

In reply please quote: 09/02883
Your Ref: MP06_0046 MOD 3

Contact: Andrew Mooney on 9725 0214

18 April 2011

Andrew Smith
Team Leader
Metropolitan & Regional Projects South
Department of Planning & Infrastructure
GPO Box 39
Sydney 2000



Dear Sir

MODIFICATION TO AMEND STAGE 3 OF MASTERPLAN (MP06_0046 MOD 3)

Please find attached a copy of the report and recommendations endorsed by Council at its meeting of 12 April 2011 in relation to modifications requested by Becton under stage 3 of the Bonnyrigg Living Communities Project.

Council has major objections to the scope of the modifications which include new housing typologies that appear to be aimed at meeting short term financial considerations at the expense of facilitating appropriate planning outcomes for the development.

These objections relate to the introduction of detached dwellings on narrow lots down to 6.4m in width. Council considers that this scale of housing would have detrimental consequences for future development of the Estate by creating an undesirable built form, provide housing with poor levels of amenity, result in deficient provision of on-street car parking (which the development is heavily reliant on) and undermine the efficiency of the road network.

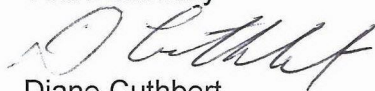
Council also has concerns with the nature of 3 storey walk up apartments and how these will be designed and managed to accommodate the nature of housing needs associated with renewal of the Estate.

The narrow lot dwellings and 3 storey walk ups create a template for a significant increase in densities in future stages of the development that were not envisaged or supported by Council under the original concept plan approval. These steps are proposed without adequate consultation having being undertaken with Council and implications for such issues as provision of open space and community facilities being understood.

In this regard, Council considers the applicants should withdraw the application for Stage 3 and be required to undertake a comprehensive review of all the proposed amendments to the Concept Plan prior to any more stages proceeding so all the implications of the proposed modifications can be properly considered.

I would be happy to meet with the Department to provide further clarification on the above.

Yours faithfully



Diane Cuthbert

Executive Manager Environmental Standards



OUTCOMES COMMITTEE**ITEM 47****ANDREW MOONEY - SENIOR STRATEGIC PLANNER****FOR ACTION**

47: Issue: Bonnyrigg Living Communities Project – Modification to Concept Plan – Stage 3.
Premises: Bonnyrigg Housing Estate, Bonnyrigg.
Owner: Fairfield City Council, Department of Housing.
Applicant: Becton Pty Ltd (Attachment A)
Zoning: Residential 2(b).
Submissions: No
File Number: 09/02883

ANDREW MOONEY - SENIOR STRATEGIC PLANNER**ITEM 59****Meeting Date:** 12/04/2011**Target Date:** 26/04/2011**Notes:**

59: Issue: Bonnyrigg Living Communities Project – Modification to Concept Plan – Stage 3.
Premises: Bonnyrigg Housing Estate, Bonnyrigg.
Owner: Fairfield City Council, Department of Housing.
Applicant: Becton Pty Ltd (see Attachment A – Item 47)
Zoning: Residential 2(b).
Submissions: No
- SUPPLEMENTARY
File Number: 09/01249

The Executive Manager City Outcomes declared a significant non-pecuniary interest in this item as she is a member of the Joint Regional Planning Panel which will assess the Stage 3 development application related to this matter.

The Executive Manager City Outcomes left the meeting at 6.45pm.

Councillor	Type of Interest	Nature of Interest	Action Taken/ Explanation Given
Carbone	Significant Non-pecuniary	I am a member of the Joint Regional Planning Panel which is currently assessing Stage 3 of the development application.	Councillor Carbone left the meeting and took no further part in debate or discussion.

MOTION: (White/Oliveri)

A. That Council write to the Department of Planning and advise that:

1. Council raises concerns that the applicant seems to have numerous proposals to amend the Concept Plan but these are being treated in an ad-hoc manner. There should be a comprehensive review of all proposed amendments to the Concept Plan prior to any more stages proceeding so all the implications can be properly considered.
2. As part of the comprehensive review discussed above the Department and applicant be advised that;
 - a. Council objects to the introduction of detached dwellings on narrow lot housing with a lot width of 6.4m wide.
 - b. The min lot width permitted in the development be 8.5m as approved under Stage 2 of the proposal.
 - c. Any apartment development in the proposal should incorporate internal lifts.
 - d. a review of all relevant studies (e.g. social impacts, provision of open space, traffic management) needs to be undertaken as a result of potential increase in residential densities and other changes to the overall Concept Plan approval.
 - e. Broader consultation should be undertaken with the Community of the Estate affected by the Project in relation to the proposed modifications.
 - f. On-street car parking should be provided at a rate of at least 1 space per 2 dwellings and that on-street car parking should be distributed evenly throughout the relevant stage
 - g. the applicant undertake a further review of the distribution of carparking in Stage 3 as referred to in this report.
3. That should a comprehensive review not be agreed to that the issues referred to above (a to g) be raised as Council's concerns in relation to the Stage 3 Concept Plan amendments and referred to the Department of Planning.
4. Council has concerns regarding the lack of consultation and time allowed for Council to assess the proposed modifications to the concept plan and the implications for Stage 3.

B. Council write to the proponent requesting they withdraw the application for Stage 3 of the Project until such time as Council's concerns, as detailed in A. above, have been addressed.

A division was taken with the following results:

Aye	Nay
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Councillor Huynh
Councillor Oliveri
Councillor Rohan
Councillor White

Total=(4)

Total=(0)

CARRIED

ACTION TAKEN BY OFFICER

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 59

SUBJECT:

Issue: Bonnyrigg Living Communities Project – Modification to Concept Plan – Stage 3.
Premises: Bonnyrigg Housing Estate, Bonnyrigg.
Owner: Fairfield City Council, Department of Housing.
Applicant: Becton Pty Ltd (see Attachment A – Item 47)
Zoning: Residential 2(b).
Submissions: No

(SUPPLEMENTARY)

FILE NUMBER: 09/01249

REPORT BY: Andrew Mooney, Senior Strategic Planner

RECOMMENDATION:

That the contents of this report be considered in conjunction with Item 47 of the Report to the Outcomes Committee 12 April 11 relating to the Bonnyrigg Living Communities Concept Plan

NOTE: This report deals with a planning decision made in the exercise of a function of Council under the EP&A Act and a division needs to be called.

SUPPORTING DOCUMENTS:

AT-A	letter from Urbis on behalf of Bonnyrigg Partnerships	17 Pages
AT-B	Guidelines - Apartments, detached and attached dwellings	2 Pages
AT-C	Consultation information	6 Pages

SUMMARY:

Item 47 of the report to the report to the Outcomes Committee 12 April 11 provides a detailed report on issues relating to proposed modifications to the Bonnyrigg Living Communities Project associated with Stage 3 of the Project.

Following finalisation of the above report and Outcomes business papers a response and additional detailed information has been provided by the applicant in relation to the report to the Council Meeting of the 22 March 11.

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 59

In relation to Part B of Council's resolution of the 22 March 11 the applicant advises (**Attachment A, p.16**) that:

"It is our strong view that withdrawal of the Section 75W application (as requested by Council) is not warranted having regard to the comprehensive response to each of the matters raised by Council..."

In addition, in response to the issues raised in the report to Council of the 22 March 11, Becton has provided advice in relation to further changes to the proposed modification of the Concept Plan and related information detailed below.

DETACHED AND ATTACHED DWELLINGS

Attachment B, identifies proposed new minimum lot requirements for the Concept Plan as shown in the following table;

Type	Min lot width		Min lot depth	
	Previous	New	Previous	New
Detached houses	• 6.4 metres	• 6.7 metres if north facing rear yard and single garage	27.5 m	25 m
		• 8.5 metres if south facing rear yard and single garage	27.5 m	25 m
	• 12.5 metres if twin garage	• 12.5 metres if twin garage	27.5 m	25 m
2 attached dwellings	• 15 metres if garages & parking located at the rear	• 12.8 metres if north facing yard	30m	25m
		• 15 metres if south facing yard and garages/car parks located at rear	30m	30m
	• 17 metres if garages located at the street front	• 17 metres if south facing yard and garages located at street front	30m	30m

In general, these proposed new requirements for detached dwellings are a minor improvement to the initial Concept Plan modifications, which proposed a minimum lot width of 6.4m for all detached dwellings.

However, it is not considered the changes warrant any alteration to the recommendations in the accompanying report to Council that a minimum lot width of 8.5m should be provided for all detached housing lots, consistent with that allowed under Stage 2 of the proposal.

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number.

The above recommendation is based largely on the issue that the new typology of housing included in Sage 1 of the proposal (narrow lot housing and 3 storey walk-ups) creates template for increased residential densities in future stages of the proposal.

COMMUNITY CONSULTATION

The applicant has provided advice and details (**p.15 Attachment A and Attachment C**) of consultation undertaken with "existing residents and other key stakeholders" between 12 November and 23 November 2010.

This is the first that Council officers have been made aware of this consultation and there is no clear indication of what material or issues were presented to the community that illustrates the responses detailed.

CONCLUSION

It is not considered that the additional information provided by the applicant warrants any modifications to the accompanying report (Item 47) to the Outcomes Committee.



Andrew Mooney
Senior Strategic Planner

Authorisation:

Executive Manager Environmental Standards
Manager Strategic Land Use Planning



Outcomes Committee - 12 April 2011

File Name: **OUT120411_18**

***** END OF ITEM *****

6 April 2011

Diane Cuthbert
Executive Manager Environmental Standards
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

Dear Diane,

Re Council Resolution – Modification to Amend Stage 3 of Masterplan (MP06_0046 MOD 3)

On behalf of Bonnyrigg Partnerships, we wish to respond to the matters raised by Council in their correspondence dated 4 April 2011.

It is our view that the concerns raised by Council have already been thoroughly addressed by Bonnyrigg Partnerships through:

- Verbal discussions with Council officers at various meetings during the pre-lodgement and post-lodgement phases of the Section 75W application and Stage 3 development application (including 22 October 2010, 1 March 2011, 16 March 2011 and 24 March 2011).
- Correspondence sent to Council by Urbis on 14 March 2011 outlining the background to the proposed modifications and addressing the matters raised in Council's report to the Outcomes Committee meeting on 8 March 2011.
- A comprehensive Councillor briefing and presentation session held at Council's offices on 29 March 2011, including accompanying handouts that benchmark the current proposal against Stages 1 and 2 (copies attached).

This letter provides a consolidated response to each of the matters listed by Council in Part A of their correspondence, including the previous responses already provided in the points outlined above. These responses are outlined in detail within the main body of this letter and as summarised below:

- The Section 75W application has been prepared on a clear rationale, including improving affordability, responding to market demand, enhancing the streetscape and improving environmental performance compared to the approved Concept Plan.
- Each of the concerns raised by Council with regard to the proposed compact lots and walk-up apartments has been thoroughly addressed, clearly demonstrating that the proposed modifications will result in an improvement to the current Concept Plan.
- There is no increase to dwelling numbers or dwelling density and accordingly, there is no change to the outcomes of the studies that underpin the original Concept Plan approval and no need to amend the public benefits included within the Voluntary Planning Agreement.
- Consultation regarding the proposed changes to the Bonnyrigg Masterplan and the Stage 3 DA has already been undertaken with the broader community in November 2010, with significant support for the introduction of more traditional housing products to replace the plex-style dwellings. This consultation was in addition to Council's three week public exhibition period (January to February 2011) from which no submissions were received.

Based on the thorough responses to each of Council's issues, withdrawal of the Section 75W application as requested by Council is not warranted or appropriate. Bonnyrigg Partnerships remains committed to working with all stakeholders, including Council, and is willing to include additional

provisions within the Bonnyrigg Masterplan to address Council's concerns and ensure the appropriate location of the proposed compact lots and neighbourhood apartment buildings within any future stages of the planned renewal.

We look forward to working with the Department of Planning and Fairfield City Council to resolve the Section 75W application and facilitate the timely determination of the Stage 3 DA and the delivery of the Stage 3 dwellings.

1 Response to Part A

1.1 CLEAR RATIONALE FOR SECTION 75W APPLICATION

The applicant has lodged a Section 75W application to increase the variety of dwelling types permitted by way of the Bonnyrigg Masterplan. The proposed amendments have not been prepared in an 'ad hoc manner'. Rather, the proposed amendments have been prepared based on a clear rationale to achieve the following key objectives:

- **Improve affordability** – a target price point has been set to guide an improvement in the affordability profile of future dwellings (refer to **Figure 1**). In order to improve affordability, it is proposed to incorporate compact lots for detached and 2-attached dwellings which will still achieve the residential amenity controls outlined in the Bonnyrigg Masterplan but at a more desirable price point (refer to **Figure 2**). The key objective of improving affordability is to encourage an increased share of owner-occupiers within the dwellings to be made available for private sale (refer to **Figure 3**) and facilitate a more stable and sustainable population.

FIGURE 1 – TARGET PRICE POINT

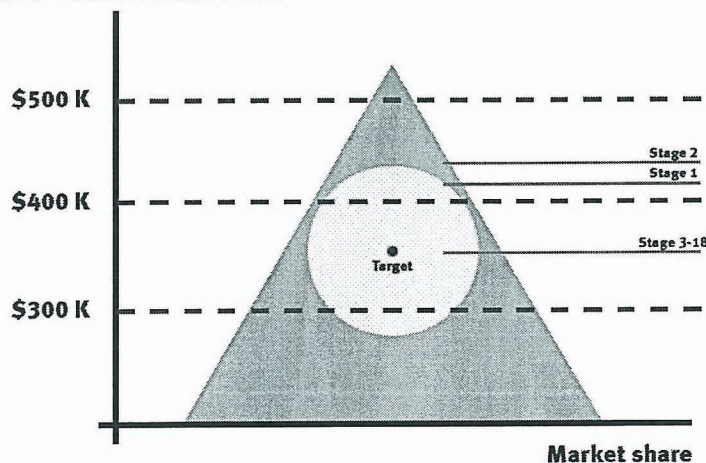


FIGURE 2 – AFFORDABILITY PROFILE

	Original Proposal 2006	Stage1 2009	Stage2 2010	Stage3 2011
4 Bed Detached	\$550k	\$495k	\$485k	\$480k
3 Bed Detached	\$465k	\$465k	\$445k	\$435k
3 Bed Duplex	\$420k	\$420k	\$420k	\$385k
2 Bed Plex	\$365k	\$325k	\$320k	N/A
Garden Apartment	N/A	N/A	N/A	\$305k

FIGURE 3 – PURCHASER PROFILE BY STAGE

	Stage 1 106 Dwellings	Stage 2 104 Dwellings	Stage 3 (Half sold) 159 Dwellings
Owner occupiers	25%	20%	60%
Investors	37%	42%	5%
Community tenants	38%	38%	35%
Total	100%	100%	100%

- **Respond to market demand** – the preliminary market research undertaken prior to the lodgement of the Concept Plan application indicated a preference for a more 'suburban' style dwelling and as such, it was proposed to accommodate the required residential densities primarily within plex-style dwellings. However, these dwellings have proven to be difficult to sell during Stage 1. A more 'traditional' building typology is required to better meet the demands of the local market, while maintaining the required dwelling densities in accordance with the Concept Plan. As such, it is proposed to introduce walk-up apartments in lieu of the 4 and 6 attached plex-style dwellings within Stage 3.
- **Improve streetscape and privacy** – the fencing treatments required to achieve satisfactory levels of privacy for the plex dwellings with primary open space in the front setback have resulted in a varied streetscape (refer to **Figure 4**). It is considered desirable to avoid reiteration of this in future stages by providing private open space to the rear of ground level dwellings. Where front fencing is required, it will be replaced with 'superslat fencing' which is of a high quality finish and will provide for additional privacy, while maintaining appropriate levels of visual permeability (refer to **Figure 5**).

FIGURE 4 – FENCING IN FRONT SETBACK OF PLEX-STYLE DWELLING IN (STAGE 1)

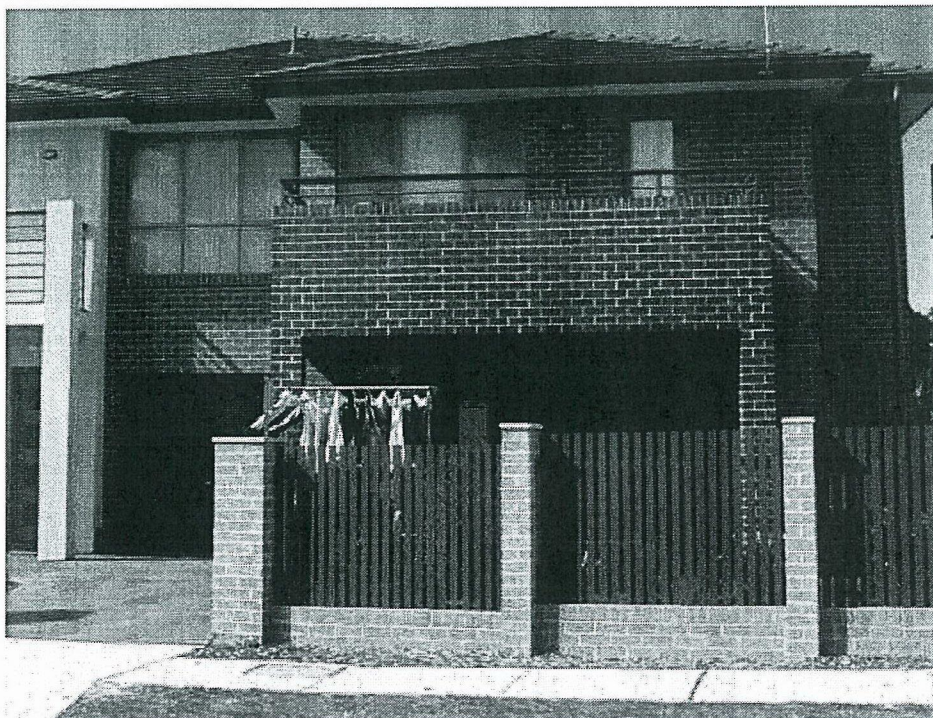
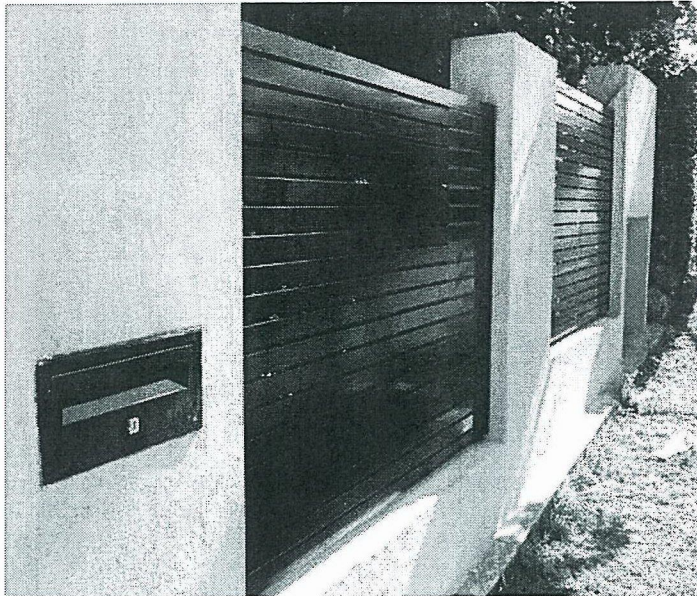


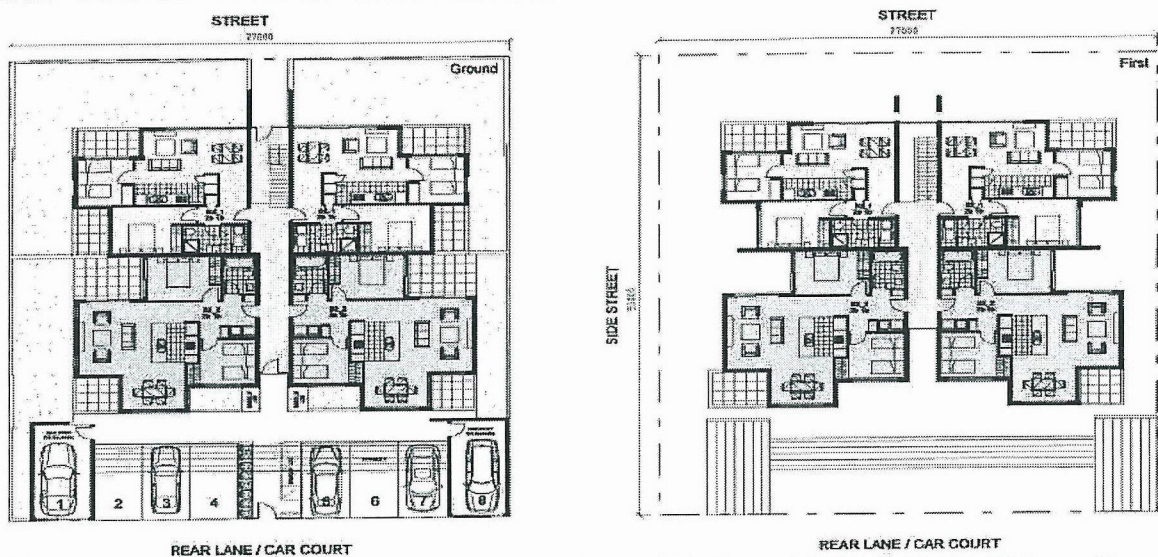
FIGURE 5 – SUPERSLAT FENCING

The plex-style dwellings have also proven to be difficult with regard to locating car parking so that it provides for appropriate security, while also avoiding detrimental impacts on the streetscape. This can generally be achieved by locating garages in small streets or car courts, however, there has been some resistance to this layout, due to the perceived risk of promoting crime and anti-social behaviour. Further, in some cases, garages have been required to be located on the primary access roads as the retention of the existing road layout did not allow for an alternate solution (refer to **Figure 6**).

FIGURE 6 – GARAGES IN SMALL STREETS (STAGE 1)

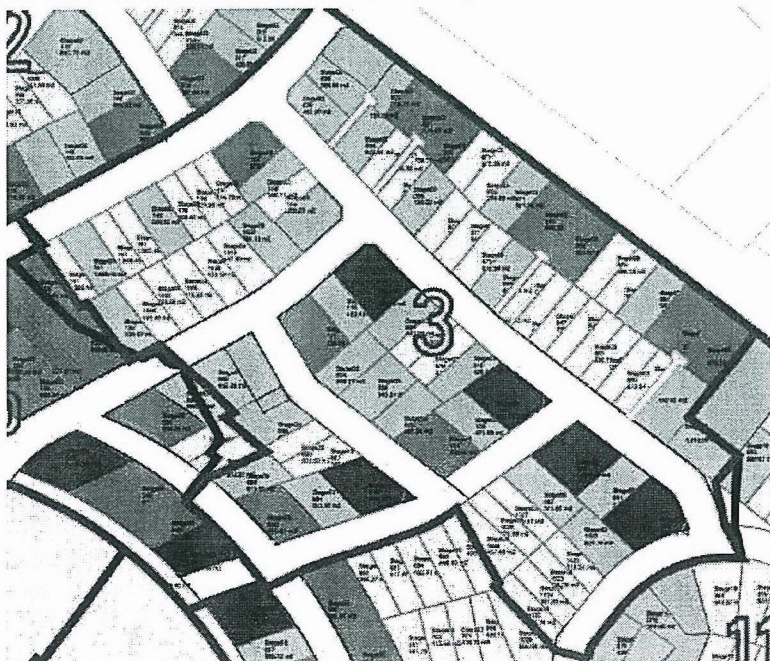
- **Enhance solar access and environmental performance** – it has proven challenging to achieve satisfactory levels of solar amenity and natural ventilation for each of the dwellings within the 4-attached plexes, while retaining the existing road layout (and site orientation) within the renewed estate. It was recognised that this challenge will be progressively more difficult to overcome with the higher density associated with the 6- and 8-attached plexes and the increased number of individual dwellings that will have a less optimal orientation. This can be seen in the following diagram (refer to **Figure 7**) where at least two and possibly four of the dwellings within an 8-attached plexes are likely to result in a failure to achieve adequate solar access.

FIGURE 7 – TYPICAL LAYOUT FOR 8 ATTACHED DWELLING



The bid scheme included 5 x 6-attached plex dwellings within Stage 3 (refer to **Figure 8**) to enable the indicative dwelling yield to be achieved. It also included a number of 4-attached plexes which required car courts to be provided, having regard to their location along Edensor Road. It is considered necessary to replace these dwellings with a new building typology (eg walk-up apartments) to maintain the approved dwelling density, while improving solar access and environmental performance of individual dwellings.

FIGURE 8 – STAGE 3 OF APPROVED BID SCHEME (2006, UPDATED IN 2009)



1.2 COMPACT LOTS AND WALK UP APARTMENTS

We have reviewed each of the matters raised by Fairfield City Council in the report presented to the Outcomes Committee meeting on 22 March 2011 with regard to the proposed compact lots. Each of these matters is addressed below:

- **There is no increase in dwelling density across the estate**

The proposed compact lots and neighbourhood apartments can be accommodated in accordance with the 2,332 dwellings approved by the original Concept Plan approval. The Land Use Map, Indicative Staging Plan and Bonnyrigg Masterplan that form part of the Concept Plan approval include density spread across the 82 hectare site. While the lifted apartments were limited to two locations within the western part of the site in close proximity to the town centre, it was always envisaged that the 4, 6 and 8 plex dwellings (mainly located at street corners) would enable higher densities to be achieved across the eastern portion of the site.

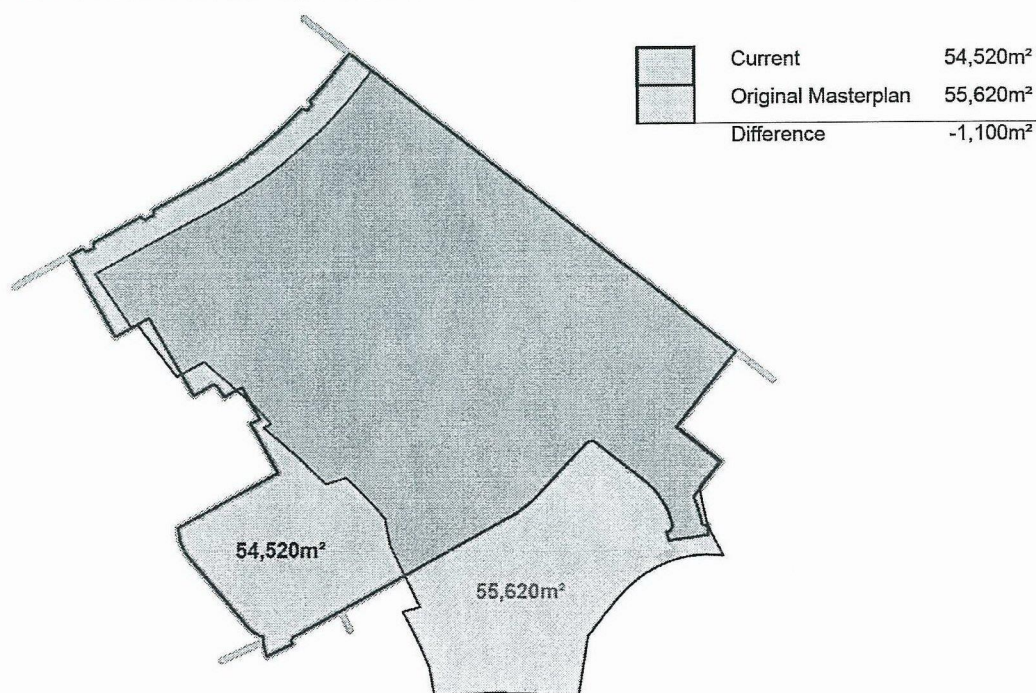
The current proposal seeks only to provide an alternate approach to achieving the same dwelling density across the estate, albeit in a different building typology. The compact lots and neighbourhood apartment buildings will allow for the replacement of plex dwellings with a more traditional building typology.

- **There is no substantive change to the dwelling density for Stage 3**

The Concept Plan approval recognised that the detailed design phase for each of the subsequent development applications could result in modifications to both the staging boundaries and the dwelling yields on a stage-by-stage basis. The approved Indicative Staging Plan includes both indicative staging boundaries and indicative dwelling yields for each stage. While the staging boundaries were not amended as part of Stage 2, the indicative dwelling yield of 110 dwellings was not achieved, with a 'shortfall' of four dwellings.

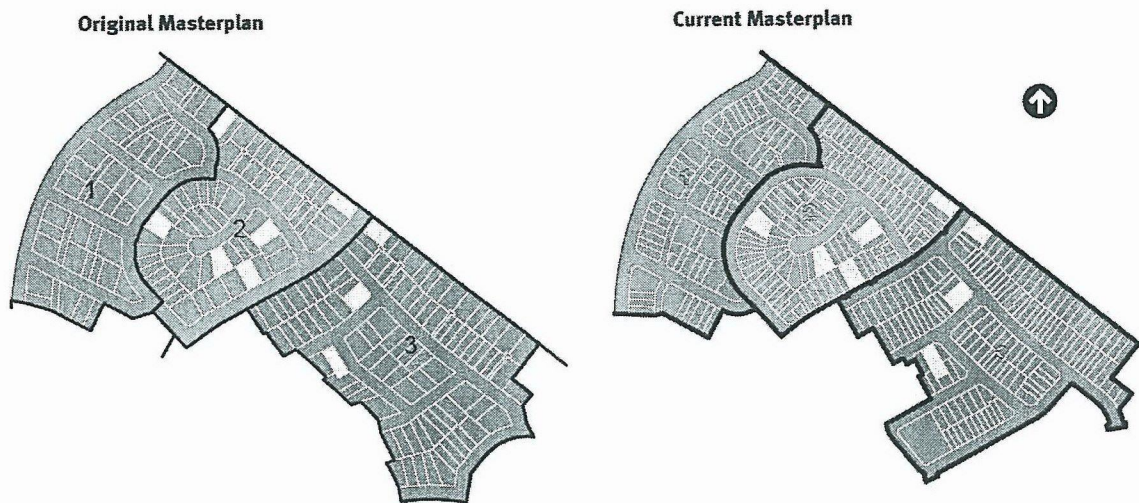
The Stage 3 development application seeks to vary from the indicative staging boundary shown on the Indicative Staging Plan. The proposed modification is required to provide an interface between Stage 3 and public open space, addressing the locational requirements for neighbourhood apartments in accordance with the amended Masterplan. However, the proposed modification to the staging boundary will result in only a minor change to the original area of this stage, as demonstrated in **Figure 9**.

FIGURE 9 – STAGE 3 BOUNDARY (CURRENT AND PROPOSED)



The indicative yield is not proposed to change significantly in Stage 3, 159 dwellings are proposed compared to the approved indicative dwelling yield of 160 dwellings. As such, there will be only a minor change to the dwelling density for Stage 3. The average dwelling density across Stages 1-3 will be maintained as shown in the following diagram and table.

FIGURE 10 – DWELLING DENSITY IN STAGES 1-3 (ORIGINAL AND CURRENT PROPOSAL)



STAGE	APPROVED			ACHIEVED/PROPOSED		
	DWELLINGS	AREA	DENSITY	DWELLINGS	AREA	DENSITY
1	106	4.03	26.3	106	3.82	27.7
2	110	3.54	31.1	104	3.53	29.5
3	160	5.4	29.6	159	5.28	30.1
TOTAL	376	12.97	29 (average)	369	12.63	29 (average)

It is expected that the minor changes to the dwelling density on a stage-by-stage basis will continue throughout the subsequent stages of the project as the detailed design phase for each development application is completed. However, the Concept Plan approval provides an absolute limit on the total number of dwellings across the estate, controlling the overall dwelling density across the estate. This is not proposed to change as a result of the current application, as outlined in the previous point.

■ **There is no impact on the delivery of varied dwelling typologies**

The proposed neighbourhood apartment buildings will result in a number of significant benefits over the currently approved plex dwellings, including:

- Locating the approved dwelling density within areas that benefit from higher levels of amenity, adjacent to public open space.
- Improved environmental performance for individual dwellings, including better solar access, cross flow and natural ventilation.
- Increased on-street car parking adjacent to public open space, with centralised car parking and shared driveways reducing the number of potential vehicle crossovers.

While the building typology is proposed to change, the design requirements for the plex dwellings were modelled on the provisions of State Environmental Planning Policy No 65 – Design Quality of

Residential Flat Buildings. The commonalities between the plex dwellings and the proposed apartment dwellings include:

- Areas and dimensions of rooms.
- Number of bedrooms.
- Internal storage.
- Private open space (ground level courtyards and upper level balconies).
- Solar access (external and internal living areas).

The above matters are of particular relevance having regard to the matters raised by Council with regard to the appropriateness of walk-up apartments within a suburban location and a perceived risk of increased neighbourhood conflicts and/or anti-social behaviour. In response, we make the following points:

- The proposed apartment building has been designed in accordance with Safer by Design and Crime Prevention Through Environmental Design principles, including clear sightlines, avoiding areas of concealment, appropriate levels of internal and external lighting and the like. Further, back-to-base CCTV will be provided in the common stairwells, which will be monitored from the Newleaf Communities office on a 24 hour, 7 day basis.
- The number of dwellings proposed to be accessed from the ground level entries is not proposed to increase. The plex dwellings include up to four upper level apartments being accessed from a single entry point. The proposed apartment building includes a maximum of four upper level dwellings (two dwellings per level) being accessed from a communal staircase.
- The proposed apartment building will accommodate 22 dwellings, comprising 10 dwellings for private sale and 12 dwellings for social housing. The privately owned apartments will be subject to strata management through the appointed Body Corporate, while the social housing dwellings will be managed by St George Community Housing (SGCH) until 2037 in accordance with the Public-Private Partnership. Key points to understand with regard to the SGCH management approach are listed below:
 - The local allocation strategy will ensure a sustainable social mix of tenants in each apartment complex, avoiding concentrations of high and complex needs families/individuals.
 - Bonnyrigg has a much lower percentage of tenants on the estate with multiple complex needs (such as mental health, drug and alcohol issues). These needs may be more common in social housing allocations to walk-up apartments at other estates.
 - SGCH manages and delivers Housing Plus and Education Bursary Programs which provide tenants with opportunities for products and services as well as education and training to enhance employment outcomes and address multi-generational unemployment.

Overall, it is noted that the proposed modification to the Concept Plan seeks to simply transfer the dwellings within the plex buildings into a more traditional building format.

■ **There are no changes to the predominant building heights**

The built form character described in the Bonnyrigg Masterplan is to comprise a predominant building height of two storeys, with three storey elements in certain locations, including areas adjacent to public open space and termination of certain streets.

The proposed modification is considered to be generally consistent with this approach, with the three storey neighbourhood apartments proposed to be accommodated in areas in close proximity to public open space. The Section 75W application includes some minor re-wording of the built form character statement on page 67 of the Masterplan to accommodate the new building typology, however, the underlying principles have been retained.

We have also addressed each of the specific matters raised by the Joint Regional Planning Panel (JRPP) and Fairfield City Council with regard to the proposed reduction in the minimum lot widths. Each of these matters is addressed on the following pages.

Response to Matters Raised by Joint Regional Planning Panel

▪ **Landscape character**

The Stage 3 development provides for increased landscaping within the front setback (private domain) and along the street edge (public domain) through pairing crossovers for duplexes and reducing the number of crossovers per dwelling to provide additional landscaped areas.

A comparison of the private and public domain tree planting proposed within the development applications for Stages 2 and 3 is provided in the following table:

TREES	STAGE 2	STAGE 3
Street Trees	0.95/dwelling	0.85/dwelling
Front Yard Trees	0/dwelling	0.86/dwelling

(note: figures on both stages exclude the Edensor Road Dwellings)

▪ **Streetscape – garages**

The proposed architecture has carefully considered the impact of built form on the street and specifically addressed the potential visual impact of garages on the streetscape. Each of the dwellings proposed within Stage 3 has incorporated the fundamental form elements outlined in Part 3 - Built Form Character of the Masterplan and is fully compliant with the streetscape garage design controls in Part 5 – Private Realm Guidelines.

The compact lot and duplex home designs each have garages set back a minimum of 5.5 metres from the front property boundary in accordance with the Bonnyrigg Masterplan. Further, the upper level articulation hangs over the garage between 1.31 metres and 2.28 metres to create depth to the front facade and further minimise the affect of garaging on the streetscape (refer to **Figure 11** and **Figure 12**).

FIGURE 11 – DETACHED DWELLING ON COMPACT LOT

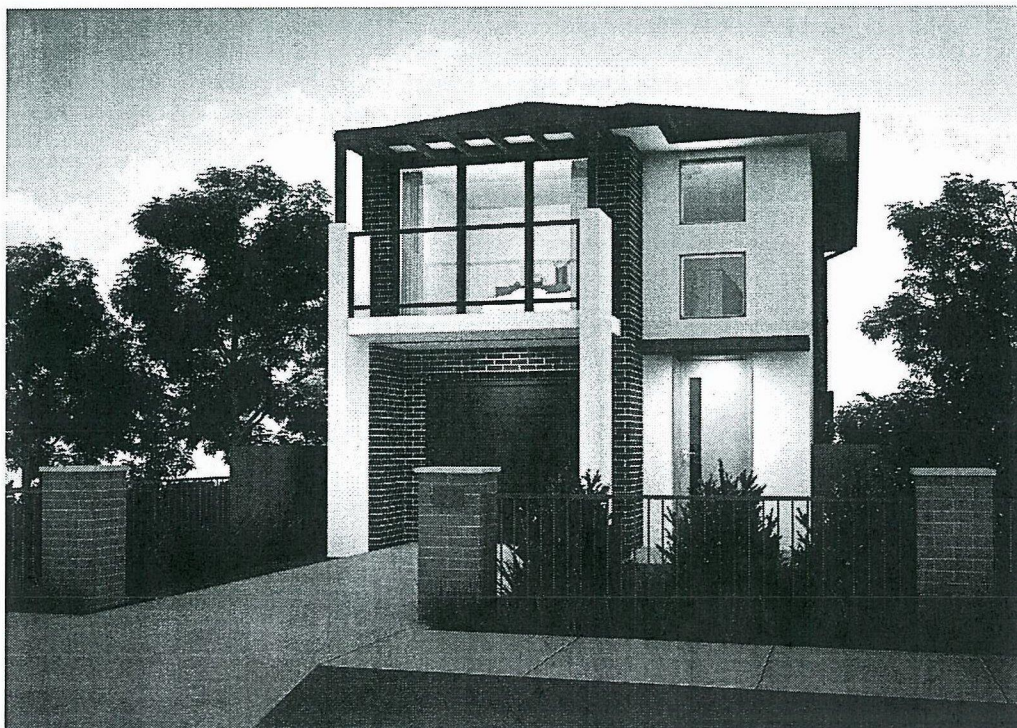


FIGURE 12 – 2-ATTACHED DWELLING ON COMPACT LOT



■ Homogeneity

The Section 75W application and Stage 3 development application seek to introduce additional dwelling typologies, providing greater diversity in built form and increased housing choice for future residents. However, Stage 3 should not be considered in isolation - the overarching principles of the Bonnyrigg Masterplan are to provide a diversity of housing across the entire estate. It is anticipated that the delivery of housing types will change on a stage-by-stage basis, taking into account a range of issues, including proximity to the town centre, public transport and public open space, market demands and the like. Each of the stages to date can be described as follows:

- Stage 1 included a greater proportion of plex-style dwellings, including 48 x 4-attached and 24 x 3-attached dwellings (comprising 68% of the 106 dwellings).
- Stage 2 provided a mixture of detached and attached dwellings, as well as introducing row housing.
- Stage 3 proposes to include walk-up apartments and detached and attached housing in both a compact and wider format.

The wider format housing product will generally be located on the southern side of the street, while the 'new' compact lots will be located on the northern side of the street, which benefit from north facing rear yards. This can be seen in the proposed Stage 3 layout/subdivision plan and dwelling mix (refer to **Figure 13**).

The streetscape treatments will ensure that the proposed detached and attached dwellings will provide an appropriately varied and attractive streetscape (refer to **Figure 14**). Further the proposed walk-up apartments will provide a new housing type while maintaining the existing built form and scale (refer to **Figure 15** and **Figure 16**).

FIGURE 13 – STAGE 3 LAYOUT/SUBDIVISION PLAN

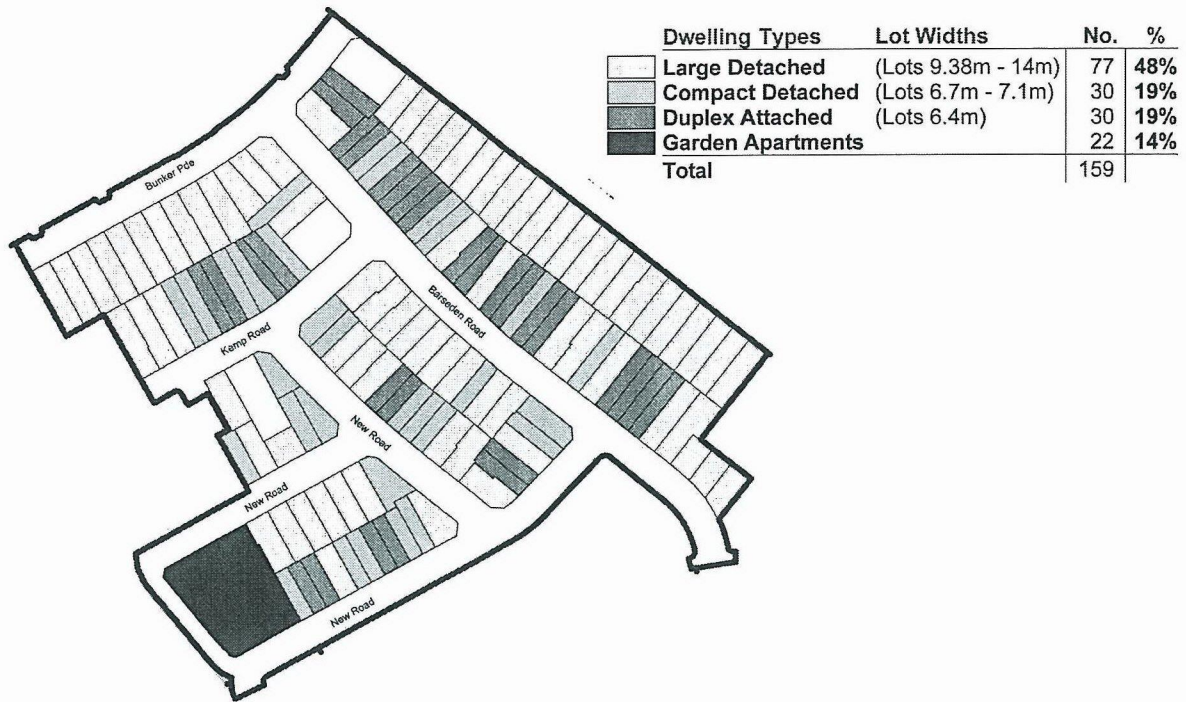


FIGURE 14 – STAGE 3 PROPOSED STREETSCAPE – DETACHED AND ATTACHED DWELLING



FIGURE 15 – STAGE 3 PROPOSED STREETSCAPE – WALK-UP APARTMENTS (SOUTHERN ELEVATION)

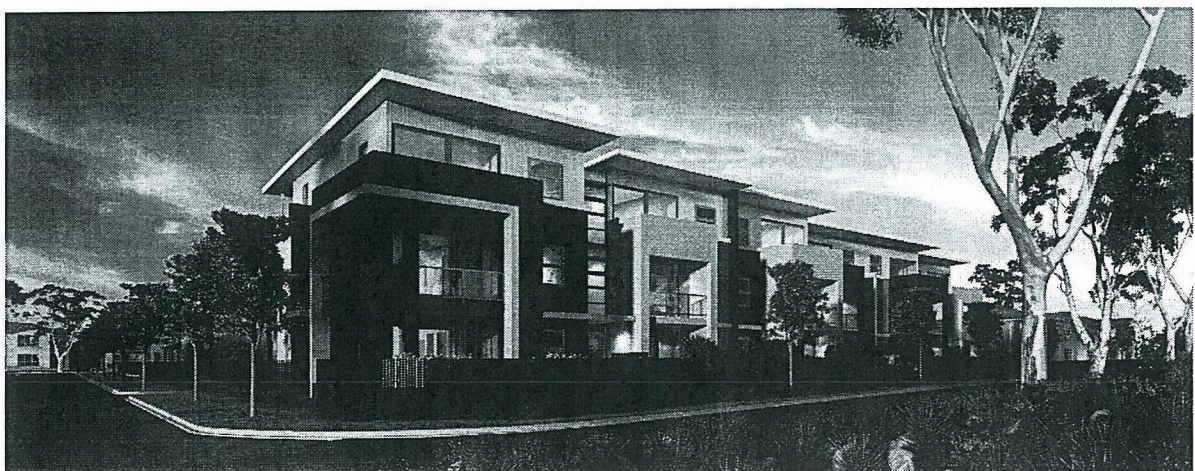


FIGURE 16 – STAGE 3 PROPOSED STREETSCAPE – WALK-UP APARTMENTS (WESTERN ELEVATION)



Response to Matters Raised by Fairfield City Council

▪ **Streetscape**

The issues raised with regard to streetscape have already been addressed in response to the feedback provided by the JRPP.

▪ **Privacy**

The proposed variation to the original zero lot line requirement is specifically designed to enhance the privacy of dwellings and promote the efficient use of open space.

Zero lot lines are generally provided on the southern or western side of the dwelling, improving the environmental performance of the dwelling and minimising overlooking and acoustic impacts of adjoining dwellings and open space. Upper level windows have generally been placed to avoid overlooking of open space. Where upper level windows are required that are directed towards adjoining private open space, these windows have been designed to avoid overlooking through high level sills and/or privacy screening.

▪ **Solar access/overshadowing**

The proposed subdivision layout and dwellings within Stage 3 have been specifically designed to optimise solar access and minimise overshadowing of adjoining properties.

Large lots are generally provided with a northern orientation to the street so that solar access is maximised in the rear yard. Compact lots and duplex lots are generally provided with a southern orientation to the street, enabling maximum solar amenity to be achieved within north facing rear yards. This is a significant improvement compared to the plex product which had to be situated in prescribed locations and orientation with less than full compliance with the solar access provisions.

The proposed apartment building has been designed to provide improved cross-flow ventilation by achieving through-apartments with two balconies, providing for solar access to the north and natural surveillance of the local road network and open space to the south. All ground level dwellings are provided with well designed private open space.

▪ **Landscaping**

The issues raised with regard to landscaping have already been addressed in response to the feedback provided by the JRPP (refer to page 9).

- **Private open space**

The proposed dwellings will comply with, and in most cases substantially exceed, the private open space requirements as outlined in the Statement of Environmental Effects lodged with the Stage 3 development application.

- **Increase in dwelling yield**

This issue has been addressed previously, having regard to the similar comments made by Council with regard to the introduction of the neighbourhood apartments. There is no increase in dwelling yield or density as a result of the proposed introduction of the compact lots.

- **DCP for Narrow Lots**

While the Section 75W application included a brief reference to Council's existing DCP for narrow lots, it is considered that the proposed reduction in lot widths should be considered on its own merits (and as previously discussed). However, we note that the holistic site planning for the renewal of the estate does enable reduced lot widths to be provided in a manner which addresses streetscape, private open space, landscaping and each of the other matters identified within Council's correspondence.

Subsequent to the above report to the Outcomes Committee, we were also made aware of potential concerns raised by Councillors regarding the potential impact of the compact lots on the amount of on-street car parking that can be achieved within Stage 3 (and future stages). In order to address Council's concerns, we undertook a comparison review of the on-street car parking within Stages 1, 2 and 3 and a survey of the actual on-street car parking demand for Stage 1, which is now fully occupied.

Diagrams indicating the capacity of each stage to accommodate on-street car parking are provided as **Figure 17, Figure 18 and Figure 19**. The average amount of on-street car parking will vary from stage to stage, having regard to the retention of the existing local roads and the delivery of new roads. It is clearly evident that the proposed introduction of the compact lots and walk-up apartments will not result in a reduction in the amount of car parking, taking into account:

- Reduced lot widths being achieved only on the north facing side of the street which benefit from optimal solar access.
- Provision of shared vehicle crossings for the 2-attached dwellings to enable a car parking space to be provided between neighbouring driveways.
- Opportunity to increase on-street car parking around the walk-up apartments due to the provision of common vehicle entrances and reduced crossovers compared to the plex-style format.

A car parking survey was also undertaken at various peak times (weeknights and Saturday mornings) to assess the actual demand for on-street car parking within Stage 1. The diagram in **Figure 20** clearly demonstrates that the actual demand for on-street or visitor car parking is approximately 50% of the available spaces and there is no impact on the function of these roads arising from on-street car parking, including access for emergency and/or refuse vehicles.

Overall, it is considered that each of the issues raised by Council regarding the compact lots and walk-up apartments, have been satisfactorily addressed and that the proposed additional housing types are entirely appropriate, both within Stage 3 and the future stages of the planned renewal.

FIGURE 17 – ON-STREET CAR PARKING SPACES (STAGE 1)

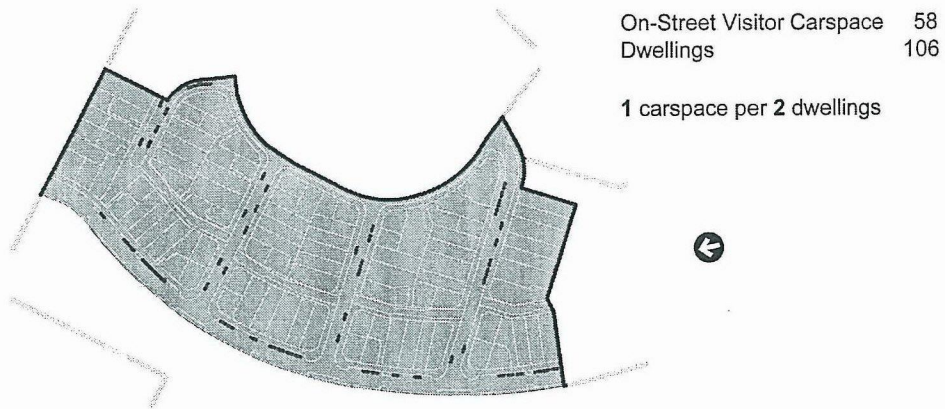


FIGURE 18 – ON-STREET CAR PARKING SPACES (STAGE 2)

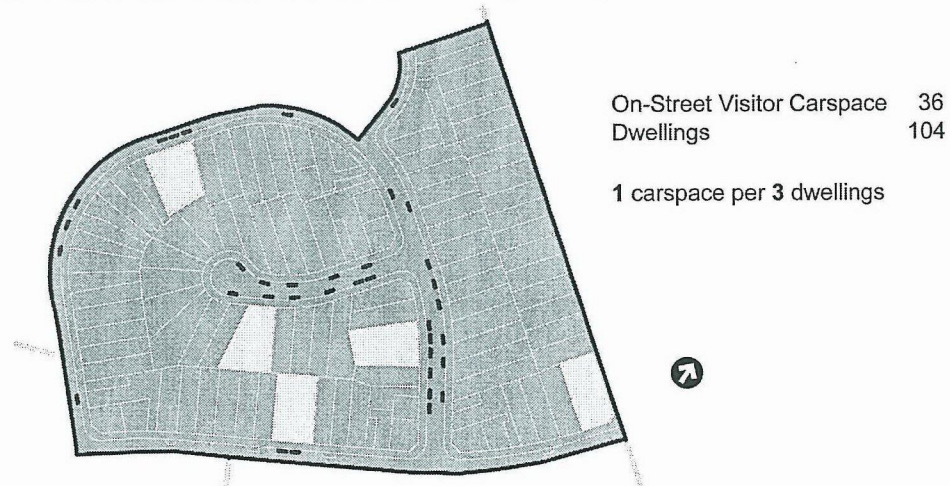


FIGURE 19 – ON-STREET CAR PARKING SPACES (STAGE 3)

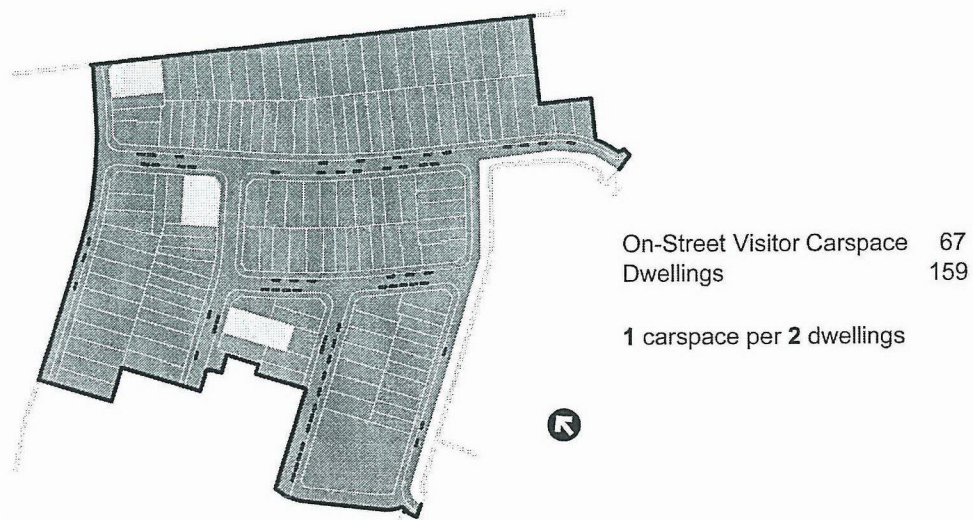
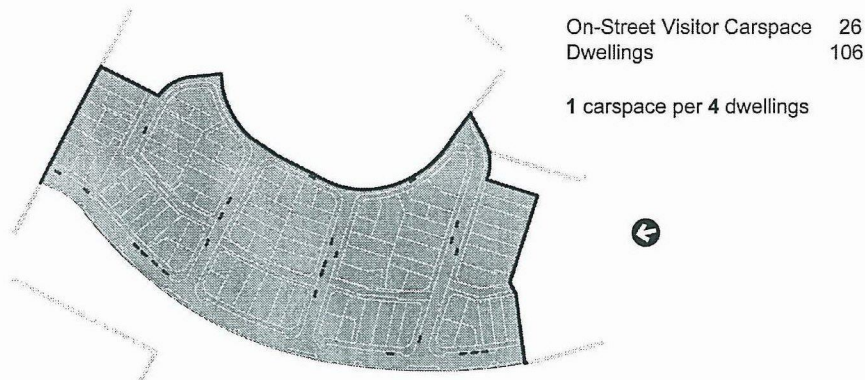


FIGURE 20 – CAR PARKING DEMAND SURVEY (STAGE 1)



1.3 NO INCREASE IN DWELLING DENSITY

The diagram and table presented as **Figure 10** satisfactorily demonstrated that there will be no change to the overall dwelling yield or dwelling densities as a result of the Section 75W modification or the Stage 3 development application. On this basis, there is no change to the residential population and no implications for the associated components of the VPA and/or ISDP.

While the proposed road layout for Stage 3 has amended slightly, the 'public benefits' were limited to the upgrade of the collector roads and the 50% share of local roads adjacent to public open space. The development application does not propose any changes to either of these matters and as such, there are no implications for the VPA and/or ISDP.

1.4 COMMUNITY CONSULTATION

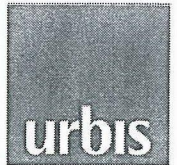
Prior to the lodgement of the Section 75W application and Stage 3 development application, Newleaf Communities (on behalf of Bonnyrigg Partnerships) undertook consultation with existing residents and other key stakeholders. The consultation programme was undertaken between Friday 12 November 2010 and Tuesday 23 November 2010, with approximately 140 participants across each of the consultation sessions.

45 people attended the two main consultation days which were held on Friday 12 November 2010 and Saturday 13 November 2010. These days were open to the general public, with invitations issued via email and letters to the Community Reference Group, Bonnyrigg Partnerships Tenancy Group, Safety Community Committee and Private Owners Group. Flyers translated into the primary community languages (English, Vietnamese, Assyrian, Arabic, Lao and Khmer) were delivered to the entire estate, including all social and private dwellings.

An additional 95 people participated in the small-scale consultations, which included the community kitchen, yoga class, knitting group, the Bonnyrigg Public School playgroup and the Khmer, Spanish, Vietnamese, Arabic and Assyrian coffee sessions. The small-scale consultations involved residents being notified in their own language (Vietnamese, Arabic Assyrian, Arabic, Lao and Khmer) during the Community Language Ring Arounds and coffee sessions. Consultations were also conducted during these coffee sessions. Each of the Newleaf Groups was notified via word of mouth and letters. Staff also visited organised groups such as the knitting group, community kitchen etc and conducted small scale consultations.

The feedback arising from the community consultation is fully detailed in the comments register prepared during the community consultation (copy attached). The three most common comments are provided below:

1. *The bathrooms and toilets that did not have a window needed a window.*



Residents were concerned about wasting energy by having the ventilation fan on while in the bathroom or toilet. They asked for windows to be provided on zero lot line walls commenting that there were ways to ensure privacy including non see-through glass or curtains.

2. We are happy to see detached style and duplex style homes.

Many residents were pleased that their comments had been taken into consideration and that the plexes and under/overs were no longer in the Stage 3 plans (they expressed dislike for these two styles). While some believed that the zero lot property line was not ideal and would prefer more space between the houses, residents said that they would settle for the zero lot lines if it meant they could have a detached home.

3. The shower over bath and lack of shower down stairs is problematic for people with mobility issues.

Those that expressed concern valued the downstairs bedroom (particularly for elderly relatives) but asked for a shower to be provided downstairs.

Further to the above, it is understood that the development application (including the Statement of Environmental Effects which references the Section 75W application) was publicly exhibited by Fairfield City Council between January 2011 and February 2011 and **no submissions were received.**

2 Response to Part B

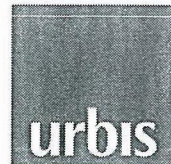
2.1 CURRENT PROPOSED MODIFICATIONS UNDER SECTION 75W

It is our strong view that withdrawal of the Section 75W application (as requested by Council) is not warranted or appropriate having regard to the comprehensive response to each of the matters raised by Council as outlined in Section 1. It has been clearly demonstrated by way of the Stage 3 DA that the proposed modifications will actually improve on many of the inherent challenges associated with the plex dwelling types and the approval of the Section 75W application will enable these improvements to be realised across the estate.

Bonnyrigg Partnerships remains committed to working with all stakeholders to achieve a satisfactory outcome for the ongoing renewal of the estate, including Council. Accordingly, we propose to incorporate additional provisions within the Bonnyrigg Masterplan to include more definitive criteria for the location of the proposed compact lots and neighbourhood apartment buildings including:

- Retention of existing minimum lot widths for detached dwellings with south facing rear yards.
- Increasing the proposed minimum width of lots for detached dwellings with north facing rear yards from 6.4 metres to 6.7 metres.
- Retention of existing minimum lot widths for 2-attached dwellings with south facing rear yards and reducing the minimum width lots only for dwellings with north facing rear yards.
- Providing additional criteria for the location of the proposed walk-up apartments.

We anticipate that the additional provisions will address Council's concerns by providing greater certainty with regard to the delivery of these dwelling types in the future stages of the planned renewal. We look forward to working with Council and the Department of Planning to resolve the current Section 75W application at the earliest opportunity and facilitate the timely determination of the Stage 3 DA by the Joint Regional Planning Panel.



2.2 POTENTIAL FUTURE MODIFICATIONS UNDER SECTION 75W

As discussed in the pre-lodgement meeting on 20 October 2010 and our more recent meeting on 1 March 2011, Bonnyrigg Partnerships may investigate the feasibility of pursuing an increase to the approved dwellings within the Concept Plan approval to facilitate a reduction in the amount of off-estate social housing.

The potential likelihood and likely timing for this review to proceed will depend on a range of factors, including approval from Housing NSW and a revision of the Public Private Partnership Debt and Equity Agreement between Bonnyrigg Partnerships and Housing NSW. This process is expected to take around six months and as such, will not be considered until at least Stage 4 or Stage 5.

If it is proposed to pursue a review of the masterplan via an amendment to the Concept Plan approval, a comprehensive level of assessment will be required to rigorously test the appropriateness of the proposed changes, including:

- **Transport and traffic** – the potential traffic generated by the additional dwellings would need to be assessed, having regard to the impacts on key intersections within the local road network.
- **Open space** – it is acknowledged that the quantum and quality of open space will need to be assessed, having regard to any increased demands arising from an increase in the residential population and/or a change in the demographic profile of existing/future residents. This assessment would have regard to the previous Social Infrastructure Needs Analysis undertaken by Urbis and any additional matters that need to be addressed.
- **Social impacts** – the social impacts of the proposed increase in dwellings would need to be assessed in detail, again having regard to any changes to the demographic profile and needs as identified in the original Social Impact Assessment.
- **VPA/ISDP** – following on from the above points, any mitigation measures required to address the above impacts will need to be incorporated into a revised VPA and ISDP.

We are happy to keep Council apprised of any developments with regard to the potential future review of the masterplan. However, any potential future review has no bearing on Stage 3 and is not required to facilitate the final assessment and determination of the current application. As such, there is no justification or reason for withdrawing the current Section 75W application or delaying the determination of the Stage 3 DA.

Please contact me on 8233 9931 should you wish to discuss any aspect of our correspondence.

Yours sincerely,

Jennifer Cooper
Associate Director

cc Andrew Smith – Department of Planning

PART FIVE PRIVATE REALM GUIDELINES

Walk Up Apartments

5.5 Walk Up Apartments

Walk-up apartments are to be provided in locations that benefit from higher levels of amenity, being adjacent to or directly opposite public open space and activity centres. These locations are considered to be suitable as they provide 'breathing space' for housing, opportunities for passive and active recreational opportunities, pleasant views, outlooks and circulation space and casual surveillance.

Walk-up apartment buildings will be limited to a maximum of three storeys and located generally in accordance with the built form character for the renewed estate. Apartments will be designed in accordance with the guidelines contained within SEPP 65 and in a manner that allows opportunities for enhanced residential amenity, design quality and environmental sustainability within Newleaf Bonnyrigg. Buildings are to contain high quality materials and finishes, reinforce street edges where required and positively respond to the surrounding characteristics of individual areas within the estate.

Car parking is to be provided either below or behind the building or in an unobtrusive location that avoids a detrimental impact on the streetscape. Vehicle crossovers are to be limited to reduce the impact on the local road network and maximise the availability of on-street car parking.

PART FIVE PRIVATE REALM GUIDELINES

Detached and Attached Housing - General Guidelines

5.3 Detached and Attached Housing - General Guidelines

The following guidelines have been developed for detached and attached housing within the Bonnyrigg Masterplan area, to deliver high-quality living environments for all residents of Bonnyrigg. These guidelines have been developed to ensure that each dwelling type can be placed adjacent to the other with minimum impact on amenity. As the Masterplan will be realised through staged development, design variations within each dwelling type over time is expected. Future potential design variations will be tested to ensure that dwelling types continue to be complimentary to each other.

Lot Size

The size of lots determines the type of dwellings that can be constructed in an area. The following table depicts minimum lot dimensions within Bonnyrigg for each proposed attached and detached dwelling type.

	Minimum Allotment Width	Minimum Allotment Depth	Minimum Number of Street Frontages
Detached House	6.7 metres if north facing rear yard and single garage 8.5 metres if south facing rear yard and single garage 12.5 metres if twin garage	25 metres 25 metres 25 metres	1
2 Attached Dwellings	12.8 metres if north facing yard 15 metres if south facing yard and garages/car parks located at rear 17 metres if south facing yard and garages located at street front	25 metres 30 metres 30 metres	1
3 and 4 Attached Dwellings	20 metres	30 metres	1
6 Attached Dwellings	22 metres	30 metres	2
8 Attached Dwellings	28 metres	30 metres	2

Note: All allotment widths are measured 5.5 metres behind the allotment frontage

Site Coverage

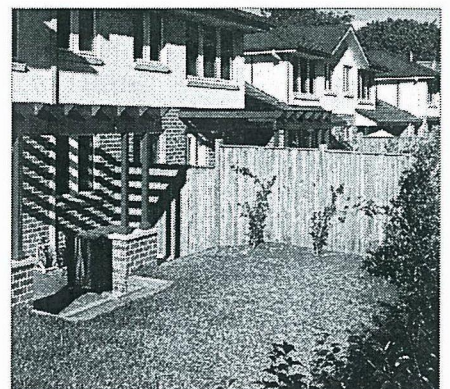
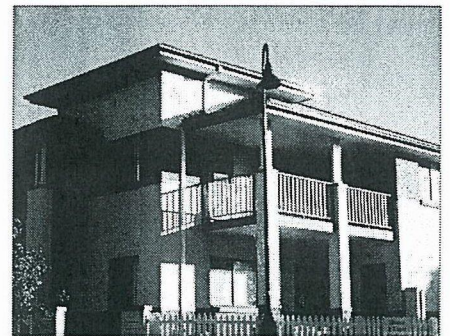
The amount of landscape area, along with the size of the building footprint, within individual allotments will help determine useability, privacy, and social opportunities for residents. Landscape area will add to residents' quality of life while providing habitat for indigenous plants and animals. Building footprint can shape both private and public amenity.

For Landscape Area:

- A minimum of 35% of each allotment will be used as landscape area (including soft and hard landscaping, and ancillary structures such as sheds and pagodas, but excluding garages and car parking spaces); and
- A minimum of 30% of the landscape area must be deep soil landscaping, to accommodate the growth of large trees, allow infiltration of rainwater, and reduce stormwater runoff.

For Building Footprint:

- A maximum of 65% of any allotment can be built upon, including garages and car parking spaces.



Soft Landscaping & Deep Soil Landscaping

Feedback for Stage 3 Consultation

Consultations for the new Stage 3 plans were conducted from Friday, 12 November 2010 to Tuesday, 23 November 2010. Feedback received showed that most people approved of the new plans (particularly the designs of the detached homes and duplexes).

Approximately 140 people attended the consultations. 45 people attended the two main consultation days (November 12 and 13) which were open to the general public, with a further 95 people attending Newleaf groups that hosted small-scale consultations. These groups included the community kitchen, yoga class, knitting group, the Bonnyrigg Public School playgroup and the Khmer, Spanish, Vietnamese, Arabic and Assyrian coffee sessions.

The three most common comments repeated throughout the consultation are outlined below:

1. The bathrooms and toilets that did not have a window needed a window.

Residents were concerned about wasting energy by having the ventilation fan on while in the bathroom or toilet. They asked for windows to be provided on zero lot line walls commenting that there were ways to ensure privacy including non see-through glass or curtains.

2. We are happy to see detached style and duplex style homes.

Many residents were pleased that their comments had been taken into consideration and that the plexes and under/overs were no longer in the Stage 3 plans (they expressed dislike for these two styles). While some believed that the zero lot property line was not ideal and would prefer more space between the houses, residents said that they would settle for the zero lot lines if it meant they could have a detached home.

3. The shower over bath and lack of shower down stairs is problematic for people with mobility issues.

Those that expressed concern valued the downstairs bedroom (particularly for elderly relatives) but asked for a shower to be provided downstairs.

The table below outlines in detail the comments and questions the community had regarding the Stage 3 plans. The items highlighted in yellow are the comments that were repeated through the consultations.

Comments Register – Stage 3 Consultation 2010

Highlighted yellow – repeated comments

Board	Issue	Details	Contact/Group	Resident/ Non-resident	Times mentioned
	Amenity	Laundry room should have a window because of the heat in the room	Viet CS	Residents	
	Amenity	Make sure that window sizes provide adequate air flow into houses.		Resident	
	Compliment	Liked the external gas points.	Khmer	Residents	3
	Compliment	Liked the open plan living areas	Khmer	Residents	
	Compliment	Liked the internal garage.	Khmer	Residents	
	Compliment	Love the streetscape design and the look of the duplex			
	Compliment - Amenity	Skylight is very good.			
	Compliment - Privacy	Residents liked the look of the homes from Bunker Pde – the homes are more private and easier to access.	Arabic Group		
	Garden	Do all homes get a shed? Which homes do?	Karen	Resident	
	Other	Interested in finding out who gets an adaptable home.	Arabic Group	Resident	
	Other	Wants to know the difference between Stage 2 and Stage 3.	Arabic Group	Resident	
	Other	Wanted to know whether there was a possibility, over time, if a tenant could purchase the house from St George.	Community Kitchen/Yoga	Resident	
	Other	Need HNSW to provide more accessible homes.			
	Other	Does not like carpet in the house. Wants to see tiles or Lino option			2
	Other	Asked about storage – built-ins.	Khmer	Residents	
	Other	Didn't like the staircase in front of the door. More on side gives better access and visual.	Khmer	Residents	
	Other	Wants to see external materials that give better insulation used.			
	Other	The design needs to be improved because there is a waste of space.	Carmen Liewald (9823 4171)		
	Other	It is very good to be between public and private.	Spanish Group		
	Other	The tenant wants to see the house she will get when the time comes for her.	Spanish Group		

	Other	A resident who is moving into Stage 2 is happy because she is sharing a duplex with her friend. She thanks Francine	Arabic Group	Resident	
	Other	Doesn't want carpet in the dining room – not practical. Asked about whether this could be changed.	Spanish CS	Resident	
	Other	One resident raised concerns over the quality of the wall paint – she said that she'd liked to be able to choose the paint because the existing paint was bad quality and hard to keep clean (especially because she has kids visiting her home).	Spanish CS	Resident	
	Other	Residents asked about air conditioning installation into their new homes and Tam (Team Leader for SGCH) said it is possible, but they'd need to go through the proper procedures with SGCH. Other groups did not receive response from Tam.	Viet CS	Residents (one in mason pl)	2
	Other	Residents asked when construction would begin and be complete	Viet CS	Residents	
	Other	Enquired about 4 bedroom detached home (was referred to Vince)		Non-resident	
	Other/Amenity	Resident said there needed to be more space for linen.	Spanish Coffee Session	Resident	
	Privacy	They want a security door, not just a fly screen door.	Viet CS	Residents	
3 Bed Detached	Amenity	How big is the laundry room?	Lamis 9823 6327 (Arabic)	Resident	
3 Bed Detached	Amenity	Asked about a different switch for the light and fan in the bathrooms. They want to be able to save power.	Viet CS	Residents	
3 Bed Detached	Compliment	Very good – no complaints		Residents	4
3 Bed Detached	Other	Was wondering if there was a chance for solar energy.	Khmer	Resident	
3 bed Detached + Garden Apart	Parking	Wants every home to have a garage and internal access. Does not want a car port.	Spanish Coffee Session	Resident	
3 Bed Duplex	Amenity	Likes the separate toilet and shower.	Arabic Group	Resident	
3 Bed Duplex 3 bed Detached	Amenity	Bathrooms need a window. They don't want a fan without a window. (Khmer + Viet group also mentioned that they understand there will be a fan, but believe it is a waste of electricity, they want to save money) (Viet CS also suggested non-seethrough glass or curtains.)	Arabic Group + Khmer Group + Viet CS + others	Resident	7

3 Bed Duplex	Compliment	Very good – no complaints		Residents	3
3 Bed Duplex	Parking	Is there a single garage or double garage?	Lien - Community Kitchen/Yoga	Non-resident	
3 Bed Duplex	Privacy	Wants to know if there is a path at the side of the house despite zero lot lines.	Arabic Group + Spanish CS	Resident	3
3 Bed Duplex	Privacy	Resident was wondering about whether there was a fence separating the duplex back yard.	Lamis 9823 6327 (Arabic) + Khmer Group	Resident	2
3 Bed Duplex	Privacy	Wouldn't want to live in a duplex. Neighbours are too close.	Lisa – Community Kitchen	Non-resident	
3 Bed Duplex 5 Bed Detached	Privacy Other – Compliment Privacy	Better to have the detached homes – looks better. Happy that there are no plexes and unders and overs, prefer the detached and duplexes. Prefers more spaces between the houses, but in saying that prefers to have a fence with zero lot lines than be attached to another house.	Lisa – Community Kitchen + Khmer + Spanish Group + Viet	Resident Non-resident + Resident	6
3 Bed Duplex	Privacy	Having zero lot line to give more privacy is good.	Arabic Group + Viet CS + other	Resident	4
5 Bed /Houses with downstairs rooms	Amenity	Need a shower downstairs – Resident asked 'what is the point of having a down stairs bedroom if the bathroom is upstairs'?		Resident	3
5 bed detached	Amenity	No problems with the division of the living room and the dining room. They actually prefer it.	Community Kitchen	Non-resident	2
5 Bed Detached	Compliment	Liked the layout of the 5 bedroom homes.	Arabic Group	Resident	
5 bed detached	Compliment	Good so far – good that there is one bedroom down stairs	Community Kitchen	Non-resident	
5 Bed Duplex	Amenity	It's okay for some of the rooms to not have windows.		Resident	
All	Amenity	Resident thought that the toilet down stairs needed a window. A ventilation fan is not enough. Waste of power for light and fan.	Arabic Group + Viet CS	Resident	5
All	Amenity	Doesn't like the shower over the bath. The residents want this separated. It is dangerous.	Arabic Group + others	Resident	3
All	Amenity	Residents want a whirlybird to keep cooling costs down.	Spanish CS + Viet CS	Resident	2

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All	Other	Where are the TV & Phone ports? Are there some upstairs? How many are there?	Lamis 9823 6327 (Arabic)	Resident	2
All	Parking	Happy there is a lockable garage – one is enough		Resident	
Garden Apart		Concerned about security and maintenance issues			
Garden Apart	Amenity	Elderly main have a problem and carrying groceries up the stairs would be difficult. Wanted to know if there was a ramp or service access.	Community Kitchen	Resident	
Garden Apart	Compliment	The apartments look nice.	Spanish Group		
Garden Apart	Compliment	The apartments are excellent.	Spanish Group		
Garden Apart Master plan	Compliment – Amenity	They liked the apartments and how they face the park.	Arabic Group	Resident	
Garden apart	Garden	Is there space for pets in the two bed apartments? How big are the court yards.	Karen Hall – CRG	Resident	
Garden Apart	Other	Neutral to the idea of stairs rather than a lift.	Khmer	Resident	
Garden Apart	Other	Is there enough windows? (no windows in the side of the house – only the front and back of the apartment)	Karen	Resident	
Garden Apart	Other	What is the roof made out of? Is it a slab of concrete?	Arabic Group	Resident	
Garden Apart	Parking	Asked about the parking in the back – if there was a carport of protection for the cars. They didn't like the open car space. Was told that it would be gated access. They then were happy with this.	Khmer + Spanish Group	Resident	2
Garden Apart	Privacy	Residents concerned about hearing people who live above them. (They were then told that the apartments were made out of concrete and seemed pleased.)	Khmer	resident	
Garden Apart	Privacy	Asked if the top levels could look back into the yards of the ground floor apartment and how this could be changed (suggested putting up screens on the upper floor balconies).	Karen	Residents	
Masterplan	Other	Was wondering about whether there was any other accommodation for couples (asides from the Apartments)	Spanish Coffee Session + Karen + Gloria	Resident	3
Masterplan	Other	Wanted single storey homes with yards.	Karen	Resident	
Masterplan	Other/ Maintenance/ Becton Defect	Are the doors and windows protected from the rain? (are there awnings or eves to stop flooding inside the homes?) Michele experienced flooding of her home during heavy rains a few weeks ago.	Karen + Michele	resident	

Masterplan	Parking - Compliment	Having front access to homes is more convenient. Liked that there were no more laneways.	Arabic Group + Khmer group	Resident	2
Masterplan	Privacy	Asked about the gaps in all the fences. They didn't want gaps as there currently are in Stage 1.	Karen Hall – CRG	Resident	

Compiled by Crystal Huynh 23/11/2010

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OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 47

SUBJECT:

Issue: Bonnyrigg Living Communities Project – Modification to Concept Plan – Stage 3.
Premises: Bonnyrigg Housing Estate, Bonnyrigg.
Owner: Fairfield City Council, Department of Housing.
Applicant: Becton Pty Ltd (Attachment A)
Zoning: Residential 2(b).
Submissions: No

FILE NUMBER: 09/02883

PREVIOUS ITEMS: Bonnyrigg Living Communities - Modification to Concept Plan - Ordinary Council - 22 March 2011

REPORT BY: Andrew Mooney, Senior Strategic Planner

RECOMMENDATION:

- A. That Council write to the Department of Planning and advise that:
1. Council raises concerns that the applicant seems to have numerous proposals to amend the Concept Plan but these are being treated in an ad-hoc manner. There should be a comprehensive review of all proposed amendments to the Concept Plan prior to any more stages proceeding so all the implications can be properly considered.
 2. As part of the comprehensive review discussed above the Department and applicant be advised that;
 - a. Council objects to the introduction of detached dwellings on narrow lot housing with a lot width of 6.4m wide.
 - b. The min lot width permitted in the development be 8.5m as approved under Stage 2 of the proposal.
 - c. Any apartment development in the proposal should incorporate internal lifts.
 - d. a review of all relevant studies (e.g. social impacts, provision of open space, traffic management) needs to be undertaken as a result of potential increase in residential densities and other changes to the overall Concept Plan approval.
 - e. Broader consultation should be undertaken with the Community of the Estate affected by the Project in relation to the proposed modifications.

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 47

- f. On-street car parking should be provided at a rate of at least 1 space per 2 dwellings and that on-street car parking should be distributed evenly throughout the relevant stage
 - g. the applicant undertake a further review of the distribution of car parking in Stage 3 as referred to in this report.
 - 3. That should a comprehensive review not be agreed to that the issues referred to above (a to g) be raised as Council's concerns in relation to the Stage 3 Concept Plan amendments and referred to the Department of Planning.
 - 4. Council has concerns regarding the lack of consultation and time allowed for Council to assess the proposed modifications to the concept plan and the implications for Stage 3.
- B. Council write to the proponent requesting they withdraw the application for Stage 3 of the Project until such time as Council's concerns, as detailed in A. above, have been addressed.

NOTE: This report deals with a planning decision made in the exercise of a function of Council under the EP&A Act and a division needs to be called.

SUPPORTING DOCUMENTS:

AT-A Report to Council - 22 March 11

16 Pages

SUMMARY:

Council at its meeting of the 22 March 11 considered a report (Attachment A) and recommendations in relation to Council's submission to proposed modifications to the Bonnyrigg Living Communities Concept Plan.

These modifications (including narrow lot development and three storey walk-ups) are reflected in the development application for Stage 3 of the proposal as outlined in the attached report.

On the 29 March 11, a briefing was provided to Councillors by Becton Pty Ltd on their motivation and background for the requested modifications.

The following report highlights issues raised at the briefing.

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 47

It is recommended that Council object to any progress with the concept plan or the Stage 3 Development proposal until all the Council's concerns are resolved.

BACKGROUND

Council at its meeting of the 22 March 11 resolved as follows;

- A. *That Council write to the Department of Planning and advise that:*
1. *Council raises concerns that the applicant seems to have numerous proposals to amend the Concept Plan but these are being treated in an ad-hoc manner. There should be a comprehensive review of all proposed amendments to the Concept Plan prior to any more stages proceeding so all the implications can be properly considered.*
 2. *As part of the comprehensive review discussed above Council requests that the applicant be asked to address the following issues;*
 - a. *Council's concerns outlined in this report in relation to narrow lot housing and 3 storey walk ups, and*
 - b. *a review of all relevant studies (e.g. social impacts, provision of open space, traffic management) as a result of potential increase in residential densities and any other changes to the overall Concept Plan approval.*
 - c. *Broader consultation should be undertaken with the Community of the Estate affected by the Project in relation to the proposed modifications.*
 3. *Council has concerns regarding the lack of consultation and time allowed for Council to assess the proposed modifications to the concept plan and the implications for Stage 3.*
- B. *Council write to the proponent requesting they withdraw the application for Stage 3 of the Project until such time as Council's concerns, as detailed in A. above, have been addressed.*
- C. *That if the above requests for deferral of Stage 3 and a comprehensive review of the Concept Plan are not accepted by the Department of Planning and the proponent that the above issues be reviewed further, following a briefing by the proponents to Council on the 29 March 2011, and Council's submission on the Concept Plan amendments be finalised via consideration of a further report to the April Outcomes Committee.*

At the time of report preparation, there had been no response received from either Becton or Dept of Planning in relation to Parts A and B of the above resolution.

In the event responses do become available they will be circulated separately to Council.

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 47

KEY ISSUES HIGHLIGHTED AT BRIEFING TO COUNCILLORS

a. Market demand and financial yields.

At the briefing to Councillors on the 29 April 2011, Becton highlighted the following important issues as being the basis for the proposed modifications to the Concept Plan:

- Maintain financial yields from the development having regard to current and projected market demand and previous housing sales associated with stages 1 and 2 of the development.
- Desire to promote the affordability of future housing offered in the development
- Impact of market conditions on the demand for new housing in the area, including the global financial crisis and availability of financing for first home buyers.
- Promote the number of owner/occupiers for new housing within the development.

As referred to in the previous report to Council, Becton also advised the proposed modifications to allow three storey walk-ups and narrow lot housing (on lots down to 6.4m wide) represents a new strategic direction for the proposal away from 4, 6 and 8 plex housing forms. It has proven challenging to achieve satisfactory levels of solar amenity and natural ventilation in these plex-style dwellings.

It is also noted that under Stage 2 of the proposal, the applicant received support from the Dept of Planning to decrease the minimum lot width for dwellings from 9.5m to 8.5m, with the current proposed minimum for stage 3 of 6.4m. Issues and concerns in relation to this additional reduction are discussed further in this report.

b. Dwelling Mix

Becton provided further details on dwelling mix in Stage 3 of the proposal and is summarised in the following table.

Dwelling Types	Lot widths	Number	%
Large detached	9.38-14m	77	48
Compact detached	6.7-7.1m	30	19
Duplex attached	6.4m	30	19
Garden apartments	-	22	14
TOTAL		159	

In addition to the above, as a result of a Councillor request at the briefing, Council officers undertook an analysis of the proposed floor space ratio (FSR) for the 3 storey walk-up apartment buildings in the proposal compared to that associated with 3 storey walk-ups in other parts of the City.

This analysis revealed the following comparisons

- 3 storey walk-ups Stage 3 (Bonnyrigg Living Communities) approximately = 0.83:1

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 47

- 3 storey walk-ups (Cabramatta Town Centre – 3 sites) approximately = 0.80:1 – 0.9:1

c. Car parking

Recent car parking surveys carried out by the proponent for stage 1 of the development indicated a demand for on-street car parking at a rate of approximately 1 space per 4 dwellings.

This compares to the provision of on street car parking for Stage 2 of 1 space per 3 dwellings and proposed provision of on street car parking for Stage 3 of approximately 1 space per 2 dwellings.

POTENTIAL INCREASE IN DENSITY

While the applicant did not raise this issue at the Councillor briefing Council Officers have previously been advised verbally that the developer is considering more future amendments to the concept plan to propose up to 200 more dwellings

ASSESSMENT OF ISSUES

A. Increase in Density

As discussed in detail in the previous report any increase in density will not be supported without comprehensive review of all the studies and infrastructure issues originally considered. The issue of open space provision, the size and scope of community facilities and the Voluntary Planning Agreement would all need to be reconsidered before the proposal moves forward. This should occur at this stage to ensure all the issues are properly addressed in an integrated manner before any other development proceeds

B. Original Concerns of Council with Plex housing and Visitor car parking

Even if the additional density issues are not considered there are still significant concerns with the changes proposed to the concept plan. On numerous occasions, under original assessment of the Concept Plan and Project application for Stage 1, Council's submissions raised concerns with the applicant regarding the configuration of the 4, 6 and 8 plex houses and the ability to achieve satisfactory levels of amenity and solar access in all dwellings contained in this form of housing, particularly for those that are south facing.

In addition Council's submission on the original concept plan raised concerns about the lack of visitor parking and the reliance for on-street parking particularly given the relatively narrow streets proposed.

It would appear the above concerns have come to fruition with the poor market response to the plex option with the applicant now acknowledging the poor amenity and the problems with selling this type of housing in the local market

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 47

C. Applicants Response to the Plex and Financial Viability Problem

Given the financial yield/market issues the applicant now wants to move away from the plex design and instead increase the financial viability by providing more stand alone small lots and moving away from plex designs to a more conventional 3 storey walk-up apartment buildings.

Council Officers have concerns about the applicant's response to their financial problems and consider that the design changes have not been well thought through for the following reasons:-

- The provision of small narrow lots may be marketable and the most financially viable but it will exacerbate parking and traffic problems identified in the original concept plan consultation and involve design issues. The design and car parking issue are dealt with in more detail below in this report.
- The apartment buildings are considered to be a better design option than the Plex designs originally proposed. Designed in accordance with SEPP 65 they will achieve a much better design outcome than the Plex and so this option is supported from a design viewpoint. However, Council Officers must acknowledge the concerns raised by Councillors in relation to the potential social issues associated with 3 storey walk-up development and note that agglomerations of social housing tenants and low cost housing in apartment buildings in other areas have resulted in social problems that Council does not want to see repeated in this estate. (This issue was also discussed in detail in the previous report which is included as Attachment A)
- There are other options such as row housing or villa/townhouse style developments that could be sensitively integrated. They might be able to have shared driveways and alternate car parking arrangements that would reduce the pressure for on-street parking while still allowing for the existing approved density to be achieved. The applicant has not provided any evidence of having considered these options and seems to have moved towards the alternative option that maximises their return without considering the viability of other options

A comprehensive review of the concept plan would allow all these options and their viability to be properly tested to ensure that the applicant is not just increasing the financial return at the cost of future amenity without considering all options and their technical and financial viability.

D. Narrow lot housing –design issues

Council officers hold the following key concerns in relation to the design and appearance of the proposed narrow lots (down to 6.4m) within the development;

- It limits the amount of 'relief' or space between buildings restricting the area available for landscaping and solar access.
- It is likely to lead to significant massing of buildings along the streetscape resulting in a bulky street wall effect.

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number. 47

- Limits the capacity to reconfigure the internal areas of buildings to achieve solar access for dwellings which do not have ideal solar orientation and to address overlooking concerns from first floor areas.
- It would contribute to an increase in the number of driveway crossings, limiting the area available for landscaping and on street car parking (see further comments below).
- The configuration of the narrow lots features a large blank wall (up to 2 storeys) built along one of the boundaries (zero lot) up to 15metres (or greater) in length. This wall length will visually dominate the adjoining property and restricts the capacity to maximise solar access to adjoining buildings.
- The appearance of front facades of at ground level will be dominated by the garage which will comprise more than 55% of the front elevation.

E. Narrow Lot Housing - Car Parking

Stages 1-3 of the proposal are totally reliant on on-street car parking to accommodate visitor parking. This is in contrast to other areas of the City where medium housing (with comparable density of 30 dwellings per hectare) is required to provide visitor parking on-site (at a rate of 1 space per 4 dwellings) and where the on-street area provides a buffer for any overflow or extra demand for visitor car parking.

Concern is raised, that the introduction of the narrow lots (down to 6.4m) would lead to less space being available for on-street car parking in future stages of the development as a result of an increase in the number of driveway crossings.

This would particularly be the case in the event the applicant relies more on the 6.4m wide lot option as the predominant form of housing to achieve housing yields.

A recent survey undertaken by the applicant shows the demand for on-street car parking in Stage 1 at a rate of approximately 1 space per 4 dwellings with Stage 3 providing capacity for on-street car parking at a rate of approximately 1 space per 2 dwellings.

Based on a plan submitted by the applicant, not all the on-street visitor car parking in Stage 3 is provided evenly throughout the development. In some instances there is also clustering along some streets in the visitor car parking creating an obstacle to the free flow of traffic and service vehicles. In addition, on-street visitor car parking is not conveniently available to all parts of the Stage 3 housing.

If the Department does not support Council's request to review the Concept Plan, it is recommended the applicant be required to review the level of on-street visitor car parking in Stage 3 to make this more evenly distributed and to avoid cluster points that impede the movement of traffic and service vehicles, particularly garbage trucks.

To guard against the impact of narrow lots on the availability of on street car parking, it is also recommended that Council request the Department impose a requirement on any approval for the modification to the Concept Plan that on street car parking be provided at

OUTCOMES COMMITTEE

Meeting Date 12 April 2011

Item Number.

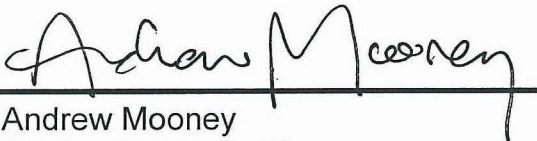
a rate no less than 1 space per 2 dwellings and that on street car parking be distributed evenly throughout the relevant Stage.

Conclusions:

It is recommended that Council endorse the concerns outlined in this and previous report for Council's submission to the Department of Planning.

The applicant and Department of Planning should be asked to defer any further progress on the development until all the options and their viability are properly considered and tested. It appears to Council Officers that the applicant has chosen options that maximise the financial return and potentially allow for future increased density without properly presenting and considering other options which could improve the design quality without the potentially negative impacts.

Particular concern is raised in regard to the introduction of new housing typologies under Stage 3 of the proposal which create the capacity to increase densities in future stages of the proposal above those originally approved under the Concept Plan. The applicant should undertake further studies and provide justification for this potential increase in densities.



Andrew Mooney
Senior Strategic Planner

Authorisation:

Executive Manager Environmental Standards
Manager Strategic Land Use Planning



Outcomes Committee - 12 April 2011

File Name: **OUT120411_10**

***** END OF ITEM *****

OUTCOMES COMMITTEE

Meeting Date 8 March 2011

Item Number. 41

SUBJECT:**Issue:** Bonnyrigg Living Communities Project – Modification to Concept Plan – Stage 3.**Premises:** Bonnyrigg Housing Estate, Bonnyrigg.**Owner:** Fairfield City Council, Department of Housing.**Applicant:** Becton Pty Ltd (Attachment A)**Zoning:** Residential 2(b).**Submissions:** No**(SUPPLEMENTARY)****FILE NUMBER:** Obj: 09/02883**REPORT BY:** Andrew Mooney, Senior Strategic Planner**RECOMMENDATION:**

- A. That Council write to the Department of Planning and advise that:
1. Council raises concerns that the applicant seems to have numerous proposals to amend the Concept Plan but these are being treated in an ad-hoc manner. There should be a comprehensive review of all proposed amendments to the Concept Plan prior to any more stages proceeding so all the implications can be properly considered.
 2. As part of the comprehensive review discussed above Council requests that the applicant be asked to address the following issues;
 - a. Council's concerns outlined in this report in relation to narrow lot housing and 3 storey walk ups, and
 - b. a review of all relevant studies (e.g. social impacts, provision of open space, traffic management) as a result of potential increase in residential densities and any other changes to the overall Concept Plan approval.
 - c. Broader consultation should be undertaken with the Community of the Estate affected by the Project in relation to the proposed modifications.
 3. Council has concerns regarding the lack of consultation and time allowed for Council to assess the proposed modifications to the concept plan and the implications for Stage 3.
- B. Council write to the proponent requesting they withdraw the application for Stage 3 of the Project until such time as Council's concerns, as detailed in A. above, have been addressed.
- C. That if the above requests for deferral of Stage 3 and a comprehensive review of the Concept Plan are not accepted by the Department of Planning and the proponent that the above issues be reviewed further, following a briefing by the proponents to Council

OUTCOMES COMMITTEE

Meeting Date 8 March 2011

Item Number. 41

on the 29 March 2011, and Council's submission on the Concept Plan amendments be finalised via consideration of a further report to the April Outcomes Committee.

NOTE: This report deals with a planning decision made in the exercise of a function of Council under the EP&A Act and a division needs to be called.

SUPPORTING DOCUMENTS:

AT-A	Directors details	1 Page
AT-B	Detached dwellings	2 Pages
AT-C	Apartment Buildings	2 Pages

SUMMARY:

The original Concept Plan for the Bonnyrigg Living Communities (BLC) Project was approved by the Minister for Planning in January 2009 and allows the construction of 2,332 new dwellings on the Department of Housing Estate in Bonnyrigg in 18 Stages over 13 years.

Since this time Stage 1 (106 dwellings) has been completed and Stage 2 (110 dwellings) is currently under construction.

In December 2010, Becton submitted an application to Council for Stage 3 of the development comprising the construction of 159 dwellings. Due to the value of the project the Joint Regional Planning Panel is the consent authority for this application.

The proponent also lodged a request for modification to the Concept Plan with the Department of Planning (DoP) to change housing types associated with Stage 3 and to modify the boundary of that part of the Estate covered by Stage 3.

The Department of Planning notified Council of the modifications to the Concept Plan on the 4 March 2011 and initially only gave Council until 18 March 2011 to make a comment. This has since been extended by the Department until Wednesday the 20 April 2011.

As discussed at a recent briefing to Councillors, key concerns in relation to the proposed modification include the proposed reduction in minimum lot widths for detached dwellings (down to 6.4m) and the reduction in space available for on-street car parking.

In addition to the above, Becton has also flagged the potential for further investigations into an increase in the total number of dwellings provided under the BLC Project (approximately 160 - 200).

OUTCOMES COMMITTEE**Meeting Date 8 March 2011****Item Number. 41**

This increase would raise a number of implications in terms of dwelling densities for site and suitability in the provision of public open space, traffic generation levels and community facilities associated with the original proposal.

The recommendations to this report provide an interim position on the proposal until such time Council has received a briefing on the Project (scheduled for 29 March 2011) and a further report has been considered by the Outcomes Committee following the briefing.

PROPOSED MODIFICATIONS TO CONCEPT PLAN**a. Detached Dwellings**

Approximately 109 or 68% of dwellings proposed in Stage 3 will be detached. The proponent has requested a modification of the controls associated with these dwellings to facilitate;

- Minimum allotment widths of 6.4metres for detached dwellings
- Allow buildings with zero setbacks along side boundaries to exceed a length of 12metres (excluding private land owners)

An example of a building in Stage 3 reflecting the above modifications is included in **Attachment B**.

Comment:

It is noted that under Stage 1 of the project, detached dwellings required a minimum lot width of 9.5 metres. In April 2010, the DoP approved a modification to this control to allow lot widths of 8.5 metres.

If approved, the proposed 6.4m lot width requirement and zero lot setback provisions would apply to all future stages of the BLC Project.

Further comments in relation to concerns with the above modification are addressed in a later section of this report.

b. 3 Storey Walk-Up Apartments

The proponent is seeking to introduce 3 storey walk-up apartments in locations adjacent to public open space.

The development application for Stage 3 lodged concurrently with the request for modification to the Concept Plan proposes 22 apartments immediately adjacent Bunker Reserve.

OUTCOMES COMMITTEE

Meeting Date 8 March 2011

Item Number. 41

Comment

The proponents advise that the 3 storey walk-up apartments (**Attachment C**) have been designed in accordance with SEPP65. These buildings will be positioned adjacent to proposed parks within the development to limit the extent of overshadowing and optimise connectivity to open space.

The introduction of the apartments also represents a move away from the 4 and 6 plex houses proposed initially proposed under the Concept Plan. The proponent advises that *"it has proven challenging to achieve satisfactory levels of solar amenity and natural ventilation"* in these dwellings.

The proposed apartment buildings aim to address these deficiencies and to accommodate density targets within a new building form.

In general, Council officers do not object to the replacement of the 4, 6 and 8 plex dwellings with 3 storey walk-ups on design grounds. This is based on the understanding that the apartment buildings will be designed in accordance with SEPP 65 and address the deficiencies of the 4-8 plex dwellings in regard to solar amenity and natural ventilation.

In addition, at this stage of the project, the introduction of apartments does not result in an increase in the total number of dwellings in Stage 3 to that originally approved by the Minister for Planning.

However, to promote amenity and access for a broader cross section of the community to the apartment buildings it is recommended that Council request the DoP include a requirement for lifts to be included in any apartment buildings. This may also trigger a need to undertake a further review of the total number of dwellings accommodated within the apartments to make these buildings more financially viable.

As detailed in a later section of this report, the key issue of concern with the introduction of the apartments is how this might impact on dwelling yields/ housing densities for future stages of the BLC Project and in turn the impact of any increase in housing densities on traffic management, parking, provision of open space and community facilities for the overall project and the impact of these factors on the provisions of the Voluntary Planning Agreement.

c. Staging Boundaries

It would appear that the proponents request to modify the staging boundary associated with Stage 3 is primarily aimed at accommodating the 3 storey walk-ups (above) in close proximity to public open space and to avoid overshadowing from the increased building mass of the apartments on existing and proposed dwellings within Stage 3.

OUTCOMES COMMITTEE

Meeting Date 8 March 2011

Item Number. 41

As referred to previously, although there is a reduction in the total area associated with Stage 3 (approximately 1,000m²) this is not associated with an increase in the number or density of dwellings.

It is noted that along with a decrease in the total area associated with Stages 1-2, there is also a slight reduction in the total number of dwellings either constructed or currently proposed for Stages 1-3 (369) to that originally approved for the project (376).

In this regard there are no objections to the reduction in the area of Stage 3 as this does not result in a significant increase in housing densities realised under the proposal for Stages 1-3.

d. Amended Fence Treatments

It is proposed to amend the provisions of the Concept Plan to enable alterations to the fencing types proposed for private open space in the front or side setbacks.

It is proposed to introduce 'superslat' fencing (i.e. fencing that features horizontal slats spaced evenly) will enable a high quality finish, additional privacy provision which retains visual permeability.

Comment

No objections are raised to the proposed modification to fencing which is permitted in other parts of the City under Council's City Wide DCP.

This style of fencing maintains permeability to provide opportunities for surveillance into properties.

KEY ISSUES/CONCERNS

a. 6.4m Lot Widths for Detached Dwellings

The proponents contend that the proposed reduction in lot widths for detached dwellings from 8.5 to 6.4 metres is consistent with existing controls of Council's City Wide DCP which *"make provision for 6.7m wide lots in a limited number of locations"*.

The above statement is not considered an accurate reflection of Council's controls relating to narrow lot housing. The narrow lot areas of the City (located in the more established suburbs in the eastern half of the City) are the result of a historic subdivision pattern dating back to the 1880s and earlier.

Over time the narrow lots were subsequently sold and developed in 2-3 lot parcels for the construction of free standing detached housing. It was not until the early 2000s that the potential for a dwelling on each individual lot was pursued by a number of land owners of narrow lot housing sites.

OUTCOMES COMMITTEE

Meeting Date 8 March 2011

Item Number. 41

Council subsequently introduced a range of restrictions and controls to ensure that these lots were developed holistically for integrated housing over 2 or 3 lots and to ensure suitable outcome in relation to solar access, privacy, scale, private open space and provision of car parking. The nature of detached housing as proposed under Stage 3 of the BLC Project is clearly not consistent with the controls of Council's City Wide DCP. More importantly, neither the provisions of the Fairfield City Wide LEP 1994 nor the City Wide DCP allow creation or *make provision for* new narrow lot subdivision in the City. In the case of the Residential 2(a) zone where the narrow lots are located a minimum lot frontage of 12m and minimum lot size of 450m² are required.

In this regard, the following objections are raised in relation to the proposed modification of the Concept Plan to allow 6.4m wide allotments with building lengths greater than 12m with zero setback provisions;

- Results in deficient sized parcels to accommodate the scale and form of housing proposed under Stage 3 of the proposal
- Generates an undesirable built form and streetscape within the development
- Results in inadequate living space for future inhabitants of the buildings.
- Results in overshadowing of private open space areas
- Reduces privacy levels between adjoining properties.

b. Provision for on Street Car Parking

In addition to the above, a major impact of the proposal to reduce the lot width down to 6.4m is a decrease in the amount of on-street car parking that can be achieved within Stage 3.

Under Council's original assessment of the Concept Plan and Stage 1 proposal, concerns were raised in regard to the deficiency in off-street car parking proposed in the development compared to the controls contained in the Fairfield City Wide DCP. This included the reliance on on-street parking to accommodate visitor parking.

The proposed modifications to lot widths for detached dwellings will result in an increased number of driveway crossings along street frontages, reducing the total amount of area available for on-street parking.

An assessment of the Stage 3 plans indicates a general reduction of approximately 20-30% in the amount of area available for on-street parking. For one particular section of a new road in Stage 3 (southern end of Road 2) only 3 on-street car parking spaces would be accommodated along an approximately 80metre section of road.

The lack of suitable on-street parking would result in property owners and visitors parking being forced to park either on the verge at the front of houses (impeding pedestrian movement) or in the area designated for front yard space adjoining the driveway access garages. It is likely that parking in front yard areas would reduce the potential for establishment of viable landscaped areas at the front of houses which potentially would be worn down or concreted over time.

OUTCOMES COMMITTEE

Meeting Date 8 March 2011

Item Number. 41

In addition to the above, there are major concerns that the lack of suitable space for on-street car parking will lead to illegal parking along streets, result in these roads becoming 'dysfunctional' by impeding traffic movements, including access for emergency vehicles (fire, ambulance).

In addition, any congestion in streets as a result of parked vehicles will have serious implications for the efficient collection of garbage from residential properties and restrict access for other vehicles while collection is underway. This would be exacerbated by parked cars that would restrict the ability of the mechanical collection arms on Council garbage trucks to operate effectively. In this instance, the garbage truck operator would be required to leave the vehicle to physically relocate garbage bins to a position where the collection arm could access and empty the bins. Council Officers also need to be satisfied that the arrangements would allow for emergency service vehicles to have acceptable levels of access.

c. Car Ownership Levels

Under its recent submission to the SEPP (Affordable Rental Housing), Council officers carried out an analysis of car ownership levels in the Bonnyrigg Housing Estate (based on 2006 Census Data) compared to data collected by the DoH (based on car registration details) as shown in the following table;

Distance of multi unit (social) housing from Liverpool to Parramatta T-way	FCC - Car ownership per household (based on 2006 Census)	DoH (Registration data) Car ownership per household
Less than 400m from bus stop/train station	0.61	0.41
Between 400m and 800m of bus stop/train station	0.76	0.51
Greater than 800m from bus stop/train station	0.96	0.70

The above data clearly indicates that vehicle ownerships rates for the Bonnyrigg Housing Estate are higher than those calculated by the DoH. This is not surprising in light of data from the 2006 census that car ownership rates for Fairfield City are higher than other parts of Sydney as shown in the following table;

Area	Car ownership per household
Fairfield LGA	1.32
Western Sydney Councils	1.30
Southern Sydney Councils	1.04
Northern Sydney Councils	1.27
Northern Sydney Coastal Councils	1.28

OUTCOMES COMMITTEE

Meeting Date 8 March 2011

Item Number. 41

Two important reasons for the discrepancies between the estimates prepared by Council officers (utilising the 2006 census data) and DoH (using registration details) are considered as follows;

- The DoH excluded 20 sites where car ownership had 3 or more vehicles registered to a dwelling as the DoH considered it improbable for social housing multi-unit households to have this rate of vehicle ownership.
- Not all tenants in multi unit social housing may have their vehicle registered to their dwelling. These vehicles may be registered to other properties due to personal or other reasons. Therefore relying on RTA registration data may not provide a true indication of car ownership for the multi unit development.

Based on the above, it is considered that there is still a high reliance on car ownership for tenants of social housing multi unit developments.

d. Increased Residential Densities

During the course of recent discussions, Becton have flagged the possibility of pursuing increased residential densities in future stages of the development. An increase of up to 10% beyond that originally approved for the development representing approximately an additional 60-200 dwellings.

This dwelling increase has the potential to generate an increase in population in the estate of up to 614 people (based on projected household sizes using census forecasts). This in turn has the potential to impact on a number of critical issues relating to the project including;

- The scope and content of the Voluntary Planning Agreement (between Council and Becton) covering the provision of infrastructure and services within the development would need to be renegotiated.
- Provision of Open Space
- Provision of Community Facilities and support services for the development
- General social impact of the development.
- Potential population yield from the development and impact this has on the above issues.

The proposed changes to housing under Stage 3 of the Project, including the reduced lot width of 6.4m for detached houses and 3 storey walk-up apartments would represent key elements that would underpin any increase in housing densities in future stages of the development.

Accordingly, it is considered appropriate for Council to request the Department of Planning not make a decision on the proposed modifications to the Concept Plan for Stage 3 until the Proponents have provided revised information in relation to the above aspects of the proposal which have informed the provision of public open space, infrastructures and services within the development.

OUTCOMES COMMITTEE

Meeting Date 8 March 2011

Item Number. 41

Voluntary Planning Agreement

The Proponent has provided the following comments in relation to the impact of the proposed modifications to the Concept Plan and relationship with the VPA.

there will be no change to the overall dwelling yield, dwelling densities or dwelling typologies.... on this basis there is no change to residential population under Stage 3 and no implications for associated components of the VPA....

While the proposed road layout for Stage 3 has amended slightly, it should be realised that the 'public benefits' were limited to the upgrade of the collector roads and the 50% share of local roads adjacent to public open space. The development application does not propose any changes to either of these matters and as such, there are no implications for the VPA

Comment

Council entered into a Voluntary Planning Agreement (VPA) with Bonnyrigg Partnerships with respect to the provision of public infrastructure throughout the development of the BLC Project. The VPA is based on delivery of infrastructure elements as part of a staged approach to the renewal of the housing estate (largely outlined in the Infrastructure and Services Delivery plan - the ISDP).

The VPA was negotiated on the basis of the existing master (Concept) plan, with public infrastructure linked to number of dwellings (and residents) and the nature of the development. Where a substantive change is proposed, such as a narrowing of the lot widths and potential substantial increase in dwellings across the estate, then the basis for the original negotiation for the VPA needs to be considered.

Where isolated, small increases in dwelling yield is achieved, the VPA does allow for the additional dwellings (over and above the number identified in the original master plan) to be subject to Section 94A contribution (rather than require a variation in the VPA). However, where a change has a significant impact in terms of potential yield across the estate or on the performance of the public infrastructure being provided, then a possible review of the VPA in those impacted areas is warranted.

As part of the Stage 3 DA and Section 75W modification, the narrowed lot sizes creates two concerns:

- (1) the performance of the roads along these frontages and possible impacts arising from lack of parking; and
- (2) impact of increased population on open space and community facilities being provided in this and future Stages.

If these impacts are not assessed and considered at an estate level, then negative consequences can occur and ultimately be ceded to Council as its responsibilities.

OUTCOMES COMMITTEE**Meeting Date 8 March 2011****Item Number. 41**

The Stage 3 DA has a reduced footprint from the original master plan staging, while maintaining the same number of dwellings. In interpreting the VPA, this doesn't trigger any significant clauses as the VPA allows the staging to be varied and, at this time, the total dwellings to be provided have not formally been increased.

However, the proposed changes to the master plan are a clear signal that the dwelling density is likely to occur for future stages and the cumulative impacts of this increase, from a community renewal and public infrastructure impact, need to be assessed as part of the VPA considerations. For example, despite a 10% increase in population, the estate's residential population is expected to utilise the same amount of open space and proposed floor area for the community centre (and both areas were considered to be undersized with initial population forecasts. Any increases will exacerbate this further).

The proposed Stage 3 public infrastructure delivery is generally in accordance with the VPA. The VPA/ISDP is silent on the performance characteristics of a road from a parking viewpoint. However, Council can clearly express a view as to whether the combination of private and publicly available parking is acceptable as part of the development assessment process without impacting on the VPA.

In summary, the Stage 3 DA is consistent with the VPA and would not trigger any change. However, the Concept Plan amendment does trigger a requirement to consider the broader impacts on the VPA as the nature of the development being permitted across the estate is being modified and would be permitted in future stages without the cumulative impacts being considered at present. This is a concern for the Community Renewal and Public Infrastructure elements as they relate to open space, community facilities and supporting infrastructure and services.

If the Concept Plan amendments were specifically linked to Stage 3, and Stage 3 only, with future review to be considered prior to Stage 4 for all other stages, then the changes could be considered within the current scope of the VPA and not require its amendment as part of consideration of Stage 3. The future review would need to address the broader impacts across the estate and the proposed extensions to community renewal, public infrastructure (specifically the amount of open space and size of the community centre provided) and consequential amendments to the VPA/ISDP.

e. Community Consultation

At this stage, it is understood that only Council has been formally notified of the proposed modifications to the Concept Plan and that broader consultation has not been undertaken by the Department or Proponent regarding the changes with residents and land owners of the Estate.

This is a major concern given the history of the project (which included extensive consultation with residents of the area to address their housing needs) and nature of proposed modifications to the housing types under the Project.

OUTCOMES COMMITTEE**Meeting Date 8 March 2011****Item Number. 41**

Under the previous consultation process Council worked closely with the Department of Housing and Proponent in ensuring residents and private landowners of the Estate were fully aware and understood the nature of housing proposals associated with the project and in accommodating their needs.

The proposed modifications have significant implications in terms of current and future housing types on the estate. It is considered the proponent has a significant responsibility in ensuring residents are adequately consulted and are aware of the proposed changes.

In addition, purchasers of dwellings in Stage 1 & 2 would have been made aware of the Concept Plan guiding future development of the estate. The changes to the Concept Plan will change the future character of the estate they have bought into and the nature of the area they will live in and they should be consulted.

Conclusions

The proposed modifications to the Concept Plan covering Stage 3 of the Bonnyrigg Living Communities Project raise a number of significant issues, particularly in relation to the suitability of 6.4m lot widths for detached dwellings, zero lot setbacks, provision of on-street car parking and potential increased housing densities and population yields for future stages of the development.

It is recommended that Council endorse the issues and recommendations to this report as an interim position on the proposal until such time as the Proponent has provided a briefing to Councillors on the 29 March 11 and a further report has been referred to the April Outcomes Meeting.

Andrew Mooney
Senior Strategic Planner

Authorisation:
Executive Manager Environmental Standards

Outcomes Committee - 8 March 2011

File Name: **OUT080311_24**

***** END OF ITEM 41 *****

ATTACHMENT A

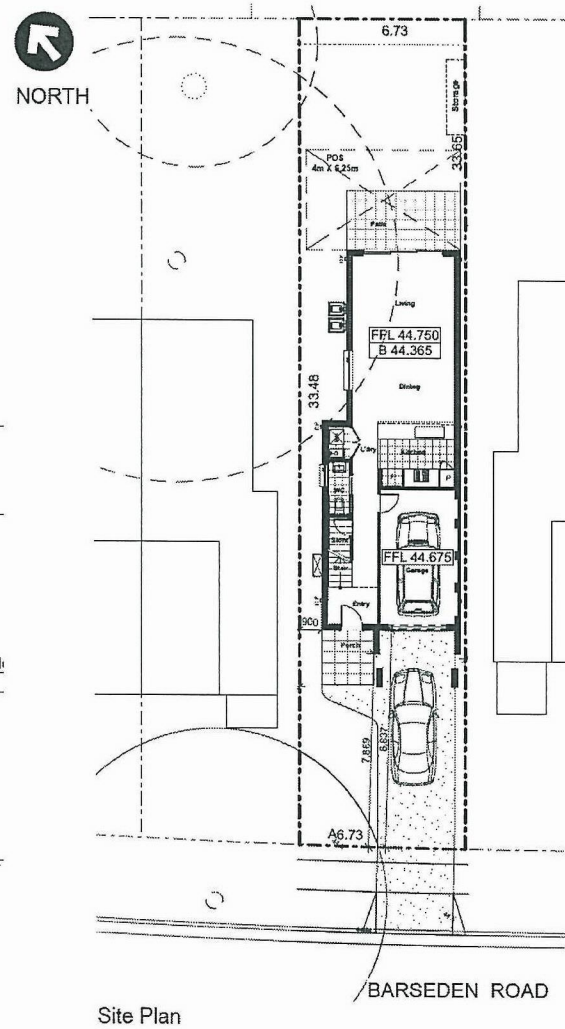
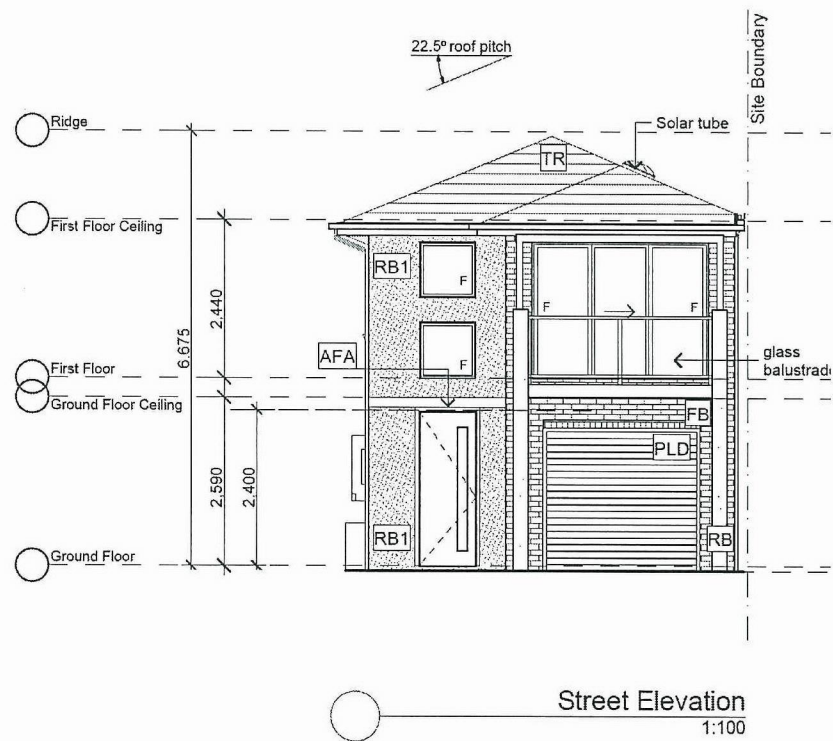
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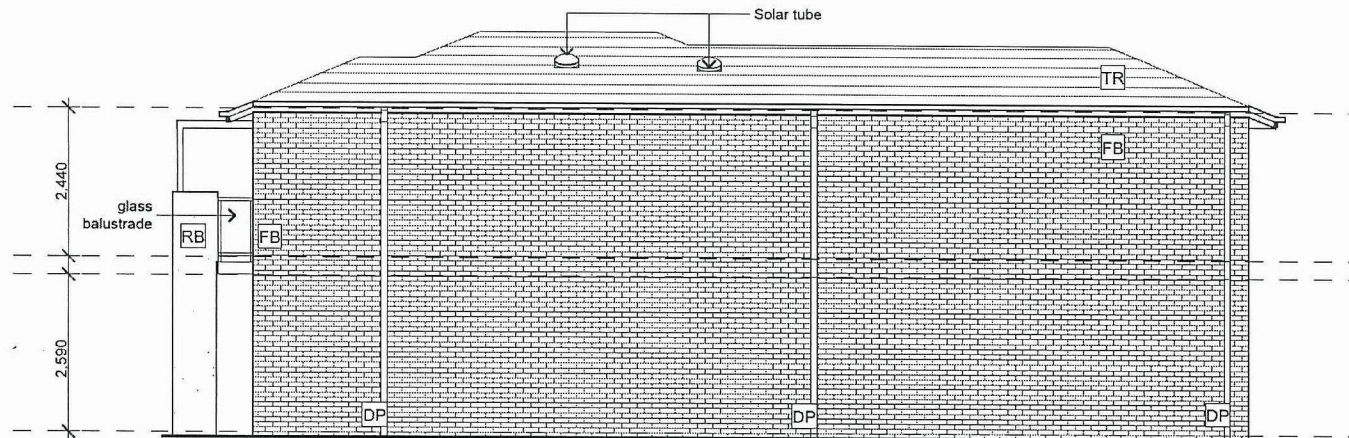
Bill Con, - Chairman

Matther Chun – Chief Executive Officer

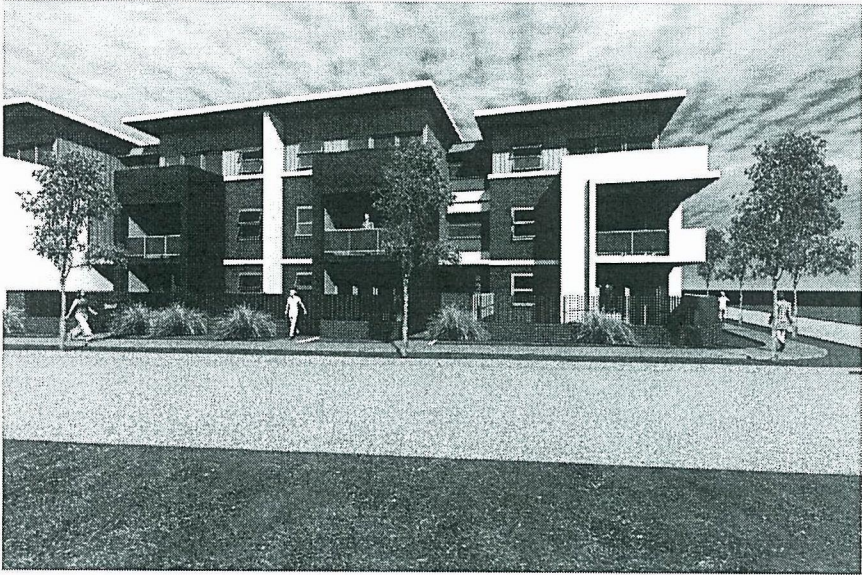
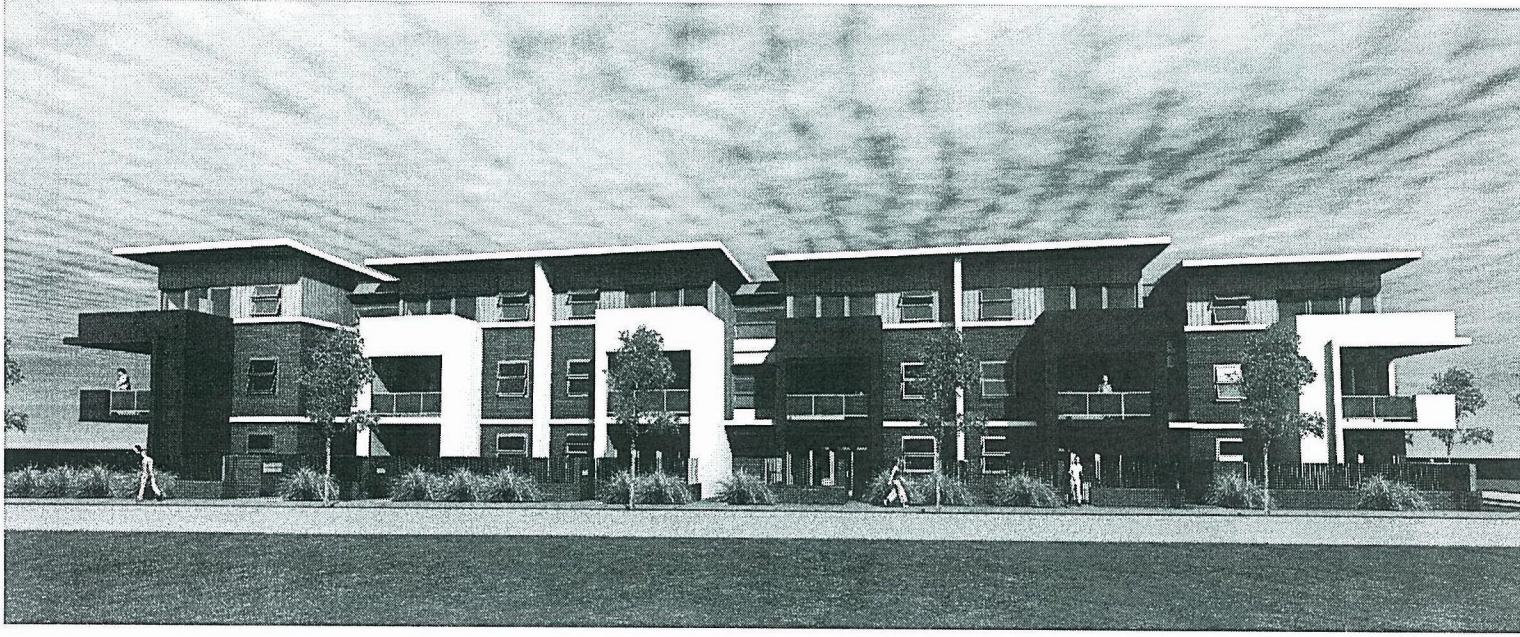
Bob Critchley – Non- Executive Officer

Peter Dempsey – Non – Executive Director





Side Elevation 2
1:100



ATTACHMENT A

