

Our ref: D19/1983622

General Manager  
Fairfield City Council  
86 Avoca Road,  
Wakeley NSW

18<sup>th</sup> December 2019

Dear Sir,

**Subject: VPA offer and amendment to existing VPA**

As you are aware LAHC is currently pursuing a modification to the Concept Approval for the Bonnyrigg estate (MP06-0046). As part of this application the open space provision and supporting infrastructure is substantially modified and enhanced from that envisaged in the original consent as it relates to stages 8 – 18 of the Estate.

I am also aware that elements of supporting infrastructure relating to stages 5,6 and 7 as described in the executed VPA are in need of updating.

LAHC is proposing a two part approach.

- VPA 1 - Amend the existing VPA to provide for the agreed infrastructure for stage 1-7 and remove its operation to stage 8-18.
- VPA 2 - Provide a new VPA for the local infrastructure to be delivered as works in kind for the portion of the Estate currently the subject of the modification (stage 8-18) state infrastructure will be dealt with through a separate arrangement.

The purpose of this letter is to commence the process to amend VPA 1 (2008 agreement) to provide for the current approval as modified for 2,500 dwellings and remove its operation to 8-18.

The updated schedule of items for VPA 1 are included at Appendix A.

The purpose of this letter is also to make an offer under Section 7.4 of the Environmental Planning and Assessment Act (Act) to enter into a Voluntary Planning Agreement with Fairfield City Council for the delivery of infrastructure, facilities and services associated with the Bonnyrigg Renewal Project (Project) as part of the new VPA 2.

- The proposed schedule of infrastructure items for VPA 2 is included at Appendix B.
- The general terms of the Planning Agreement (VPA 2) for the Project are summarised below;
- The Agreement is between NSW Land and Housing Corporation and Fairfield City Council;
- The objective of the Agreement is to provide infrastructure, facilities and services to meet the needs of the Project, consistent with the terms of the approved Part 3A Concept Plan for the Project for stages 8-18 and to provide for the dedication of community land and roads to Council;

- The Agreement is not to be registered on title;
- The Agreement excludes the application of 7.11 and 7.12 of the Act to the Project;
- The Agreement does not exclude the application of S 7.22 of the Act to the Project;
- Each Party is to pay for their own costs of preparing, negotiating, executing and stamping the Agreement.

Appendix C contains items yet to be addressed in further discussion with Council.

Subject to your in principle support to this approach LAHC will commence the draft for each of the agreements and forward a copy for Councils comment.

Should you require any further information or would like to arrange a time to discuss, I have arranged for Paul Parfenow to assist. He can be contacted on 9374 3652.

Yours sincerely,



Paul Parfenow  
Project Director  
Communities Plus



## Appendix A

Stage	Development Consents	Bonnyrigg Infrastructure and Services Delivery Plan	Works Status
Stage 1	Concept Approval MP 06_0046 and Stage 1 Approval	Upgrade of collector roads within the Bonnyrigg Estate	372.88 m collector road type 3 completed (Newleaf Parade)
		Works for the provision of roads adjacent to parks	372.88 m collector road type 3 completed (Newleaf Parade)
		Provision of cycleway within Bonnyrigg Estate and connections to established cycleway outside the Bonnyrigg Estate	1173.75 m shareways completed
		Installation of public art	Way Finding installed
		Construction of detention basins	Detention basin at Tarlington Reserve constructed
		Provision of gross pollutant traps	3 gross pollutant traps constructed
		Works for the construction and embellishment of the 'Valley Park'	Works completed, total of 6.95 ha (now named Tarlington Reserve)
		Construction and embellishment of works along creek lines to contribute to site water management to improve drainage, planting, riparian protection and pedestrian crossings	Works completed, total of 6.95 ha (now named Tarlington Reserve)
		Installation of water quality measures	Works adjacent to Edensor Road completed
		Contribution of funding for youth and children services, \$70,000	\$70,000 Contribution Paid
		Contribution of funding for upgrade of Bonnyrigg library, \$50,000	\$50,000 Contribution Paid
		Land dedication associated with the provision of facilities	6.9Ha dedicated . Further 0.31 Ha to be dedicated in Stage 12/13
Stage 2	DA 123.1/2010	Works for the construction of the bus shelters	Not yet completed
		Works for the construction and embellishment of the 'Valley Park'	Works completed, total of 6.95 ha (now named Tarlington Reserve)
		Provision of cycleway within Bonnyrigg Estate and connections to established cycleway outside the Bonnyrigg Estate	394.49 m shareways completed
		Installation of water quality measures	Works completed
		Land dedication associated with the provision of facilities	Land dedicated
Stage 3	DA1303.1/2010	Works for the construction of the bus shelters	Not yet completed
		Land dedication associated with the provision of facilities	Land dedicated
Stage 4	DA 1098.1/2011	Upgrade of collector roads within the Bonnyrigg Estate	135.34 m collector road type 2 (Newleaf Parade)
		135.34 m collector road type 2 (Newleaf Parade)	122.28 m collector road type 3 (Newleaf Parade)
		122.28 m collector road type 3 (Newleaf Parade)	
		Works for the construction of the bus shelters	Not yet completed - to be completed as part of Stages 6 - 7 works
		Provision of cycleway within Bonnyrigg Estate and connections to established cycleway outside the Bonnyrigg Estate	115.84 m shareways completed
		Works for the construction and embellishment of the 'Valley Park'	Works completed, total of 6.95 ha (now named Tarlington Reserve)
		Installation of water quality measures	Works completed
		Contribution of funding for Bonnyrigg library services. Stage 4 or at 440 total dwellings. \$225,000	\$225,000 Contribution paid
		Land dedication associated with the provision of facilities	Land dedicated
Stage 5	DA 843.1/2012	Upgrade of collector roads within the Bonnyrigg Estate	166.24 m collector road type 1 (Newleaf Parade)
			24.23m collector road type 2 (Newleaf Parade)
		Works for the provision of roads adjacent to parks	
		Works for the construction of the bus shelters	Not yet completed - to be completed as part of Stages 6 - 7 works
		Provision of cycleway within Bonnyrigg Estate and connections to established cycleway outside the Bonnyrigg Estate	Works completed
		Works for the construction and embellishment of the 'Hilltop Park'	Works completed, total of 2.72 ha (now named Bunker Park)
		Installation of water quality measures	Works completed
		Installation of public art	Not yet completed
		Land dedication associated with the provision of facilities	2.5Ha Land dedicated Further 0.2Ha in later stages
Stage 6	DA 422.1/2017	Upgrade of collector roads within the Bonnyrigg Estate	Under construction (completion March 2020)
		Works for the construction and embellishment of the 'Valley Park'.	Completed in Stages 1-3
		Installation of water quality measures	Under construction (completion March 2020)
		Construction of the community centre, Stage 6 or at 776 total dwellings	
		Construction of the community garden, Stage 6 or at 776 total dwellings	
		Land dedication associated with the provision of facilities	Under construction (completion March 2020)
Stage 7	DA 422.1/2017	Upgrade of collector roads within the Bonnyrigg Estate	Under construction (completion March 2020)
		Works for the construction of the bus shelters	Under construction (completion March 2020)
		Provision of cycleway within Bonnyrigg Estate and connections to established cycleway outside the Bonnyrigg Estate	Under construction (completion March 2020)
		Works for the construction and embellishment of the 'Valley Park'. (excluded)	Completed in Stages 1-3
		Installation of water quality measures	Under construction (completion March 2020)
		Land dedication associated with the provision of facilities	Under construction (completion March 2020)

## Appendix B

### New Bonnyrigg VPA 2 to replace stages 8-18

Precinct	Items	Value
Bonnyrigg Precinct	Bonnyrigg Square (0.2ha)	\$1.6M
	Village Green (0.4ha)	\$1.8M
	Community Facility (220 sqm)	\$0.8M
Tarlington East	Upper Valley Creek Park (2.3ha)	\$3.1M
Tarlington West	Community Park (1.9ha)	\$3.4M
	Bonnyrigg/Tarlington Intersection	\$0.5M
Humphries	Junior Play Park (0.92ha)	\$1.2M

- It is anticipated that all estate works will be done as part of the proposed precinct to relevant Councils standards except as varied by the Concept Approval.
- The VPA will remove the operation of Section 7.11 developer contributions.

## Appendix C

Items yet to be allocated;

Item	Recommendation
Cycleways inside site	To be done as estate works consistent with approved plans – not necessary to be included in VPA
Cycleways outside site	An amount to be agreed per stage and included in VPA
Detention Basins/Gross Pollutant Traps/Water quality measures	Other than works incorporated into Junior Play Park these are Estate Works – not necessary to be included in VPA
Public Art	An amount to be agreed per stage and included in VPA
Senior Program Space	TBC
Upgrade of Collector Roads within the site	To be done as estate works consistent with approved plans – not necessary to be included in VPA
Bus shelters	TBC