

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSWC-165	
DA Number	DA 234.1/2021	
LGA	Fairfield City Council	
Proposed Development	Newleaf Bonnyrigg Renewal Project – Stages 8-11 comprising Staged Torrens Title Subdivision to create 219 residential lots, three (3) development lots, four (4) open space lots and one (1) residual lot, and associated road, landscape and public domain works.	
Street Address	LOT AND DP	ADDRESS
	Lots: 6225, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229 DP's: 1242892, 262449	No's: 26,35,37,39,41,43,45,47,49,51,53,55 Bean Crescent BONNYRIGG
	Lots: 107, 108, 109, 110, 111, 112, 114, 115, 41 DP's: 262456, 1172246	No's: 10,12,16,18,20,22,24,26,53 Bishop Crescent BONNYRIGG
	Lots: 158,161,162, 163,165,166,167,168,169,170,171 DP: 262449	No's: 2,5,6,7,9,10,11,12,13,14,15 Garden Place BONNYRIGG
	Lots: 103, 105, 122, 123, 147, 148, 149, 150, 151, 153 DP's: 262456,262449	No's:185,189,193,195,205,209,211, 213,215,217 Humphries Road BONNYRIGG
	Lots: 181,182,183,184,186,187,188,189 DP: 262449	No's: 2,3,4,5,6,7,8,9,11 Joiner Place & 48 Newleaf Parade BONNYRIGG
	Lots: 207,209,210,211,185,143,144,145,146 DP: 262449	No's:1,3,4,5,6,7,8,9,10 Mason Place BONNYRIGG
	Lot: 4224 DP: 1182416	No.65 Newleaf Parade BONNYRIGG
	Lot: 4099 DP: 1182418	No.23 Newleaf Parade & 1,2,3,4,5,6,7,8,9,10,11,12,12,14,15,16,17,18,19, Kennedy Way BONNYRIGG
	Lots: 134, 135, 136, 137, 138, 140, 141, 142, 155, 156, 157, 173, 174, 175, 178, 179, 180 DP: 262449	No's: 50,52,54,60,62,64 Newleaf Parade & 17 Garden Place 66,68,70,125,127,129,131,133,137,139,141 Newleaf Parade BONNYRIGG
	Lots: 193, 195, 196, 197, 199, 201, 202, 203, 204, 205, 206 DP: 262449	No's: 1 Palisade Crescent and 44 Newleaf Parade , 5,7,9,13,17,19,21,23,25,27 Palisade Crescent BONNYRIGG
	Lots: 415,416 DP: 262449	No's :15B Palisade Crescent/5A Joiner Place, 5A Mason Place,4A Palisade Crescent /659 Cabramatta Road West,675 Cabramatta Road West BONNYRIGG
	Lots: 6212,6213,6214,6216, 212 DP: 1242892	No's:8,10,12,14,16,48 Palisade Crescent BONNYRIGG
Applicant/Owner	NSW Land and Housing	
Date of DA lodgement	30 June 2021	
Total number of Submissions Number of Unique Objections	<ul style="list-style-type: none"> Two (2) Two (2) 	
Recommendation	Approval	
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	<p>4. Crown Development over \$5 million</p> <p>Development carried out by or on behalf of the Crown (within the meaning of Division 4.6 of the Act) that has a capital investment value of more than \$5 million.</p>	
List of all relevant s4.15(1)(a) matters	<p>In accordance with Section 4.15 Evaluation of the EPA Act 1979, the matters of relevance to the development the subject of the development application include the following:</p> <p>s4.15(1)(a) (i)</p> <ul style="list-style-type: none"> Part 3A of the Environmental Planning and Assessment Act 1979 – Concept Plan Biodiversity Conservation Act 2016 National Parks and Wildlife Act 1974 State Environmental Planning Policy No 55—Remediation of Land 	

	<ul style="list-style-type: none"> State Environmental Planning Policy (Infrastructure) 2007 Fairfield Local Environmental Plan 2013 Bonnyrigg Masterplan (updated 2012) Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment
List all documents submitted with this report for the Panel's consideration	<p>Documents submitted with this report for the Panel's consideration include:</p> <ul style="list-style-type: none"> Attachment A – Subdivision Concept Plans Attachment B – Pedestrian Link Masterplan Attachment C – Solar Access Plans Attachment D – TfNSW Response #1 Attachment E – TfNSW Response #2 Attachment F – Traffic and Parking Impact Assessment Report Attachment G – Traffic Letter (March 2021) Attachment H – Parking Assessment Attachment I – Parking Diagrams Attachment J – Traffic Letter (October 2021) Attachment K – Water Cycle Management Report Attachment L – Construction Environmental Management Plan Attachment M – Landscape Plans Attachment N – Biodiversity Development Assessment Report Attachment O – Arboricultural Impact Assessment Attachment P – Contamination & Acid Sulphate Assessment Attachment Q – Civil Engineering Plans Attachment R – Retaining Wall Plans Attachment S – Construction Waste Management Plan Attachment T – Endeavour Energy Referral Response Attachment U – Utility Services Report Attachment V – Acoustic Report Attachment W – Statement of Environmental Effects Attachment X – Response to RFI – October 2021 Attachment Y – Response to RFI – March 2022 Attachment Z – Newleaf Communities Executive Report Attachment AA – Submission No. 1 Attachment BB – Submission No. 2 Attachment CC - Draft Conditions of Consent
Clause 4.6 requests	Not applicable.
Summary of key submissions	<p>Primary planning concerns consist of the following:</p> <ul style="list-style-type: none"> Compliance with Bonnyrigg Masterplan (amended in MP 06_0046 MOD 4) built form outcomes using SEPP (Exempt and Complying Development Codes) 2008. Indistinguishability of social housing developments given the ability to use SEPP (Exempt and Complying Development Codes) 2008. Non-compliant lot dimensions for proposed residential allotments. Changes to layout of subdivision, including open space and road layout from Concept Approval MP 06_0046 (MOD 5). Design of intersection of Cabramatta Road West and Humphries Road as required in Condition A8 of MP 06_0046.
Report prepared by	Tia Mills – Senior Development Planner
Report date	19 December 2022

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Not applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Not applicable

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report