

**MODIFICATION REQUEST:  
Edmondson Park South Concept Plan  
MP 10\_0118 MOD 6**

***Modification request to redistribute Gross Floor Area within the Frasers Town Centre Core. No change is proposed in the total Gross Floor Area, height or number of dwellings for the Frasers Town Centre.***



Secretary's Environmental Assessment Report  
Section 75W of the  
*Environmental Planning and Assessment Act 1979*

March 2018

## ABBREVIATIONS

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Commission	(the then) Planning Assessment Commission
Concept Plan	Approved Concept Plan for the redevelopment of the site (MP 10_0118)
Consent	Development Consent
Department	Department of Planning and Environment
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
FEAR	Future Environmental Assessment Requirement
FSR	Floor Space Ratio
GFA	Gross Floor Area
LGA	Local Government Area
Minister	Minister for Planning
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
Proponent	Fraser's Property Australia
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SPP SEPP	State Environmental Planning Policy (State Significant Precincts) 2005

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## 1. BACKGROUND

### 1.1 Introduction

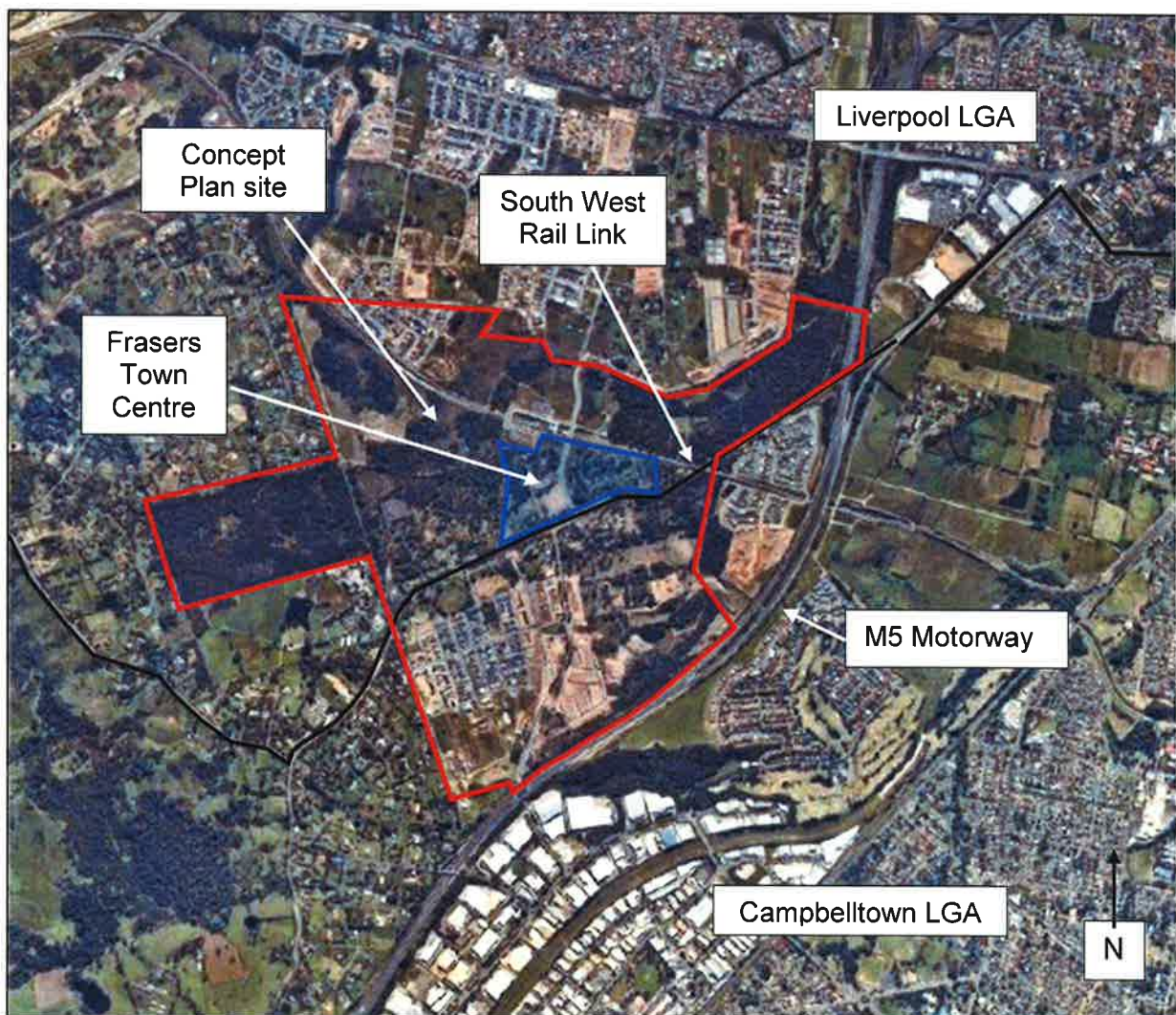
This report provides an assessment of a section 75W modification application to a Concept Plan (MP 10\_0118 MOD 6) for mixed use development at Edmondson Park South, Edmondson Park and Bardia.

Fraser's Property Australia (the Proponent) seeks approval for modifications for the portion of the Concept Plan area known as Fraser's Town Centre. The proposal seeks to redistribute gross floor area (GFA) within the town centre core, without increasing the total GFA, height or number of dwellings for the town centre.

### 1.2 The site and surrounds

The Edmondson Park South Concept Plan site is located in both the Liverpool and Campbelltown local government areas (LGAs), approximately 8 km south west of the Liverpool City Centre, 11 km north east of Campbelltown City Centre and 34 km south west of the Sydney City Centre (**Figure 1**).

The Concept Plan site is bounded by the M5 Motorway to the south, and extends north of the South West Railway Line, with an area of approximately 413 ha. The Fraser's Town Centre has an area of 26.1 ha and is bounded by the South West Rail Link to the north, Bernera Road to the west, and Campbelltown Road to the south-east. The Town Centre site is entirely within the Liverpool LGA.



**Figure 1: Location Plan showing Liverpool and Campbelltown LGAs (black line) Concept Plan area (red) and Fraser's Town Centre (blue) (Source: Nearmap)**



### 1.3 Previous approvals

On 18 August 2011, the (then) Planning Assessment Commission (Commission) approved a Concept Plan (MP 10\_0118), which includes:

- residential development of 3,530 dwellings, including 912 dwellings within the Frasers Town Centre site
- development of the Edmondson Park town centre including 35,000-45,000 square metres (m<sup>2</sup>) of retail, business and commercial floor space, along with associated uses, including a single 'landmark development' of up to 30 metres (m) in height within 300 m of the proposed station
- upgrade of Campbelltown Road and construction of three signalised intersections with Campbelltown Road
- associated infrastructure.

The Commission also approved a Project Application for Stage 1, which included infrastructure and early works, which have been completed. Development of the Concept Plan site is occurring in stages with the first development stage in Bardia (south of Campbelltown Road) nearing completion.

Additionally, vegetation within the site is approved to be cleared under a separate approval by the Sydney South West Joint Regional Planning Panel (DA-628/2016). Vegetation clearing and bulk earthworks under this approval are currently being carried out on the site.

The Concept Approval has since been modified on four occasions, as summarised in **Table 1**.

**Table 1 – Modifications to the Concept Approval and Stage 1 Project Approval**

Mod No.	Summary of Key Modifications	Approved	Approved By
MP 10_0118 MOD 1	Changed timing of a remediation rehabilitation plan.	27/1/2012	Director, Strategic Assessments
MP 10_0118 MOD 2	Changed sales and information centre location and five year extension for its operation, and entry signage at Campbelltown Road entry.	25/1/2017	Director, Key Sites Assessments
MP 10_0118 MOD 3	Provide for the decommissioning, demolition and remediation works of the former sewage treatment plans without the need for further environmental assessment.	23/5/2017	(the then) Planning Assessment Commission
MP 10_0118 MOD 4	For the Town Centre Core, introduce a maximum gross floor area (GFA) limit of 145,025 m <sup>2</sup> , increase to the maximum building height from 30 m to 67.4 m, increase the approximate number of dwellings from 912 to 1,884, introduce car parking rates and change the road network, and introduce new design guidelines and a public domain plan.	12/10/2017	(the then) Planning Assessment Commission

The Department issued Secretary's Environmental Assessment Requirements (SEARs) for a Section 75W modification MP 10\_0118 MOD 5 relating to land within the Concept Plan to the north of the railway line on 3 August 2017. This proposal seeks to modify the boundary of the Concept Plan site, school zone, road layout, dwelling yield and mix, building height and bushfire asset protection zones.

The Department is also preparing SEARs for a Section 75W modification MP 10\_0118 MOD 7 which seeks to provide additional GFA within the Town Centre to accommodate the school use, and amend the approved Design Guidelines.

Relevant to the current modification request, Future Environmental Assessment Requirement (FEAR) 1.3A, Schedule 2 Part C of the Concept Approval requires that:

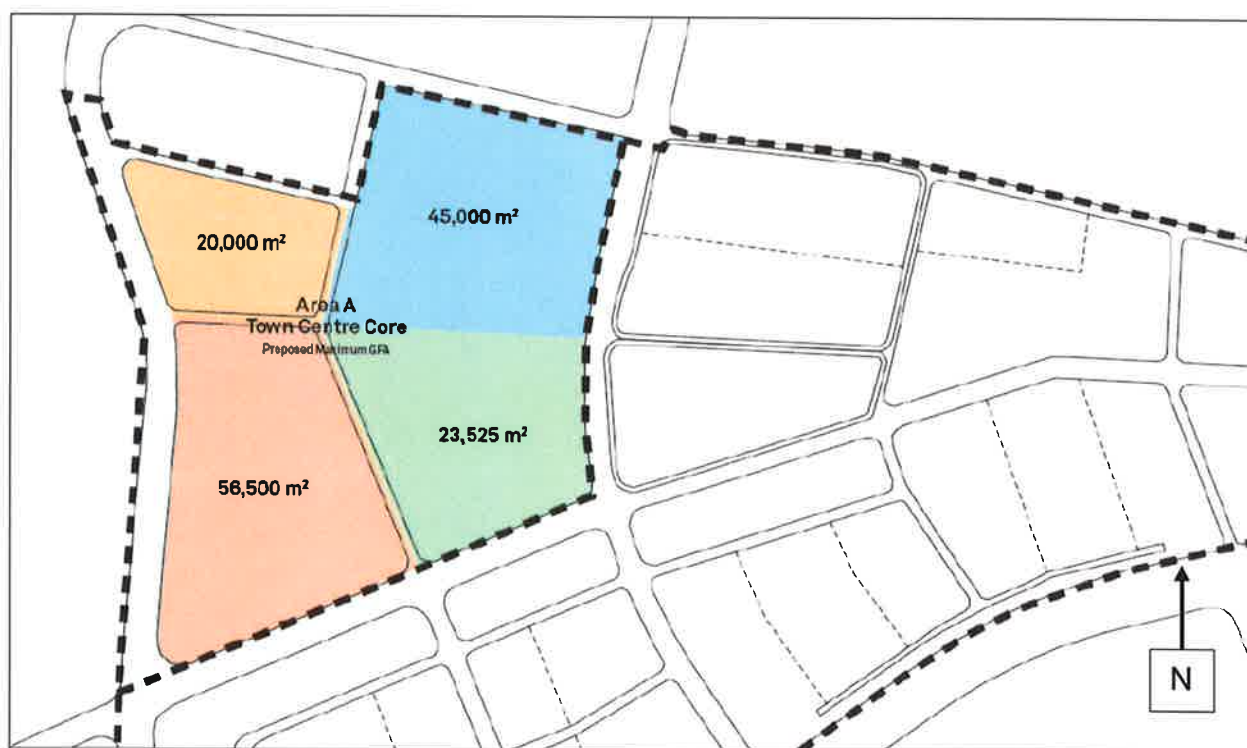
*Future development applications within the Frasers Town Centre Core are not to exceed the GFA and building heights specified in the table below:*

a)

<b>Town Centre quadrant</b>	<b>Gross floor area (m<sup>2</sup>)</b>	<b>Maximum height (RL)</b>
North West	20,000	99.5
North East	45,000	105.8
South West	56,500	95.7
South East	23,525	96.4
<b>TOTAL</b>	<b>145,025 m<sup>2</sup></b>	<b>145,025 m<sup>2</sup></b>

- b) Notwithstanding the GFA figures in a) above, GFA in any quadrant may exceed the maximum by up to 10 per cent, provided that the total GFA for all quadrants is not exceeded; and
- c) Notwithstanding the maximum height figures in a) above, only one single 'landmark' building may be approved in the South West quadrant to a height of RL 132.9.

The approved distribution of GFA by quadrant is shown in **Figure 2**.



**Figure 2: Approved GFA by quadrant (Source: Modification 4)**

## 2. PROPOSED MODIFICATION

The Proponent has lodged a modification request application under section 75W of the EP&A Act to modify the Concept Plan (MP 10\_0118) for future development in the Frasers Town Centre. The modification request seeks to redistribute GFA within the Frasers Town Centre Core to reflect the further design development that has occurred since the original indicative scheme was developed (**Table 2**). It will not result in any increase in the total GFA, height or number of dwellings for the Frasers Town Centre.

**Table 2: Proposed GFA by quadrant**

<b>Town Centre quadrant</b>	<b>Approved GFA (m<sup>2</sup>)</b>	<b>Proposed GFA (m<sup>2</sup>)</b>	<b>Change (m<sup>2</sup>)</b>
North West	20,000	20,000	0
North East	45,000	41,500 (down 3,500)	-3,500
South West	56,500	55,500 (down 1,000)	-1,000
South East	23,525	28,025 (up 4,500)	+4,500
<b>TOTAL</b>	<b>145,025 m<sup>2</sup></b>	<b>145,025 m<sup>2</sup></b>	<b>0 m<sup>2</sup></b>

### 3. STATUTORY CONTEXT

#### 3.1 Continuing Operation of Part 3A to Modify Approvals

The project was originally approved under Part 3A of the EP&A Act. The project is a transitional Part 3A project under Schedule 2 to the EP&A (Savings, Transitional and Other Provisions) Regulation 2017. The power to modify transitional Part 3A projects under section 75W of the Act as in force immediately before its repeal on 1 October 2011 is being wound up – but as the request for this modification was made before the ‘cut-off date’ of 1 March 2018, the provisions of Schedule 2 (clause 3) continue to apply.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove the carrying out of the project under section 75W of the EP&A Act.

#### 3.2 Modification of a Minister’s Approval

Section 75W provides for the modification of a Minister’s approval including revoking or varying a condition of the approval or imposing an additional condition on the approval. The Minister’s approval for a modification is not required if the project as modified will be consistent with the existing approval. This proposal seeks to make changes to aspects of the approved project, and modify conditions of approval, and as such requires further assessment and approval.

#### 3.3 Secretary’s Environmental Assessment Requirements

Section 75W(3) of the EP&A Act provides that the Secretary may notify the Proponent of SEARs with respect to the proposed modification that the Proponent must comply with before the matter will be considered by the Minister.

In this instance, following an assessment of the modification request, it was not considered necessary to notify the Proponent of SEARs as suitable information was provided to the Department to consider the application.

#### 3.4 Environmental Planning Instruments

The Department undertook a comprehensive assessment of the original concept proposal against the following Environmental Planning Instruments (EPIs):

- State Environmental Planning Policy (State Significant Precincts) 2005
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy 44 – Koala Habitat
- State Environmental Planning Policy 55 – Remediation of Land
- Greater Metropolitan Regional Environmental Plan 2 – Georges River Catchment
- Liverpool Local Environmental Plan 2008.

Given the minor nature of the proposed modification, the Department is satisfied that the proposed modification remains consistent with these EPIs.

### 3.5 Delegated Authority

In accordance with the Minister for Planning delegated functions under section 75W of the EP&A Act, signed on 11 October 2017, the Director, Key Sites Assessments may determine this application as:

- the relevant Council has not made an objection
- a political disclosure statement has not been made
- there are no public submissions in the nature of objections.

## 4. CONSULTATION AND SUBMISSIONS

In accordance with section 75X(2)(f) of the EP&A Act, the Department is required to make the modification publicly available. The Department made the modification request publicly available on its website and also notified surrounding landowners of the proposal between 12 January and 31 January 2018. The Department also consulted with Liverpool and Campbelltown Councils.

The Department received a submission from Liverpool City Council, stating the application is minor in nature and therefore Council does not object to the application. The Department received a submission from Endeavour Energy regarding network connection requirements. A link to the submissions may be viewed at **Appendix B**. No submissions from Campbelltown City Council or the public were received.

## 5. ASSESSMENT

The Department considers the key assessment issue for the proposed modification is the impacts of the redistribution of GFA within the town centre core.

### 5.1 Redistribution of GFA

State Environmental Planning Policy (State Significant Precinct) 2005 (SSP SEPP) provides a maximum floor space ratio (FSR) of 2.5:1 across the town centre core, which is equivalent to a GFA of 145,025 m<sup>2</sup>.

As part of Modification 4 to the Concept Plan, the Proponent prepared an indicative concept for the town centre, and sought approval to allocate GFA to the four identified quadrants as shown in **Figure 2**. The Commission approved the GFA allocation and allowed a 10% variation in GFA between quadrants to provide additional flexibility in the delivery of uses within the town centre.

Since the preparation of the indicative concept for the Frasers Town Centre, the Proponent has resolved the specific land uses across the quadrants, and subsequently seeks to adjust the maximum GFA permitted in three of the four quadrants to accommodate the detailed design. The main driver for the change is the relocation of cinema floor space, which was previously anticipated in the north east quadrant, to the south east quadrant. A comparison between the Modification 4 GFA allocation and proposed amended GFA is provided in **Table 3**.

**Table 3: Comparison between the Concept Plan FSR and Modification 4 GFA allocation**

Town Centre quadrant	Site area (m <sup>2</sup> )	Approved maximum GFA (m <sup>2</sup> ) / equivalent FSR	Proposed GFA (m <sup>2</sup> ) / equivalent FSR	Change (m <sup>2</sup> )
North West	9,564	20,000* / 2.1:1	20,000* / 2.1:1	0
North East	16,046	45,000* / 2.8:1	41,500* / 2.6:1	-3,500
South West	18,509	56,500* / 3.05:1	55,500* / 3.0:1	-1,000
South East	13,891	23,525* / 1.7:1	28,025* / 2.0:1	+4,500
<b>Total</b>	<b>58,010 m<sup>2</sup></b>	<b>145,025 m<sup>2</sup> / 2.5:1</b>	<b>145,025 m<sup>2</sup> / 2.5:1</b>	<b>0 m<sup>2</sup></b>

\* Up to 10% of the maximum GFA can be moved from one quadrant to another

The Department has considered the proposal and notes the overall quantum of floor space across the Town Centre Core will be no greater than allowed under the SSP SEPP and Concept Plan Modification 4. The Department and the Commission previously supported additional floor space in the north east (4,886 m<sup>2</sup>) and south west (10,227 m<sup>2</sup>) quadrants of the Town Centre Core on the basis it was offset by commensurately less floor space in the north west (-3,910 m<sup>2</sup>) and south east (-11,202 m<sup>2</sup>) quadrants. The proposal seeks to now redistribute some of this floor space from the north east and south west to the south east quadrant, which results in a FSR for these quadrants more closely aligned with the SSP SEPP.

The Department supports the proposed GFA redistribution for the following reasons:

- the redistribution will continue to allow a variety of building forms and heights through the four quadrants consistent with the approved maximum heights in the Concept Plan
- increases in density in the south east quadrant will be offset by reductions in the north east and south west quadrants to maintain the overall maximum GFA
- a 10% flexibility to allow GFA to be moved from one quadrant to another will still be allowed, within the total maximum GFA allowance
- the redistribution brings the equivalent FSR in the north east, north west and south east quadrants more in line with the overall FSR of 2.5:1 in the SSP SEPP
- future development in the Town Centre will be assessed separately by Council against the Frasers Town Centre Design Guidelines and the Frasers Town Centre Public Domain Plan
- the redistribution will not cause any material changes to traffic generation and distribution, or impacts on the local or regional road network.

## 6. RECOMMENDATION

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It is recommended that the Director, Key Sites Assessments, as delegate for the Minister for Planning:

- consider the findings and recommendations of this report
- approve the modification application MP 10\_0118 MOD 6 subject to conditions
- sign the attached notice of modification (**Attachment B**).

Recommended by:

*A. Watson*

**Amy Watson**  
Team Leader, Key Sites Assessments

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## DECISION

Approved by:

*[Signature]* 6/3/18.

**Ben Lusher**  
Director, Key Sites Assessments  
as delegate of the Minister for Planning



## **APPENDIX A      RELEVANT SUPPORTING INFORMATION**

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The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website at <http://majorprojects.planning.nsw.gov.au>:

1. Modification Application
2. Submissions

## **APPENDIX B    RECOMMENDED MODIFYING INSTRUMENT**

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