEP amendment

8.7 Koala Sympathetic Development - Draft Amendment to the Campbelltown (Sustainable City) Development Control Plan 2015

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.4 - Conserve and care for our city's biodiversity

Officer's Recommendation

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 commence upon public notification being completed in accordance with the Environmental Planning and Assessment Regulation 2000.

Executive Summary

- Council staff undertake regular reviews of the controls in the Campbelltown (Sustainable City) Development Control Plan 2015 to ensure that they are relevant and achieve Council's desired vision for the City.
- A change is proposed to introduce new guidelines and controls which facilitate designing development in a manner that protects local koala populations and minimises any impact on their habitats.

Purpose

The purpose of this report is to seek Council's endorsement to proceed with the public exhibition of draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015. The proposed amendments seek to introduce new controls to further protect local koala populations.

History

Council at its meeting held 16 February 2016 adopted the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP), which came into effect on 11 March 2016 to coincide with the commencement of Campbelltown Local Environmental Plan 2015 (CLEP 2015).

Since its commencement in March 2016, the SCDCP has been amended on other occasions to align the SCDCP with the ongoing amendments to the various State wide planning policies and guidelines and/or adopt site specific development controls under Volume 1 Site Specific DCPs.

Report

Campbelltown has one of the last, disease-free koala populations in the Sydney region, and the purpose of this amendment is to ensure that adequate protection of all koala habitats is provided. It is important for these habitats to be properly assessed as part of any development proposal, and for this reason there needs to be adequate, consistent and feasible development controls incorporated within planning documents, so that an assessment of all relevant attributes of a site, that is identified as being of importance, can be undertaken.

In this regard, it is proposed to amend Volume 1 – ‘Development Controls for All Types of Development’ to introduce new provisions under Part 11 (Vegetation and Wildlife Management) which encourage development that is sympathetic to the existing local koala populations in Campbelltown and design proposals that minimise impacts on their habitats.

The proposed amendments to the SCDCP would bring alignment with those controls already specified under the Campbelltown Koala Plan of Management (CKPoM), as well as the Department of Planning, Industry and Environment’s (DPIE) recently adopted State Environmental Planning Policy (Koala Habitat Protection) 2021 (Koala SEPP 2021).

Koala SEPP 2021 commenced in March 2021, and has been developed to help improve koala populations by ensuring that their habitats are properly considered during the development assessment process in addition to providing councils with appropriate ways of strategically managing such populations through the development of ‘koala plans of management’.

The Koala SEPP 2021 also reinstates the policy framework of SEPP Koala Habitat Protection 2019 and applies to all zones within the Campbelltown Local Government Area.

The CKPoM was approved by the Secretary of DPIE on 30 July 2020 and identifies areas of core local koala habitats in the Campbelltown LGA which are considered to be both ‘environmentally’ and ‘ecologically’ sensitive due to the high biodiversity significance associated with these populations.

Having regard to the above, it is proposed to amend Volume 1 (Requirements Applying to all Types of Development) Part 11 (Vegetation and Wildlife Management) in order to:

- Align these new controls with the protection measures and objectives specified in the Koala SEPP 2021 and the CKPoM
- Address the key risks and indirect impacts of the proposed development on any existing koala habitat, including their preferred food and shelter vegetation
- Ensure that any fencing erected in the E2 zone does not create an impediment or risk which restricts the free movement of koalas over these sites

- Provide suitable strategies which minimises the impact of domestic dogs on free ranging koalas
- Incorporate a shallow ramp in any swimming pool constructed on these sites to enable safe and easy egress by koalas with all fencing being erected in such a manner which also prevents them from gaining access to the pool area
- Implement site-specific koala protection measures on site to mitigate any potential construction impacts on koalas
- Establish Tree Protection Zones (TPZ) around any koala habitat trees on site and preclude any development activities within these zones and
- Require replacement plantings for every individual koala food or shelter tree that is removed from the site to compensate for any loss of habitat.

These controls would be introduced into Part 11.4 (Design requirements for developments in koala habitat) of the SCDCP and would form part of the 'Vegetation and Wildlife Management' provisions which ensure that the protection of existing koala populations are properly considered during the development assessment process.

Public Exhibition

As with any amendment to Council's SCDCP, the proposed draft amendments would be exhibited for a 28 day period in accordance with the relevant provisions of the Campbelltown Community Participation Plan.

Notice of the proposed public exhibition would be published on Council's website.

Conclusion

A review of the Campbelltown (Sustainable City) Development Control Plan 2015 has been undertaken and it is considered appropriate that the additional provisions discussed within the body of the report are incorporated into the Plan to ensure that all koala habitats are subject to a more considered assessment during the development assessment process.

It is recommended that Council publicly exhibit the draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, and it is further recommended that if no submissions are received during the exhibition period, that the amendments be adopted and take force upon public notification being completed in accordance with the Environmental Planning and Assessment Regulation 2000.

A further report will be provided to Council where submission are received during the exhibition period.

Attachments

1. Amendment 12 to SCDCP - New section 11.4 - Design requirements for Koala Habitat (contained within this report) [↓](#)

11.4

Design requirements for developments in koala habitat

11.4 Design requirements for developments in koala habitat

Objectives:

- To assist in the effective implementation of the Campbelltown Comprehensive Koala Plan of Management (CKPoM) for development within koala habitat
- To facilitate development sympathetic to the local koala population, in order to minimize the impacts of development on koalas and their habitat.

11.4.1 Management of koala habitat

- a) Development applications for properties less than one hectare that contain koala habitat, are required to address key risks and indirect impacts to koalas and their habitat, and demonstrate consistency with the following management measures:
 - i) be designed and located in such a way as to avoid any adverse impacts to Preferred Koala Food Trees ((P)KFTs) and/ or shelter trees
 - ii) ensure fencing of residential lots:
 - supports the free movement of koalas in E2 zones, and doesn't create an impediment and/or risk to koala movement
 - effectively excludes koalas in R2 zones, except for where these properties are located adjacent to a Council Reserve
 - iii) confine domestic dogs (greater than 10kg) to a dog-proof yard, or verandah, during peak koala activity levels, between 6pm and 6am; to reduce incidents of dog attacks on koalas
 - iv) design swimming pools with a graduated shallow edge, or fitted with a permanent flotation device; to prevent koalas from drowning
 - v) implement site-specific koala protection measures on the development site; to mitigate construction impacts on koalas

- vi) establish Tree Protection Zones (TPZ) around any koala trees within the site area and preclusion of any development activities within the TPZ to protect koalas from disturbance
- vii) require replacement tree plantings in accordance with the applicable Diameter at Breast Height (DBH) ratio (or monetary equivalent) for every individual (P)KFT or shelter tree that is removed; to compensate for any loss of habitat:
 - Small (DBH<100mm) 1:10
 - Medium (DBH>100<300mm) 1:15
 - Large (DBH>300mm) 1:20

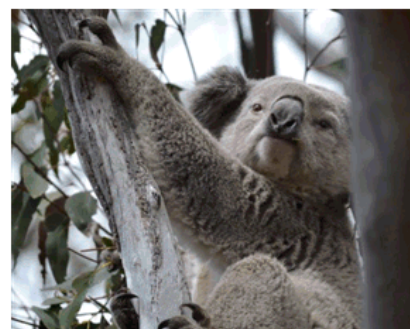


Plate 11.4.1 - The protection of koala habitat is essential to provide for the long-term maintenance of a viable, free-ranging koala population in the Campbelltown LGA (Koala "Mr Nymboida" in Ruse. Photo courtesy of Carla-Maree Simmons).

Note:

Many koala populations in NSW now survive in fragmented and isolated habitat, while some areas in which koalas remain more common are increasingly subject to ongoing pressures, in particular clearing for agriculture, logging and urban expansion.

Campbelltown has one of the last, disease-free koala populations in the Sydney region. Therefore it is important to put in place design measures that support the harmonious co-existence of the community with koalas.

8.8 Reports and Letters Requested

Reporting Officer

Director City Governance
City Governance

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

Officer's Recommendation

That the comments and updates to the reports and letters requested be noted.

Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 5 October 2021.

Attachments

1. Reports requested listing (contained within this report) [↓](#)
2. Letters requested listing (contained within this report) [↓](#)

Reports requested effective 5 October 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Delivery			
13.10.20 PL	NM 11.1 - Charging for parking within the Campbelltown Local Government Area That a full feasibility report be presented to Council outlining the financial and non-financial implications of introducing paid parking into the Campbelltown Local Government Area.	A briefing was presented to Council in June 2021. The Integrated Movement and Place Strategy is currently in Development with Transport for NSW and expected to be completed in October. A report is anticipated to be presented in February 2022.	February 2022
3.8.21 MO	ORD 8.7 - Grey Headed Flying Fox Camp Management Plans 3. That a further report be provided to Council outlining details of the proposed Residential Assistance Program following its investigation.	A presentation has been scheduled to provide to the Executive Team with an update on the GHFF Plan and implementation. A report will follow to Council.	November 2021
3.8.21 RM	NM 11.2 - Chess Boards in Local Parks That Council prepare a report investigating the feasibility of setting up tables with affixed chess boards in our local parks and appropriate public areas for our community to enjoy.	Currently under investigation with a report anticipated to be presented in November 2021.	November 2021
City Development			
09.04.19 BT	ORD 8.6 - Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct) 5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.	To be completed as part of the next housekeeping amendment to the Contribution Plan.	November 2021
10.09.19 KH	ORD 8.1 - Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use 5. That following an exhibition, a report on submissions be presented to Council.	Gateway extension issued by DPIE on 16/6/2021. Exhibition to commence August 2021.	February 2022

Reports requested effective 5 October 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
10.03.20 WM	<p>ORD 8.2 - Menangle Park - Draft Planning Proposal</p> <p>4. That following the public exhibition a report on any submissions received be presented to Council.</p>	<p>Gateway extension granted in May 2021 with requirement to finalise by April 2022. Exhibition to commence in next quarter upon satisfaction by applicant of Gateway conditions.</p>	March 2022
10.03.20 MO	<p>ORD 8.6 - Mt Gilead - Draft Planning Proposal</p> <p>3. That should the Minister determine under section 3.3.4(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.</p> <p>4. That following the public exhibition a report on any submissions received be presented to Council.</p>	<p>Gateway extension granted in May 2021 with requirement to finalise by April 2022. Public exhibition closed 2 August 2021. Report currently being drafted.</p>	November 2021
8.12.20 KH	<p>ORD 8.2 - Amendments to the Mount Gilead Stage 2 Biodiversity Certification Application</p> <p>3. That a further report be provided to Council detailing the outcomes of the public exhibition process and associated amendments to the Biodiversity Certification Application.</p>	<p>Public exhibition closed on 14/2/2021 with issues and responses being investigated.</p>	March 2022
8.6.21 MO	<p>ORD 8.6 - Planning Proposal - "Glenlee Estate" Menangle Park</p> <p>3. That following the public exhibition: (a) where submissions are received by Council during the public exhibition period, a submissions report be presented to Council</p>	<p>Documents currently being prepared for DPIE for Gateway Determination.</p>	April 2022

Reports requested effective 5 October 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
13.7.21 MO	<p>ORD 8.2 - Mount Gilead - Amendments to Development Control Plan</p> <p>3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.</p>	Public exhibition completed on 30 August 2021. Submissions received and report being drafted.	February 2022
13.7.21 WM	<p>ORD 8.3 - Menangle Park - Amendments to Development Control Plan</p> <p>3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.</p> <p>4. That a further report be presented to Council that includes street names, derived from Table 1.3 of the current Campbelltown (Sustainable City) Development Control Plan, Part 8 Menangle Park, for places of Non-Indigenous Heritage Significance for inclusion on the list of road names approved for Menangle Park.</p>	Public exhibition completed on 30 August 2021. Submissions received and report being drafted.	November 2021
13.7.21 WM	<p>ORD 8.4 - Kellicar Road Precinct - Outcome of Public Exhibition - Planning Proposal and Site Specific Development Control Plan</p> <p>4. That options for affordable housing on the Kellicar Road precinct in this planning proposal be presented as a further report to Council, or as part of a wider investigation into affordable housing across Campbelltown.</p>	An implementation plan is being prepared for the Campbelltown Local Housing Strategy. The requirements for the implementation plan have only just been received from the Department of Planning, Industry and Environment. It will not be possible to complete this step until early 2022.	March 2022

Reports requested effective 5 October 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
3.8.21 RM	<p>ORD 8.5 - Ingleburn CBD - Planning Proposal and Development Control Plan</p> <p>4. That a further report be presented to Council outlining options for developer contributions planning for the Ingleburn CBD.</p>	<p>Specialist studies are in progress for the Ingleburn Planning Proposal and these will guide the content of potential amendments to the Contribution Plan. This work cannot be further progressed until these are completed.</p>	May 2022
City Growth			
10.03.20 BM	<p>ORD 8.12 - Latest Findings on Climate Change</p> <p>1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.</p>	<p>This project has been redefined into stages. Stage 1 (data collection) has been completed. Stage 2 will commence in November with further investigations required. Stage 2 will involve the engagement of a consultant or university to review Council's greenhouse gas emission data (captured and presented in a platform as part of stage 1) and define emission reduction pathways.</p>	March 2022
09.06.20 PL	<p>ORD 8.1 - Development Application Status</p> <p>That Council prepare a feasibility report with regard to the development of a physical and virtual model of the LGA from Macarthur Square to Leumeah to provide a visual perspective of proposed developments in the LGA to be displayed in the foyer of the Council building and placed on Council's website.</p>	<p>An initial feasibility has been undertaken that has indicated that there is significant value in Council developing a digital 3D visualisation and planning tool/model. There are a number of additional considerations required to determine Council's approach to its funding and implementation. A detailed project brief is currently being prepared.</p>	March 2022

Reports requested effective 5 October 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
3.8.21 RM	<p>ORD 8.5 - Ingleburn CBD - Planning Proposal and Development Control Plan</p> <p>3. That a further report be presented to Council outlining options for a design excellence process for the development of the future car park site for a mixed use building and a public park. This report is to consider the appropriateness of this site for a possible iconic building.</p>	<p>Strategic Property are currently assessing the project and will be preparing a Project Definition Plan (PDP) for Executive approval. The PDP will include an outline of costs required to undertake a feasibility study to determine the sites viability from a triple bottom line perspective (ie financial, social and environmental). Once approved the project feasibility will take approximately 3 months to complete. This will be presented to Council to provide clear evidence of the projects viability and funding required to deliver it.</p>	March 2022
14.9.21 MO	<p>NM 11.2 - Creative Arts Fund</p> <p>1. That a report be presented investigating the establishment/trial of a local creative arts fund with the purpose of providing opportunities to improve the wellbeing, resilience and social cohesion of our community through creative expression and social connection.</p> <p>2. That the report also include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council including the cost associated with these initiatives.</p>	<p>A report is currently being drafted that investigates the opportunity of a local creative arts fund to improve our community's well-being, resilience, and social cohesion through creative expression and social connection. The report will include the current and past, small and localised art funding initiatives undertaken by Campbelltown City Council</p>	November 2021

Reports requested effective 5 October 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Lifestyles			
13.7.21 MO	NM 11.1 - Glenalvon House That a report be presented to Council investigating the potential to provide for a small restaurant/café with industry standard cooking facilities and associated rest rooms in the grounds of Glenalvon House.	The Executive Team are in discussion to determine the best approach to providing this report, using a cross-functional approach.	February 2022
3.8.21 GB	NM 11.1 - Local Events for Car Enthusiasts That Council investigate the feasibility of using the Plough Inn Road commuter car park at Leumeah, for the purposes of organised vehicle Show and Shine events, and to help facilitate community engagement with like-minded enthusiasts.	Staff currently finalising feasibility study.	November 2021
14.9.21 WM	NM 11.1 - Support for the Homeless in Campbelltown 1. That a report be presented detailing the initiatives, services and strategies that Council has implemented, and is continuing to implement, during [and before] the COVID-19 crisis, to assist local community organisations and NGOs, working to support homeless people in our LGA. 2. That Council investigate future opportunities to reduce/eliminate homelessness in the Campbelltown LGA and include these initiatives in the report.	Staff currently undertaking data collection and gathering information for the report.	March 2022

Letters requested effective 5 October 2021

*Date of Decision *Mover	Action Item	Comments / updates
City Development		
3.8.21 MO	<p>NM 11.3 - Heritage Funding for Local Councils</p> <p>1. That Council request the NSW Government to significantly increase the amount of funding available to Local Councils to assist in the protection, ongoing maintenance and enhancement of Heritage Buildings, Heritage Structures and Heritage Sites in their Local Government Areas.</p>	Letter sent 27/08/2021 to Heritage NSW and a letter sent 3/09/2021 to the Special Minister of State, the Hon. Don Harwin MLC.
20.9.21 GB	<p>MM 5.1 - Infrastructure Contributions - Sydney Metropolitan Councils</p> <p>4. That Council write to Mr Greg Warren MP and Mr Anoulack Chanthivong MP seeking their support.</p>	Letters sent 28/9/2021 to Mr Greg Warren MP and Mr Anoulack Chanthivong MP.

8.9 Disclosure of Interest Returns 2020-21

Reporting Officer

Manager Governance and Risk
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

That the information be noted.

Purpose

To advise Council that the 2020-21 Disclosure of Interest Returns have been lodged by Councillors and Designated Persons in accordance with the requirements of the Model Code of Conduct.

Report

Clause 4.21 of the Model Code of Conduct (the Code) requires a Councillor or Designated Person to lodge with the General Manager a return in the form set out in Schedule 2.

A Designated Person is described in clause 4.8 of the Code and includes the General Manager, other Senior Staff of the Council, and persons who hold a position identified by the Council as a position which involves the exercise of functions under the *Local Government Act 1998*, or any other Act that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest.

The purpose of the disclosure provisions within the Code is to ensure transparency and accountability for Council's actions. The Office of Local Government has stressed that the disclosure provisions are designed as a protection for Councillors and staff members as well as an opportunity to enhance public confidence in Local Government.

Pursuant to the Code, the information contained in the 2021 returns will be made publicly available on Council's website in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and guidelines issued by the Information Commissioner.

Attachments

Nil

8.10 Investments and Revenue Report - August 2021

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the information be noted.

Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of August 2021.

Report

This monthly report provides details of Council's investment and revenue portfolio.

Investments

Council's investment portfolio as at 31 August 2021 stood at approximately \$194 million. Funds are currently being managed by both Council staff and fund managers and are in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Council's Investment Policy.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions.

As at 31 August, Council's return exceeded the benchmark by some 88 basis points on an annualised basis which is a positive on an absolute basis. This return excludes funds held in at call account but includes the 30 day notice saver account and the NSW TCorp Cash Fund.

The yield on the AusBond Bank Bill Index has been very low, with the monthly annualised return being 0.045 per cent, and while Council's investment performance has fallen in recent times, it has however maintained an excellent return over the benchmark index.

The portfolio is diversified with maturities ranging up to a 5 year period in accordance with Council's Investment Policy.

Council's investment advisor, Amicus Advisory have confirmed that Council's investment portfolio is being well managed and is compliant with current policy settings, with clear buffers between exposures to individual entities and credit limits.

Council's total liquidity to meet short to medium term cash flow needs remains strong with \$55 million held in an at call account and \$1.5 million in the TCorp Cash Fund. Although it isn't the normal approach to hold large sums of surplus cash in call accounts, the \$55 million is held with Council's banker, National Australia Bank, where it is currently attracting a competitive interest rate of 0.50 per cent, much higher than a standard term deposit; and comparable to longer dated securities that would otherwise be held to maturity.

The official cash rate is 0.10 per cent, where it has remained since the November 2020 Reserve Bank of Australia Board meeting. The Board remains optimistic that in Australia, economic recovery is underway however, it is still expected to be uneven, drawn out and dependant on policy support. The ASX200 closed at 7,534.90 at the completion of August. This represents an annualised monthly performance result of positive 23.10 per cent ex dividend; the monthly change was positive 1.92 per cent.

It is important to note that councils are restricted to conservative investments only in line with the Minister's Investment Order of 17 February 2011 and other relevant legislation including the *Local Government Act 1993* and the *Trustee Act 1925*. Investments in equities are prohibited under the legislation and therefore a benchmark such as the Bank Bill Index is used in line with Council's Investment Policy and the recommendations of the Office of Local Government Guidelines.

Rates

Rates and Charges levied for the period ending 31 August 2021 totalled \$129,771,687 representing 99.9 per cent of the current budget estimate.

The rates and charges receipts collected to the end of August totalled \$34,953,169. In percentage terms 27.4 per cent of all rates and charges due to be paid have been collected, compared to 17.4 per cent collected in the same period last year. This comparison has been significantly affected by the due date last year being changed to 30 September from 31 August.

During the 2020-21 financial year the NSW Government made legislative amendments that enacted a change to the due date of the first quarterly instalment to 30 September from 31 August. The legislation changes expired in March 2021 causing the first quarterly instalment of rates and charges to revert back to 31 August 2021.

To mitigate the risk of debts becoming unmanageable Council staff have been actively assisting ratepayers with their quarterly instalments and advise on options available such as regular weekly payments. Special consideration is given to support all ratepayers that have been affected by the COVID pandemic. Where the charging of penalty interest causes hardship the charges are waived in accordance with Councils Hardship Policy and an application being made. An on-line application form is available on Council's website to assist ratepayers to complete their request.

Positive feedback continues to be received from Pensioners that can now make an application for a Pension Rebate Concession over the phone and via the internet. During the month, 64 applications were made over the phone and 35 online. Given the level of success,

implementation for both phone and internet will continue as a permanent service to the community alongside the paper based over the counter process or by mail.

Ratepayers who purchased property since the annual rates and charges notices had been issued, are provided a 'Notice to new owner' letter. During the month, 92 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

Sundry Debtors

Debts outstanding to Council as at 31 August 2021 are \$1,797,609 reflecting a decrease of \$961,030 since July 2021. During the month 230 invoices were raised totalling \$447,536. The majority of these are paid within a 30 day period. Those that are not paid within the 30 day period are reflected in the ageing report.

Debts exceeding 90 days of age totalled \$406,594 as at 31 August 2021. The majority of this debt relates to Sportsground and Field Hire totalling \$110,837. The most significant portion is \$51,111 for "catering sales commission" for events at Campbelltown Sports Stadium. Council staff have reached out to the company involved and a part payment was received in early September bringing the overdue debt to \$41,151. Council will continue to work with the contractor on a payment arrangement however understands is experiencing financial hardship due to COVID restrictions. Also incorporated within field hire category is the debt relating to a previous contractor of \$49,450 also for "catering sales commission" for events at the Sports Stadium. The company involved has defaulted on previous arrangements and as a result Council's debt recovery process has commenced with the issue of our Letter of Demand which has had no response and the account has now been referred to Council's agents. Further recovery action has been put on hold due to the current COVID-19 pandemic situation.

Various Sundry items total \$101,160. Mostly relating to Suez Recycling and Resource Recovery Pty Ltd for \$58,652 for the recovery of an overpayment of compactor charges. It was discovered within our contract that public waste disposal fell under the term of domestic waste which is charged at a lower rate. Contact has been made with Suez management who have confirmed that invoice has been approved for payment. Council staff are now awaiting a response from their accounts payable team for expected date of payment.

Also incorporated within the sundry items group is the combined amount of \$20,195. This relates to various property related debts for clean-up orders issued and the recovery of costs associated with restoring the property to a suitable healthy status. In some cases, property owners are already in financial distress or are uncontactable. Council staff continue to reach out to the owners in the hope of a positive resolution however, most debts are finalised with the sale of the property. Another significant amount of \$6,964 relates to bin services supplied for 'Eat, Shop, Love Markets' events. The organiser is not responding to our requests and the debt has been referred to our agents for recovery. This however has been put on hold due to the current COVID-19 pandemic.

Debts categorised in Road and Footpath Restoration totalled \$28,398 with the most significant portion of \$24,950 being for work carried out at the Campbelltown Hospital Carpark. Contact has been made with the company involved who have advised that an internal issue within their organisation has now been resolved and payment is expected by end of the month.

Debts categorised within Healthy Lifestyles for \$11,432 consists of various amounts with the most significant relating to advance payments for bookings of the Bicycle Education Centre delivering a customer service outcome allowing bookings to be paid ahead of the relevant event.

Public hall hire fees of \$42,086 are a result of debts raised in advance and in accordance with council policy do not need to be finalised until 2 weeks prior to function. This process also gives hirers an option to book in advance and then to make smaller regular payments leading up to their event, similar to the Bicycle Education Centre process identified above.

Debt recovery action is normally undertaken in accordance with Council's Sundry Debtors Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a 7 day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a Letter of Demand (or Letter of Intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor, and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

Due to the current COVID-19 pandemic, no new formal recovery action is being taken. Staff will be making contact with overdue debtors seeking suitable payment options and to check in on their current status.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible to avoid any further recovery action.

Attachments

1. Summary of Council's Investment Portfolio August 2021 (contained within this report) [↓](#)
2. Rates and Charges Summary and Statistics August 2021 (contained within this report) [↓](#)
3. Debtors Summary and Ageing Report August 2021 (contained within this report) [↓](#)

Summary of Council's Investment Portfolio

Portfolio as at 31 August 2021



Product Type	Face Value	% of Total
At Call Deposits	55,191,774	28.5%
Notice Account	29,293	0.0%
Term Deposits - Fixed Rate	47,287,423	24.4%
Term Deposits - Floating Rate	64,000,000	33.0%
Fixed Rate Bond	14,300,000	7.4%
FRN	11,550,000	6.0%
Managed Funds - TCorp	1,569,415	0.8%
Grand Total	193,927,905	100.0%

Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AA+	6,900,000	6.2%
AA-	82,371,013	74.0%
A+	1,000,000	0.9%
BBB+	8,000,000	7.2%
BBB	11,016,410	9.9%
Baa2	2,000,000	1.8%
Total Term Deposits	111,287,423	100.0%

Fixed and Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
none	NT Treasury Corp	Aa3	15-Dec-22	0.90% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Dec-23	0.80% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Jun-25	0.90% Annually	\$2,500,000
AU3CB0282358	ING Covered Bond	AAA	19-Aug-26	1.10% Annually	\$1,800,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	\$2,400,000
AU3FN0053146	RACQ Bank (prev QT Bank)	BBB+	24-Feb-23	3m BBSW + 0.93%	\$1,850,000
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 0.88%	\$1,000,000
AU3FN0052908	Macquarie Bank	A+	12-Feb-25	3m BBSW + 0.84%	\$5,000,000

Summary of Council's Investment Portfolio - August 2021 cont'd

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	83.3%	40%	100%	Yes
A+, A, A- and above	87.0%	60%^	100%	Yes
BBB+, BBB, BBB- and above	100.0%	100%	100%	Yes
TCorp MTGF and LTGF	0%	0%	20%	Yes
TCorp Hour Glass Cash Fund	0.8%	0%	20%	Yes

Portfolio Return

Council's investment portfolio (excluding At Call Deposits but includes TCorp Cash Fund & Notice Saver Account) provided a weighted average return (running yield) of:

31 August 2021	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.075%	0.928%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.002%	0.045%
Performance Relative to Benchmark	0.073%	0.883%

Rates Summary

Statement of all Outstanding Rates and Extra Charges



Rate - Charge	Net Arrears 1/7/2021	Net Levy for Year	Pension Rebates	Extra Charges	Total Receivable	Cash Collected	Net Amount Due	Postponed Rates & Interest	Gross Amount Due
Residential	3,592,824.67	71,143,316.00	1,354,886.75	23,085.40	73,404,339.32	19,141,753.32	54,262,586.00	331,609.98	54,594,195.98
Business	601,012.56	20,569,624.79		4,449.02	21,175,086.37	6,489,963.99	14,685,122.38		14,685,122.38
Farmland	15,521.60	558,472.93	495.05	200.31	573,699.79	128,758.98	444,940.81	255,627.11	700,567.92
Mining	0.00	29,200.08		0.00	29,200.08	29,200.08	0.00		0.00
SR - Loan	628.02	0.00		27.34	655.36	0.00	655.36	23.81	679.17
SR - Infrastructure	400,650.65	6,971,418.79		2,050.33	7,374,119.77	1,947,100.79	5,427,018.98	58,113.01	5,485,131.99
Total	\$4,610,637.50	\$99,272,032.59	\$1,355,381.80	\$29,812.40	\$102,557,100.69	\$27,736,777.16	\$74,820,323.53	\$645,373.91	\$75,465,697.44
Garbage	1,091,384.56	25,416,308.34	837,279.85	6,872.25	25,677,285.30	6,801,617.81	18,875,667.49		18,875,667.49
Stormwater	77,891.31	1,459,160.02		250.05	1,537,301.38	414,764.71	1,122,536.67		1,122,536.67
Grand Total	\$5,779,913.37	\$126,147,500.95	\$2,192,661.65	\$36,934.70	\$129,771,687.37	\$34,953,159.68	\$94,818,527.69	\$645,373.91	\$95,463,901.60

Total from Rates Financial Transaction Summary	94,909,658.85
Overpayments	-554,242.75
Difference	0.00

Analysis of Recovery Action

Rate accounts greater than 6 months less than 12 months in arrears	389,456.32
Rate accounts greater than 12 months less than 18 months in arrears	105,123.00
Rate accounts greater than 18 months in arrears	60,666.00



Rates Statistics

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Aug-20
Rate Notices	57,620	238											485
Electronic - DoH	4,866												
Instalment Notices													
Electronic - DoH													
Missed Instalment Notices													
- Pensioners > \$15.00													
Notice to new owner	133	92											133
7-day Letters - Council issued													
- Pensioners > \$500.00													
7-day Letters - Agent Issued													
Statement of Claim													
Judgments													
Writs													
Electronic - eRates & BPAYView	11,666	11,798											9,577
Pensioner applications	257	99											170
Arrangements	207	193											165

DEBTORS SUMMARY 1 August 2021 to 31 August 2021



DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/07/2021	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/08/2021	% DEBT RATIO
Corporate Administration	483,985	20,553	294,997	209,541	11.66%
Abandoned Items	1,539	0	0	1,539	0.09%
Education and Care Services	18,710	0	0	18,710	1.04%
Community Bus	89	0	0	89	0.00%
Sportsground and Field Hire	212,408	6,670	55,844	163,234	9.08%
Government and other Grants	1,303,721	8,417	529,925	782,213	43.51%
Public Hall Hire	88,046	28,851	43,512	83,385	4.64%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	250,767	220,001	319,560	151,208	8.41%
Healthy Lifestyles	24,400	0	2,752	21,648	1.20%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	87,694	12,447	15,560	84,581	4.71%
Pool Hire	1,822	0	1,064	758	0.04%
Private Works	2,612	0	0	2,612	0.15%
Road and Footpath Restoration	42,222	0	12,359	29,862	1.66%
Shop and Office Rentals	56,080	53,832	66,256	43,656	2.43%
Various Sundry Items	191,758	81,786	31,766	241,779	13.45%
Waste Collection Services	21,114	14,979	34,971	1,122	0.06%
	2,758,639	447,536	1,408,566	1,797,609	100%

AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 August 2021



	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	15,352	6,121	147,797	40,271	209,541	320,228
Abandoned Items	0	0	0	1,539	1,539	1,539
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	89	0	0	0	89	0
Sportsground and Field Hire	-213	10,036	42,574	110,837	163,234	66,122
Government and other Grants	8,417	712,300	61,496	0	782,213	0
Public Hall Hire	-74	25,049	16,324	42,086	83,385	38,141
Health Services	0	0	0	350	350	350
Land and Building Rentals	147,235	367	0	3,606	151,208	0
Healthy Lifestyles	3,830	2,259	4,128	11,432	21,648	12,638
Licence Fees	10,415	3,694	7,206	63,267	84,581	61,910
Pool Hire	303	0	0	455	758	381
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	0	0	1,464	28,398	29,862	35,748
Shop and Office Rentals	35,887	3,726	3,726	317	43,656	2,328
Various Sundry Items	79,988	2,227	58,403	101,160	241,779	122,183
Waste Collection Services	-8,812	8,482	0	1,452	1,122	0
	273,637	774,260	343,118	406,594	1,797,609	662,972

8.11 Revised Policy - Closure and Sale of Walkways

Reporting Officer

Property Coordinator
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That Council endorse the proposed amendments to the Policy - Closure and Sale of Walkways.

Purpose

To seek Council endorsement to revise the current Policy covering the Closure and Sale of Walkways within the Campbelltown Local Government Area

History

The policy titled 'Closure and Sale of Walkways' was last adopted by Council at its meeting on 17 May 2016. The Policy is due for a review and legislation has changed appointing Council as the Roads Authority permitted to consent to the closing of Council public roads.

Report

The revised Policy which is attached has been updated to reflect changes made to Legislation when dealing with requests to close walkways within the Local Government Area.

Changes to the *Roads Act 1993* no longer requires Council to apply to NSW Department of Industry - Lands and Water for approval to close Council public roads. Council is now identified as the Roads Authority and has primary responsibility of determining if they support an application for closure.

The revised Policy has been amended, outlining the process and responsibility of all parties associated with a request to close a walkway/road. It now includes the Council's position that consideration for closure would be primarily based on the provision of evidence of significant anti-social behaviour occurring within the walkway.

The policy revisions ensure that there is a genuine community benefit to be derived from the closure of a walkway and provides increased protection from the growing number of applications that appear on face value to be seeking direct commercial gain by increasing adjoining landowner lot size for the purpose of redevelopment.

It should be noted that walkways were originally included in the city design to reduce residents' walkway distance to access shops, bus stops, schools and the like.

The proposed Policy amendments have been developed in accordance with Councils Corporate Document and Review process.

Attachments

1. Current Policy Closure and Sale of Walkways (contained within this report) [↓](#)
2. Proposed Policy Closure and Sale of Walkways (contained within this report) [↓](#)

 CAMPBELLTOWN CITY COUNCIL		POLICY
Policy Title	Closure and Sale of Walkways	
Related Documentation	General Information for Applicants on Proposed Walkway Closure and Sales Procedures	
Relevant Legislation/ Corporate Plan	Road Act 1993 Local Government Act 1993	
Responsible Officer	Director City Governance Manager Property Services	

Policy details may change prior to review date due to legislative changes etc, therefore this document is uncontrolled when printed.

Objectives

To establish a consistent method and standard approach for the community and Council as to the circumstances under which walkways can be formally closed.

To provide an overview of the process required to formally close a walkway, define any subsequent sale process that might stem from the formal closure and articulate the responsibility for all parties involved.

Policy Statement

Council acknowledges that under certain circumstances the need may arise to consider the closure of a walkway in the best interest of its community. This Policy seeks to ensure that the community is appropriately informed about the rights and obligations of the various parties involved in a walkway closure.

Scope

This Policy applies to all members of the community seeking walkway closure(s) and all members of staff involved in the consideration of walkway closure applications.

Definitions

Walkways are typically a dedicated public right of passage connecting public areas such as a right of passage between two roads or a right of passage between a road and park/reserve.

In addition to providing a public right of passage, walkways may also be used for overland drainage flow and the location of utility services.

Legislative Context

Council has under its control various walkways [and has the ability pursuant to Part 4, Division 3 of the Roads Act 1993 to close a public road/walkway pursuant to Section 7\(4\) of the Roads Act, 1993.](#) Council

DATA AND DOCUMENT CONTROL		
Division: City Governance Business Services Section: Property Services DocSet: 3420381	Adopted Date: 16/08/88 Revised Date: 17/05/2016 Minute Number: 76 Review Date: 30/06/2019	Page: 1 of 3

Campbelltown City Council

~~can under certain circumstances apply to the Minister to have walkways formally closed pursuant to Part 4 of the Roads Act 1993.~~

Council has the authority to sell formally closed walkways to the adjoining landowners pursuant to Part 2 of the Local Government Act 1993.

Principles

1. ~~Advice will be sought from relevant Sections of Council to determine if the walkways are required for operational purposes and advise if there are any conditions/restrictions required should the closure be approved by Council.~~
2. ~~Consideration for closure of a walkway will be based on a range of factors which may include the provision of evidence of significant anti-social behaviour occurring with the walkway.~~
 1. ~~Investigation by the relevant Departments of Council to determine if the walkways are required for operational purposes and to determine any conditions relating to their closure if not required by Council.~~
- 2.3. ~~The applicant(s) are to pay a~~All costs associated with pursuing a walkway closure and sale are to be paid by the applicant(s).
4. ~~Only an adjoining owner may make an application to close a walkway, which must be in writing. The adjoining owner seeking closure must provide reasons for the proposed closure and include details such as dates and photos of any incidents reported to Council or the Police. If there is insufficient supporting documentation the closure request may not be considered by Council.~~
- 3.5. ~~The request for closure must be supported by all adjoining owners, in writing, including evidence that those owners are willing to purchase the walkway land at market value. Their details including mobile number, email and mailing addresses must also be provided. All adjoining owners must indicate their support for a closure in writing to Council. Council may also consider any special circumstances regarding the closure of walkways.~~
6. ~~In the case where four owners adjoin a walkway, there must be at least two owners willing to purchase the land, one owner from each end of the walkway, for Council to consider an application to close the walkway.~~
- 4.7. ~~In the event an easement is required for the purposes of service infrastructure over the walkway land only two adjoining owners may purchase the walkway land – one from either end. If there are only two owners adjoining a walkway and an easement is required only one adjoining owner may purchase the walkway land.~~
6. ~~Public notification to allow public submission on the proposal and a three (3) week closure trial closure period will occur prior to the Council considering a report to close and subsequently sell a walkway. The trial closure may not be undertaken during school holiday periods.~~
8.
9. ~~The relevant Council sections and service authorities will be notified to determine if a walkway can be closed and if easements or service relocations are required to be created upon closure of the walkway. Any costs incurred are payable by the applicant(s) purchasing the walkway land.~~
6. ~~The Minister (Crown Lands) is authorised to formally close walkways through the provisions of the Road Act 1993. Council independently has no legislative provision to formally close a walkway and must rely on the Minister (Crown Lands) to do so.~~

DATA AND DOCUMENT CONTROL		
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Campbelltown City Council

~~10.~~ The effect of a walkway closure is that Lots are created enabling Council to sell to adjoining owners.

~~7.~~ a walkway becomes land, a commodity that can be purchased by adjoining owners.

~~8.~~ The relevant Council sections and service authorities will be notified to determine if the walkway can be closed and if easements or service relocations are required to be created upon closure of walkway.

~~9.11.~~ An independent ~~real estate~~ valuer determines the sale price of land. The valuation will be undertaken on the basis of the current market value of the land, noting the highest and best use given the walkway land will be incorporated into an existing adjoining owner's land holding. If an owner chooses to obtain their own market valuation prior to the process commencing they are also required to pay for the valuation that Council obtains during the process.

~~12.~~ Land sold to an adjoining owner is required to be consolidated with the adjoining owners land through a consolidation survey. The consolidation survey is required to finalise the closure process and must be undertaken within a reasonable timeframe.

~~10.~~ a requirement of the adjoining owner to whom the land is sold.

~~14.13.~~ Applicants should refer to "General Information for Applicants on Proposed Walkway Closure and Sales Procedures" that which articulates the responsibility for all parties involved.

Responsibility

The application of this Policy is the responsibility of the ~~Director City Governance~~ Manager Property Services.

Effectiveness of this Policy

This policy will be reviewed in 3 years to ensure its continuing suitability and effectiveness. Records of reviews shall be maintained.

END OF POLICY STATEMENT

DATA AND DOCUMENT CONTROL		
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POLICY

Policy Title	Closure and Sale of Walkways
Related Documentation	General Information for Applicants on Proposed Walkway Closure and Sales Procedures
Relevant Legislation/ Corporate Plan	<i>Road Act 1993</i> <i>Local Government Act 1993</i>
Responsible Officer	Director City Governance

Policy details may change prior to review date due to legislative changes etc, therefore this document is uncontrolled when printed.

Objectives

To establish a consistent method and standard approach for the community and Council as to the circumstances under which walkways can be formally closed.

To provide an overview of the process required to formally close a walkway, define any subsequent sale process that might stem from the formal closure and articulate the responsibility for all parties involved.

Policy Statement

Council acknowledges that under certain circumstances the need may arise to consider the closure of a walkway in the best interest of its community. This Policy seeks to ensure that the community is appropriately informed about the rights and obligations of the various parties involved in a walkway closure.

Scope

This Policy applies to all members of the community seeking walkway closure(s) and all members of staff involved in the consideration of walkway closure applications.

Definitions

Walkways are typically a dedicated public right of passage connecting public areas such as a right of passage between two roads or a right of passage between a road and park/reserve.

In addition to providing a public right of passage, walkways may also be used for overland drainage flow and the location of utility services.

Legislative Context

Council has under its control various walkways and has the ability pursuant to Part 4, Division 3 of the *Roads Act 1993* to close a public road/walkway.

DATA AND DOCUMENT CONTROL

Division: City Governance
Section: Property Services
DocSet: 3420381

Adopted Date: 16/08/88
Revised Date: 17/05/2016
Minute Number: 76
Review Date: 30/06/2019

Page: 1 of 3

Campbelltown City Council

Council has the authority to sell formally closed walkways to the adjoining landowners pursuant to Part 2 of the *Local Government Act 1993*.

Principles

1. Advice will be sought from relevant Sections of Council to determine if the walkways are required for operational purposes and advise if there are any conditions/restrictions required should the closure be approved by Council.
2. Consideration for closure of a walkway will be based on a range of factors which may include the provision of evidence of significant anti-social behaviour occurring with the walkway.
3. The applicant(s) are to pay all costs associated with pursuing a walkway closure and sale are to be paid by the applicant(s).
4. Only an adjoining owner may make an application to close a walkway, which must be in writing. The adjoining owner seeking closure must provide reasons for the proposed closure and include details such as dates and photos of any incidents reported to Council or the Police. If there is insufficient supporting documentation the closure request may not be considered by Council.
5. The request for closure must be supported by all adjoining owners, in writing, including evidence that those owners are willing to purchase the walkway land at market value. Their details including mobile number, email and mailing addresses must also be provided.
6. In the case where four owners adjoin a walkway, there must be at least two owners willing to purchase the land, one owner from each end of the walkway, for Council to consider an application to close the walkway.
7. In the event an easement is required for the purposes of service infrastructure over the walkway land only two adjoining owners may purchase the walkway land – one from either end. If there are only two owners adjoining a walkway and an easement is required only one adjoining owner may purchase the walkway land.
8. Public notification to allow public submission on the proposal and a three (3) week trial closure period will occur prior to the Council considering a report to close and subsequently sell a walkway. The trial closure may not be undertaken during school holiday periods.
9. The relevant Council sections and service authorities will be notified to determine if a walkway can be closed and if easements or service relocations are required to be created upon closure of the walkway. Any costs incurred are payable by the applicant(s) purchasing the walkway land.
10. The effect of a walkway closure is that Lots are created enabling Council to sell to adjoining owners.
11. An independent valuer determines the sale price of land. The valuation will be undertaken on the basis of the current market value of the land, noting the highest and best use given the walkway land will be incorporated into an existing adjoining owner's land holding. If an owner chooses to obtain their own market valuation prior to the process commencing they are also required to pay for the valuation that Council obtains during the process.
12. Land sold to an adjoining owner is required to be consolidated with the adjoining owners land through a consolidation survey. The consolidation survey is required to finalise the closure process and must be undertaken within a reasonable timeframe.

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Campbelltown City Council

13. Applicants should refer to General Information for Applicants on Proposed Walkway Closure and Sales Procedures which articulates the responsibility for all parties involved.

Responsibility

The application of this Policy is the responsibility of the Director City Governance.

Effectiveness of this Policy

This policy will be reviewed in 3 years to ensure its continuing suitability and effectiveness. Records of reviews shall be maintained.

END OF POLICY STATEMENT

8.12 Campbelltown City Council Collection - New Acquisitions

Reporting Officer

Executive Manager Creative Life
City Growth

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.6 - Foster a creative community that celebrates arts and culture

Officer's Recommendation

That the following proposed donations to be acquired as a part of the Campbelltown City Council collection be endorsed by Council:

- donation by Karla Dickens - 'Colonial Bottom Feeders' by Karla Dickens
- donation by Khaled Sabsabi - 'Bring the Silence' by Khaled Sabsabi

Purpose

To seek Council's endorsement for the acquisition of donated works to the Campbelltown City Council collection.

Report

Campbelltown City Council's Collection Policy provides a framework for the management of Council's permanent collection by Campbelltown Arts Centre. Listed below are the proposed donated works to be acquired for Council's collection in line with the policy objectives.

Donation 1

Karla Dickens
Colonial Bottom Feeders, 2018
Fibreglass, rust, rope, bones and paint
159 cm × 350 cm × 118 cm

Biography

Karla Dickens is Wiradjuri, her parents are from Mascot, Sydney. Dickens was born in Sydney in 1967; the year of the Referendum, that gave Aboriginal people human status within the nation called Australia. A double dawn for Aboriginal people; a major national political and social shift, and an innocent new born seemingly as yet without any connection to her history and Aboriginal heritage. As she tells, the process of moving from childhood to the present was a colourful and, at times, destructive journey of self-discovery. Ironically and literally a truly dark but noble

'Dickensian' life. In the 1970s feminists spoke of being 3 times discriminated against – being Aboriginal, being a woman, and being gay. Dickens' Aboriginality and sexuality do profoundly inform her work – yet her insight and breadth of artistic practice both embraces the notion of identity politics deeply and yet works with universal human experiences. Her work truly fosters an intra and cross cultural dialogue through the forum of contemporary art.

- Extract from Essay by Djon Mundine OAM, Indigenous Curator – Contemporary Art, Campbelltown Art Centre, 2007

Artist Statement

This work riffs on the term 'lost at sea', by reconfiguring found objects to reclaim an overturned vessel. The rusty oil cans forming a Union Jack on the upturned boat's hull, speak of the British Empire's ability to overturn foreign countries and peoples – leaving them lost at sea. A space-like cabin sits atop the boat, while the stars and planets on the hull – painted by contributor Leigh Arnold, an Indigenous artist and astronomer – might help souls lost at sea (or, in space) to navigate. This work speaks of ships – or, alternatively, vulnerable humans – being 'all at sea'. Finding themselves out-of-sight of land and therefore in dangerous, uncertain waters. However, not all sinking ships are doomed, especially if the passengers are blessed with knowledge of the 'old ways'. Rather, finding refuge using ancient skills (such as celestial navigation), they might just enjoy the leeway and adventures provided by the spaces in between.



Colonial bottom feeders 2018. Image courtesy Andrew Baker Gallery

Donation 2

Khaled Sabsabi

Bring the Silence, 2018

Medium: five-channel HD video installation with audio, plastic woven mats, decorative spiritual cloths and rose water

Duration: infinite loop

Biography

Born in Tripoli, Lebanon, Khaled Sabsabi migrated to Australia with his family as a child in 1978. They settled in Western Sydney where he continued to live and work. In 2001, since migrating to Australia, Sabsabi has frequently travelled back to Lebanon and the surrounding region. This extended travel period became a significant moment in his creative career, forcing him to question, reflect and redefine his philosophical perspective and contemporary visual arts practice. In 2005 he received a Master of Fine Arts degree from the University of New South Wales. Sabsabi continues to expand his practice, producing over 63 major mixed media and installation based works to date and exhibiting in over 89 solo and group art exhibitions in Australia and abroad.

Sabsabi was awarded an Australia Council for the Arts CCD fellowship in 2001, Helen Lempriere Travelling Art Scholarship 2010, 60th Blake Prize 2011, MCG Basil Sellers fellowship 2014, Fishers Ghost Prize 2014, Western Sydney ARTS NSW Fellowship 2015 and Sharjah Art Programme Prize 2016. He is represented by Milani Gallery, Brisbane and has 12 works in private, national and international collections. He has participated and presented in over 80 solo and group exhibitions in Australia and abroad. He has also participated in the 5th Marrakech Biennale, 18th Biennale of Sydney, 9th Shanghai Biennale, Sharjah Biennial 11, 1st Yinchuan Biennale, 3rd Kochi Muziris Biennale, Adelaide Biennial of Australian Art 2018 and the 21st Biennale of Sydney.

– Khaled Sabsabi (supplied abridged text)

Artist Statement

Bring the Silence, 2018, is an intimate insight into personal customs practiced by worshippers and visitors to sacred burial sites and shrines known as Maqām in Arabic. The Maqām in the video work is that of the great Sufi saints, Muhammad Nizamuddin Auliya (1238 – 1325 CE).

There are many sacred Maqām scattered throughout the Arab world, Africa and Asia, each with their own story, history and connection to land and people. Sacred sites give meaning and hope, anchoring spiritual values and kin-based divinity for hundreds of millions of people.

The principle aspect of Bring the Silence is its absolute sincerity and genuinely personal yet universal questioning. It is a pause in time and a gentle reminder of how we may re-negotiate, regard and re-claim aspects of tradition and spirituality.



Attachments

Nil

9. QUESTIONS WITH NOTICE**9.1 Wildlife Corridors - Appin Road, Gilead**

Councillor Ben Moroney has given notice of the following Questions with Notice that will be asked at the Ordinary Meeting of Council held 12 October 2021.

1. Can the Director confirm that, despite the absence of appropriate wildlife corridors on some of Lendlease's planning documentation, that wildlife corridors of between 425 m and 250 m, of 350 m average width, can and should be applied to development at Lot 1 Appin Road, Gilead, and that the Local Planning Panel will receive advice to this effect?

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION**11.1 Bushfire Evacuation Planning**

Notice of Motion

Councillor Ben Moroney has given Notice in writing of the intention to move the following Motion at the next meeting of Council on 12 October 2021.

1. That Council, as part of its ongoing resilience and risk strategies for the city, incorporate bushfire evacuation planning, including route timing and emergency shelter, for bushfire-prone areas.
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11.2 Local Community Fresh Produce Market

Notice of Motion

Councillor Meg Oates has given Notice in writing of her intention to move the following Motion at the next meeting of Council on 12 October 2021.

1. That a report be presented on the opportunity for Council to facilitate the development of a Local Community Fresh Produce Market to support our local small businesses, community groups, small farmers and bakers, post COVID-19.
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12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Lease on Council Investment Property

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

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information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

