

# Concept Plan Consolidating Instrument of Approval

Section 75O and 75P of the *Environmental Planning and Assessment Act 1979*

## Edmondson Park (MP10\_0118)

The Planning Assessment Commission under the *Environmental Planning and Assessment Act 1979* ("the Act") determines:

- (a) pursuant to section 75O of the Act, to grant concept plan approval for the proposal referred to in Schedule 1, subject to the modifications set out in Schedule 2, Part B;
- (b) pursuant to section 75P(1)(a) of the Act, the further environmental assessment requirements (as specified in Schedule 2, Part C) for subsequent project or development applications associated with the concept plan;
- (c) pursuant to section 75P(1)(c) of the Act, that the following aspects of the concept plan require no further environmental assessment and approve this development under section 75J of the Act (subject to the conditions set out in Schedule 3 of this approval);
  - remediation works in accordance with a remediation action plan relating to lots 1, 2, part lot 7 and part lot 8 DP 1127652;
  - remediation of unexpected contamination in accordance with the protocols set out in the concept plan;
  - demolition of existing buildings and other structures including paved roadways as set out in the concept plan;
  - construction and use of a temporary sales office; and
  - temporary signage associated with the sale of the land; and
- (d) pursuant to section 75P(1)(b) of the Act, that all other development associated with the concept plan be subject to Part 4 of the Act (excluding exempt and complying development).

The reasons for the imposition of modifications and further assessment requirements are:

- to adequately mitigate the environmental impact of the development;
- to ensure that the proposed development is adequately serviced by utilities and infrastructure;
- to manage bushfire hazard;
- to ensure consistency with the Conservation Agreement;
- to ensure an appropriate lot layout and built form; and
- to maintain the amenity of the locality.

Member of the Commission

Member of the Commission

Member of the Commission

Sydney,

2011

# CONSOLIDATING INSTRUMENT OF APPROVAL

## SCHEDULE 1

### PART A – PROJECT

Proponent:	Landcom																		
Application made to:	Minister for Planning																		
Major Project Number:	MP10_0118																		
On land comprising:	<table><tr><td>Lot A DP 188121</td><td>Lot 4 DP 1127652</td><td>Lot 65 DP654507</td></tr><tr><td>Lot 8 DP 1127652</td><td>Lot 5 DP 1127652</td><td>Lot 2 DP1144667</td></tr><tr><td>Lot 1 DP 1127652</td><td>Lot 2 DP831152</td><td>Lot 1 DP831150</td></tr><tr><td>Lot 7 DP 1127652</td><td>Lot 1 DP831152</td><td>Lot 1 DP831149</td></tr><tr><td>Lot 2 DP 1127652</td><td>Lot 3 DP831152</td><td>Lot 1 DP831148</td></tr><tr><td>Lot 3 DP 1127652</td><td>Lot 1 DP801456</td><td>Lot 3 DP 246213</td></tr></table>	Lot A DP 188121	Lot 4 DP 1127652	Lot 65 DP654507	Lot 8 DP 1127652	Lot 5 DP 1127652	Lot 2 DP1144667	Lot 1 DP 1127652	Lot 2 DP831152	Lot 1 DP831150	Lot 7 DP 1127652	Lot 1 DP831152	Lot 1 DP831149	Lot 2 DP 1127652	Lot 3 DP831152	Lot 1 DP831148	Lot 3 DP 1127652	Lot 1 DP801456	Lot 3 DP 246213
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Lot 2 DP 1127652	Lot 3 DP831152	Lot 1 DP831148																	
Lot 3 DP 1127652	Lot 1 DP801456	Lot 3 DP 246213																	
Local Government Area:	Liverpool City Council and Campbelltown City Council																		
Approval in summary for:	<p>Concept Plan for a development on approximately 413 hectares comprising:</p> <ul style="list-style-type: none"><li>• residential development of 3,530 dwellings;</li><li>• development of the Edmondson Park town centre including 35,000-45,000 sqm of retail, business and commercial floor space, along with associated uses, including a single 'landmark development' of up to 30 metres in height within 300 metres of the proposed station;</li><li>• protection of approximately 150 hectares of conservation lands within regional parklands;</li><li>• adaptive relocation of three heritage listed 'Riley Newsum' pre-fabricated cottages, within the open space network, and retention of the Ingleburn Military Precinct and Mont St Quentin Oval;</li><li>• upgrade of Campbelltown Road with a maximum road width of 38.8 metres, and construction of three signalised intersections with Campbelltown Road;</li><li>• a temporary sales and information office and temporary signage associated with the sale of land;</li><li>• site remediation works;</li><li>• demolition of a number of existing buildings across the site; and</li><li>• associated infrastructure.</li></ul>																		
Capital Investment Value:	\$273 million																		
Type of development:	Concept Plan approval under Part 3A of the Act																		
Date of commencement of approval:	This approval commences on the date of the Planning Assessment Commission's approval																		
Date approval will lapse:	10 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the Act.																		

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### PART B – DEFINITIONS

<b>Act, the</b>	<i>Environmental Planning and Assessment Act 1979</i> (as amended)
<b>APZ</b>	Asset Protection Zone
<b>Certified lands</b>	Land certified for clearing by the Biodiversity Certification Order (2007).
<b>Concept Plan</b>	Plan approved by this instrument, as defined by the environmental assessment and preferred project report.
<b>Conservation Agreement</b>	The Conservation Agreement under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> which was entered into by the former NSW Minister for Planning, the former NSW Minister for Climate Change and the Environment, and the former Federal Minister for Environment, Heritage and the Arts on 20 August 2009.
<b>Council</b>	Liverpool City Council and Campbelltown City Council subject to which Local Government Area the development is located.
<b>Department, the</b>	NSW Department of Planning & Infrastructure
<b>Director-General, the</b>	Director-General of the Department of Planning & Infrastructure (or delegate)
<b>Environmental assessment (EA)</b>	State Significant Site Study and Environmental Assessment – Edmondson Park concept plan and State significant site listing, prepared by JBA Planning, September 2010.
<b>IMO</b>	Items of Military Origin includes but is not limited to Unexploded Ordinance (UXO), Exploded Ordinance Waste (EOW) and Small Arms Ammunition (SAA)
<b>Minister, the</b>	Minister for Planning & Infrastructure
<b>Non certified lands</b>	Land that are not certified for clearing under the Biodiversity Certification Order (2007).
<b>PMF</b>	Probable Maximum Flood
<b>Proponent</b>	Landcom or any party acting on this approval
<b>Preferred project report (PPR)</b>	Preferred Project Report Edmondson Park South - state significant site listing and concept plan, prepared by JBA Planning November 2010
<b>RFS</b>	NSW Rural Fire Service
<b>RTA</b>	NSW Roads and Traffic Authority
<b>Site</b>	Land to which Concept Plan Application MP10_0118 applies
<b>Regulation, the</b>	<i>The Environmental Planning and Assessment Regulation 2000</i> (as amended)
<b>Statement of commitments</b>	Final statement of commitments submitted as part of the PPR.

## **CONSOLIDATING INSTRUMENT OF APPROVAL**

### **SCHEDULE 2**

#### **PART A – ADMINISTRATIVE CONDITIONS**

- 1.1 The Proponent shall carry out the Concept Plan generally in accordance with the:
- a) Concept Plan Application MP10\_0118;
  - b) State Significant Site Study and Environmental Assessment – Edmondson Park concept plan and State significant site listing, prepared by JBA Planning and dated September 2010;
  - c) Preferred Project Report - Edmondson Park South state significant site listing and concept plan, prepared by JBA Planning September and dated November 2010; and
  - d) this approval.
- 1.2 In the event of an inconsistency between:
- a) the modifications of this approval and any document listed from condition 1.1a) to 1.1c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
  - b) any document listed from condition 1.1a) to 1.1c) inclusive, the most recent document shall prevail to the extent of the inconsistency.

#### **Determination of Future Applications**

- 1.3 The determination of future applications for development on the Site is to be generally consistent with the terms of this approval.

#### **PART B – MODIFICATIONS TO THE CONCEPT**

##### **Urban design and built form**

- 1.1 The concept plan is modified to require preparation of a development control plan instead of the proposed development control strategy. The development control plan is to be prepared in consultation with Liverpool and Campbelltown Councils and adopted by the Director-General prior to the lodgement of any application for subdivision of a subsequent stage, or construction of a dwelling. Prior to determination of any application for subdivision or development within the Edmondson Park town centre, the development control plan is to be amended to include built form and development controls for the entire Edmondson Park town centre, including controls to achieve active street frontages for buildings within close proximity of the train station.
- 1.2 The development control plan is to include appropriate design controls which will ensure that development in the vicinity of identified heritage items does not detract from the heritage significance of these items including associated views.

##### **Traffic and transport**

- 1.3 The final design of Campbelltown Road, including any reduced road width (less than 38.8m) and kerbside parking, is to be determined through the detailed design being carried out by RTA in consultation with the Department and in accordance with the requirements of Part B, condition 1.6. The final design should fully explore opportunities to provide at grade pedestrian access across Campbelltown Road in the vicinity of the Mont St Quentin Oval and the Ingleburn Military Heritage Precinct.
- 1.4 Prior to undertaking works on Campbelltown Road the applicant must enter into a Works Authorisation Deed with RTA for the proposed works. All works on Campbelltown Road are to be designed and constructed to RTA requirements. All intersection approaches on Campbelltown Road are to provide a single 100m long right turn storage bay and must operate with double overlap diamond phasing. Campbelltown Road is infrastructure to be funded through the Growth Centres special infrastructure contribution area (SIC) levy. The

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proponent must pay the required SIC levy or alternatively may enter into an agreement for the provision of a material public benefit in lieu of payment of the SIC levy, or any component thereof, for the construction of and dedication of road widening along Campbelltown Road.

### **Regional Park**

- 1.5 The concept plan is modified such that the environmental living lots proposed in the north west corner of the site are to be located entirely within the E4 Environmental Living zone, and outside the E1 National Parks and Nature Reserves Zone under the Major Development SEPP.

### **Heritage**

- 1.6 The final design of Campbelltown Road is to respond to the heritage value of the adjoining heritage items. Any proposed relocation of heritage items to accommodate the road would be required to be justified through a heritage impact assessment, have regard to the implications on the approval of the sale of the land by the Commonwealth under the *Environmental Protection and Biodiversity Conservation Act 1999*, and requires the written endorsement of the Director-General.

### **Decommissioning of Sewerage Treatment Plant**

- 1.7 The existing sewerage treatment plant is to be decommissioned as soon as practicable following the connection of the Bambi Kindergarten and Ingleburn North Primary School to the proposed Ash Road Carrier Stage 1.

## **PART C – FURTHER ENVIRONMENTAL ASSESSMENT REQUIREMENTS**

### **Built form and urban design**

- 1.1 Each subsequent residential subdivision application is to demonstrate how higher density development within that stage is to be located in close proximity to proposed services and public transport infrastructure.
- 1.2 Each subsequent subdivision application is to demonstrate consistency with the development control plan to be prepared under Part B, condition 1.1.
- 1.3 Any future project or development application for the proposed 'landmark development' within the town centre of up to 30 metres in height, may be approved in accordance with the exceptions to development standards provision of the relevant environmental planning instrument. Alternatively an amendment to the height of buildings provisions in that instrument is required prior to approval.

### **Traffic and transport**

- 1.4 Any future application which proposes additional intersections with Campbelltown Road is to be supported by a traffic analysis and is to have the concurrence of the RTA.
- 1.5 Any future application is to address the need for the relocation of Macdonald Road, with timing to be supported by a detailed traffic assessment to RTA's satisfaction.
- 1.6 Any future application for the Edmondson Park town centre must be supported by a detailed traffic and transport study, including a micro-simulation model. This should identify appropriate bus priority measures along the proposed Main Street, and ensure integration with the transport interchange, through consultation with Department of Transport.

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- 1.7 Any future application for development within 25m of the South West Rail Link must identify and mitigate any impacts on the South West Rail Link, in consultation with Department of Transport.

### Development contributions

- 1.8 The subsequent subdivision application within each council area must include an offer to enter into a voluntary planning agreement for payment of local infrastructure contributions, with the details of the contributions, and the nature of any land dedications or works in kind to be negotiated with the relevant council.

### Bushfire hazard

- 1.9 Future subdivision applications must demonstrate compliance with the bushfire management measures outlined in the concept plan, and be in accordance with *Planning for Bushfire Protection 2006*.
- 1.10 Future subdivision applications are to demonstrate that the APZs are located outside any area of public open space, unless agreed to by the relevant council, and outside the regional park, unless agreed to by Office of Environment and Heritage.

### Conservation Agreement

- 1.11 Prior to determination of any future application for any aspect of the concept plan which is inconsistent with the Conservation Agreement, the Conservation Agreement is to be amended by way of written agreement between the relevant parties to be consistent with the concept plan.

### Vegetation management

- 1.12 Each subsequent stage is to provide details on:
- strategies to manage interface issues between the construction site and both the regional park and any vegetation identified as an offset under the concept plan; and
  - appropriate procedures for clearing of vegetation and strategies to retain mature trees where possible.

Any procedures and strategies are to be carried into a vegetation management plan prior to commencement of works on the site.

### Regional Park

- 1.13 Any future application for subdivision to create the regional park is to include an easement in favour of Sydney Water over the proposed sewer pipeline.

### Heritage

- 1.14 Any future applications are to be accompanied by a Heritage Interpretation Strategy for the former Ingleburn Army Camp, Ingleburn villages and Indigenous cultural heritage, prepared by a suitably qualified heritage conservation practitioner in accordance with the NSW Heritage Office guidelines *Interpreting Heritage Places and Items* (2005) and *Heritage Interpretation Policy* (2005). The Heritage Interpretation Strategy is to be prepared in consultation with the Office of Environment and Heritage, the relevant council(s) and should include a detailed history of the Site.

The Heritage Interpretation Strategy is to address the relocation and sensitive adaptive reuse of selected prefabricated cottages in accordance with the approved concept plan.

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- 1.15 Any future applications are to be accompanied by a Statement of Heritage Impact prepared by a suitably qualified heritage conservation practitioner in accordance with the NSW Heritage Office guideline *Statements of Heritage Impact* (2002) which assesses potential impacts of proposed works on heritage items and their settings.
- 1.16 Any future application to demolish, remove or relocate the Lecture Hall (Nissen Hut), the kitchen/dining complex (Mess Hall), and historic plantings, or the Riley-Newsum prefabricated cottages, is to be accompanied by a photographic archival recording of all items proposed to be relocated or demolished. The archival recording is to be prepared by a suitably qualified heritage conservation practitioner in accordance with the NSW Heritage Office guideline *Photographic Recording of Heritage Items Using Film or Digital Capture* (2006). Typical examples of elements and structures should be included as well as views and spatial relationships between elements. Copies of the archival recording are to be provided to the Department, Campbelltown City Council and Liverpool City Council.
- 1.17 Any future applications involving the relocation of prefabricated cottages is to demonstrate that work will be undertaken in association with specialist engineers and conservation practitioners.
- 1.18 Future applications are to identify how the detailed design has responded to opportunities to further mitigate impacts on Aboriginal archaeological heritage.

### Site filling and disposal

- 1.19 Any future applications are to provide details of the nature and extent of any cut and fill that is required to be undertaken. Compliance with the relevant council's requirements (as relevant to cut and fill) should also be demonstrated.

### Flooding

- 1.20 Any future applications are to demonstrate compliance with the flood management measures outlined in the Part 3A Concept Plan, Water Cycle Management Plan prepared by J. Wyndham Prince, September 2010. Compliance with Campbelltown and Liverpool City Council requirements (as relevant to flooding) should also be demonstrated.

### Water quality and riparian corridors

- 1.21 Any future applications are to provide details on the proposed water sensitive urban design infrastructure, to the satisfaction of the consent authority.
- 1.22 Any future applications for residential lots adjacent to Cabramatta Creek are to demonstrate that the lot layout and dwelling locations can accommodate an adequate riparian corridor and associated buffer.
- 1.23 The channel restoration along corridor B (as identified in the concept plan) is to be designed to accommodate a 1:2 to 1:5 year flow and comprise a soft engineering solution.

### Future Development

- 1.24 Any future applications for construction of buildings and associated structures (that are not defined as exempt or complying development) within the Site shall:
  - a) include an assessment of construction impacts, including noise, traffic, soil and erosion (including acid sulphate soils where relevant), waste, and dust, and identify the



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mitigation and management measures that would be implemented to address these impacts;

- b) demonstrate compliance with the Water Sensitive Urban Design principles established in the concept plan;
- c) where applicable, demonstrate compliance with the commitments and management procedures detailed in the Vegetation Management Plan, including the strategy for retention of trees on site;
- d) demonstrate that habitable floor levels are located above the 100 year ARI flood level plus 500mm freeboard, and that appropriate flood evacuation can be provided for dwellings located below the probable maximum flood level;
- e) demonstrate compliance with the *Planning for Bushfire Protection 2006*; and
- f) demonstrate that ESD measures have been incorporated into the design of the buildings to reduce water and energy consumption in accordance with *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.

- 1.25 Noise assessments are required for dwellings located in the areas affected by traffic and rail noise. Future applications are to include detailed assessments of the design of the dwellings that confirm compliance with the noise goals outlined in the *South Edmondson Park Concept Application, Noise and Vibration Impact Assessment, August 2010* prepared by Wilkinson Murray.



# CONSOLIDATING INSTRUMENT OF APPROVAL

## SCHEDULE 3

### CONDITIONS OF PROJECT APPROVAL

#### PART A – ADMINISTRATIVE CONDITIONS

##### Development Description

Project Approval is granted only to carrying out the works associated with the:

- implementation of the Remediation Action Plan (Golder and Associates 2010);
- remediation of unexpected contamination finds in accordance with the protocols set out Contamination Management Plan (Golder and Associates 2010);
- the demolition of existing structures across the Site; and
- the construction of a temporary sales office and temporary signage associated with the sale of land at Edmondson Park.

##### Development in Accordance with Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made therein:

- the Remediation Action Plan and the Environmental Management Plan prepared by Golder and Associates and included in Appendix G of the Environmental Assessment;
- the Contamination Management Plan prepared by Golder and Associates and included in Appendix G of the Environmental Assessment;
- the demolition plan provided at Appendix H of the preferred project report; and
- the temporary sales office plans at Appendix S of the environmental assessment and the sales and information centre signage plans at appendix J of the preferred project report.

##### Lapsing of Approval

The project approval will lapse 10 years after the approval date of this project approval, unless works the subject of this approval are physically commenced on or before that time.

##### Prescribed Conditions

The Proponent shall comply with the prescribed conditions of project approval under Section 75J(4) of the Act.

#### PART B – CONDITIONS

##### Conservation Agreement

- 1.1 The carrying out of any aspect of this approval which is inconsistent with the Conservation Agreement is not to commence until that agreement has been amended by way of written agreement by the relevant parties.

##### Vegetation management and rehabilitation

- 1.2 A rehabilitation plan is required to be prepared to demonstrate how areas to be cleared for remediation purposes can be revegetated and rehabilitated to an appropriate standard. The rehabilitation plan is to be approved by Office of Environment and Heritage prior to the issue of a site audit statement for the remediation works and commencement of any rehabilitation works.

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- 1.3 The vegetation management plan required under condition 1.10 is to address the following:
- measures to address interface issues between the construction site and both the regional park and vegetation identified as offsets under the concept plan; and
  - appropriate procedures for clearing of vegetation and strategies to retain mature trees where possible.

### Signage

- 1.4 All signage is to be located within the R1 General Residential, E4 Environmental Living and B4 Mixed Use zones.
- 1.5 All signs are to be removed within 10 years of the date of this approval.
- 1.6 Only the proposed 'talker' signs are to be relocated during the timeframe of the approval. All other signs are to be located as shown within the Preferred Project Report.

### Sales and information office

- 1.7 The sales information centre is to be removed within 5 years of this approval.

### Demolition

- 1.8 Prior to demolition of the Amals Sagverks Aktiebolag prefabricated cottages a photographic archival recording is required. The archival recording is to be prepared by a suitably qualified heritage conservation practitioner in accordance with the NSW Heritage Office guideline *Photographic Recording of Heritage Items Using Film or Digital Capture* (2006). Typical examples of elements and structures should be included as well as views and spatial relationships between elements. Copies of the archival recording are to be provided to the Department, Campbelltown City Council and Liverpool City Council.

### Contamination

- 1.9 On completion of the remediation works in accordance with the remediation action plan, the Proponent is required to finalise the Site Management Plan in consultation with the Office of Environment and Heritage to ensure appropriate ongoing management of the encapsulated area.
- 1.26 Where unexpected contamination is identified on non-certified lands, or lands proposed under the concept plan to offset clearing of non-certified lands, details of the proposed remediation works are to be provided to the Department for approval prior to commencement. This is to include details of methods to limit impacts on native vegetation, and may require preparation of a vegetation rehabilitation plan, to demonstrate how any areas to be cleared would be revegetated to an appropriate standard.

### Construction Management Plan

- 1.10 Prior to commencement of work on the site, the Proponent shall prepare to the satisfaction of the Certifying Authority (where relevant) a construction environmental management plan, prepared in accordance with *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004), which shall include (but not limited to):
- a) a construction noise and vibration mitigation plan;
  - b) an air quality and dust management plan;
  - c) a soil and water management plan, prepared in accordance with Landcom's *Managing Urban Stormwater: Soils and Construction guidelines*;
  - d) a vegetation management plan;
  - e) a waste management plan;

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- f) a construction traffic management plan;
- g) a complaints management plan detailing the procedures that would be implemented to receive, handle, respond to and record any complaints that are received; and,
- h) an archaeological management plan which provides for the monitoring of works and contingency plans should previously unidentified archaeological deposits be discovered.

The construction environmental management plan shall demonstrate compliance with recommendations contained in the Aboriginal Cultural Heritage Assessment Report prepared by Kelleher Nightingale Consulting Pty Ltd November 2010.

Prior to the commencement of works, all heritage items and precincts within the vicinity of the works, which are to be retained and conserved, will be fenced off to ensure their protection. Fencing will be maintained throughout the duration of works.

Prior to the commencement of work, the Proponent shall submit a copy of the approved plan (including all relevant sub-plans) to the Department and Council if Council is not the Certifying Authority.

## **PART C – ADVISORY NOTES**

### **Requirements of Public Authorities for Connection to Services**

The applicant shall comply with the requirements of any public authorities (e.g. Integral Energy, Sydney Water, Telstra Australia, NBN Co.,AGL etc.) in regard to the connection, relocation and/or adjustment of the services affected by the development. Any costs in the relocation, adjustment or support of services shall be the responsibility of the applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a subdivision certificate.

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