

Fri, 11th May 2012

Director of Metropolitan and Regional Projects South
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam,

Re: Submission - Modification to the approved Concept Plan of Bonnyrigg Living Centres Project, Application number MP 06_0046 MOD 4

We are THUY TIEN TRUONG & MINH TRANG THI TRAN, the owners of 9 Upton Pl, Bonnyrigg NSW 2177. Our property is directly affected by the proposed Revised Master-plan (stage 16a).

On 24th Feb 2012, we sent a submission objecting to the above Modification to the approved Concept Plan to your Department. Last week we saw a report by Newleaf Bonnyrigg in response to submissions dated April 2012 on your department website.

After studying the Newleaf Bonnyrigg response to submissions, we would like to raise a number of issues in their report (part 5 Residents and Resident Groups) that are related to our objections.

- The Report quoted *"The original approved location of the lifted apartments within this precinct is proposed to be modified to accommodate the reconfiguration of the public open space network and the retention of the significant tree near the existing villas, opposite Bonnyrigg Public School."* The so called *"significant tree"* was not a large native old gum tree and this tree was broken into 1/3 by a recent storm. With the proposed location change of the lifted apartments, there will be a lot more large native gum trees that will need to be cut down.
- The Report quoted *"The lifted apartments within this precinct are limited to a maximum of six storeys and are separated from the nearest private lot by a 10.5 metre wide (Type 11) road"*. This statement is far from the facts because Upton Place is only a 7 metre wide road.
- The Report quoted *"preliminary solar access analysis has been undertaken by dKO Architecture to assess the potential implications for the nearest private lot. A copy of this analysis is attached as **Appendix E**". And "Design Quality of Residential Flat Buildings (SEPP 65) with over four hours of solar access between 9.00am and 3.00pm on 21 June (mid-winter)".* The main concern regarding solar access to our property is early in the morning, particularly important during the colder winter months. The fact is in the winter sunrise occurs from 7:00am, providing solar access and warmth to the front of our house from 7.00am. If the lift apartment blocks are built, they will completely block our home solar access during the critical early hours between 7:00am to 9:00am. The period from

9:00am to 3:00pm although still important, the sun is much higher in the sky and vertical, thus it is obvious would not have as much impact on shadowing.

- The Report quoted *"Further, it is noted that the private lot has significant trees located within the front setback which will result in overshadowing of the associated property, particularly during mid-winter"*. The fact is there are 7 conifer trees grown as a substitute for a front fence on our property. We keep these trees trimmed to only 2 metres high so they do not overshadow as the report claimed (refer to enclosed photo). However, there is a pine tree about 7 metres high, this tree's roots are causing damage to our driveway and we intend to request council permission to cut it down.
- The Report quoted *"it is anticipated that the living rooms and primary balconies within the lifted apartment building will be oriented to the north to take advantage of the most optimum solar access. As such, the southern elevation of the building which faces the private lot is likely to accommodate less active uses, such as bedrooms, bathrooms and secondary balconies, reducing the potential for any significant privacy impacts"*. This statement is proven beyond reasonable doubt that our privacy is impacted. If even one balcony or one bedroom window from the apartment building proposed can view directly into our home, this is not acceptable let alone *"secondary balconies and bedroom windows.."*
- The issue we raised in our submission about the proposed 6 storey lift apartment blocking our home openness and northern winds is still not answered in the Newleaf Response. This is also one of our major concerns.
- Regarding the opening of the cul-de-sacs, the Private Owners Group was mislead and manipulated by the developer. From the start we were made to believe that Becton is helping us as they provided a consultant at their cost to our group meetings. However, the Private Owners Group's objection to open the cul-de-sacs only went as far as to Fairfield Council. We did not know at that time that the proper authority body to object to is the state planning department.

The Newleaf Response to Submissions is contented numbers of fiction and bias. Further, the Developer still has the attitude of dictating and ignoring the private owners in general.

The modification of the master plan to increase from 2332 dwellings to 2500 dwellings is only for the purpose of the developer to make more profits, not to meet the ratio of 70/30 private/social housing as they claimed. From the start, anyone would know that many social housing tenants within the estate need to be accommodated within the redevelopment.

We would like you to take our objections seriously when you are considering approval of the Modification to the Approved Concept Plan.

Thank you for your time in considering this matter.

Your sincerely,

THUY TIEN TRUONG

MINH TRANG THI TRAN



