

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the Concept Plan for the redevelopment of the Bonnyrigg Housing Estate referred to in Schedule 1, subject to the Modifications and Future Assessment Requirements in Schedule 2 and Statement of Commitments in Schedule 3.



Anthony Witherdin
Director
Key Sites Assessments

Sydney

23 November 2020

SCHEDULE 1

Concept Approval:	MP 06_0046 granted by the Minister for Planning on 12 January 2009
For the following:	Concept Plan for the redevelopment of the Bonnyrigg Housing Estate and two Project Applications
Applicant:	NSW Land and Housing Corporation
Consent Authority:	Minister for Planning
The Land:	Newleaf Bonnyrigg (formerly Bonnyrigg Housing Estate), being land bounded generally by Bonnyrigg Avenue, Bonnyrigg Public School, Bonnyrigg Plaza, Elizabeth Drive, Cabramatta Road West, Humphries Road and Edensor Road (excluding privately owned lots located within the Estate).
Modification:	<p>MP 06_0046 MOD 5: modifications to the Concept Plan including:</p> <p><u>Modifications specifically to Stages 8 to 18</u></p> <ul style="list-style-type: none">• increase the number of dwellings by 500 (to 3,000 dwellings site-wide);• provide 2,217.20 m² of non-residential floorspace (up to 3,000 m² site-wide)• amend maximum building heights• reconfigure, relocate and increase the amount of public open space by 910 m² (to 13.04 hectares site-wide)• reconfigure and relocate road, footpath, access and stormwater layouts and designs• revised Concept Plan masterplan development controls <p><u>Modifications to all Stages</u></p> <ul style="list-style-type: none">• revised statement of commitments• revised voluntary planning agreements.

SCHEDULE 2

The Bonnyrigg Concept Plan (MP 06_0046) is modified as follows:

- (a) Schedule 1 Part A – Concept Plan Approval condition A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

PART A – CONCEPT PLAN TERMS OF APPROVAL

A1 Table

Proponent:	<u>Bonnyrigg Partnerships</u> <u>(Level 6, 275 Kent Street, Sydney)</u> <u>NSW Land and Housing Corporation</u>
Application made to:	Minister for Planning
Major Project Number:	06_0046
On land comprising:	Bonnyrigg Housing Estate, being land bounded generally by Bonnyrigg avenue, Bonnyrigg public school, Bonnyrigg plaza, Elizabeth drive, Cabramatta road west, Humphries road and Edensor road (excluding privately owned lots located within the Estate)
Local Government Area:	Fairfield City Council
Approval in summary for:	<p>A Concept Plan for:</p> <ul style="list-style-type: none"> ▪ Demolition of existing dwellings in stages (excluding privately owned dwellings) ▪ Construction of <u>up to 3,000</u> approximately 2,332 dwellings in 18 stages over 13 years, ▪ Construction of new <u>and reconfigured, relocated and upgraded existing</u> roads, with 50% of existing roads to be retained ▪ Provision of new infrastructure (including stormwater, sewer, recycled water, gas and electrical) ▪ Staged construction of <u>up to 3,000 m² non-residential floorspace</u> a new community precinct comprising community retail and commercial activities. ▪ <u>Staged provision of 13.04 hectares of public open space comprising new and reconfigured</u> Reconfiguration and upgraded of existing public open space. <p>Two project applications for</p> <ul style="list-style-type: none"> ▪ Subdivision 106 new lots in stage 1 with associated infrastructure. ▪ Construction of 106 new dwellings and associated infrastructure in stage 1, provision of new open space and facilities required for stage 1 of the proposal.
Capital Investment Value:	\$460 million
Type of development:	Concept approval under Part 3A of the Act
Determination made on:	12 / 1 / 2009
Determination:	Concept approval is granted subject to the modifications in the attached Schedule 2.

Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval will lapse:	20 years from the date of determination

- (b) Schedule 1 Part A – Concept Plan Approval condition A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

A2 Approval in detail

Concept approval is only to the following development:

- (1) Demolition of existing dwellings in stages.
- ~~(2) Retention of privately owned homes and approximately 50% of roads.~~
- ~~(3-2)~~ Allocation of land uses within the renewed estate.
- ~~(4-3)~~ Staged construction of ~~approximately 2,500~~ **3,000** dwellings in ~~18 stages over 13 years, including lifted apartments, garden apartments, attached homes and row house / terrace configurations and detached homes.~~
- ~~(5-4)~~ Staged construction of **up to 3,000 m² non-residential floorspace** the Bonnyrigg Neighbourhood Centre comprising community, retail and commercial uses.
- ~~(6-5)~~ **Staged provision of 13.04 hectares of public open space comprising new, reconfigured** ~~Reconfiguration and upgraded~~ of existing public open space, including ~~extensive and associated~~ landscaping and infrastructure ~~to cater for a wide range different users and enhance safety and security.~~
- ~~(7-6)~~ **Reconfigured, relocated, upgraded existing and** ~~Retention and upgrade of existing roads, construction of new roads and provision of a pedestrian and bicycle movement network.~~
- ~~(8-7)~~ Stormwater infrastructure works including water sensitive urban design measures to control the quantity and quality of stormwater, enhance the appearance of the site and provide passive recreation opportunities.
- ~~(9-8)~~ Retention, extension and upgrades of existing services infrastructure ~~to maintain supply through construction and cater for the increased population.~~

- (c) Schedule 1 Part A – Concept Plan Approval condition A3 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

A3 Development in Accordance with Plans and Documentation (Stages 1 to 7)

Concept approval is granted only to the following development within Stages 1 to 7 as follows:

- (1) The development will be carried out generally in accordance with the Environmental Assessment Report dated November 2007 (five volumes) and as amended by the Preferred Project Report dated June, 2007 detailed in the following table;

<i>Documentation</i>	Consultant	Date	Submitted with EA / PPR / Post PPR
<i>Concept Plan</i>			
Updated Master Plan	Urbis	March 2012	MOD 4
Updated Concept Plan Maps	Urbis	March 2012	MOD 4
Updated Community Renewal Services Plan	Urbis	9.05.08	PPR
Community Renewal Services Implementation Plan 2007-2010 (Final Draft)	Urbis	3.05.08	PPR
Submissions Response Table	Urbis	3.06.08	PPR

Updated Water Cycle Management Plan	Hughes Trueman	Aug 2008	Post PRR
Updated TMAP	SKM	30.04.08	PRR
Project Design Report	EDAW	Sept 2008	Post PRR
Updated Masterplan Infrastructure Report	Hughes Trueman	1.05.08	PRR
Updated Environment & Construction Management Plan	Hughes Trueman	1.05.08	PRR
Updated Subdivision Plans	Vince Morgan	3.06.08	PRR
Updated Economic Impact Assessment	Macroplan	26.04.08	PRR
Infrastructure Delivery Plan	Urbis	4.06.08	PRR
Quantity Surveyor Reports	WT Partnership		EA
Concept Plan Title Details	Vince Morgan		EA
Proposed Amendment to Fairfield Local Environmental Plan 1994 Clause 25H	Urbis		EA
Draft Bonnyrigg Town Centre and Residential Renewal Development Control Plan 2007	Urbis		EA
Compliance Assessment Table (Concept Plan and Stage 1 Project Application)	Urbis		EA
Bonnyrigg Focus Groups: Incoming Community Report	Urbis		EA
Social Infrastructure Needs Analysis	Urbis		EA
Demographic Report	Urbis		EA
Social Impact Assessment	Judith Stubbs		EA
Ecological Sustainable Development – Environmental Opportunities Report	Advanced Environmental		EA
Ecological Sustainable Development – Dwelling Design Report	Advanced Environmental		EA
Concept Plan Environmental Site Assessment	JBS		EA
Heritage Impact Assessment	John Oultram		EA
Community Consultation Report - Phase 1	Judith Stubbs		EA
Community Consultation Report - Phase 2	Judith Stubbs		EA
Peer Review of Social Impact Assessment	Urbis		EA
Peer Review of Urban Design	Annand Alcock		EA
Lighting Strategy	Vision		EA
Survey Plans	Vince Morgan		EA
Environmental Noise Assessment Report	Acoustic Logic		Post EA

- (2) **Stages 1 to 7** shall take place in accordance with the following plans and documentation (including any appendices therein) which are approved as part of the Concept Plan:
- Environmental Assessment Report (EAR) prepared by Urbis, Job No. SA3338, Report No. Concept Plan and Project Application.v12a, dated November 2007;
 - Bonnyrigg Masterplan prepared by Urbis, dated March 2012.
 - Amended Voluntary Planning Agreement (VPA), dated July 2008;
 - Bonnyrigg Infrastructure and Services Delivery Plan prepared by Bonnyrigg Partnerships, Job Code SA3338, Report No. Bonnyrigg Infrastructure and Services Delivery Plan – 180608 – Final, dated June 2008;
 - Water Cycle Management Report prepared by Hughes Trueman, Revision C, dated 5 August 2008;
 - Transport Management and Accessibility Plan (TMAP) prepared by SKM, Final Report, dated 28 October 2008;
 - Stage 1 Infrastructure Report prepared by Hughes Trueman, Revision 5, dated 17 September 2008;
 - Project Design Report prepared by EDAW, Project No. 07502505.01, Issue E, dated September 2008;

- (i) Stage 1 Environment and Construction and Management Plan prepared by Hughes Trueman, Revision 5, dated 4 September 2008;
 - (j) Preliminary Environmental Site Assessment prepared by JBS Environmental Pty Ltd, Job No. JBS 40266-11664, dated September 2007;
 - (k) Newleaf Bonnyrigg Concept Plan Modifications prepared by Urbis, dated December 2011;
 - (l) Newleaf Bonnyrigg – Response to Submissions prepared by Urbis, dated April 2012;
 - (m) Social Infrastructure Needs Analysis and Social Impact Assessment, prepared by Urbis, dated December 2011;
 - (n) Infrastructure review Section 75W Modification of Concept Plan Approval for Newleaf Bonnyrigg prepared by Hyder, dated 12 December 2011;
 - (o) Crime Prevention Through Environmental Design prepared by Urbis dated December 2011; and
 - (p) Newleaf Bonnyrigg Modified Concept Plan Traffic and Parking Assessment prepared by GTA Consultants, dated 12 December 2011.
- (3) The following Preferred Project Report and revised Statement of Commitments are approved:
- (a) *Preferred Project Report* (PPR) prepared by Urbis, Job No. SA3338, Report No.SA333.PPR-050608 Final, dated 5 June 2008, and, the Revised Statement of Commitments dated November 2008, and additional Commitment approved as part of the Section 75W modification application MP06_0046 MOD3.
- (4) In the event of any inconsistencies,
- (a) the preferred project report and revised Statement of Commitment in (2) prevails to the extent of any inconsistency in the plans and documentation identified in (1), and
 - (b) the modifications of the Concept Plan approval identified in Schedule 2 prevail over the documentation listed in (1) and (2) above.
- (c) the modifications of Stages 8 to 18 the Concept Plan approval under MP06_0046 MOD 5 (identified in ToA A4) prevail over the documentation listed in ToA A3(1), (2) and (3).**
- (d) Schedule 1 Part A – Concept Plan Approval is amended by the insertion of new conditions A4, A5, A6, A7 and A8 as follows:

A4 Development in Accordance with Plans and Documentation (Stages 8 to 18)

Concept approval is granted only to the following development in Stages 8 to 18 as follows:

- (1) **The development shall be carried out generally in accordance with the:**
 - (a) **Section 75W modification application MP 06_0046 MOD5 and attachments prepared by FPD Pty Ltd and dated May 2019 as amended by:**
 - (i) **Response to Submissions and attachments prepared by Architectus Group Pty Ltd and dated 7 May 2020**
 - (ii) **letter and attachment titled ‘MP06_0046 MOD 5 – Rts Submissions’, reference D20/1382520 prepared by NSW Land and Housing Corporation and dated 20 August 2020**
 - (b) **Statement of Commitments titled ‘Revised Statement of Commitments Bonnyrigg Communities Plus Project Concept Plan (MP06_0046)’ prepared by FPD and dated 15 May 2019 (Appendix C of MP06_0046 MOD 5 Environmental Assessment).**
 - (c) **Concept Plan development controls contained within the document titled ‘Modified Concept Plan 2019 Bonnyrigg Communities Plus Project’ prepared by Architectus / AJC and dated 10 May 2019 (Appendix N of MOD 5, Response to Submissions).**
- (2) **Stages 8 to 18 of the development shall be carried out generally in accordance with the approved plans in the table below (as may be amended by conditions in Schedule 2):**

<u>Architectural drawings prepared by AJ+C and Architectus</u>			
<u>Drawing No.</u>	<u>Rev</u>	<u>Name of drawing</u>	<u>Date</u>
<u>MOD0001</u>	<u>A</u>	<u>Land Subject to Modification</u>	<u>8-Apr-19</u>
<u>MOD0002</u>	<u>A</u>	<u>Structure Plan</u>	<u>8-Apr-19</u>
<u>MOD0003</u>	<u>A</u>	<u>Building Heights</u>	<u>8-Apr-19</u>
<u>MOD0004</u>	<u>A</u>	<u>Street Frontage Heights – Residential Flat Buildings</u>	<u>8-Apr-19</u>
<u>MOD0005</u>	<u>A</u>	<u>Street Setbacks – Residential Flat Buildings</u>	<u>8-Apr-19</u>
<u>MOD0006</u>	<u>A</u>	<u>Street Wall Sections A & B</u>	<u>8-Apr-19</u>
<u>MOD0007</u>	<u>A</u>	<u>Street Wall Sections C1 & C2</u>	<u>8-Apr-19</u>
<u>MOD0008</u>	<u>A</u>	<u>Street Wall Sections D, E & F</u>	<u>8-Apr-19</u>
<u>MOD0009</u>	<u>A</u>	<u>Street Wall Sections G & Private Open Space</u>	<u>8-Apr-19</u>
<u>MOD0010</u>	<u>A</u>	<u>Activation</u>	<u>8-Apr-19</u>
<u>MOD0011</u>	<u>A</u>	<u>Open Space</u>	<u>8-Apr-19</u>
<u>MOD0012</u>	<u>A</u>	<u>Access</u>	<u>8-Apr-19</u>
<u>MOD0013</u>	<u>A</u>	<u>Street Hierarchy</u>	<u>8-Apr-19</u>
<u>MOD0014</u>	<u>A</u>	<u>Maximum GFA / Dwellings</u>	<u>8-Apr-19</u>
<u>MOD0015</u>	<u>A</u>	<u>Open Space - Pedshed</u>	<u>8-Apr-19</u>
<u>MOD0016</u>	<u>A</u>	<u>Preliminary Staging Plan</u>	<u>8-Apr-19</u>

- (3) The development controls within the Bonnyrigg Master Plan (updated December 2011), which was approved as part of MP06 0045 MOD 4, will apply to attached, semi-detached and detached dwellings unless they are assessed as complying development where the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 applies.

A5 Exempt and Complying Development Code

Part 3B of the low rise medium density housing code in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 applies to the site. In the event of any inconsistency Part 3B of the code prevails over the documentation listed in A3(1) and (2) and A4.

A6 Non-Residential Floorspace

- (1) The maximum gross lettable area (GLA) for the development shall not exceed 3,000 m² including 782.88 m² within Stages 1 to 7 (MP 06 0046 MOD 4) and 2,217.12 m² within Stages 8 to 18 (MP 06 0046 MOD 5).
- (2) The non-residential floorspace within Stages 8 to 18 (maximum 2,217.12 m²) shall be subject to the following restrictions:
 - (a) non-residential floorspace shall be generally located within the 'Activation Area' indicated on drawing MOD0010 Rev A, unless an alternative location is agreed with Council
 - (b) non-residential floorspace shall include a maximum of 1,150 m² retail GLA floorspace, including a maximum of:
 - (i) one grocery/convenience store up to a total of 500 m²
 - (ii) retail speciality stores up to a total of 650 m² (maximum 100 m² each)
 - (iii) food catering / take-away / cafes stores up to a total of 450 m² (maximum 100 m² each).
 - (c) non-residential floorspace shall include a minimum of 220 m² GLA community use floorspace
 - (d) the use/nature of any remaining non-residential floorspace not addressed in sub-points (a) to (c) above shall be determined as part of future development application(s).

A7 Voluntary Planning Agreement(s)

- (1) The proponent must comply with the provisions of the Planning Agreement(s) entered into with Fairfield City Council under Subdivision 2 of Division 6 of Part 4

of the Environmental Planning & Assessment Act, 1979 (NSW) which relates to the project which is the subject of this approval. The proponent shall continue to liaise with Council and the local community during the development process.

- (2) Voluntary Planning Agreement(s) (VPA) between NSW Land and Housing Corporation (or its nominated entity) and Fairfield City Council shall be prepared in accordance with the commitments contained within the public benefit offer titled 'VPA offer and amendment to existing VPA' reference D19/1983622 and dated 18 December 2019. The structure of the VPA(s) shall be in accordance with the public benefit offer or an alternative structure that may be otherwise agreed with Fairfield City Council.
- (3) The VPA(s) shall be publicly exhibited and executed prior to the determination of the first residential development application for Stages 8 to 18 following the approval of MP06_0046 MOD 5 or as may be otherwise agreed with Fairfield City Council. A copy of the executed VPA(s) shall be submitted to the Secretary

A8 Transport Infrastructure Contributions

- (1) The Proponent shall enter into a Transport Infrastructure Contribution (TIC) deed with Transport for NSW (TfNSW) to undertake the following works prior to the issue of construction certificate for any future development of the site:
- (a) Land dedication and a concept plan for the intersection of Cabramatta Road and Humphries Road is required to allow for a left turn slip lane from Cabramatta Road into Humphries Road; and a right turn from Humphries Road onto Cabramatta Road
- (b) Land dedication and a concept design for Humphries Road and Edensor Road is required for proposed Traffic Control Signals as a double diamond intersection. This entails the applicant to undertake traffic modelling and develop concept design of the intersection to the satisfaction of Transport for NSW and Council
- (e) Schedule 1 Part C – Definitions is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

In this approval the following definitions apply:

Act means the Environmental Planning and Assessment Act, 1979 (as amended).

Council means Fairfield City Council.

DECC means the Department of Environment and Climate Change

Department means the Department of Planning **Industry and Environment** or its successors.

Director-General / Planning Secretary means the ~~Director-General~~ **Planning Secretary** of the Department **(or nominee)**

Minister means the Minister administering the Act.

Project means development that is declared under Section 75B of the Act to be a project to which Part 3A of the Act applies.

Proponent means the person(s) identified in Part A proposing the carry out of development comprising all or any part of the project, and includes persons certified by the Minister to be the Proponent(s) **or any person carrying out any development to which this consent applies.**

Regulations means the Environmental Planning and Assessment Regulations, 2000 (as amended).

~~**RFS** means the NSW Rural Fire Service~~

~~**RTA** means the Roads and Traffic Authority.~~

Subject Site has the same meaning as the land identified in Part A of this schedule to which the Concept Plan applies.

TfNSW means Transport for NSW

ToA means Term of Approval

- (f) Schedule 2 Part A – Modifications to the Concept Plan is amended by the deletion of conditions A1, A2, and A5 as follows:

~~A1 Voluntary Planning Agreement and ongoing Consultation~~

- ~~(1) It is a condition of this approval that the proponent must comply with the provisions of the Planning Agreement entered into with Fairfield City Council under Subdivision 2 of Division 6 of Part 4 of the Environmental Planning & Assessment Act, 1979 (NSW) which relates to the project which is the subject of this approval~~
- ~~(2) The proponent shall continue to liaise with Council during the development process.~~
- ~~(3) The proponent shall continue to liaise with the local community during the development process.~~

~~A2 BASIX~~

~~The proponent shall meet all obligations regarding BASIX requirements for all stages of development and the sustainability measures in accordance with the Revised Statement of Commitments dated November 2008.~~

~~A5 Open Space Provision~~

~~Each ground level dwelling shall be provided with an area of private open space with a minimum dimension of 4 metres and a minimum area of 18 sqm.~~

- (g) Schedule 2 Part A – Modifications to the Concept Plan, is amended by the insertion of new condition A1 as follows:

A1 Bonnyrigg Substation Zone

A minimum 5 m setback shall be provided between the Bonnyrigg Substation Zone and adjoining residential development unless an alternative setback has been agreed with Endeavour Energy.

- (h) Schedule 2 Part A – Modifications to the Concept Plan, Condition A6 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

A6 Residential Amenity and Urban Design Park 2 (Lower Valley Creek Sports Park)

- ~~(1). Steele Place shall be retained as a cul-de-sac and the concept plan amended accordingly;~~
- ~~(2) The amenities building located within proposed Park 2 shall be relocated further west of the park so that residents along Louise Place have better sight lines over the park;~~
- ~~(3) A covenant shall be imposed on leases for social housing and on title for private dwellings that air conditioning units must not be attached to the front elevations of the building(s) unless no alternative is available (e.g. an attached 4-plex dwelling which adjoins the intersection of two streets), in which case, the air conditioning unit is to be positioned in an unobtrusive location.~~

- (i) Schedule 2 Part B – Future Assessment Requirements, Condition B1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

B1 Traffic and Parking Vehicle Access

- ~~(1). The following conditions stipulated by the Roads and Traffic Authority shall be undertaken as follows;~~

- ~~(a) The RTA requires the submission of a revised Paramics model incorporating amended parameters as agreed by the RTA.~~
 - ~~(b) The submission of a revised SIDRA analysis for the intersections impacted by the proposed development using an average growth rate of 1.25%~~
 - ~~(c) On the submission and acceptance of the revised Paramics model and SIDRA analysis, the RTA will assess the suitability of the proposed intersection improvements~~
 - ~~(d) The submission of a demolition and traffic management plan detailing vehicle construction routes, number of trucks, hours of operation, access arrangements and traffic control to be submitted to Council, for approval, prior to the issue of a construction certificate for each stage of development.~~
 - ~~(2). A parking analysis and needs assessment shall be prepared and submitted to Fairfield City Council with each new stage of the development proposed to determine whether parking provided in the overall completed and occupied stages of development has met the anticipated demand. This will require parking surveys to be conducted on the developed and occupied stages of the development. Should the analysis reveal insufficient parking has been provided, parking controls within the Bonnyrigg Masterplan shall be amended to reflect the findings of the parking analysis and therefore better reflect the likely parking demand for the remainder of the estate. This assessment shall also examine the effectiveness of the road system in terms of service vehicles being able to adequately traverse and manoeuvre through the site in a satisfactory manner for each developed and occupied stage of development.~~
 - ~~(3) The proponent shall undertake further investigations for relevant stages of the project to assess appropriateness of direct vehicular access for properties located within close proximity of signalised intersections and whether such access should be restricted to left-in left-out movements.~~
 - ~~(4) The proponent shall undertake and complete additional traffic modelling in respect of travel time validation and SIDRA analysis, and shall, on the basis of the required modelling, negotiate a final agreement as to the apportionment of costs of land acquisition and intersection upgrade works with the Road Traffic Authority prior to the commencement of construction of any dwellings in Stage 8 of the Concept plan. Evidence of the required agreement shall be provided to the PCA prior to the issue of any construction certificate for Stage 8 works.~~
- (j) Schedule 2 Part B – Future Assessment Requirements, Condition B2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the struck-out words/numbers as follows:

B2 Drainage

~~You are advised that f~~ Future stages within the development shall demonstrate that all drainage and stormwater issues **have been addressed.** ~~the following: **In addition:**~~

- (1) **Drainage – Stormwater Details** The detention basins in Stages 3 and 16 are to be provided in accordance with the infrastructure Services Delivery Plan that forms part of the Voluntary Planning Agreement. Detailed plans are to be provided with the development applications for those stages.
- (2) **Stormwater Drainage Disposal – a stormwater management plan is required to be submitted with each stage demonstrating compliance with Council requirements for stormwater management.**
 - ~~(a) Satisfactory arrangements have been made for the disposal of stormwater;~~
 - ~~(b) The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;~~
 - ~~(c) The piped drainage system has been designed to an Average Recurrence Interval of not less than 5 / 20 / 100 years.~~

Note: Where Fairfield City Council is nominated to issue a construction certificate for stormwater drainage, the following details will be required:

- ~~(a) Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.~~
- ~~(b) A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.~~

~~(2). On-site Detention Design~~

~~The applicant is advised that for future stages of the development prior to the issue of a construction certificate, a certificate shall be submitted to the Certifying Authority certifying that the drainage system has been designed to comply with Council's Urban Area On-Site Detention Handbook – February 2007 and Hughes Trueman's Water Cycle Report and to restrict the total discharge from site to current site discharge for all storms up to and including the 100-year storm events~~

~~Note: If Council is requested to issue the construction certificate, three copies of the plans and specifications giving full details of the design and calculations in the form of ILSAX/DRAINS input and output files and details as specified in Council's OSD handbook shall be submitted to the Council.~~

~~Note: Where Fairfield City Council is nominated to issue a construction certificate for on-site detention, the following details will be required:~~

- ~~b) Full details, as per Council's On-Site Detention Handbook, of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels, etc.~~
- ~~c) A plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regrading of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.~~

- (k) Schedule 2 Part B – Future Assessment Requirements is amended by the deletion of conditions B3, B4 and B5 as follows:

~~B3 Landscaping~~

~~The Tree Assessment Report prepared for the proposal shall be updated for each stage of development. This shall also include the existing and proposed tree canopy coverage.~~

~~B4 Economic impacts~~

~~The proponent shall prepare an economic impact assessment for the community precinct centre at the proposed stage of development. This assessment shall also include an assessment on the impact to all surrounding centres.~~

- ~~B5 The Proponent shall prepare a report detailing the impacts upon service and infrastructure capacity and delivery for the whole of the Bonnyrigg Estate in the event of any proposal to increase residential densities in any stage of the Concept Plan and as indicated in the Revised Statement of Commitments (F.14).~~

- (l) Schedule 2 Part B – Future Assessment Requirements is amended by the insertion of new conditions B3, B4 and B5 as follows:

B3 Tree Canopy Coverage

Future stages of the development shall demonstrate that the proposal would achieve tree canopy coverage of 25% in accordance with the target set by MP06_0046 MOD 5.

B4 Future Residential Amenity

Future development application(s) relating to residential use shall demonstrate that a high level of residential amenity is achieved in accordance with:

- (a) State Environmental Planning Policy 65 – Residential Apartment Development and the guidelines within the associated Apartment Design Guide**
- (b) The Concept Plan development controls (Term of Approval A4(c))**

B5 BASIX

The proponent shall meet all obligations regarding State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 requirements for all stages of development and the sustainability measures

End of Modification
(MP 06_0046 MOD 5)