

Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 28 May 2011, the Planning Assessment Commission of New South Wales (the Commission) approves the modification of the application referred to in Schedule 1, subject to the conditions in Schedule 2.



Member of the Commission



Member of the Commission

Sydney

28 July 2011

SCHEDULE 1

Concept and Project Application Approval: MP06_0046 granted by the then Minister for Planning on 12 January 2009

For the following:

Concept Plan Approval for the redevelopment of the Bonnyrigg Housing Estate comprising:

- Construction of approximately 2,332 dwellings in 18 stages over 13 years;
- Construction of new roads, with 50% of existing roads to be retained;
- Provision of new infrastructure (including stormwater, sewer, recycled water, gas and electrical);
- Staged construction of a new community precinct comprising community, retail and commercial activities; and,
- Reconfiguration and upgrade of existing public open space.

Two Project Application Approvals for:

- Subdivision 106 new lots in stage 1 with associated infrastructure; and
- Construction of 106 new dwellings and associated infrastructure in stage 1, provision of new open space and facilities required for stage 1 of the proposal.

Modification:

MP06_0046 MOD 3: Modifications to amend the Concept Plan including:

- Reduction to the minimum allotment width for detached dwellings from 8.5 metres to 6.7 metres and minimum allotment depth from 27.5 metres to 25 metres, to allow for more traditional housing options;
- Reduction to the minimum allotment width for duplex (attached dwellings) building types from 15 metres to 12.8 metres and minimum allotment depth from 30 metres to 25 metres, to allow for more traditional housing options;
- Additional criteria to allow walk-up flats in additional locations;
- Re-wording of zero side setback guidelines to enhance privacy, amenity and streetscape;
- Altered staging boundary decreasing the area of Stage 3 by 1,100m²;
- Variation to front boundary fencing types to provide additional privacy to front courtyards of duplex buildings; and,
- Amendment to the Statement of Commitments to allow for greater consultation with Fairfield City Council.

SCHEDULE 2

The above approval is modified as follows:

- a) *Condition A3 is amended by deletion of the struck out words and insertion of the **bold and underlined** words as follows:*

A3 Development in Accordance with Plans and Documentation

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

<i>Documentation</i>	<i>Consultant</i>	<i>Date</i>	<i>Submitted with EA / PPR / Post PPR</i>
<i>Concept Plan</i>			
Updated Master Plan (pages 9, 39, 43, 52, 53 and 150 as amended by Section 75W modification application <u>MP06_0046 MOD 2 and pages 53, 67, 148, 150, and 164 as amended by Section 75W modification application MP06 0046 MOD3)</u>	Urbis	Sept 2008	Post PPR
Updated Concept Plan Maps	Urbis	3.06.08	PPR
Updated Community Renewal Services Plan	Urbis	9.05.08	PPR
Community Renewal Services Implementation Plan 2007-2010 (Final Draft)	Urbis	3.09.08	PPR
Submissions Response Table	Urbis	3.06.08	PPR
Updated Water Cycle Management Plan	Hughes Trueman	Aug 2008	Post PPR
Updated TMAP	SKM	30.04.08	PPR
Project Design Report	EDAW	Sept 2008	Post PPR
Updated Masterplan Infrastructure Report	Hughes Trueman	1.05.08	PPR
Updated Environment & Construction Management Plan	Hughes Trueman	1.05.08	PPR
Updated Subdivision Plans	Vince Morgan	3.06.08	PPR
Updated Economic Impact Assessment	Macroplan	26.04.08	PPR
Infrastructure Delivery Plan	Urbis	4.06.08	PPR
Quantity Surveyor Reports	WT Partnership		EA
Concept Plan Title Details	Vince Morgan		EA
Proposed Amendment to Fairfield Local Environmental Plan 1994 Clause 25H	Urbis		EA
Draft Bonnyrigg Town Centre and Residential Renewal Development Control Plan 2007	Urbis		EA
Compliance Assessment Table (Concept Plan and Stage 1 Project Application)	Urbis		EA
Bonnyrigg Focus Groups: Incoming	Urbis		EA

Community Report			
Social Infrastructure Needs Analysis	Urbis		EA
Demographic Report	Urbis		EA
Social Impact Assessment	Judith Stubbs		EA
Ecological Sustainable Development – Environmental Opportunities Report	Advanced Environmental		EA
Ecological Sustainable Development – Dwelling Design Report	Advanced Environmental		EA
Concept Plan Environmental Site Assessment	JBS		EA
Heritage Impact Assessment	John Oultram		EA
Community Consultation Report - Phase 1	Judith Stubbs		EA
Community Consultation Report - Phase 2	Judith Stubbs		EA
Peer Review of Social Impact Assessment	Urbis		EA
Peer Review of Urban Design	Annand Alcock		EA
Lighting Strategy	Vision		EA
Survey Plans	Vince Morgan		EA
Environmental Noise Assessment Report	Acoustic Logic		Post EA

(2) The development shall take place in accordance with the following plans and documentation (including any appendices therein) which are approved as part of the Concept Plan:

- (a) Environmental Assessment Report (EAR) prepared by Urbis, Job No. SA3338, Report No. Concept Plan and Project Application.v12a, dated November 2007;
- (b) Bonnyrigg Masterplan prepared by Urbis, dated September 2008 (pages 9, 39, 43, 52, ~~53 and 150~~ as amended by Section 75W modification application **MP06_0046 MOD 2 and pages 53, 67, 148, 150, and 164 as amended by Section 75W modification application MP06_0046 MOD3**).
- (c) Amended Voluntary Planning Agreement (VPA), dated July 2008;
- (d) Bonnyrigg Infrastructure and Services Delivery Plan prepared by Bonnyrigg Partnerships, Job Code SA3338, Report No. Bonnyrigg Infrastructure and Services Delivery Plan – 180608 – Final, dated June 2008;
- (e) Water Cycle Management Report prepared by Hughes Trueman, Revision C, dated 5 August 2008;
- (f) Transport Management and Accessibility Plan (TMAP) prepared by SKM, Final Report, dated 28 October 2008;
- (g) Stage 1 Infrastructure Report prepared by Hughes Trueman, Revision 5, dated 17 September 2008;
- (h) Project Design Report prepared by EDAW, Project No. 07502505.01, Issue E, dated September 2008;
- (i) Stage 1 Environment and Construction and Management Plan prepared by Hughes Trueman, Revision 5, dated 4 September 2008; and
- (j) Preliminary Environmental Site Assessment prepared by JBS Environmental Pty Ltd, Job No. JBS 40266-11664, dated September 2007.

- (3). The following Preferred Project Report and revised Statement of Commitments are approved:

- (a) *Preferred Project Report* (PPR) prepared by Urbis, Job No. SA3338, Report No. SA333.PPR-050608 Final, dated 5 June 2008, and, the Revised Statement of Commitments dated November 2008, **and additional Commitment approved as part of the Section 75W modification application MP06 0046 MOD3:**

“F. Consultation

14. 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).”

- (4). In the event of any inconsistencies,
- (a) the preferred project report and revised Statement of Commitment in (2) prevails to the extent of any inconsistency in the plans and documentation identified in (1), and
- (b) the modifications of the Concept Plan approval identified in Schedule 2 prevail over the documentation listed in (1) and (2) above.
- b) *Part B - Future Assessment Requirements* is amended by the insertion of Condition B5 as **bold and underlined** words 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 residential densities in any stage of the Concept Plan and as indicated in the Revised Statement of Commitments (F.14).”