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Contact: Andrew Mooney 9725 0214

17 July 2020

Amy Watson
Team Leader, Key Sites Assessments
Planning & Assessment
Dept. of Planning, Industry & Environment
GPO Box 39
SYDNEY 2001

Attention: David Glasgow

RE: Modification to Concept Plan for Bonnyrigg Estate (MP06_0046 MOD 5)

I refer to your letter dated 22 June 2020 regarding re-exhibition of the Modification 5 of Bonnyrigg Housing Estate Major Project Concept Plan. Council at its meeting of the 14 July 2020 considered a report (Attached) on the response to submissions (RTS) prepared by Architectus on behalf of the NSW Land and Housing Corporation (LAHC).

Council endorsed the contents of the report that deal with the issues contained in Council's original submission (dated 1 Oct 2020), regarding the provision of community floor space, public open space, stormwater infrastructure and car parking issues.

In this respect, Council is satisfied that the provision of additional community infrastructure/open space as detailed in the RTS is appropriate, and suitable in meeting the scope of the proposed modifications and associated needs of the future population of the Bonnyrigg Communities Project.

Council also requests that the Department liaise with Council in regard to the preparation of any conditions of approval that are issued for the Modification. This is to provide Council with an opportunity to comment on conditions of consent relating to provision of community facilities and infrastructure, that may also be need to be factored into the new voluntary planning agreement to be prepared for the project.

Please contact the undersigned if you require any further clarification regarding the above.

Yours faithfully



Andrew Mooney
ACTING MANAGER STRATEGIC PLANNING

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

SUBJECT: Bonnyrigg Living Centres Project - Modification to Concept Plan

FILE NUMBER: 18/05366

PREVIOUS ITEMS: 96 - Bonnyrigg Living Centres Project - Submission to Modification to Concept Plan - Outcomes Supplementary Reports - 30 Sep 2019 7.00pm

REPORT BY: Andrew Mooney, Acting Manager Strategic Land Use Planning

RECOMMENDATION:

That:

1. Council request that the NSW Department of Planning, Industry and Environment (DPIE) liaise with Council in regard to the preparation of any conditions of approval that are issued for the Modification.
 2. Council acknowledge the revised letter of offer submitted by the Land and Housing Corporation to prepare a new Voluntary Planning Agreement (VPA) for the Project, with a detailed report on the revised draft VPA to be referred to Council.
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SUPPORTING DOCUMENTS:

AT-A	Proposed Newleaf Community Facility	3 Pages
AT-B	Open Space Provision & Pedshed Analysis	2 Pages
AT-C	VPA Letter of Offer	5 Pages

CITY PLAN

This report is linked to *Theme 2 Places and Infrastructure* in the Fairfield City Plan.

SUMMARY

Council has received notification from the NSW Department of Planning, Industry and Environment (DPIE) of re-exhibition of a proposed modification to the Concept Plan for the Bonnyrigg Estate.

The Ordinary Council Meeting of 30 September 2019 endorsed a previous submission to the proposal, requesting further justification from the proponent, Land and Housing

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

Corporation (LAHC), regarding the proposed provision of public open space, community floor space and visitor car parking space for apartments included in the modification.

LAHC has now provided a response to Council's submission with the key issues dealt with in this report. It is noted that re-exhibition of the proposal is the result of changes to the legal description of some of the properties affected by the project. However, there have been no changes to the nature and extent of modifications included in the original project as reported to Council in September 2019.

In summary, the additional information submitted by the LAHC demonstrates that the proposed modification achieves consistency with a previous modification to the Concept Plan approved by the NSW Planning Assessment Commission (PAC) in 2014.

Further, the additional information and analysis submitted by LAHC indicates that the proposed modifications to the Concept Plan address relevant benchmarks, best practice guidelines and appropriate qualitative outcomes in relation for the provision of open space and community facilities for the future population of the Bonnyrigg Living Centres project.

LAHC has acknowledged Council's issues in relation to visitor car parking for future apartment development on the Estate and that this matter will need to be addressed at development application stage.

LAHC has also provided a letter of offer (Attachment C) to prepare a new Voluntary Planning Agreement (VPA) to reflect the scope of changes and commitment to provision of infrastructure, open space and community facilities reflected in the modified Concept Plan.

In light of the above, it is proposed that Council endorse the recommendations in this report.

BACKGROUND

The previous report to Council (30 September 2019) provides detailed information on the history of the Bonnyrigg Living Centres Project (that commenced in 2008) associated with redevelopment of the Bonnyrigg Housing Estate and current scope of the proposed modifications that comprises the following:

- Reconfiguration of the construction staging plan for the project from the previous 18 stages to 5 new staging precincts, with the completed or approved stages 1-7 being allocated to Stage 1 of the project.
- Under future stages, increase in the total number of dwellings generated by the project from 2,500 to 3,000. This increase is predominantly due to additional 3-6 storey apartment style buildings in the new stages 3, 4 and 5 adjacent to Bonnyrigg Plaza.

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

- The modification will aim to meet the original 70:30 split of private and social housing intended for redevelopment of the estate, resulting in a total 2,100 private dwellings and 900 social housing dwellings upon completion.
- Increase in public open space from 12.13ha to 13.04ha (additional 9,100m² in public open space).
- Additional 204m² in floor space for community facilities on top of the current allocation of 700m² associated with the approved Concept Plan.
- Revised local road network to remove dead ends and cul-de-sacs where possible, and introduce additional through site links to improve pedestrian connections and walkability.
- Increase in commercial floor space (on ground floor of apartment buildings) by approximately 2000m².
- Increase in tree canopy from 14% to 25%.
- Four kilometres of new dedicated pedestrian and cycle paths including new links to transport, retail and community services.

Council at its Ordinary Meeting of 30 September 2019 adopted the following in relation to the above modifications:

1. *Council endorse the issues raised in the report as the basis for the making of a submission to the Department of Planning Industry and Environment regarding the proposed modifications to the Bonnyrigg Living Communities Project.*
2. *The proponent address the concerns raised in the report in relation to:*
 - 2.1 *Deficiency in the provision of public open space as a result of the underestimation of occupancy rates for dwellings associated with the re-development of the Bonnyrigg Estate.*
 - 2.2 *Deficiency in the provision of community floor space due to the incremental approach used to justify the additional floor space resulting in insufficient floor space to meet the needs of the total future population.*
 - 2.3 *The proposed reduction of visitor parking rate for high density residential development.*

The NSW LAHC response to the above issues is discussed in the following sections of this report.

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

Community Facilities

LAHC's response in relation to the provision of community facilities is summarised below:

- Council's submission in regard to the amount of community facility space approved in the original 2009 Concept Plan and modification 4 does not pertain to the changes proposed in modification 5. It is not possible to change what has already been previously approved in the original Concept Plan and previous modifications.
- The provision of community facility floor space has been calculated using the updated occupancy rate assumptions to ensure the process is based on the best available evidence. The provision of 222.18m² of floor space was calculated to support the 1,587 residents attributable to the 500 additional dwellings proposed under modification 5.
- The 222.18m² of additional community facility space proposed under modification 5 is considered appropriate in servicing the additional forecast population, applying the rate of community facilities space provision of 0.14m² per person determined through Council's section 94 Development Contributions Plan (2011), and differentiated occupancy rates for private and social dwellings to better reflect the likely demand for community facilities based on the different household sizes and tenant profiles of private and social dwellings.
- Under modification 4 and the original 2009 Concept Plan, a total of 700m² of community facility floor space has already been approved. Therefore, a total of 922.18m² is proposed for Bonnyrigg Estate.

Officer Comments:

Since Council made its submission to the modification, in April 2020 LAHC submitted a Development Application (DA) (Attachment A) with Council for the provision of a new community facility and community garden at 3 Wall Place Bonnyrigg (next to the existing NewLeaf offices). This step addresses a requirement of the original Concept Plan approval for redevelopment of the Bonnyrigg Housing Estate, as well as an associated voluntary planning agreement entered into with Council.

The DA for the proposal is currently being assessed by Council's Development Control Branch. Council's Social Planning and Community Development Branch has undertaken a detailed assessment of the proposed facility and has provided the following advice:

"The development application is supported. The centre and community garden will be a much needed addition to the developing community of NewLeaf. The centre has been designed with extensive consultation with both the community and council staff and reflects identified needs. The community garden will meet an important community need, having been identified at the beginning of this project in 2008 as a way to mitigate the loss of garden for residents transitioning from detached dwellings to medium density".

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

As well as obtaining the above support, it is noted that the proposed community facility complies with the floor space benchmark contained in Council's current Direct Contributions Plan of "0.14m² per person". This benchmark applies to general multi-purpose community facilities for the various subdistricts of the City as identified in Council's Contribution Plan.

In 2012, under modification No.4 to the Concept Plan (for an increase of 168 dwellings), the 0.14m² benchmark was utilised as the basis for provision of additional community floor space in the Bonnyrigg Living Centres Project (increasing the floor space of the community facility to 790m²).

This benchmark has previously been endorsed by the former Department of Planning and Infrastructure (DPI) and NSW Planning and Assessment Commission (PAC) in its approval to modification No.4 to the Bonnyrigg Concept Plan in 2014.

Given the above, the proposed provision of community floor space under the current modification is considered appropriate.

Public Open Space

LAHC's response in relation to the provision of open space is summarised below:

- Council's estimate of 16.94ha of open space, is based on a rate of 2.0ha of open space per 1,000 persons. This rate has then been applied to the total estimated population at completion (8,468 residents), rather than the estimated increase of 500 dwellings (1587 residents) proposed under modification 5.
- Council's rate of provision is not relevant. The approval of modification 4 applied Council's section 94 Development Contributions Plan (2011) rate of 2.78m² per additional person. The rate of 2.78m² was also supported by DPIE in the approval of modification 4.
- The rate of open space provision is consistent with the agreed rate of 2.78m². This has been applied to the estimated population of 1,587 to determine the additional open space requirements to support the increase in population.
- The proposed modification does not seek to revisit the agreed and approved open space provision in previous Concept Plan approvals.
- Council also queried that the shortfall for public open space is likely to be larger given use of an occupancy rate that is below the rate for private dwellings across the Fairfield local government area. The University of Technology Sydney (UTS) Needs Analysis uses differential occupancy rates for private and social housing dwellings because a single flat occupancy rate fails to consider the differences in demand generated by the likely different tenant profiles and household sizes of these different types of housing stock.

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

- The 13.04ha of open space to be provided includes 5 new public parks including Bonnyrigg Square, Village Green, Community Park, Upper Valley Creek Park and Junior Play Park. The proposed landscape buffers (including the 'narrow green band between Park 4, Park 5 and Tarlington Parade') have not been included as part of the total open space provision across the site.
- The open space concept plans provided as part of the modification 5 are conceptual only and show how a combination of active and passive spaces can be accommodated in the proposed open spaces. Detailed landscape plans and strategies for each open space will be developed during the DA phase and could explore adaptable options for the parks to meet the open space and sporting needs of future residents.
- The open space concept plans provide an idea of what could be achieved in the parks. The size and configuration of open space allows flexibility in the detailed design to provide active spaces for sports including tennis, netball or basketball facilities.

Officer Comments

Issues relating to the provision of public open space for modification 5 are similar to issues associated with the provision of community facilities. This is in respect to the rate of 2.78m² of open space per additional person associated with modification 5, which is the same rate approved by DPI and the NSW PAC under modification 4 in 2012. LAHC also confirm that landscape buffer areas, verges and on site detention areas have not been included in the calculation of open space for modification 5.

Under modification 5, public open space areas have been amalgamated to provide a more even distribution of neighbourhood parks throughout the Estate and options for provision of both active and passive open space within these parks.

LAHC has also provided a 'pedshed' analysis (Attachment B) that indicates that the majority of residential development within Newleaf will be located within 200m of a neighbourhood park with all properties being located within 400m.

The proposed open space outcomes comply with guidelines published by the Government Architect NSW and are applicable to open space planning under the NSW Greater Sydney Regional Plan and Western City District Plan. In this regard the level of provision of open space under the modified Concept Plan comply with relevant standards.

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

Car Parking Issues

LAHC's response in relation to the provision of car parking is as follows:

- The proposed visitor parking for high density housing is 0.2 visitor spaces per dwelling. This is consistent with what is suggested under the Apartment Design Guide (ADG) which provides that for apartments within a walkable distance from a commercial centre or public transport hub the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.
- The location of the proposed apartment buildings of up to 6 stories are all a walkable distance to Bonnyrigg Plaza and the Bonnyrigg T-way Station. The Guide to Traffic Generating Development sets a visitor parking rate of 1 for every 5-7 apartments (0.14-0.20 visitor spaces per dwelling), while Council's Citywide Development Control Plan (DCP) 2013 prescribes a 0.25 visitor parking rate per dwelling.
- The 0.2 visitor parking rate is considered appropriate to service the proposed apartment buildings as they will primarily be located within a walking distance to Bonnyrigg Town Centre, which will provide local services, retail and community facilities, and the Bonnyrigg T-way Station which provides high frequency services to Parramatta and Liverpool.
- Parking requirements for the retail commercial aspects of the Bonnyrigg precinct will be addressed through future DAs and agreement with Council, and could include:
 - Indented parking bays along Bonnyrigg Avenue and the new internal collector road; and
 - Undercover customer parking included within the multi storey shop top housing development.
- The new street and active transport layout has been designed with improved pedestrian access to Bonnyrigg Town Centre and Bonnyrigg T-way Station. This will encourage local residents to walk rather than drive and reduce the vehicular dependency currently experienced.

Officer Comments

As indicated under LAHC's response, the provisions of the State Environmental Planning Policy (SEPP) Apartment Design Guideline in relation to visitor car parking for apartment development override local planning controls.

Notwithstanding, the proponents for future apartment development within the Estate will be required to submit a traffic study at DA stage demonstrating that the level of car parking associated with future apartment developments is appropriate. This approach also applies to future retail development associated with the project, which will also be required to submit a traffic study.

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

In general, the proposed apartment precincts included under the modified Concept Plan are located within 300-400m of the Bus T-Way Station adjoining Bonnyrigg Avenue. In addition the proposed new urban form and modified street layout within the Estate will enhance pedestrian access to Bonnyrigg Town Centre and the Bus T-Way.

Traffic Management & Stormwater Issues

LAHC has provided the following responses to other issues raised in Council's submission:

Traffic Management

- Whilst the density immediately adjacent to the local school will increase, it will not necessarily result in increased vehicular traffic. Families living in the immediate vicinity of the school will be able to use new active transport links to access the school by foot or bicycle, rather than by car.
- However, to improve the traffic flow during school hours, it is proposed to formalise the school drop off/pickup parking zones along the school frontage. This will be further discussed and developed with Council and the Department of Education to reach a solution for the school and community.
- The road network within Bonnyrigg estate has been simplified, with an intersection near the corner of Humphries and Cabramatta Roads removed to improve the parking capacity of Humphries Road. Options for improving the short term/drop off/parking and bus zones have been discussed with Council Officers. No decision has been reached on improvements beyond the removal of the 1 intersection. Further discussions will be sought with Council to resolve.

Stormwater Management

- Fencing off Basin 1 from the public is not required in accordance with Fairfield City Council's (FCC) Stormwater Management Policy 2017. This is because the ponding of water is limited to no more than 0.5m deep in the detention storage areas. The lower level detention area is intended to be grassed and will remain as useable open space.
- Provision of Basin 2 aboveground is unsuitable and inappropriate to its site context. Provision of the required detention storage volume would exceed 1.2m maximum depth of storage identified in FCC's Stormwater Management Policy 2017. A below ground solution allows the site to remain as useable open space. It is noted that Section 4.5.10 of Fairfield City Council's Stormwater Management Policy 2017 does allow for below ground storage where 'no suitable hardstand or landscaped area is available'.
- Super lot K1 is required to discharge water to a different stormwater drainage network, as it is not possible to drain the entire lot to the proposed on-site detention (OSD) location. The most feasible option is to provide a separate OSD within the lot.

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

The use of on lot detention has already been discussed and approved by Council Officers in a meeting on 27 August 2018.

- The concept of underground storage was decided as more appropriate than aboveground storage because of the greater usability and flexibility of the space, given the significant water depths required by an aboveground storage alternative. As such an underground storage was considered more appropriate for the site.

Officers Comments

The above traffic management measures proposed by LAHC aimed at improving drop off/pick-ups around school zones is supported. Council's Traffic and Transport Branch is working with LAHC in helping to resolve these issues.

Council's Catchment Branch has reviewed additional technical documents and advice associated with the modified Concept Plan and have advised that the capacity and design of stormwater detention basins for the project are acceptable.

CONCLUSION & NEXT STEPS

The additional advice and analysis provided by LAHC indicates that the provision of community facilities, passive and active recreation areas associated with the proposed modifications to the Concept Plan address relevant benchmarks and requirements established by the NSW PAC under the previous approval for modification of the Concept Plan in 2012.

The recent DA submitted for a proposed new community facility in Wall Street complies with relevant floor space requirements of Council's Contributions Plan and has received the endorsement of Council's Social Planning and Community Development Branch.

The NSW LAHC has submitted a letter of offer (Attachment C) that will initiate the preparation of a revised voluntary planning agreement for the Project to reflect the provision of open space, infrastructure and community facilities associated with the modified Concept Plan. A more detailed report on the VPA will be referred to a future meeting of Council.

Andrew Mooney
**Acting Manager Strategic Land
Use Planning**

Authorisation:

OUTCOMES COMMITTEE

Meeting Date 14 July 2020

Item Number. 65

Group Manager City Strategic Planning

Outcomes Committee - 14 July 2020

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