



Edmondson Park South Concept Plan

*Part 3A Modification
Assessment
(MP 10_0118 MOD 8)*



August 2019

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Glossary

Abbreviation	Definition
Council	Liverpool City Council
Department	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EP&A ST&OP Regulation	<i>Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017</i>
EPI	Environmental Planning Instrument
FTC	Fraser's Town Centre
IPC	Independent Planning Commission
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning
Proponent	Australand Residential Edmondson Park Pty Ltd as trustee for Australand Residential Trust
RMS	Roads and Maritime Services
RtS	Response to Submissions
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
TCC	Town Centre Core



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Executive Summary

This report is an assessment of a section 75W modification application seeking to amend the Concept Approval (MP 10_0118) for a mixed-use town centre and residential development at Edmondson Park South. The site is in the Liverpool and Campbelltown local government areas (LGAs).

The application seeks approval for a modification to the portion of the Concept Plan area known as the 'Frasers Town Centre' (FTC) to reduce the car parking rate for two-bedroom dwellings within residential flat buildings in the Town Centre Core from 1.2 spaces per dwelling to 1 space per dwelling.

The request has been lodged by Ethos Urban, on behalf of Australand Residential Edmondson Park Pty Ltd as trustee for Australand Residential Trust (the Proponent) pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Engagement

The Department of Planning and Environment (the Department) notified the application between 17 April 2019 and 1 May 2019. The Department received a total of 37 submissions, comprising 5 agency submissions and 32 submissions from the public (all in the nature of objections).

Key issues raised in public submissions included concerns that the current car parking provision at Edmondson Park Station and in the Town Centre is inadequate and the proposed modification would exacerbate this problem.

Liverpool Council raised concerns regarding the use of the RMS Guide to Traffic Generation Development (RMS Guide), the potential for the proposal to put pressure on on-street parking, and requested that a detailed parking assessment with consideration of similar developments in Western Sydney be provided.

Response to Submissions

The Proponent submitted a Response to Submissions (RtS) which included a Parking Demand Assessment providing analysis using 2016 Census data of vehicle ownership in other centres that share characteristics similar to the future Frasers Town Centre.

Conclusion

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act and has carefully considered the issues raised in public and agency submissions. The Department is satisfied the proposal is acceptable as:

- it is consistent with strategic policies for reducing car dependency and encouraging alternative forms of transport in highly accessible locations
- it complies with the minimum car parking requirements prescribed by the Apartment Design Guide and set out in the RMS Guide to Traffic Generating Developments
- it is consistent with car parking rates applied in town centres with similar characteristics
- RMS and Campbelltown Council raised no objection to the proposal.

The Department is, therefore satisfied that the modification should be approved, subject to the recommended conditions. The modification request is referred to the Independent Planning Commission for determination as the Department received more than 25 submissions objecting to the proposal.



1. Introduction

1.1 Background

This report provides an assessment of an application to modify the Concept Approval (MP 10_0118) for a mixed-use town centre and residential development at Edmondson Park South, in the Liverpool and Campbelltown LGAs.

The application was lodged by Ethos Urban, on behalf of Australand Residential Edmondson Park Pty Ltd as trustee for Australand Residential Trust (the Proponent) pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The application seeks approval for a modification to the portion of the Concept Plan area known as the 'Frasers Town Centre' (FTC) to reduce the car parking rate for two-bedroom dwellings within residential flat buildings from 1.2 spaces to 1 space in the Town Centre Core.

1.2 Subject site

The Concept Plan site is located within the Liverpool and Campbelltown LGAs, approximately 8 kilometres (km) south west of the Liverpool City Centre, 11km north east of Campbelltown City Centre and 34km south west of the Sydney City Centre. 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 413 hectares (ha) (**Figure 1**).

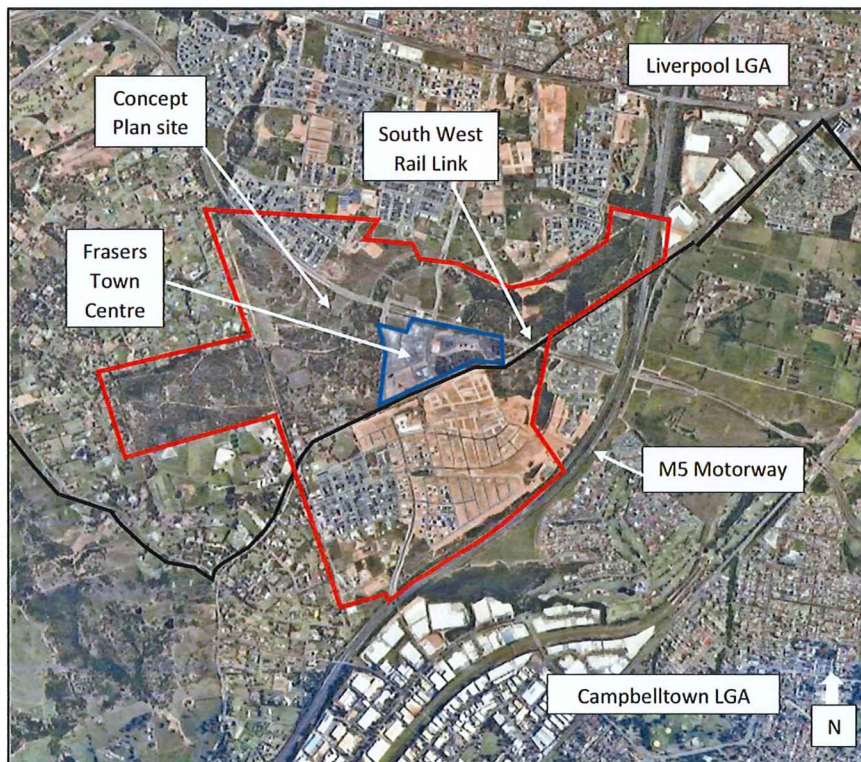


Figure 1 | Location Plan - Concept Plan (red), Frasers Town Centre (blue) and LGA division (black line) (Base source: Nearmap)

The Frasers 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 within the Liverpool LGA (**Figure 2**).

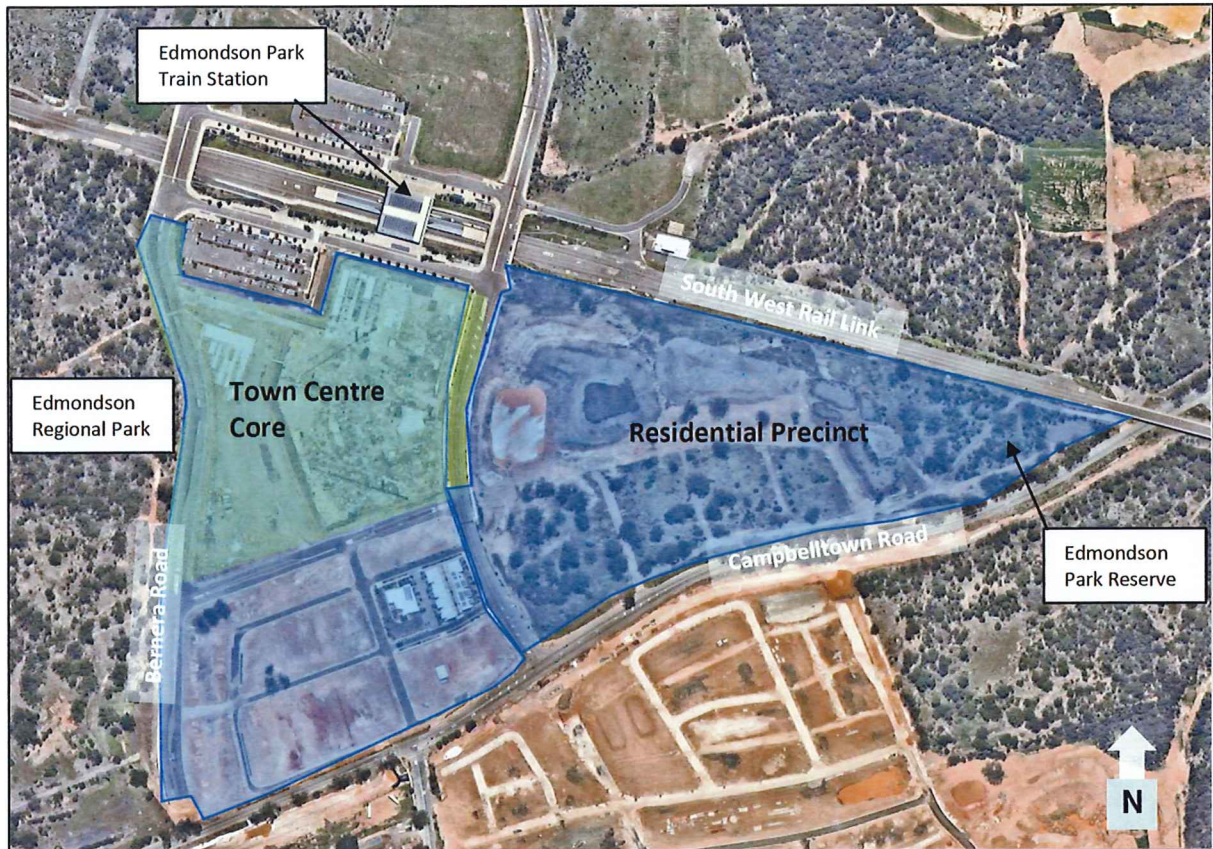


Figure 2: Aerial view of the Frasers Town Centre site outlined in blue, the Town Centre Core shaded green and the Residential Precinct shaded blue (Base source: Nearmap)

1.3 Approval History

On 18 August 2011, the then Planning Assessment Commission granted Concept Plan approval 10_0118 which includes:

- residential development of 3,530 dwellings, including 912 within the Frasers Town Centre site
- development of the Edmondson Park town centre including 35,000-45,000 square metres (m²) 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.

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 been modified on five occasions (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Approval Date
MOD 1	Changed timing of a remediation rehabilitation plan.	Department	27 January 2012
MOD 2	Changed sales and information centre location and a five year extension for its operation, and entry signage at Campbelltown Road entry	Department	25 January 2017
MOD 3	Provide for the decommissioning, demolition and remediation works for the former sewage treatment plans without the need for further environmental assessment.	Planning Assessment Commission	23 May 2017
MOD 4	Introduce a maximum gross floor area limit and increase the maximum building height for the Town Centre Core, increase the approximate number of dwellings within the Town Centre Core from 912 to 1884, introduce maximum car parking rates and introduce new design guidelines and a public domain plan.	Planning Assessment Commission	12 October 2017
MOD 6	Redistribution of gross floor area within the town centre core.	Department	6 March 2018
MOD 7	Provide additional GFA within the Town Centre to accommodate the school use and amend the approved Design Guidelines.	-	Withdrawn

The Department is currently assessing MP 10_0118 MOD 5 which relates to land within the Concept Plan to the north of the railway line. The 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.



2. Proposed Modification

On 23 March 2019, the Proponent lodged a section 75W modification request (MP 10_0118 MOD 8) seeking approval to amend the Design Guidelines to update the applicable car parking rate for 2 bedroom residential apartments within the Frasers Town Centre Core.

The Proponent seeks to amend the car parking requirement for 2 bedroom apartments from 1.2 spaces to 1 space to align with the minimum car parking requirements prescribed by the Apartment Design Guide (ADG), as outlined in the RMS Guide to Traffic Generating Developments (RMS Guide).

The modification is requested on the basis that following the marketing and sale of two bed apartments in the approved eastern portion of the town centre, the Proponent received feedback that the purchasers of these apartments did not require a second car space.

Background relevant to Modification

MOD 4 approved the introduction of a maximum gross floor area limit, an increase to the maximum building height and an increase in the number of dwellings within the Town Centre Core. In addition to the overall increase in density, it imposed car parking rates contained within Design Guidelines. The Traffic Impact Assessment submitted

with MOD 4 stated that the parking rates were developed in response to Liverpool Council's objective in relation to car parking to cater for reasonable demand created by the development.

The Proponent proposed the car parking rates as a maximum, however, the Department imposed a Future Environmental Assessment Requirement (FEAR) requiring car parking to be provided generally in accordance with the rates. It was noted that this would allow Liverpool Council to assess future applications on their merits, without mandating a minimum or maximum requirement.



3. Statutory Context

3.1 Section 75W

The Concept Approval was originally approved under Part 3A of the EP&A Act. The power to modify concept plans approved under Part 3A of the EP&A Act under former section 75W of the EP&A Act is being wound up. Clauses 3BA(2) and (3) of Schedule 2 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* (EP&A (ST&OP) Regulation) provide that an approved concept plan cannot be modified under section 75W on or after the cut-off date of 1 March 2018, unless the request to modify was lodged before 1 March 2018.

However, Clause 3BA(5) of Schedule 2 to the EP&A (ST&OP) Regulation provides that a Concept Plan may continue to be modified under section 75W in response to a request lodged before or after 1 March 2018 if the Minister is satisfied that:

- a) *the proposed modification is to correct a minor error, misdescription or miscalculation, or*
- b) *the proposed modification is of minimal environmental impact, or*
- c) *the project to which the concept plan as modified relates is substantially the same as the project to which the concept plan currently relates (including any modifications previously made under section 75W).*

This proposal seeks to amend a car parking rate in the Design Guidelines, as such the Department is satisfied that the proposal is within the scope of clause 3BA(5)(b) as it is of minimal environmental impact. **Section 5** of this report provides an assessment of the impacts associated with this proposal.

3.2 Environmental Planning Instruments

The following EPIs are relevant to the application:

- State Environmental Planning Policy (State Significant Precincts) 2005;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 44 – Koala Habitat;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- Greater Metropolitan Regional Environmental Plan 2 – Georges River Catchment; and
- Liverpool Local Environmental Plan 2008 (Liverpool LEP 2008).

The Department has considered the proposed modification against these above-mentioned EPIs in its original assessment. The Department considers the modification does not result in any significant changes that would alter the considerations and conclusions made as part of the original assessment.

3.3 Consent Authority

The Minister for Planning is the consent authority for the application. However, the Independent Planning Commission (Commission), may determine the application as more than 25 public submissions have been received.



4. Engagement

4.1 Department's Engagement

The Department notified the modification request for 14 days from 17 April 2019 to 1 May 2019. The request was made publicly available on the Department's website, notified to Liverpool and Campbelltown Councils and surrounding landowners and residents.

The Department received a total of 37 submissions, comprising 5 agency submissions and 32 submissions from the public, with 31 objections and one submission in support. A summary of the submissions is provided below, and a full copy of the submissions is provided in **Appendix A**.

4.2 Agency Submissions

Liverpool City Council raised the following concerns with the proposal:

- the parking requirements in the Design Guidelines were deemed appropriate for the type of development at the time of approval, and the proposed modification would not be consistent with previous planning for the Town Centre
- the parking rates for a sub-regional centre in the RMS Guide to Traffic Generating Developments may not be appropriate, as the Edmondson Park Town Centre does not meet the definition of a sub-regional centre
- reducing the parking requirements in the Town Centre Core precinct is likely to aggravate the current parking issues in the area and create unnecessary pressure on on-street parking
- any modification to car parking requirements needs to be evaluated in a broader planning context, and take into consideration the geographic and socio-economic factors of the LGA
- a detailed parking assessment to identify occupancy rates, with consideration of similar developments in Western Sydney to determine the likely level of vehicle ownership is required to support the modification request.

Campbelltown Council raised no objection to the proposal, and noted it is consistent with the requirements of the ADG, the RMS Guide for Traffic Generating Development and the Department's Technical Note.

Endeavour Energy noted that reduced availability of parking can cause problems for service vehicles gaining access to infrastructure.

RMS raised no objection to the proposal.

Sydney Water raised no objection to the proposal.

4.3 Public Submissions

The Department received 32 public objections in response to the exhibition of the modification request.

Key concerns raised in the public submissions included:

- The current car parking provision at Edmondson Park Station is inadequate and the proposed modification would exacerbate this problem
- The proposal would contribute to pressure on on-street parking and
- Inadequate justification for the proposed reduction in car parking rates has been provided.

4.4 Response to Submissions

On 18 June 2019, the Proponent provided a Response to Submissions (RtS) to address the issues raised during the notification period (**Appendix A**).

The RtS included a Parking Demand Assessment containing analysis of 2016 Census vehicle ownership data in other centres that share similar characteristics to the future Edmondson Park Town Centre.



5. Assessment

In assessing the merits of the proposed modification, the Department has considered the:

- the modification and associated documents (**Appendix A**)
- the Environmental Assessment and conditions of approval for the original project (as modified)
- submissions received on the proposal and the Proponent's response to the submissions
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act.

The proposal seeks to amend the car parking requirement for 2 bedroom apartments within the Town Centre Core from 1.2 spaces to 1 space to align with the minimum car parking requirements prescribed by the Apartment Design Guide and set out in the RMS Guide to Traffic Generating Developments.

The Department has carefully considered the merits of the proposal and is satisfied the proposed car parking rate for 2 bedroom apartments within the Town Centre Core is acceptable for the following reasons:

The proposal is consistent with strategic policies for reducing car dependency and encouraging alternative forms of transport in highly accessible locations.

A Plan for Growing Sydney and The Western District Plan state that car parking should be provided in a way that is consistent with the level of access provided by alternative travel choices. The Department notes the Town Centre Core is directly adjacent to the Edmondson Park train station, which has services to the city and Parramatta every 15 minutes in peak time, and every 30 minutes in off-peak periods.

One of the key objectives of the *Future Transport Strategy 2056* is to encourage active travel (walking and cycling) and the use of public transport. A reduction in car parking provision for developments close to train stations, such as Edmondson Park Town Centre, would contribute towards this goal.

In addition, it is noted that the intention for Edmondson Park Town Centre is to provide a full range of retail, commercial and high-density residential uses, and to maximise opportunities for local employment and business, which would reduce reliance on travel and subsequently car ownership.

The Department therefore considers the proposal is acceptable, as it is consistent with the broader strategic directions to discourage excessive private vehicle use and dependency and to promote sustainable transport in highly accessible locations.

The proposal complies with the ADG and RMS car parking rates

The proposal seeks to align car parking rates for 2 bedroom apartments more closely with those outlined in the ADG. The ADG states that on sites within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area the minimum car parking requirement for residents and visitors is set out in the RMS Guide to Traffic Generating Developments or the car parking requirement prescribed by the relevant council, whichever is less.

Table 2 outlines the approved and proposed car parking rates, and those outlined in the RMS Guide to Traffic Generating Developments and Liverpool DCP.

Table 2 | Comparison of Parking Rates

Residential Flat Building Car Parking Rates (spaces per unit)				
Apartment Type	Approved	Proposed	RMS Guide*	Liverpool DCP
Studio and 1 Bedroom	1.0	1.0	0.6	1
2 Bedroom	1.2	1.0	0.9	1.5
3 Bedroom	2.0	2.0	1.4	2

* Rates for high density residential flat buildings (with 20 or more dwellings) within a Metropolitan Subregional Centre

As demonstrated in Table 2, the rate outlined in the RMS Guide is less than the Council rate and is therefore the applicable car parking rate for the subject site. The proposed rate of 1 space per 2 bedroom dwelling marginally exceeds the required rate of 0.9 spaces. The proposed car parking rate therefore complies with the requirements of the ADG.

The Department acknowledges Council’s concerns that Edmondson Park should not be classified as a Metropolitan Subregional Centre for the purpose of calculating carparking. However, the Department’s Technical Note on Car parking requirements in SEPP 65 states that Sydney centres not listed in *A Plan for Growing Sydney* as a CBD, Regional City Centre or Strategic Centre but serviced by railway station should be classified as a Metropolitan Subregional Centre for the purposes of the Guide to Traffic Generating Developments.

The Department also considers using the car parking rates for a high density residential flat building within a Metropolitan Subregional Centre is appropriate in this instance, given the intention for Edmondson Park Town Centre to become a high density residential and retail precinct.

The Department also notes RMS raised no objection to the proposal.

The Department is therefore satisfied that the proposed car parking rate for 2 bedroom apartments is consistent with the relevant statutory controls, and would achieve an appropriate level of car parking for the Town Centre Core.

The proposal is consistent with car parking rates applied in town centres with similar characteristics

The Proponent provided an updated Parking Demand Assessment as part of the RtS, containing analysis of 2016 Census vehicle ownership data in other centres that share similar characteristics to the future Edmondson Park Town Centre. It found that approximately 80% of 2 bedroom dwelling residents in town centres similar to Edmondson Park own either one or no vehicle.

The Department has also consistently applied reduced parking rates in areas close to train stations and the proposed rates are consistent with those for other town centres within the south and north west growth centres, including Oran Park, Schofields and Riverstone which all require 1 space per 2 bedroom dwelling.

Liverpool Council raised concern that the proposed parking rate would not be adequate, noting that according to the 2016 Census, approximately 66% of households in Edmondson Park South and Bardia own two or more cars. However, the Department considers this figure does not provide an accurate representation of car ownership for 2 bedroom apartments, as approximately 96% of households in Edmondson Park have three or more bedrooms.

The Department is therefore satisfied that the proposal has been evaluated in a broader planning context and the proposed car parking rate for 2 bedroom apartments is consistent with that applied in other town centres with similar characteristics.

The reduction in car parking spaces is relatively minor and the proposal would not have a significant impact on on-street car parking

The Department notes public submissions raised concerns about the impact of the proposal on parking within the surrounding street network and the Edmondson Park station car park.

However, the Department notes that the reduction in the car parking rate from 1.2 spaces to 1 space is relatively minor (16.7%), and as such the proposal would not result in any significant impacts on the surrounding street network.

Further, the Department considers the reduced car parking rate would not result in any significant increase in demand for car parking spaces at the train station. The Department notes the Town Centre is located directly adjacent to the train station, therefore people are more likely to walk to the station than drive.

The Department therefore considers the proposed car parking rate is acceptable as it is only minor reduction from the approved rate, and is unlikely to result in adverse impacts on surrounding on-street car parking or the train station car park.



6. Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department considers the proposed modification is appropriate as:

- it is consistent with strategic policies for reducing car dependency and encouraging alternative forms of transport in highly accessible locations
- it complies with the minimum car parking requirements prescribed by the Apartment Design Guide and set out in the RMS Guide to Traffic Generating Developments
- it is consistent with car parking rates applied in town centres with similar characteristics
- RMS and Campbelltown Council raised no objection to the proposal.

The Department is satisfied that the modification should be approved, subject to the recommended conditions outlined in **Appendix B**. This assessment report is hereby presented to the IPC for determination.

Recommended by:

Anthony Witherdin

Director

Regional Assessments

Recommended by:

Anthea Sargeant

12/8/19

Executive Director

Compliance, Industry and Key Sites



Appendices

Appendix A – Relevant Supporting Information

The following supporting documents and supporting information to this assessment report can be found on the Department's website at:

1. Modification Request
http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9943
2. Submissions
http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9943
3. Response to Submissions
http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9943

Appendix B – Notice of Modification

The recommended modification of Concept Plan approval can be found on the Department's website at:
http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9943