

OUTCOMES COMMITTEE

Meeting Date 13 March 2012

Item Number. 25

SUBJECT:

Issue: Bonnyrigg Living Communities Project – Modification to Concept Plan.
Premises: Bonnyrigg Housing Estate, Bonnyrigg.
Owner: Fairfield City Council, Department of Housing.
Applicant: Becton Pty Ltd (Attachment A)
Zoning: - Fairfield LEP 1994: Residential 2(b), Residential 2(c), Open Space 6(a)
- Draft Fairfield LEP 2011: R1- General Residential, RE1 – Public Open Space
Submissions: Yes (Attachment A)

FILE NUMBER: 11/03263

PREVIOUS ITEMS: Bonnyrigg Living Communities Project - Outcomes Committee - 12 April 2011

REPORT BY: Amanda Bray, Manager Policy and Community Development;
Andrew Mooney, Senior Strategic Planner

RECOMMENDATION:

That Council endorse the issues raised in the report as the basis for a submission to the Department of Planning and Infrastructure (DP&I) regarding the proposed modifications to the Bonnyrigg Living Communities Project and in particular:

1. As a result of the proposed increase in housing density and population associated with the proposed modification:
 - (i) Raise major concerns to the deficiency arising in the provision of public open space and shortfall in the provision of the community facilities.
 - (ii) Request that the DP&I require the proponent undertake further investigations and consultation with Council in relation to the potential for provision of public open space and increased provision of community facilities within the local catchment.
 - (iii) Request that the DP&I require the proponent to utilise independent population projections for the increased housing density associated with the proposal as the basis for the provision of open space and community facilities.

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2. Advise the applicant and DP&I it does not accept the proposed car parking rates associated with the apartments buildings and that car parking be provided in accordance with the RMS (formerly RTA) guidelines for this form of development.
3. The controls for apartment (3 storey walk ups) and terrace housing be modified to ensure that these forms of housing can only be provided directly opposite public open space or the community facility precinct.
4. The master plan criteria for the terrace housing be clear so that each dwelling has true frontage to a street and laneway, right of ways are not acceptable to garage parking for terraces and flatettes.
5. In view of the introduction of the new terrace or row housing typologies and concerns with the levels of residential amenity achieved in the larger plex housing, that the 6 and 8 plex housing types be removed from the masterplan as a suitable housing form under the proposal.
6. The proponent be required to liaise further with residents of the estate making a submission to the proposal and additional criteria be included in the Masterplan to ensure levels of privacy and access to sunlight associated with the original concept plan approval are not compromised as a result of the provision of apartment buildings.

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 Owner details and authors of submissions

1 Page

AT-B Concept plans - terrace housing

2 Pages

SUMMARY

The Department of Planning and Infrastructure (DP&I) has notified Council of public exhibition of proposed modifications by Becton Pty Ltd, to the Bonnyrigg Living Communities Project Concept Plan.

The modifications propose to allow for an increase of approximately 168 dwellings, increasing the total yield in dwellings under the project from approximately 2,332 to 2,500 dwellings.

Other key modifications include introduction of a new 'terrace style' housing type, change in road/site layout, provision of an additional open space (1,300m²), increasing the size of the new community centre (excluding men's shed and storage space) from 560m² to 700m² and provision of specific car parking rates for apartment buildings.

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As Council would be aware, a previous modification approved by the NSW Planning and Assessment Commission in July 2011 allowed for the introduction of 3 storey apartments and reduction in minimum lot widths for detached housing (from 8.5m to 6.7m – north facing yard only) and attached housing (from 15m to 12.8m – north facing yard only) with these housing forms currently being constructed in Stage 3 of the proposal.

Concurrent with the proposed modifications to the Concept Plan, Becton have also submitted a development application with Council of construction of Stage 4 of the proposal. This DA is being dealt with as a separate matter and based on the value of the proposal would need to be referred to the Joint Regional Planning Panel for a determination.

As outlined in this report, key concerns and objections raised by Council officers relate to the deficiency in the allocation of open space and community facilities arising from the increase in housing density associated with the modification, inadequate provision of visitor car parking proposed for lifted and garden apartments.

It is also recommended that the controls for terrace housing and three storey walk-up apartments be tightened to ensure the housing forms can only be located opposite open space and the proposed community centre precinct.

Two submissions to the DP&I from residents of the Estate have also been referred to Council. Under the modifications, apartment buildings are now proposed to be located in close proximity to these residents which was not the case with the original concept plan approval. It is recommended that the applicant be required to consult with these and other residents and undertake necessary design changes (including relocating the proposed apartment buildings) to ensure that the original levels of amenity and access to sunlight for residents associated with the original concept plan be maintained.

BACKGROUND

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

The Concept Plan is the overall approval of the project. Separate development applications have and will continue to be lodged for detailed approvals to be granted prior to construction. These development applications must be assessed against criteria in the Concept Plan and so in effect the Concept Plan acts in the same way that a DCP applies to other development applications.

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In addition to the new housing, the proposal includes provision of new infrastructure, a community facility precinct, nursery, reconfigured and renewed public open space areas. A range of community initiatives including a Community Renewal Services Plan has also been put in place to promote community renewal and support residents in the transition to the new estate.

Stage 1 and 2 of the proposal have been completed and Stage 3 (159 dwellings) is currently under construction.

In July 2011, as part of Stage 3 of the development, a request for modification was approved by the NSW Planning and Assessment Commission allowing for the introduction of 3 storey walk-up apartments (in proximity to open space and activity centres), provision of detached dwellings (on 6.7m wide allotments) and attached dwellings (on 12.8m wide allotments).

Details of the current request for modification are included under the next section of this report. As part of preparation of the modification a number of meetings were held between Council officers and the proponent, where the concerns detailed in this report were discussed.

A. PROPOSED MODIFICATION

A1. DETAILS OF CHANGES TO MASTERPLAN

The following table (Table 1) provides an overview of the key modifications associated with the proposal;

| Proposed Modification | Basis for modification | Comment |
|---|---|---|
| Increase in dwellings (168) from approx 2,332 to 2,500. | <ul style="list-style-type: none">- Aimed at promoting the "sustainability" of the project.- Includes increase in the provision of social housing (62) in the development previously to be provided off site.- Associated increase in private dwellings to maintain the 70:30 ratio provision of private-social housing- Creates the opportunity for more of the existing residents to remain on the estate. | The key concerns raised by Council officers in regard to the proposed increase in dwellings relate primarily to provision of open space and car parking. These concerns are outlined below. |

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| New housing type – Row and Terrace | <ul style="list-style-type: none"> - Alternative housing type which can be used as an alternative to the previous proposed 4,6,8 'plex' house. - Located on 5m wide 25 m deep allotments - Terraces require dual street frontages | <p>Council's original submission to the Concept Plan recommended a terrace form of housing instead of some of the larger 'plex' houses. So this form of housing is supported in principle but concerns are raised about some of the detailed design controls.</p> <p>See further comments under Part B of this report (below).</p> |
| Increase public open space (1,300m ² from 12 hectares to 12.13 hectares) | <ul style="list-style-type: none"> - Increase open space distributed across the estate - Aimed at addressing the proposed increase in number of dwellings and population of Estate | <p>Council officers consider the provision of open space for the proposed modification is deficient. See further comments under Part C of this report (below).</p> |
| Increase the size of the community centre from 560m ² to 700m ² | <ul style="list-style-type: none"> - Aimed at addressing the proposed increase in number of dwellings and population of Estate | <p>See further comments under Part D of this report (below).</p> |
| Car parking rates for apartments | <ul style="list-style-type: none"> - In response to advice from the Joint Regional Planning Panel (JRPP) for Stage 3, the proponents have introduced visitor car parking requirements for apartments containing more than 20 dwellings. | <p>Consistent with RTA guidelines, Council officers believe that visitor parking should also be required for apartments comprising less than 20 dwellings.</p> <p>See more detailed comments under Part E of this report (below)</p> |
| Amendments to the site and road layout | <ul style="list-style-type: none"> - Arises from the proposed increase in dwellings and open space | <p>Council officers have no objections to the new road and site layout. Circulation and access across the site for pedestrian and vehicle movement remains generally acceptable under the proposal.</p> <p>See further comments under Part F of this report (below).</p> |

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|-----------------------------|---|---|
| Improve clarity of controls | - Formalise variations to setback controls identified as necessary in stages 1-3 of the proposal. | <p>The variations to setback controls in stages 1-3 of the proposal have been endorsed by Council officers in response streetscape issues and address housing located on corner lots with dual road frontages where it has been appropriate to vary the minimum controls.</p> <p>In this regard there are no objections raised to this aspect of the proposed modifications</p> |
|-----------------------------|---|---|

A2. DETAILS OF FURTHER (CONSEQUENTIAL) CHANGES REQUIRED TO VOLUNTARY PLANNING AGREEMENT

The modification of the concept plan has consequential impacts on the voluntary planning agreement (VPA). In the event the modification is approved, the VPA will need to be modified to accord with the approved concept plan.

The VPA consists of the following elements:

1. The Voluntary Planning Agreement (legal agreement);
2. The Infrastructure and Services Delivery Plan (ISDP) which identifies the public and community infrastructure provides as part of the development; and
3. The Explanatory Note.

The legal agreement is not proposed to be modified.

The ISDP and Explanatory Note would need to be updated to reflect the changes in physical infrastructure to be delivered under the concept plan.

The main changes for the ISDP are identified as:

1. Update of the document to reflect new housing numbers, density and associated cost estimates (private and public infrastructure)
2. Update apportionment of public infrastructure and services provision
3. Update detail on provision, including description, value and plans as appropriate:

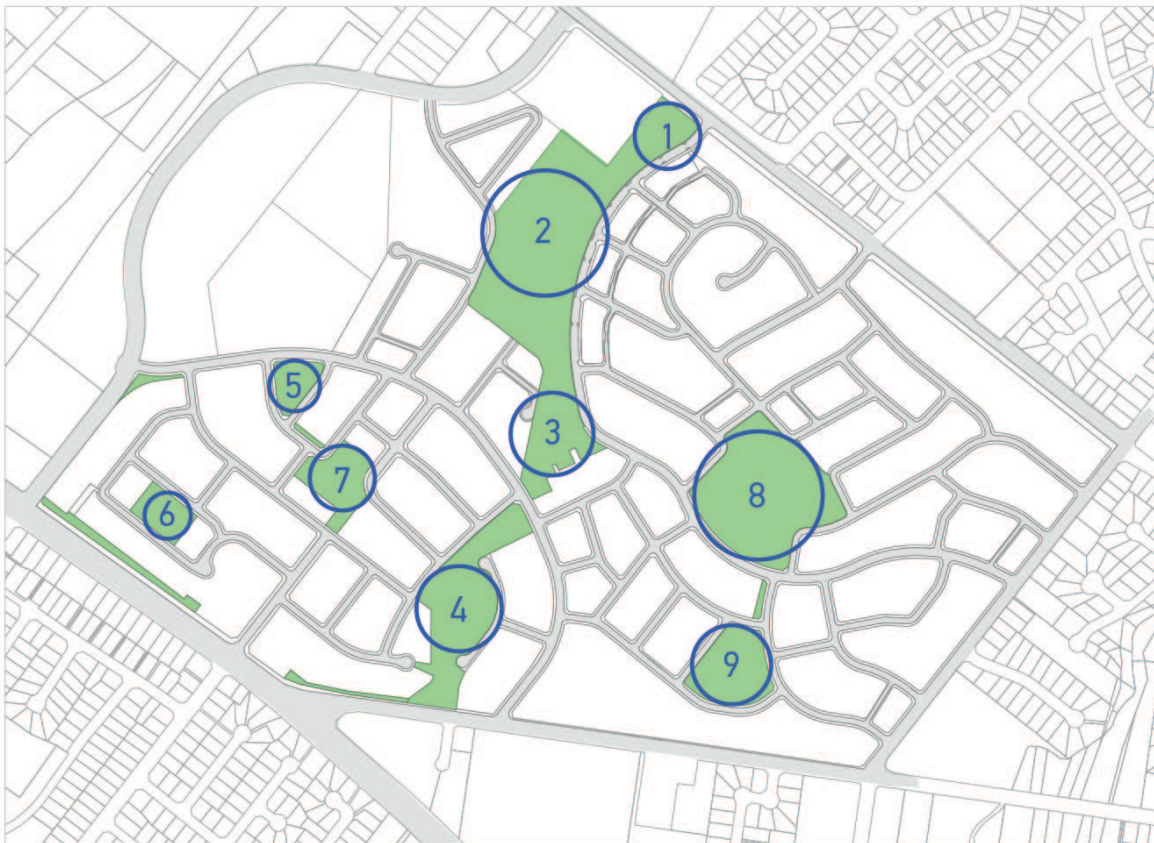
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- Roads
- Storm water
- Parks
- Shade structures and amenities
- Furniture
- Community centre
- Community garden
- Community nursery
- Timing of infrastructure and land dedication provision

The Explanatory Note would require an update of diagrams and plans of what is to be provided and minor adjustment of text. It is expected the changes will be an extension of the ISDP, rather than a reduction. The main impacts are on the community centre precinct and the parks.



- | | |
|---|------------------------------|
| 1 Entry Park - Stage One - Passive | 6 Village Park - Passive |
| 2 Lower Valley Creek Sports Park - Active | 7 Forest Park - Active |
| 3 Valley Creek Community Centre Park - Active | 8 Hilltop Park - Active |
| 4 Upper Valley Creek Park - Passive | 9 Junior Play Park - Passive |
| 5 Bonnyrigg Avenue Entry Park - Passive | |

Note
Naming of parks to be developed in consultation with the community

Park Location Plan

Note: Plan is extracted from the Modification's Master Plan and based on proponents commitments

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Parks 5, 6 and 7 have been reconfigured from the original concept, while the extent of parks 4 and 8 have been modified. The original features, structures, amenities and furniture have largely been retained from the original concept proposals. Information on other changes to the embellishment of parks are detailed under the next heading.

The main change, arising predominantly from the need to develop the Newleaf Office earlier than initially planned, is to the community centre precinct. This switches the location of the community centre from a Tarlington Parade frontage to a Newleaf Parade frontage. The size of the community centre is proposed to increase.



Community Centre Plan

Note: Plan is from the Modification's Master Plan and based on proponents commitments

The legal agreement provides for application of S94 or S94A to elements of the project where the density requirements are exceeded. This was incorporated to cater for small variations without the need to amend the VPA.

If a S94A contribution was to occur for the additional 168 dwellings, at an average construction cost of \$250,000 per dwelling, the 1% S94A contribution would be \$420,000. This approach should represent the additional value in the VPA arising from the proposed redevelopment.

DETAIL OF EMBELLISHMENT OF PARKS

The variations to the parks (above) are noted as follows:

- **Park 3 – Middle Valley Creek Community Centre Park**
 - a. Master Plan layout modified – include community nursery and switches community centre and Newleaf offices
 - b. Men's Shed not identified on Park 3 Plan (page 113)
- **Park 4 – Upper Valley Creek Park**
 - c. Basketball court reduced to ½ court – the full court is recommended to be retained.
- **Park 5 & 6 – Bonnyrigg Avenue Entry and Village Park**
 - d. Spaces completed reconfigured in different locations
 - e. Park 5 incorporates significant local tree (to be retained)
 - f. Prior use and nature / detail largely maintained
 - g. Landscaping provided at Tarlington Parade and Bonnyrigg Avenue
- **Park 7 – Forest Park**
 - h. References to low seating/retaining wall to sunken play area, shelter/seating, shareway connection across site with lighting
 - i. Location of tennis wall may need to be discussed further with respect to noise impact on residences
- **Park 8 – Hilltop Park**
 - j. Minor variation in shape and extent, same uses/facilities proposed.
 - k. Prior use and nature / detail maintained

The proposed modifications are similar to the content of the original concept plan and consistent with the program analysis plan. Detail design will establish the optimum layout and facilities for each park in accordance with the VPA requirements.

B. TERRACE (ROW) HOUSING

The proponents propose to introduce a new 'terrace' or 'row' housing typology (Attachment B) to be utilised as an alternative for the 6 and 8 plex housing configurations associated with the original concept plan approval.

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The 6 and 8 plex houses are a form of residential flat building (containing 6 – 8 dwellings), which were proposed to be constructed as two storey building with large massing to give the impression of being an oversized 'house'. It is understood that the move away from this housing form is in response to the poor market response and difficulty in achieving appropriate amenity (e.g. solar access) for this form of housing.

The proposed terrace housing would be required to comply with amenity and solar access requirements of the Bonnyrigg Masterplan. The 6-8 plex developments have some difficulty in meeting these standards.

Under the proposed modification, additional requirements proposed for the terrace housing include:

- Minimum lot width 5m
- Minimum lot depth 25m
- Minimum number of street frontages - 2

As part of its original submission to the Concept Plan, Council commissioned independent architects to undertake an assessment of the 'plex' housing typologies. Council's architects indicated a number of deficiencies with the larger types, not only in meeting desirable standards of residential amenity but also in achieving a desirable urban design outcome.

Council's architects also suggested that the provision of terrace or row housing would be a more desirable housing configuration in terms of addressing the above concerns.

Although no terrace housing has been included in the current Stage 4 application, the applicant has provided preliminary concept plans (Attachment B) showing the possible configuration of the terrace housing. In addition to representing a housing form which is more capable of providing appropriate levels of residential amenity and solar access than that associated with the larger plex development, the terrace housing configuration results in the following key urban design improvements;

- Introduces scope for greater diversity in the built form and scale of buildings in the proposal.
- Reduction in the massing and bulk of buildings, with greater scope to articulate and modulate the appearance and front elevation of buildings.
- Provides for an additional housing option in the development
- Reduces the number of driveway crossings along the primary street frontage.
- Front elevations of buildings are not dominated by garages.

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The latter two points (above) also represent an improvement on the detached narrow lot houses (on lots 6.7m wide) approved in July 2011 by the Planning and Assessment Commission under the previous modification to the concept plan. Overall, although located on relatively narrow lots, the terrace houses are considered an acceptable housing option as design is more integrated and based on the improvements in residential amenity, opportunities for solar access and urban design improvements (above).

Two of the central terraces shown in Attachment B include a detached 'flatette' toward the rear boundary of each lot. This component of terrace housing typology is not supported as:

- It obstructs the provision of formal laneway at the rear of the terraces and does not achieve provision of dual street frontages as required by the proposed masterplan controls (above) for terrace housing.
- The flatette has limited residential amenity, particular in terms of solar access and results in overshadowing of the rear yards of the terrace housing
- There is inadequate provision of private open space (including lack of balconies).
- The design is not conducive to the principles of accessible housing.
- The arrangement of creating driveways via a shared right of access is also unacceptable as in the longer term getting neighbours to agree to maintenance arrangements without strata rules to assist the process increasingly leads to problems

In light of the concern with the deficiencies in public open space (below) associated with the modification to the concept plan, it is recommended that Council endorse the following additional criteria to ensure that both terrace housing and three storey walk up apartments be located so as to maximise access to public open space and the community facilities. Terrace housing should also be orientated to maximise solar access as follows;

- Terrace housing and 3 storey apartments are to be located adjacent to or directly opposite public open space or the proposed community precinct.
- The lots associated with terrace housing are to have a predominantly north south orientation so as to maximise solar access
- Terrace housing shall have at least two street frontages so each unit in a terrace has frontage to a road and the rear separate access to a formal laneway.

In light of introduction of the terrace houses and concerns with the large 'plex' development it is recommended that the 6 and 8 plex development be removed from the masterplan housing options.

C. SOCIAL IMPACTS – INCREASE IN POPULATION, IMPLICATIONS FOR OPEN SPACE AND COMMUNITY CENTRE

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As part of the modification, the proponents have prepared a revised social impact assessment (SIA) prepared by Urbis. In general terms a social impact assessment, assesses if the community is better off before or after a proposal and identifies any mitigation strategies to overcome any identified adverse impacts.

The revised SIA is limited in nature and does not identify any adverse impacts or suggest any mitigation strategies to overcome identified impacts. As discussed in the next sections of this report, the SIA does not prove that the community, both locally and regionally is better off (or at least no worse off) as a result of the proposed modifications, as levels of amenity as a result of the increase in population do not improve.

In light of the above it is recommended that Council objects to the proposed increase in housing density on the estate on the basis of the deficient provision of public open space. Further modifications or arrangements made need to be included in the proposal to ensure appropriate provision of public open space consistent with the per capita provision of public open space associated with the original concept plan approval.

The Applicant fails to identify mitigation strategies to offset the loss of open space due to the increase in density. The Applicant has not suggested alternative strategies such as increase embellishment of sportsfields within the catchment as an alternative. Further details are provided below.

C1. POPULATION INCREASE

Urbis proposes to calculate the increase in residents associated with the proposed additional housing based on 'actual' occupancy rates as follows:-

- for public dwellings in stages 1 and 2 (3.2 persons per dwelling)
- for private dwellings in stage 1-3 (2.2 persons per household).

Council Officers consider that the more appropriate occupancy rate is 3.17 persons per dwelling for all dwellings for reasons that will be discussed later in this section.

To base the size of the future population on the current 'actual' occupancy rate as proposed by Becton is not appropriate. The approach is flawed and the associated calculations are disputed based on the following;

1. Newleaf have indicated that sales in Stage 1 and 2 were dominated by investors with 37% and 42% respectively. According to the figures in the revised SIA only 50% of stage 3 dwellings have been sold. Private investors rent their properties, and occupancy rates can change relatively quickly as tenants move into and out of properties. Add to this to the fact that the sample size is small meaning that a one-off snapshot of occupancy rates in a location with a number of rental properties and in stage 3 where half the properties were not factored into the assessment means the figures provided by Newleaf may not be reflective of future occupation trends.

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2. The current household size does not necessarily reflect changes in the household or the lifecycle of families. New housing is typically settled by young households (young couples and young families, perhaps some mature families). As the families grow and mature, household size typically increases.

The original Social Impact Assessment (2007) (SIA) projected significant increases in the number of children aged 0-9 years (265 extra children or a 68% increase). This is a result of the nature of housing in the development that is likely to attract young couples planning to have children in the future. The use of current population data does not account for future growth as identified in the Social Impact Assessment. The revised SIA 2011 projects that 37.4% of residents will be aged 0-19 years, with 22% being aged 20-39 years. Current trends are showing that young people stay home longer due to housing affordability.

3. The drop in occupancy rates proposed by Newleaf for private dwellings is not credible or consistent with the housing types associated with Stage 3. In Stage 3, 86% of dwellings comprise 3 and 4 bedroom dwellings where longer term occupancy rates far greater than 2.6 persons can be expected over the life of the development. Council Officers are not aware of any area containing predominantly 3-4 bedroom dwellings that has maintained a sustained occupancy rate of 2.2 persons per dwelling over the life of the development.
4. There appears to be a discrepancy in the number of dwellings used to calculate the 'actual' occupancy rate. Urbis have calculated the 'actual' rate of occupancy based on 279 dwellings rather than the actual number of dwellings as advised by Urbis¹ as 313 dwellings (note: this does not include 56 public dwellings Stage 3). It is unknown if the 36 dwellings which are not included affect the average 'actual' household size.

In discussions with the proponent Council officers requested that Urbis use an occupancy rate of 3.17 for both private and public dwellings. These occupancy rates were suggested for the following reasons:

1. The 3.17 rate originates from the demographic company - Informed Decision who are independent of both Council and Urbis. Informed Decision provides demographic information about local areas to more than 220 councils in Australia & New Zealand. After the 2006 Census data was released, Informed Decisions forecasts were found to be more accurate than either State Government or ABS in two thirds of cases.
2. The Informed Decision projections are based on Bonnyrigg and include projections based on the current approved Concept Plan.
3. Projections are sound in validity and use a range of indicators to project population size and household size including: residential dwellings/ household type, births and deaths, migration and trends.

¹ Urbis 14 March 2011 Section 75W Modification to major project No MP06_0046 and Development Application No 1303.1/2010

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Urbis contest the use of 3.17 and argue that the community profile data shows a trend towards smaller households and families between 2001 and 2006 as there was an increase in two person households and a decrease in four person households. Council officers agree that the data trend is towards smaller households which are demonstrated in the projections by Informed Decision. The concern Council Officers raise is that Newleaf overstate the impact of this trend.

The current household size for the City is 3.4 which decreases overtime to 3.17 in 2031 to account for changes in age, population size and household size. Urbis has suggested that the figures are based on a City-wide trend; however the figures are based on Bonnyrigg alone and include projections based on the current approved concept plan. This trend has been considered in the forecast data and therefore an average household size of 3.17 is considered appropriate as outlined in Table 3.

Table 3 Population forecast Bonnyrigg 2009

| Bonnyrigg | Forecast year | | | | | |
|-------------------------------------|---------------|-------|--------|--------|--------|--------|
| | 2006 | 2011 | 2016 | 2021 | 2026 | 2031 |
| Population | 8,600 | 8,806 | 10,539 | 12,502 | 13,881 | 13,827 |
| Change in Population (5yrs) | | 206 | 1,733 | 1,963 | 1,379 | -54 |
| Average Annual Change (%) | | 0.47 | 3.66 | 3.48 | 2.11 | -0.08 |
| Households | 2,518 | 2,611 | 3,160 | 3,776 | 4,251 | 4,351 |
| Average Household Size (persons) | 3.4 | 3.35 | 3.32 | 3.3 | 3.25 | 3.17 |
| Population in non private dwellings | 50 | 50 | 50 | 50 | 50 | 50 |
| Dwellings | 2,559 | 2,627 | 3,178 | 3,799 | 4,277 | 4,377 |
| Dwelling occupancy rate | 98.4 | 99.39 | 99.43 | 99.39 | 99.39 | |

Population projections

Based on the discussion above, Council requires that an average 3.17 occupancy rate per dwelling for both public and private development be applied in all calculations of population projections. The projected population figure should be adjusted to acknowledge a 99% occupancy rate, as agreed by the Applicant. Table 4 outlines the project impact on the overall population based on these assumptions.

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Table 4 Population Projections

| | Population |
|---|-----------------------|
| Initial population – 932 dwellings (prior to Concept Design) | 2,895 persons |
| Approved concept design 2332 dwellings (94% Occupancy) | 6,031 persons |
| Proposed Total Population (2,500 plus 100 private existing dwellings) dwellings@ 3.17 per household with 99% Occupancy). Total dwellings 2,600. | 8159.5 persons |

Based on the Urbis methodology the population increase would be approximately **6,405** people.

The proposed increased in residents as calculated by Urbis is not accepted as being the most likely scenario. It is Council's practice to apply Forecast projections as calculated by Informed Decision as these have been developed with a sound methodology in a neutral context. Council should only accept 3.17 persons per dwelling to be used in population forecasts for Bonnyrigg.

This means that the total projected population in the estate after the 75W modification would be 8159 persons compared to 6,405 under the Urbis projections.

C2. PROVISION OF OPEN SPACE

Prior to the development taking place, the Estate had 7.21 ha of open space per 1000 persons. The redevelopment reduced the open space and increased the population which has the effect of reducing open space provision by 5.2ha per 1000 to 2.0ha per 1000 population by 2021. The Social Impact Assessment (2007) lodged by the applicant with the original application recommended:

“The overall quality of open space provision on completion of the renewal scheme in 2021 should not drop below the 2.0 ha per 1000 population currently proposed”.

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The Department of Planning's standard of 2.83ha per 1000 population is a comparative open space benchmark which is also the benchmark used to calculate open space in Council's Section 94 Contribution Plan. Considering that 25% of public tenants will be living in lifted apartments, and the concern of residents about the loss of backyards, the lack of open space has the potential to have major health and social implications for the residents on the Estate.

The Fairfield City Health profile indicates Fairfield has relatively poor health. In Fairfield about:

- 28.5% of the population smoke compared to 21.7% in NSW.
- residents have lower rates of physical activity (33.2%) than NSW (39%),
- higher than the NSW average for overweight males and females over 15 years old.
- higher mortality rates of cancer and circulatory disease than Sydney and Australia
- higher rates of type 2 diabetes, mental health and behavioural disorders.
- highest rates of diabetes in the Sydney metropolitan area (6.24%) (Diabetes Australia Report). There were 982 new cases of Type 1 diabetes in children aged 0–14 years during 2004² within Fairfield.

The health status of the City only highlights the importance of urban planning making provision for and addressing health outcomes for the area.

The Social Impact Assessment fails to identify any mitigation strategies to deal with the lack of open space arising from the increase in population of the Estate and fails to demonstrate how the community is better off with the increased density proposed with the modifications.

Based on the population project in Table 4 earlier, the Open Space provision should not fall below 16.32 ha to maintain 2.0ha per 1,000 persons. The proposed modification provides 12.13ha which falls well below the required level of open space (i.e. will result in approximately 1.5 ha per 1000 person). An additional 4 ha would be required to meet the benchmark set in the SIA forming part of the current concept plan.

Council recognises this requirement is a significant component and potentially has a serious impact on the viability of the modification. The project proponents need to demonstrate how this significant shortfall is to be addressed within the catchment through expansion or upgrade of existing facilities. There is an opportunity to significantly improve the quality of open space within the catchment to offset the impact of the proposed development.

Council would consider proposals to at least 80% of the value of the gross land required as a minimum to address this issue.

² Chief Health Officers Report, 2006

Should the Department of Planning approve the modification as proposed (increase to 12.13 ha), the Department should outline how and when the State Government will address the short fall in open space being permitted as part of the determination. Council is concerned the costs of provision of community assets properly delivered through the project are being shifted to local government and future generations of its residents. Council should hold the State Government responsible for providing the appropriate open space in the future.

C3. COMMUNITY CENTRE

The initial discussions with Council Officers in relation to amending the master plan for the community centre identified the following:

- Preferred location for the community building taking into account the early delivery timeframe for the Newleaf Community Offices
- The location of the men's shed
- The inclusion of the community nursery in this area
- The location and orientation of the community gardens

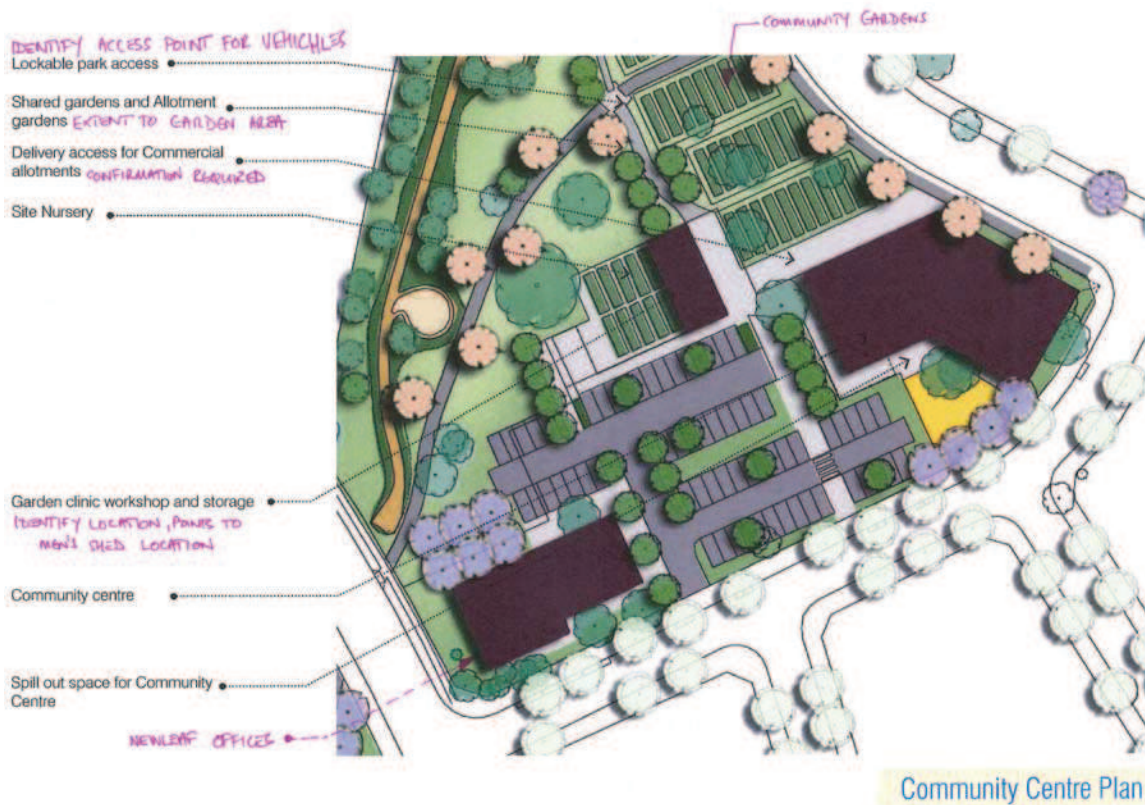
The plan included in the modification should be amended to reflect (see graphic below):

1. Location of the men's shed and community garden storage and cupboard area, which is separate to the nursery
2. Location of the Newleaf Offices
3. Location of park access (vehicular for maintenance and servicing)
4. Correctly identify the Newleaf offices, community gardens and delivery access

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The Voluntary Planning Agreement currently provides:

- A minimum of 621 m² of floor space to be provided (note: the modification application refers to 560 m² which excludes 36 m² for men's shed, 10 m² for garden shed and 15 m² for storage in the community centre)
- A general description of the rooms, areas and broad functionality of centre and its uses (not proposed to be modified)

The modification proposes to increase the size of the centre based on a pro rata increment in population based on the proponent's population calculation (to 700 m² – an increase of 140 m²).

The original SIA, part of the approved concept plan, uses a requirement 0.14 m² per person ratio. Council agrees with this requirement and would apply the requirement for the population of the whole Estate, resulting in a requirement of 1,142 m² for the community centre. This reflects the requirement for the community at the end of the process, the resulting conditions which Council will need to respond to over time.

The need to provide social infrastructure in high density disadvantaged communities is essential in ensuring that the community has the resources to support the socio-economic needs and create a social cohesive community. The proposed increase in dwellings, both in the Newleaf project and in privately owned lots is significant within the context of high disadvantage. The overall cumulative impact requires the provision of an increase in community facilities in order to best support the sustainability of the area and its residents. As Council has significant concerns with the validity of the assumptions underlying the proponent's population calculations, Council's responsibility is to ensure the holistic (or cumulative) requirements for the development catchment are being met.

In this case, Council has assessed the future population, including all dwellings within the catchment, and determined that in order to meet the appropriate standards, the facility should be a minimum of 1,142 m². There is a clear discrepancy in the proponent's position, based on an incremental approach, and the cumulative impact position for the development catchment adopted by Council.

Similar to the treatment of open space, Council's expectation is for the project proponent's to meet the relevant standards as identified in the current concept plan approval for the cumulative impact of the development, rather than shift the burden of this provision onto the existing community for provision in the future.

D. CAR PARKING ISSUES

During discussions relating to the modifications, the applicant confirmed they would be adopting the NSW Roads and Maritime Service (RMS - formally the RTA) car parking rates for medium density residential flat buildings (i.e. three storey walk ups apartments) as referred to in the approved TMAP (discussed in more detail under the next heading) prepared for the proposal.

Under the modification, the proponents now propose to modify the RMS car parking rates (by reducing visitor car parking rates and excluding an additional factor for the number of 2 and 3 bedroom apartments in the development) that would result in an overall reduction in the amount of onsite car parking provided.

This level is also less than would be required if Council's car parking rate for apartment development applied. The following table shows a comparison car parking levels and is based on the 3 storey walk up flat buildings (containing 2 bedroom apartments) included in stage 2 and 3 of the development.

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| | RATE | YIELD (based on 20 dwellings containing 2 bedroom apartments) |
|----------------------|---|---|
| RMS (RTA) Rates | <ul style="list-style-type: none">- 1 space per unit,- plus 1 space per each 5x2 bedroom units- 1 per 5 for visitor | <ul style="list-style-type: none">- 24 for residents,- 4 for visitors <p>Total= 28</p> |
| Council Rates | <ul style="list-style-type: none">- 1 space per unit,- 1 per 4 for visitor | <ul style="list-style-type: none">- 20 for residents,- 5 for visitors <p>Total= 25</p> |
| Applicant (proposed) | <ul style="list-style-type: none">- 1 space per unit,- 1 per 5 for visitor | <ul style="list-style-type: none">- 20 for residents,- 4 for visitors <p>Total= 24</p> |

The car parking rate proposed by the applicant for 3 storey walk up's essentially an amalgam of the RMS rate and Council's rate, however the end result is always a lower parking provision.

It is recommended that Council object to this rate and request that the DP&I require the applicant to adopt the RMS rate in whole as referred to in the TMAP but not Council rates.

E. TRAFFIC NETWORK ISSUES

As part of the previous development approval process, a Transport Management and Accessibility Plan (TMAP) was prepared by SKM in 2008. The TMAP included a combination of modelling to assess the development's impact on the surrounding network.

Key issues identified in the TMAP 2008 in relation to various intersections were:

- Cabramatta Road/Humphries Road – additional right turn lanes for all approaches
- Smithfield Road/Edensor Road – additional through lane on both legs of Edensor Road
- Elizabeth Drive/Brown Road – left turn slip lane from Elizabeth Drive to Brown Road
- Elizabeth Drive/Meadows Road – right turn lanes from both approach of Meadows Road to Elizabeth Drive

As part of the modification a further review and update of the previous TMAP was undertaken and it recommends a slightly different list of mitigation works to improve level of service at these locations:

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- Cabramatta Road/Humphries Road – additional right turn lanes for all approaches
- Smithfield Road/Edensor Road – additional through lane on both legs of Edensor Road
- Elizabeth Drive/Meadows Road – additional through lane on Elizabeth Drive north-west approach

Under the TMAP and approval for the Concept Plan, the applicant will be responsible for providing funding for the above intersection improvements. As the above intersections include State Roads, the RMS would have final sign off on the proposed mitigation works.

The increase in number of dwellings based on the modified concept plan will be 168 dwellings. Based on the increase in dwellings, the increase in peak hour traffic generation will be 143 trips. When these trips are allocated to different intersections as inward and outward movements, the impact of the traffic generation will be within the acceptable level of service, subject to intersection improvement works being undertaken at those locations identified in the updated TMAP.

F. SUBMISSIONS FROM RESIDENTS

Under public exhibition of the modification, the DP&I notified residents of the Estate and within 100m in the surrounding area. Submissions from two private land owners (living in Upton Place) to the DP&I have been referred to Council.

In summary the concerns raised by these property owners are as follows;

- Under the original concept plan our property faced open space
- As part of the modification, we will now be facing 4-6 storey lifted apartments
- We also object to our cul-de-sac be opened up for drive through traffic.
- There has been inadequate consultation with us regarding the above.

COMMENT

Under the original concept plan approved by the Minister for Planning, Upton Place (located in the north eastern section of the Estate toward Elizabeth Drive) and a number of other cul-de-sacs in the Estate were converted to a normal 'through' street. The intention of this step is to improve traffic and pedestrian movement and circulation throughout the Estate, allow new development to face onto public open space and open up opportunities for passive surveillance of these areas. As the through street layout has been approved under the original approval there is limited scope for Council to argue retention of the cul-de-sac

However, under the original concept plan, the private landowners front outlook was largely toward open space. The introduction of apartments at the front of these properties is combined result of the proposed increased densities on the Estate and requirement that apartments be located in proximity to public open space.

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The area around Upton Place is covered under the latter stages (17 and 18) of the Project and at this stage, not due for redevelopment for another 6-9 years. Although this is an extended timeline and detail plans are yet to be prepared, it is recommended that additional criteria be included in the Masterplan to ensure existing private landowners access to sunlight are not compromised by the introduction of apartment buildings.

CONCLUSION

Under the proposed modification to the Bonnyrigg Living Communities Concept Plan, the proposed introduction of the terrace or row housing typology over the plex housing option is supported, subject to requesting the DP&I include additional criteria in relation to the orientation and location of this form of housing close to public open space and community facility precinct.

There are major concerns arising from the proposed increase in density of the Estate and associated deficiencies in the provision of open space, community facilities and car parking for the residential flat buildings.

In raising these concerns with the DP&I it is recommended the RMS car parking rates for residential flat buildings be applied to the modification and that the applicant investigate the embellishment of open space and provision of additional community facilities in the local catchment to offset the deficiencies arising from the modification.

Amanda Bray
**Manager Policy and Community
Development**

Andrew Mooney
Senior Strategic Planner

Authorisation
Executive Manager Environmental Standards
Manager Strategic Land Use Planning

Outcomes Committee - 13 March 2012

File Name: **OUT130312_11**

***** END OF ITEM 25 *****

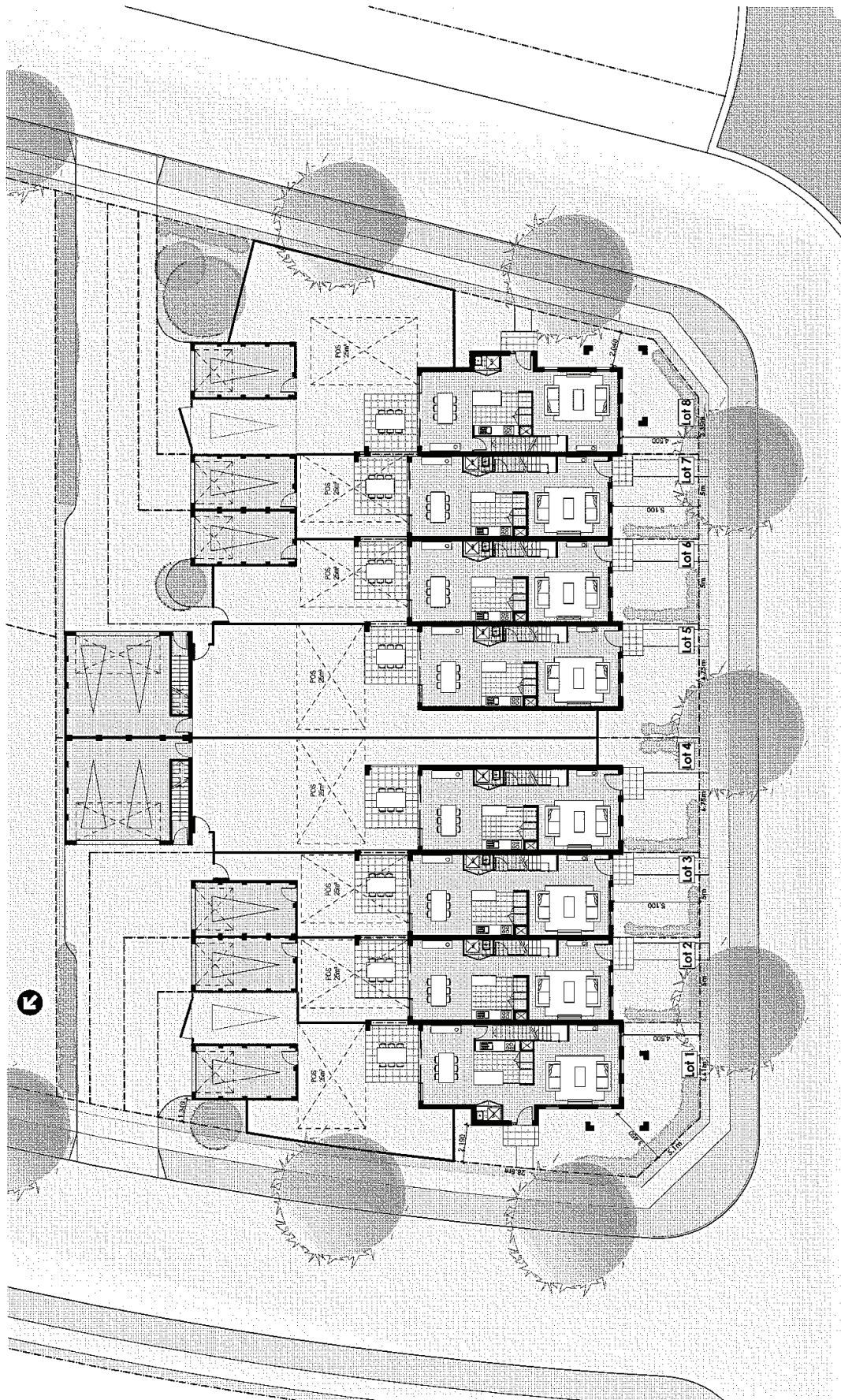
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Becton Board of Directors

Bill Con – Chairman
Matther Chun – Chief Executive Officer
Jack Crumlin – Non Executive Officer
Peter Dempsey – Non Executive Director

Submission to DP&I and referred to Council

D & H Kirby – 11 Upton Upton Place, Bonnyrigg
T Truong and M Tran – 9 Upton Place, Bonnyrigg



BONNYRIGG TERRACES

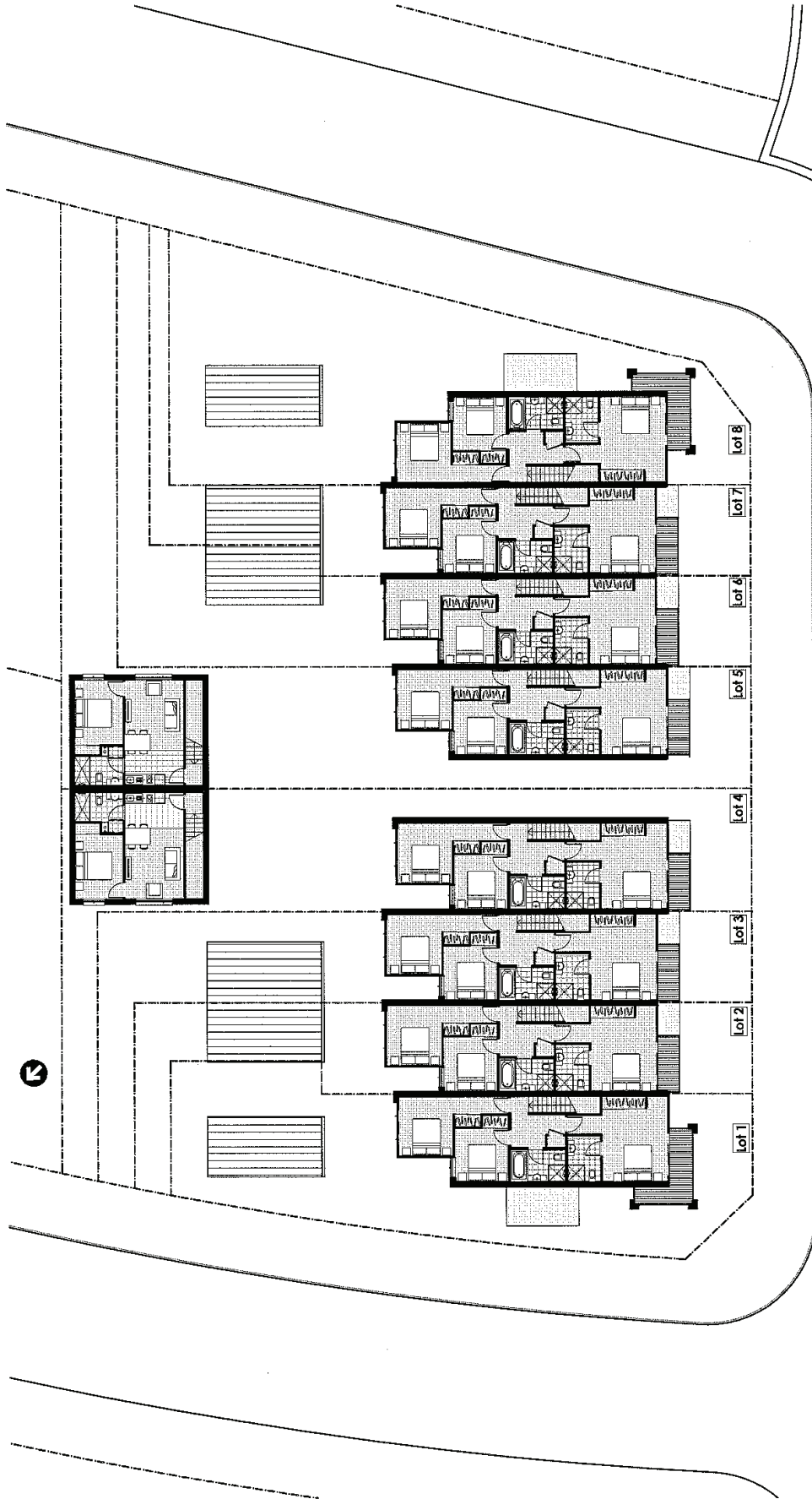
Scale: 1:200 Date: 28 Feb 2012

Ground Floor - Site Plan

Newleaf
New life

CHOICE
SECTION

B



BONNYRIGG TERRACES

Scale 1:200 Date 28 Feb 2012

First Floor - Site Plan

Newleaf
New life

BEICTON