



Figure 8: Artist Impression of detached dwelling on narrow lot (Source: Urbis)

The revised dwelling mix will not result in a reduction in the amount of on-street car parking proposed for Stage 3. On-street car parking is provided at a rate of 1 car space per 2 dwellings in accordance with Council's requirement. Notwithstanding, a car parking survey was undertaken of Stages 1 and 2 at peak times (weeknights and Saturday mornings) to assess the demand for on-street or visitor car parking. The survey indicated current Stages 1 and 2 utilise approximately 50% of the available spaces.

The Proponent also notes that future stages will generally accommodate higher levels of on-street car parking than currently approved as a result of additional locations for walk-up flats and duplexes compared to the larger "plex-style" buildings which have multiple or wider driveways which reduces kerbside area for on street parking.

Department's Assessment

The Department has considered the above issues raised by Council and the Proponent's justification in its assessment. It is considered the proposed modifications are in keeping with the built form and character of the approved Concept Plan.

The Department notes that detached dwellings on narrow lots will only be permitted where the lot has a north-facing rear yard. This equates to approximately 19% of dwellings in Stage 3 (30 dwellings - refer to **Table 3**). The Department is satisfied that with appropriate design and consideration of the original Bonnyrigg Masterplan objectives and controls, narrow lots are able to achieve desired levels of residential amenity with a high quality built form.

The Department is also satisfied that the proposed modification will not have any significant impacts on the provision of on-street carparking and notes that all dwellings will have a minimum of 1 space available on the driveway in front of the garage to assist in minimising demand for on-street car parking.

The proposed modification to allow detached dwellings (with a minimum width of 6.7 metres) and duplexes (with a minimum width of 12.8 metres) on narrow lots is considered acceptable given that:

- the reduction in lot width will only be applied in instances where the rear yard faces north and achieves adequate solar access;

- the residential amenity for proposed dwellings on narrow lots has been demonstrated to be equal or greater than the previously approved “plex-style” dwellings in terms of living area, solar access, privacy, landscaping and open space;
- the provision of a higher proportion of detached dwellings will encourage community within the estate and create a more desirable mix of residents compared to the “plex-style” dwellings, while maintaining and enhancing housing affordability; and
- there is no net increase to the dwelling density across the Concept Plan (refer to **Section 5.3** for more detail).

5.2.2 Walk-Up Apartment Building

Overall, the intention is to replace the “6-plex” and “8-plex” buildings with more traditional 3 storey walk-up residential flat buildings in locations that offer good amenity i.e. opposite public open space and on street corners, and where there are minimal impacts on adjacent development in terms of bulk and overshadowing.

It is noted that the Concept Plan approved apartment buildings (3-6 storeys) as a permitted land use and building typology in the Bonnyrigg Estate.

The modification to Stage 3 involves providing a 3 storey walk-up flat building accommodating 22 dwellings, comprising 10 dwellings for private sale and 12 dwellings for social housing on land opposite Hilltop Park (refer to **Figure 9** and **10**).



Figure 9: Proposed location of 3 storey walk-up flat building in Stage 3 (Source: Urbis)

The walk-up flat building will comprise 22 x 2-bedroom dwellings; 8 dwellings each at first and second floor level and 6 dwellings at ground floor level. A total of 22 on-site carparking spaces are provided including 4 disabled/accessible spaces.



Figure 10: Artist Impression of proposed 3 storey walk-up flat building in Stage 3 as seen from Hilltop Park (Source: Urbis)

Following discussions with Council, the Proponent has proposed the following performance measures within the Bonnyrigg Masterplan with respect to the location and design of walk-up flats:

- locate in areas that benefit from higher levels of amenity being adjacent to or directly opposite public open space to provide breathing space for housing, opportunities for passive and active recreation, pleasant views, outlooks and circulation space and casual surveillance;
- limited to a maximum of three storeys;
- designed in accordance with SEPP 65;
- contain high quality materials and finishes, reinforce street edges where required to respond to surrounding characteristics of individual areas;
- car parking located either below or behind the building line or in an unobtrusive location that avoids impact on the streetscape; and
- limit the number of vehicle driveways to reduce the impact on local road network and maximise the number of on-street car parking.

Council's Comments

In principle, Council do not object to the introduction of walk-up flats as they agree that the proposed modification is an improvement on the larger "plex-style" dwelling buildings originally approved in the Concept Plan and performance measures proposed for walk-up flats will ensure that a high level of amenity and quality of built form is achieved. However, Council raised concern that the walk-up flats may increase crime and also requested that a lift be provided within each building.

Proponent's Justification

The Proponent has advised that walk-up flats will be designed in accordance with Safer by Design and Crime Prevention Through Environmental Design (CPTED) principles.

In addition, back-to-base CCTV will be installed in common stairwells, which will be monitored from the Newleaf Communities office on a 24 hour, 7 day basis, in order to increase safety and minimise crime potential.

Further privately owned apartments will be subject to strata management through an appointed Body Corporate, while social housing dwellings will be managed by St George Community Housing (SGCH) until 2037 in accordance with the Public-private Partnership.

The SGCH has management practices which ensure a sustainable social mix of tenants in each apartment complex, avoiding concentrations of high and complex needs families/individuals. In addition, SGCH manages and delivers specific programs which assist tenants with employment and education opportunities.

The Proponent argues that lifts are an unnecessary expense and will reduce the affordability of apartments. The ground floor of the walk-up flat building provides 6 x 2 – bed units at ground floor level, all of which are designed to be adaptable-living dwellings which is more than adequate to cater for older or disabled owner/occupiers or tenants. Four of the 6 units will be under SGCH management.

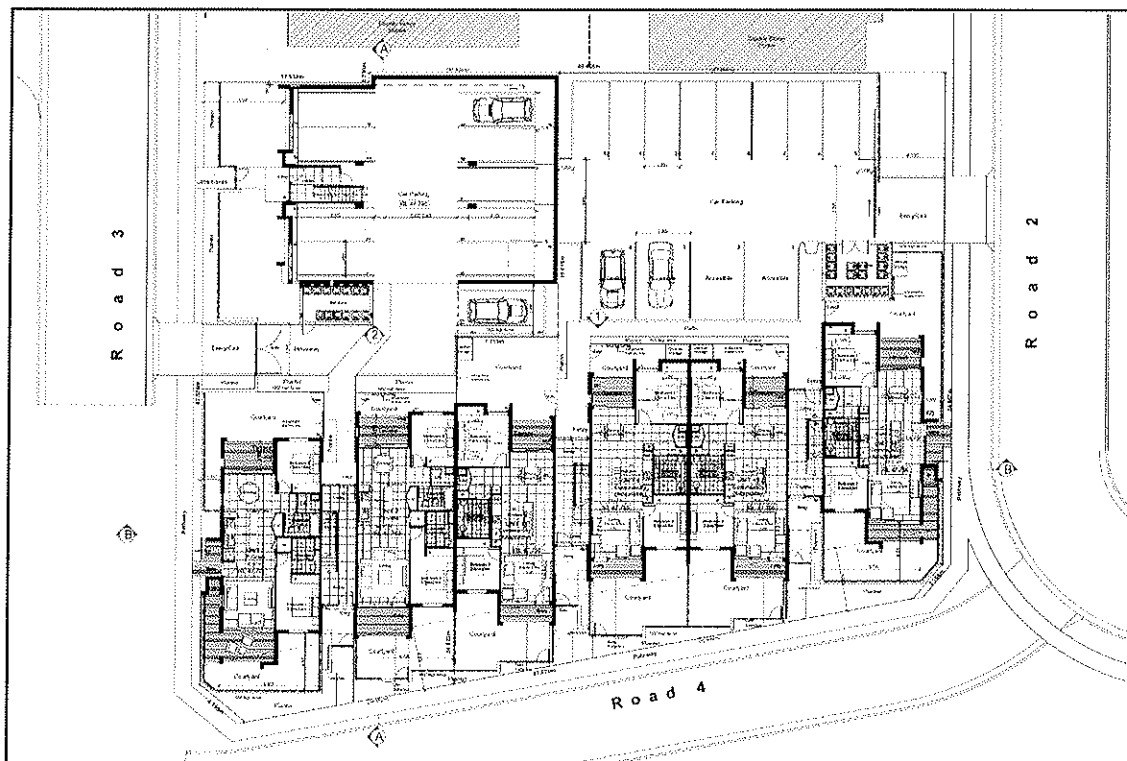


Figure 11: Ground floor layout of walk-up flat building (Source: Urbis)

Department's Assessment

The Department has considered Council's comments and the Proponent's justification and agrees that the introduction of walk-up flat buildings is an improvement on the larger "6 and 8 plex-style" buildings approved under the Concept Plan as they will provide a greater level of residential amenity and improved built form character through compliance with SEPP 65 and other performance guidelines committed to by the Proponent as detailed above.

In addition, the Department is satisfied that safety and crime concerns raised by Council will be adequately addressed in the design and future management of the walk-up flat building.

The provision of lifts within walk up flats is not considered necessary given compliance with SEPP 65 will ensure suitable levels of amenity are achieved with regards to access to the site. In this regard, it is considered the introduction of three storey walk up flats into the development is supported.

5.3 Potential density increase in future stages

Council is concerned that the introduction of detached and attached dwellings on narrow lots, and walk-up apartments will result in an overall increase in density across future stages within the Concept Plan.

Council's consideration of the modification application at the meeting held on 12 April 2011, indicated the Proponent has advised that an increase to the overall dwelling yield and dwelling density approved in the Concept Plan may be sought in the future for Stages 4 or 5, subject to approval from Housing NSW and range of factors. The Council considers that:

"there should be a comprehensive review of all proposed amendments to the Concept Plan prior to anymore stages proceeding so all the implications can be properly considered."

In particular, Council is concerned that any increase in densities will have resultant implications for service and infrastructure capacity and delivery across the Estate. Council considers that these matters should be reviewed and further consultation undertaken to ensure infrastructure provision keeps pace with changing development yields.

In response, the Proponent has committed to consulting with Council on any future major modifications to the Concept Plan. An additional Statement of Commitment has been provided as follows:

"The proponent will commit to timely and ongoing consultation with Fairfield City Council throughout the life of the project, particularly with regard to any application for major modifications to the Concept Plan approval (e.g. residential density increases, major staging boundary changes, etc). The consultation process could include the establishment of a Working Group (comprising representatives from both Council and the proponent) to resolve an appropriate scope of works for review of potential impacts and mitigation measures to off-set the identified impacts (e.g. physical and/or social infrastructure upgrades)."

The Department's Assessment:

The Department has considered Council's comments and the Proponent's justification in its assessment of the proposed modification. It is noted that the public benefits agreed in the endorsed VPA for Stage 3 were limited to the upgrade of the collector roads and the 50% share of local roads adjacent to public open space. Given no changes are proposed as part of the modification, and no significant changes to dwelling density or yield will result, no changes to the VPA are considered necessary as part of the subject modification.

Notwithstanding the Department's acceptance of Stage 3, it is recommended that an additional "Future Assessment Requirement" be imposed, in addition to the additional Commitment to ensure that the Proponent is required to prepare and submit to Council an assessment of the potential implication upon service and infrastructure delivery for the entire Bonnyrigg Estate. The additional requirement as recommended states as follows;

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

5.4 Fencing

The modification seeks to alter the fencing types through provision of “superslat” fencing (*refer to Figures 12 and 13 below*), for private open spaces in front and side setbacks. The “superslat” fencing increases privacy whilst maintaining appropriate levels of visual permeability.

The Proponent has indicated the proposed modification to the fencing type will provide consistency in fencing types throughout the development.



Figure 12: Fencing in front setback
(Source: Urbis)



Figure 13: Proposed “Superslat” fencing
(Source: Urbis)

Council has raised no objections to the proposed fencing which would otherwise be generally permitted under Council’s DCP controls.

It is considered that the proposed fencing is in keeping with the fencing types approved as part of the Concept Plan and maintains an appropriate level of visual permeability ensuring suitable levels of natural surveillance are provided to the street. In this regard, the proposed fencing type is considered acceptable.

6. DELEGATION

On 28 May 2011, the Minister for Planning and Infrastructure delegated his powers and functions under Section 75W of the Act, and required that where a Council had objected to a modification application from a private proponent, the Planning Assessment Commission (PAC) would determine the modification. Accordingly, this modification application is referred to the PAC for determination.

7. CONCLUSION AND RECOMMENDATIONS

The proposed modification does not alter the overall nature, needs or justification of the approved project. The main issues relating to built form, residential amenity, and dwelling density have been addressed in the report. It is therefore considered that the proposal, as modified, is generally consistent with the approved development

The proposed modification does not result in a "radical transformation" of the Concept Plan as originally approved. The proposed modifications do not result in any increase in density and do not change the original assessment to the sites suitability for this development.

The proposed development remains consistent with the terms of approval for MP06_0046 and is considered to be acceptable. It is therefore recommended that the application be approved subject to the modified condition.

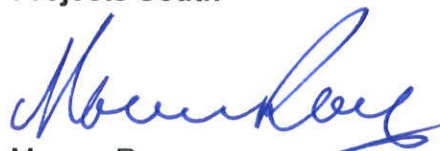
In this regard, It is recommended that the Planning Assessment Commission:

- (a) **consider** the recommendations of this report;
- (b) **approve** the modification, subject to conditions, under Section 75W of the *Environmental Planning and Assessment Act 1979*; and,
- (c) **sign** the attached Instrument of Modification (**Appendix C**).

Endorsed by


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