



Premise

BONNYRIGG COMMUNITIES PLUS
STAGES 12 & 13




Statement of Environmental Effects

Report No: 320300/R01

Rev: Final

31 October 2022

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1. INTRODUCTION

Premise have been commissioned by NSW Land and Housing Corporation ('NSW LAHC') to prepare a Statement of Environmental Effects ('SEE') to accompany a Development Application ('DA') for a staged subdivision to create three (3) residential superlots, three (3) open space lots, civil works to facilitate the construction of roads and the embellishment of two (2) of the open space lots across Stages 12 and 13 of the Bonnyrigg Communities Plus site.

This SEE has been prepared pursuant to Division 1 Part 3 of the Environmental Planning and Assessment Regulation 2021 and is provided in the following format.

Section 2 of this report provides a discussion of the background to the project.

Section 3 outlines the site and locality and the proposed development.

Section 4 details the planning framework applicable to the subject site and proposed development.

Section 5 identifies the impacts of the proposed development.

Section 6 provides a conclusion to the SEE.

This SEE should be read in conjunction with the plans and reports also accompanying the DA and listed in **Table 1** below.

Table 1 – Plans & Reports

Plans: Survey	
Consultant	Drawing Ref:
Premise	320300
Plans: Subdivision	
Consultant	Drawing Ref:
Premise	320300
Plans: Landscape	
Consultant	Project Ref:
Distinctive	06-22
Plans: Civil Engineering	
Consultant	Project No:
J. Wyndham Prince	110808-01
Report: Arboricultural	
Consultant	Report Ref:
Creative Planning Solutions	E938
Report Utility Servicing Report	
Consultant	Report Ref:
J. Wyndham Prince	110670-02-Bonnyrigg

Report: Construction Environmental Management Plan	
Consultant	Report Ref:
J. Wyndham Prince	A110808_01_Bonnyrigg 12_13
Report: Traffic	
Consultant	Report Ref:
tttp Transport Planning	22002

2. BACKGROUND

The Bonnyrigg Communities Plus Project ('the Project') commenced in 2008 and facilitates the renewal of the existing Bonnyrigg Housing Estate, to provide a total of 3,000 new dwellings, with a 30% social housing and 70% private housing mix.

Upon completion, the Project will deliver:

- A mix of housing types, including terraces, semi-detached and detached dwellings and medium density multi-unit buildings;
- A Town Hub, adjacent to the Bonnyrigg Plaza. This area will become a focal point for residents with an urban plaza, village green and cafes with outdoor dining;
- Over 13 hectares of green space, including public parks and playgrounds;
- Over 4 kilometres of new paths for walking and cycling; and
- Increased community services and retail spaces to meet the day-to-day needs of residents.

To date, a significant portion of the Project has been constructed, with 554 dwellings, including 212 social housing dwellings, delivered under Stages 1 to 5 with another 161 dwellings approved/under construction. Over 7 hectares of new and improved parkland has also been delivered.

The Project was initially approved by way of a Concept Plan Approval, by the Minister for Planning on 12 January 2009. The original Concept Plan approval provided for:

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

Since the granting of this original approval, there have been five (5) subsequent modifications to the Concept Plan. The latest modification (Ref: MP06_0046 MOD 5) was approved on 23 November 2020 and made the following modifications:

Modifications to all stages

- revised statement of commitments
- revised Voluntary Planning Agreements ('VPAs')

Modifications specific to Stages 8 to 18:

- Increase the number of dwellings by 500; to provide a total of 3,000 dwellings sitewide;
- Provide 2,217.2sqm on non-residential floorspace; to provide a total maximum of 3,000sqm sitewide;
- Amend maximum building heights;

- Reconfigure, relocate and increase the amount of public open space by 910sqm; to provide a total of 13.04 hectares sitewide;
- Reconfigure and relocate road, footpath, access and stormwater layouts and designs; and
- Revised Concept Plan masterplan development controls

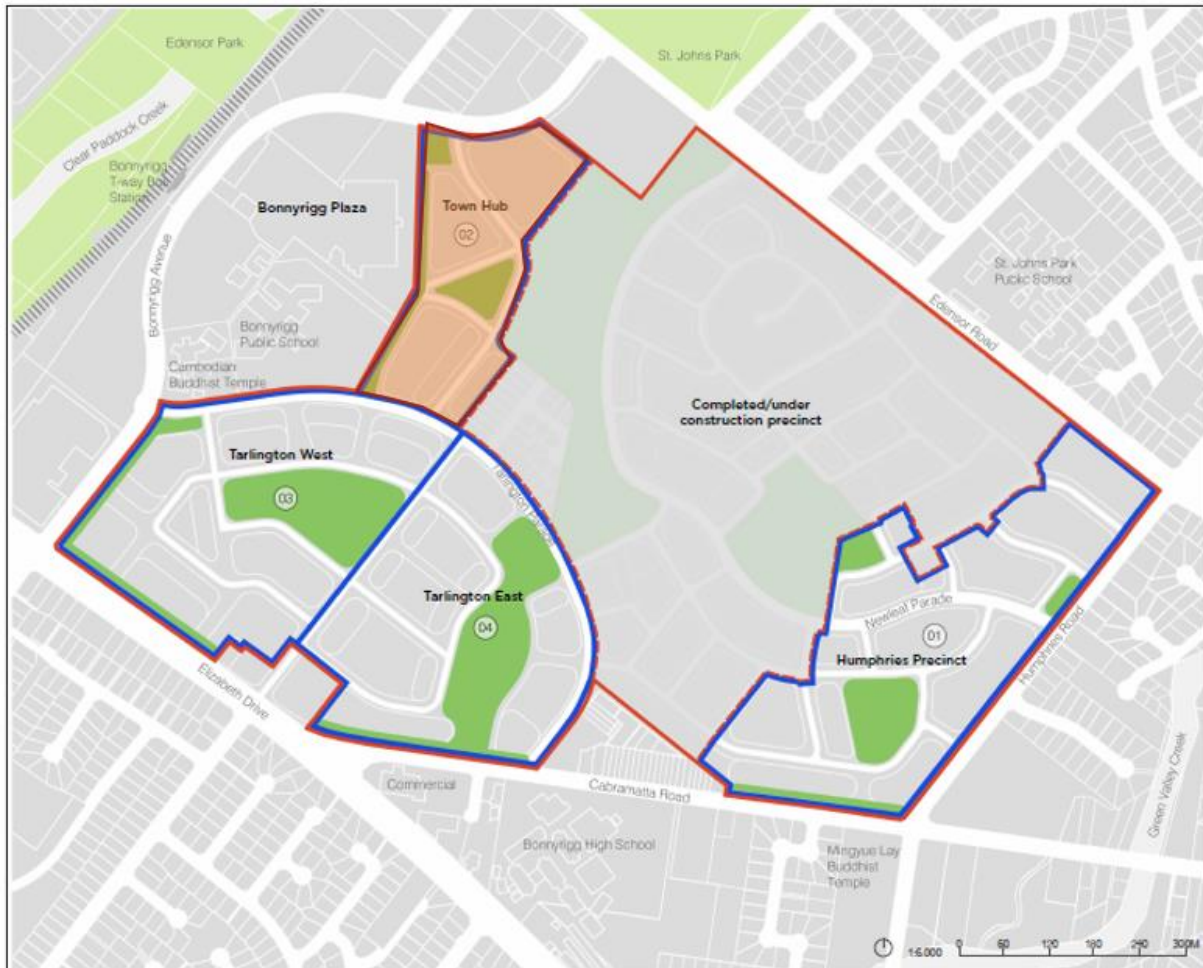


Figure 1: *The Bonnyrigg Communities Plus Project Area (Source: NSW Government, 2021)*

The precinct the subject of this DA is identified as the 'Town Hub', shaded orange in **Figure 1** above.

The project began as a Public Private Partnership arrangement and is now being delivered solely by the NSW LAHC, who is also the landowner.

3. THE SITE & ITS LOCALITY

3.1 The Site & Locality

The subject site is known as Stages 12 and 13 (the Town Hub Precinct) of the Bonnyrigg Communities Plus Project site and comprises the following properties:

Address	Lot	DP
14 Priddle Way, BONNYRIGG	454	839627
56 Tarlington Parade, BONNYRIGG	453	839627
24A Tarlington Parade, BONNYRIGG	13	1143255

The site is bounded by Bonnyrigg Public School and Bonnyrigg Plaza to the west, Bonnyrigg Avenue to the north, the Lantana Venues wedding and function centre to the north-east, Tarlington Reserve and existing residential development to the east and Tarlington Parade to the south-west.



Figure 2: *The subject site (red outline) and adjoining development comprising Bonnyrigg Plaza (shaded orange), Lantana Venues (shaded blue), Tarlington Reserve (shaded green), existing residential development (shaded purple) and Bonnyrigg Public School (shaded yellow) (Source: SIX Maps, 2022)*

3.2 Development Description

Development consent is sought for a staged subdivision to create three (3) superlots for future residential development and three (3) open space lots. The development includes the construction of roads and associated infrastructure and the embellishment of two (2) of the open space lots. The project staging is proposed as follows:

STAGE 12-01:

- Creation of one (1) residential superlot - Lot 1201 comprising an area of 1.611 hectares, for future residential development.
- Creation and embellishment of one (1) open space lot comprising Bonnyrigg Square– Lot 1202 having an area of 0.2 hectares.
- Creation of one (1) residue lot totalling 4.604 hectares in area.
- Partial construction of Road 1 from its intersection with Bonnyrigg Avenue to its termination at a temporary turning head; leading into the Stage 2 site.
- In order to provide pedestrian access from the site to the development on the north-eastern side of Bonnyrigg Avenue (and vice versa), works are proposed to the existing Bonnyrigg Avenue median. It is proposed to widen and extend the existing median to the south-east of the intersection of Road 1 with Bonnyrigg Avenue, to provide a 3 metre wide gap in the median and new pram ramps for pedestrian access. It is also proposed to remove part of the south-eastern median at the intersection of Road 1 with Bonnyrigg Avenue while extending the northern median to account for the alignment of Road 1.

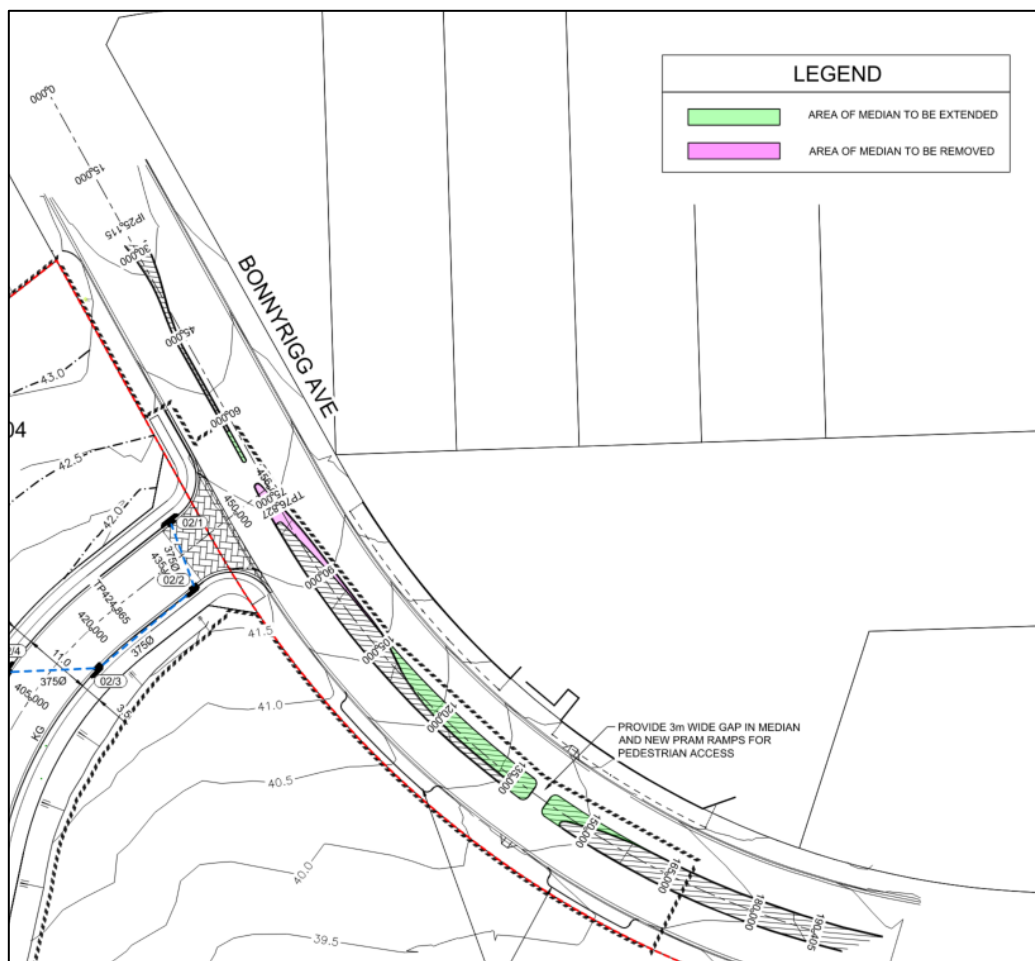


Figure 3: *Proposed median works on Bonnyrigg Avenue (Source: J.Wyndham Prince, 2022)*

STAGE 12-02:

- Creation of one (1) residential superlot – Lot 1203 comprising an area of 1.259 hectares, for future residential development.
- Creation of one (1) open space lot – Lot 1205 comprising an area of 0.312 hectares for dedication to Council to be absorbed into the existing Tarlington Reserve to the north-east.
- Creation and embellishment of one (1) open space lot comprising the Village Green – Lot 1204 having an area of 0.4 hectares.
- Creation of one (1) residue lot (in two parts) – Lot 1206 comprising a total area of 2.106 hectares.
- The removal of the Road 1 temporary turning head, constructed as part of the Stage 1 works and the continuation of Road 1 to the Stage 3 boundary.
- Construction of Road 2 off Road 1 which bounds the Village Green and connects back into Road 1.

STAGE 13-01:

- Construction and dedication of the remainder of Road 1, from the Stage 2 termination point to its intersection with Tarlington Parade.

STAGE 13-02:

- Creation of two (2) residential superlots – Lot 1301 having an area of 1.45 hectares and Lot 1302 comprising an area of 0.442 hectares, for future residential development.

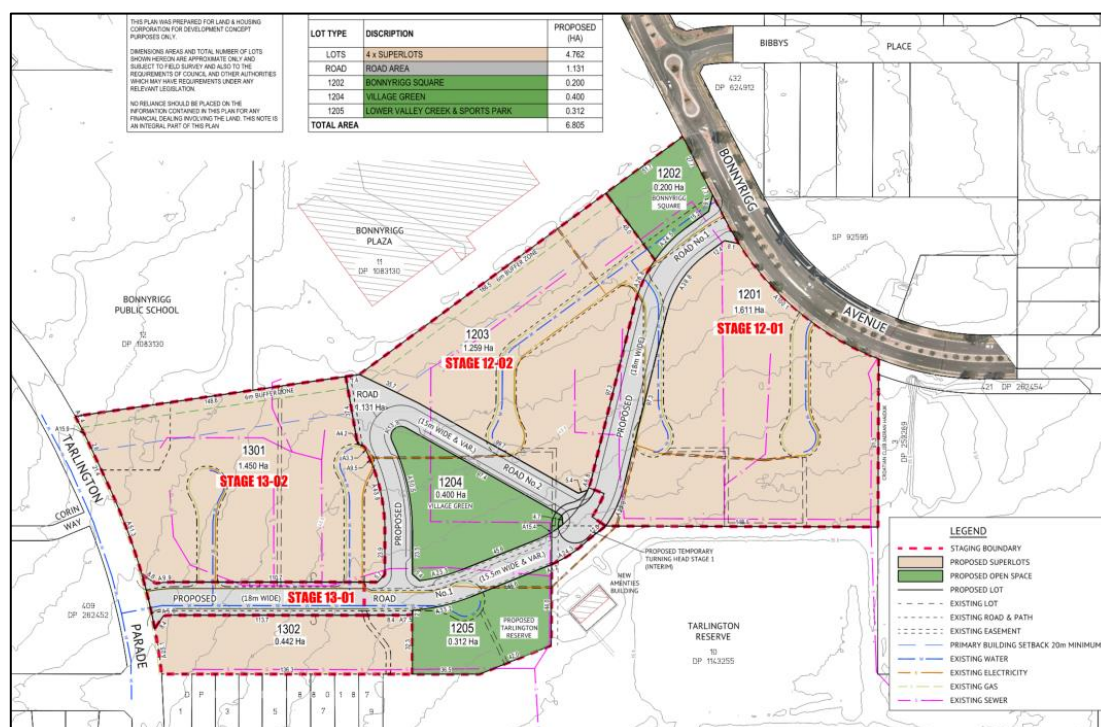


Figure 4: Proposed Staging Plan (Source: Premise, 2022)

Bulk earthworks are limited to the roadways and open space areas, i.e. no earthworks are proposed within the residential superlots; with the exception of minor battering along the boundaries of the superlots, where they interface with road/open space. Bulk earthworks are to be staged in accordance with the proposed Staging Plan.

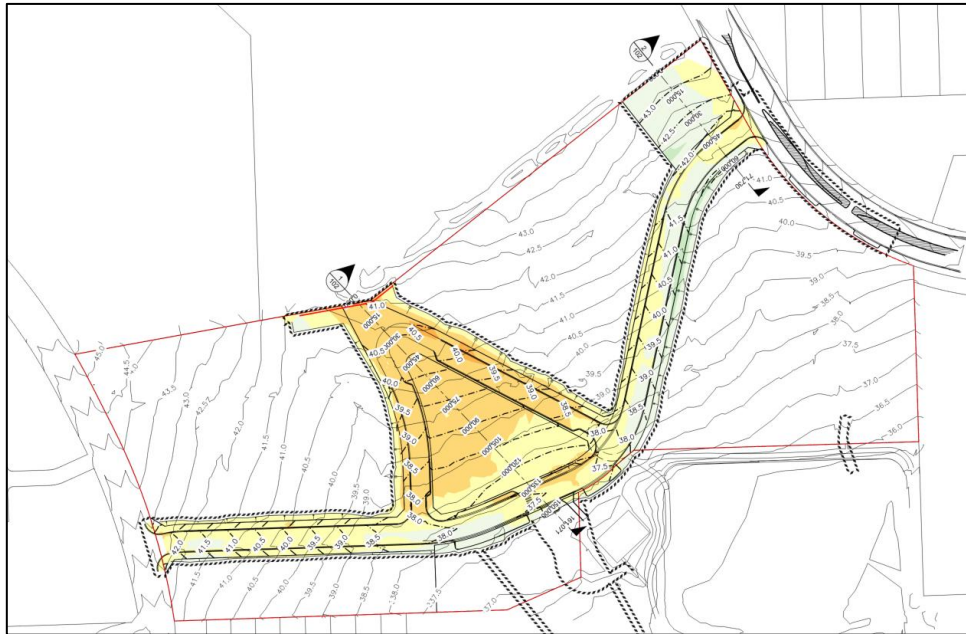


Figure 5: *Extent of proposed bulk earthworks (Source: J.Wyndham Prince, 2022)*

Tree removal corresponds with the extent of the bulk earthworks proposed; a total of 115 trees are to be removed across all stages of the development, to facilitate the construction of the roads and open space. All remaining trees on the site are to be retained and their removal considered as part of the future DAs for the residential superlots. As the layout and design of the buildings on the superlots is yet to be determined, it is considered appropriate for tree removal to form part of these separate DAs, where it can be determined what trees can be retained through the detailed design process.

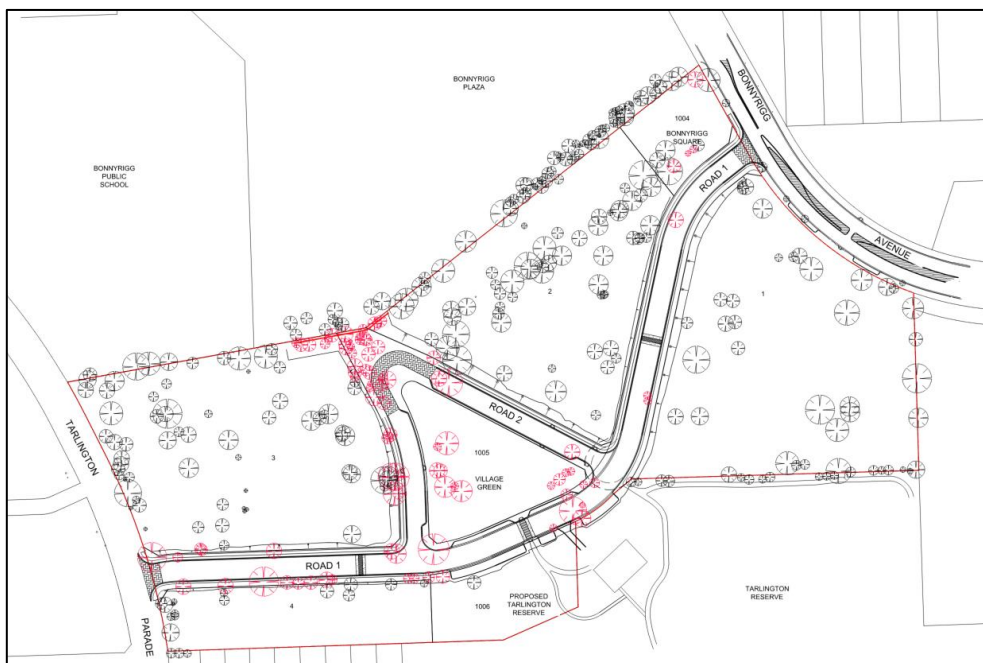


Figure 6: *Extent of proposed tree removal – red trees those marked for removal (Source: J.Wyndham Prince, 2022)*

The demolition of the existing dwellings on the site has been conceptually approved as part of the Part 3A Concept Approval and demolition does not form part of this DA. Separate approvals are to be sought through the complying development process. The demolition of the dwellings is to be undertaken in stages, consistent with the proposed Staging Plan.

4. STATUTORY PLANNING FRAMEWORK

4.1 Environmental Planning and Assessment Act 1979

4.1.1 AIMS AND OBJECTIVES

In New South Wales ('NSW'), the relevant planning legislation is the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). The EP&A Act instituted a system of environmental planning and assessment in NSW and is administered by the Department of Planning, Industry & Environment ('DPIE'). In 2017, the Act was amended to provide a range of updated objects. The objects of the EP&A Act are:

- (a) To promote the social and economic welfare of the community and a better environment by the proper management, development, and conservation of the State's natural and other resources,*
- (b) To facilitate ecologically sustainable development by integrating relevant economic, environmental, and social considerations in decision-making about environmental planning and assessment,*
- (c) To promote the orderly and economic use and development of land,*
- (d) To promote the delivery and maintenance of affordable housing,*
- (e) To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities, and their habitats,*
- (f) To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) To promote good design and amenity of the built environment,*
- (h) To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) To provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development is consistent with the above objectives.

4.1.2 DIVISION 4.6

In accordance with the provisions of Division 4.6 (Crown development) of the EP&A Act, this DA is made by the Crown and is subject to assessment under Section 4.33 of the EP&A Act.

4.2 Part 3A Concept Plan Approval

4.2.1 CONSISTENCY WITH APPROVAL IN DETAIL

Schedule 1 Part A, Condition A2 (Approval in detail) sets out the development for which concept approval, as modified, has been granted. Table 2 below sets out an assessment of the proposed development against items listed at Condition A2.

Condition A2	Assessment
Concept approval is only to the following development:	
(1) Demolition of existing dwellings in stages.	The demolition of the existing dwellings will be undertaken subject to separate complying development approval (CDC) and does not form part of this DA.
(2) Allocation of land uses within the renewed estate.	The proposed subdivision is consistent with the allocation of land uses identified in the Concept Plan approval. The creation of the residential superlots is facilitating future DAs for built form and the open space lots are facilitating the provision of open space for the estate; consistent with the Concept Plan.
(3) Staged construction of 3,000 dwellings.	The proposed residential superlots are facilitating the future development of the land in accordance with the Concept Plan. The development of these superlots will be subject to separate DAs, which will address dwelling yield.
(4) Staged construction of up to 3,000m ² non-residential floorspace comprising community, retail and commercial uses.	The proposed superlots are facilitating the future development of the land, including the delivery of non-residential floorspace, in accordance with the Concept Plan. The development of the superlots will be subject to future DAs, which will incorporate non-residential floorspace.
(5) Staged provision of 13.04 hectares of public open space comprising new, reconfigured and upgraded existing public open space and associated landscaping and infrastructure.	The proposed subdivision is creating three (3) open space lots, as follows: Lot 1202 - Bonnyrigg Square Lot 1204 - Village Green Lot 1205 - open space to be absorbed into the existing Tarlington Reserve. The areas of Lots 1202 and 1204 are consistent with the Concept Plan area requirements and the embellishment of these lots forms part of this DA.
(6) Reconfigured, relocated, upgraded existing and construction of new roads and pedestrian and bicycle movement network.	The DA is accompanied by a Traffic Report prepared by The Transport Planning Partnership. The proposed road layout is generally consistent with the modified Concept Plan. Road 1 maintains an 18 metre wide road reserve from the intersection with Bonnyrigg Avenue which narrows to 15 metres along the eastern interface

Condition A2	Assessment
	<p>with the Village Green park whilst the carriageway width remains unchanged. The Road 1 reserve then widens to 18 metres again, to the south of the Village Green, up to the intersection with Tarlington Parade.</p> <p>The 18 metre wide road reserve includes a 1.5 metre footpath and 2.5 metre wide shareway.</p> <p>Road 1 will operate as a two-way local road with 5.5 metre wide lanes. Parallel parking is provided along the southern edge of the Village Green and 90 degree parking is proposed along the southern edge of Road 1, where it interfaces with Tarlington Reserve.</p> <p>A pedestrian crossing is proposed midblock on Road 1. This crossing is located on a strong desire line between the residential developments and the school and shopping centre. The crossing has also been proposed next to the playing fields on the eastern side of Road 1 that are used on weekends, to enable the safe movement of pedestrians.</p> <p>Road 2 maintains a road reserve width of 15 metres along the northern and southern Village Green i (the top end will be variable width greater than 7m as I expect will be all dedicated as road reserve)the Village Green. The 15 metre wide road reserve includes a 1.5 metre wide footpath.</p> <p>Road 2 will operate as a one-way loop road, around the Village Green park, with a 7.3 metre wide carriageway. 45 degree angle parking 3.3metres wide is proposed along the southern and western boundaries of the Village Green.</p> <p>It is noted that the shareways identified in the modified Concept Plan do not form part of this DA. These will form part of the future separate DAs for the development of the residential superlots; at which stage detailed design work will be undertaken to inform built form and access arrangements, including access to car parking and waste collection.</p>
(7) Stormwater infrastructure works including water sensitive urban design measures to control the quantity and quality of stormwater, enhance the appearance of the site and provide passive recreation opportunities.	Engineering Plans have been prepared by J. Wyndham Prince to accompany the DA which identify the stormwater arrangements for the proposed subdivision development.
(8) Retention, extension and upgrades of existing services infrastructure.	A Utility Servicing Report ('USR') and Services Plan has been prepared by J. Wyndham Prince to accompany the DA. The USR has reviewed the

Condition A2	Assessment
	<p>existing infrastructure services for wastewater, potable and recycled water, electricity, telecommunications and gas.</p> <p>Based on the findings of this assessment, the following conclusions have been made:</p> <ul style="list-style-type: none"> • <i>Sydney Water is the main supplier of potable and wastewater infrastructure within the Bonnyrigg area. DN150mm diameter potable water mains are available in both Bonnyrigg Avenue and DN100mm main in Tarlington Parade. There is an existing internal reticulation network within the site which will be reconstructed under this redevelopment. The reconstruction of the potable watermain is proposed to be staged to enable a service supply to existing dwellings.</i> • <i>The site is excluded from the boundaries of the Hoxton Park recycled water scheme. Recycled water is not available to this development.</i> • <i>Wastewater services are available to the site. A DN225mm main services the existing development to the north-east catchment fronting Bonnyrigg Avenue. An additional DN225mm main is located within the south-eastern side of the site and will service the remainder of the site's catchment. There is an existing internal reticulation network within the site which will be reconstructed under this redevelopment. The reconstruction of the sewer is proposed to be staged to enable a service supply to existing dwellings.</i> • <i>Electrical Supply to the site is made available to the site via Endeavour Energy's system. Currently, Endeavour Energy has an existing substation supplying the neighbouring site, Bonnyrigg Plaza, with a second existing substation within the proposed stage three of the development. An additional substation will be provided within stage one.</i> • <i>Telecommunications supply is available through the NBN Co. network. The point of connection is within Tarlington Parade and Bonnyrigg Ave, immediately adjoining the site.</i> <p><i>This outcome of this assessment confirms the Stages 12, and 13 developments can be adequately serviced with all essential utility infrastructure and that the</i></p>

Condition A2	Assessment
	<i>provision of services is not expected to be an impediment to development.</i>

4.2.2 CONSISTENCY WITH PLANS & DOCUMENTATION

Schedule 1 Part A (Concept Plan Approval) inserted new condition A4 which requires the development of Stages 8 to 18 to be in accordance with the endorsed plans and documentation.

4.2.2.1 Modified Concept Plan 2019 Bonnyrigg Communities Plus Project

Structure Plan

Section A.7 of the document 'Modified Concept Plan 2019 Bonnyrigg Communities Plus Project' ('the Modified Concept Plan') provides the Structure Plan and associated Structure Plan controls. The following table identifies the relevant controls and provides an assessment.

Control	Assessment
a. The redevelopment of the estate including distribution of land use, building heights and the road network is to be generally consistent with the Structure Plan.	The proposed roads are generally consistent with the modified Concept Plan approval. The residential superlots and open space lots are facilitating the development of the site in accordance with the endorsed Structure Plan. The embellishment of Bonnyrigg Square and the Village Green forms part of this DA and the residential superlots will be subject to future DAs.
b. Commercial and retail ground floor uses are to be provided in areas identified as activated frontages on the Structure Plan.	The proposed development is for subdivision to create superlots only, the design and layout of buildings on the superlots, including the incorporation of commercial and retail ground floor uses will form part of separate DAs.
c. Open space and community facilities are to be provided within the estate in the general locations shown on the Structure Plan to meet the needs of the community and as agreed to by Council.	Proposed Lots 1202 and 1204 comprise open space lots for Bonnyrigg Square and the Village Green, respectively. This DA includes the embellishment of these parks, as detailed in the accompanying Landscape Plans prepared by Distinctive.
d. Views towards the temple, shown as a key site line on the Structure Plan are to be considered and where possible preserved in the design and layout of nearby buildings and structures.	The proposed development is for subdivision to create residential superlots only, the design and layout of buildings on these superlots will form part of separate DAs.

Building Heights

Section A.8 of the Modified Concept Plan provides the Building Heights Plan, the table below identifies the relevant control.

Control	Assessment
a. The redevelopment of the estate including distribution of land use, building heights and the road network is to be generally consistent with the Structure Plan.	<p>The site is subject to varying maximum building heights of 3 storeys and 6 storeys.</p> <p>Development consent is sought for residential superlot subdivision and no buildings are proposed as part of this DA. Building height will be a matter for</p>

	consideration at the built form construction phase, subject to separate DAs.
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Built Form – Residential Flat Buildings

Section A.9 provides controls for residential flat building (RFB) development. As the proposed development is only for the creation of superlots, subject to future residential development, these controls are not applicable. Notwithstanding, the size of the superlots does not preclude the future development of the site for RFB development, noting that a minimum lot size of 1,500m² is required for an RFB.

Crime Prevention Through Environmental Design

Section A.10 provides controls to ensure development meets the principles of Crime Prevention Through Environmental Design ('CPTED'). These controls relate to the design of the built form and public domain. These controls will need to be considered as part of the future built form DAs for the superlots.

Notwithstanding, as this DA includes the embellishment of Bonnyrigg Square and the Village Green, the following assessment against the CPTED controls has been undertaken for these future public areas:

Control	Assessment
<p>b. In particular, development is to:</p> <p>b1. Maximise opportunities for casual surveillance of the public domain, including parks, from the main living area of dwellings.</p> <p>b2. Maximise legibility of the movement network, public domain and building entrances.</p> <p>b3. maximise visibility and minimising concealed areas, particularly at building entrances</p> <p>b4. clearly demarcate the public and private domain.</p>	<p>Bonnyrigg Square and the Village Green have both been designed to positively interface with the future residential development of the Stages 12-01, 12-02 and 13-02 superlots. Perimeter pathways are provided along these interfaces which incorporate path lighting. The paths along these park interfaces provides activation of these areas and the lighting ensures visibility at night. The pathway locations and use of tree planting assist in demarcating the public and private domain, by clearly delineating the boundaries of the parks.</p>
<p>c. Public, semi public/semi private, and private spaces are to be defined at their edges through fencing, landscape, and the positioning of buildings.</p>	<p>The boundaries of the Bonnyrigg Square and Village Green public parks are clearly defined by the use of feature banded urban pavement along the perimeter of the parks and the placement of tree plantings along the park edges. 1.2 metre high safety fencing has been proposed around the playground that forms part of the Village Green park to delineate the play area and to ensure children are secure when in the play area.</p> <p>The interface of Bonnyrigg Square with the adjoining Bonnyrigg Plaza site is delineated by 1.8 metre high palisade fencing and tree planting.</p>
<p>d. Dwellings are to have clearly defined addresses, visible from the street and be designed to front onto streets, parks and public spaces, increasing the passive surveillance.</p>	<p>N/A – residential development will form part of future DAs for the superlots.</p>
<p>e. Homes that front the street/parks/ public spaces will have habitable rooms such as living rooms, balconies and kitchens facing these areas.</p>	<p>The parks have been designed to facilitate the future superlot developments providing habitable rooms fronting the open space.</p>

Control	Assessment
f. Fencing on the street or park frontages will be visually permeable and vegetation will be selected that complements passive surveillance of all public areas.	No fencing is proposed along the street or park frontages, the edges of the parks have been defined by pathways that incorporate a feature banded urban pavement treatment to delineate the extent of the public domain. The trees proposed along the park edges has been selected to ensure visual permeability is achieved to afford passive surveillance opportunities from the parks and also into the parks from the future development of the superlots.
g. Building materials and structures (including walls and fences) are to be designed to avoid any "natural ladder"	Building materials selected for the structures within the parks, i.e. picnic shelters, seating and walls have been selected to limit the opportunity for the use of these structures as "natural ladders" that would encourage criminal behaviour.
h. Screens and bars, when utilised, will be integrated as design elements and will not appear to be retrofits	Bonnyrigg Square and the Village Green do not incorporate any screens or bars.
i. The detailed design of the external areas of the ground floor is to minimise blind-corners, recesses and other areas which have the potential for concealment.	N/A – no built form for the superlots is proposed as part of this DA. This will be a matter for consideration as part of the future DAs for the residential superlots.
j. Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development.	N/A – no built form for the superlots is proposed as part of this DA. This will be a matter for consideration as part of the future DAs for the residential superlots.
k. Where practicable, lift lobbies, stairwells and corridors are to be visible from public areas by way of glass panels or openings.	N/A – no built form for the superlots is proposed as part of this DA. This will be a matter for consideration as part of the future DAs for the residential superlots.

Car Parking

Section A.11 provides controls for the location and design of car parking areas. These controls will be considered when the residential superlots are developed, subject to future DAs.

Activation

Section A.12 provides controls for the creation of active building frontages to promote pedestrian activity and vibrancy to areas near the Bonnyrigg Town Centre. Whilst it is acknowledged that the subject site includes potential activation areas, the proposed development is for residential superlot subdivision, with future built form on these superlots to be considered as part of separate DAs. The proposed superlots are consistent with the Structure Plan and will not preclude the future development of the activation areas, consistent with this control.

Open Space Strategy

Section A.13 provides controls for the public open spaces identified in the Open Space Plan. Two areas of open space fall within the subject site, these being 'Bonnyrigg Square' and the 'Village Green.' An assessment of the controls is provided in the following table:

Control	Assessment
a. Provide open space areas generally as shown on the Open Space Plan.	The development proposed the subdivision and embellishment of Bonnyrigg Square and the Village Green parks. Bonnyrigg Square is located with the Stage 1 area and comprises an area of 0.2 hectares. The Village Green is in Stage 2 and has an area of 0.4 hectares. Both open space lots are consistent with the areas required by the endorsed Open Space Plan.
b. Provide park amenities, pedestrian / cycle paths, recreation equipment and landscaping generally in accordance with the relevant Indicative Open Space Concept Plans or as agreed to by Council.	Bonnyrigg Square incorporates park amenities including a public art feature, proposed water play, picnic shelters and seating in accordance with the Open Space Concept Plans and the VPA. The Village Green provides a children's playground, half basketball court and picnic shelters, also consistent with the Open Space Concept Plans and the VPA. Key pedestrian linkages have been provided through both parks, consistent with the Open Space Concept Plans.
c. Landscaping and species selection within parks and open spaces is to be provided as agreed to by Council.	The Landscape Plans prepared by Distinctive to accompany the DA include details of the proposed plant species for Bonnyrigg Square and the Village Green for Council's consideration and approval.
d. Shrub planting or other objects that inhibit site lines are to be avoided to provide greater visibility across parks.	The use of shrub planting has been limited to areas where they will not inhibit site lines across the parks, refer to the Sections that accompany the Landscape Plan package.
e. Unobtrusive physical barriers are to be used to discourage undesired vehicular access to parks.	The parks utilise concrete edging, vegetation and pavement treatments to provide unobtrusive physical barriers that will discourage undesired vehicular access to the parks.
f. The trees shown as significant community landscape elements in the Open Space Plan are to be retained and protected.	The Open Space Plans for Bonnyrigg Square and the Village Green do not include any significant community landscape elements for retention.
g. The design and layout of open space shown as stormwater detention in the Open Space Plan are to incorporate a drainage function.	The Open Space Plans for Bonnyrigg Square and the Village Green do not identify any stormwater detention within these parks.
h. Landscape buffers are to be provided in locations shown on the Open Space Plan to provide a 10m vegetated buffer from the road network, and are to be planted and managed as agreed to with Council.	It is acknowledged that a landscape buffer is required along the south-western edge of the Stages 12 and 13 boundaries, along the interface of the site with Bonnyrigg Plaza and Bonnyrigg Public School. The provision of these landscape buffers will form part of the future DAs for the residential superlots.
Indicative Open Space Concept Plans	
Bonnyrigg Square The entrance to Bonnyrigg Estate from the town centre and Bonnyrigg Avenue will be a flexible hard space, activated by ground floor cafes, retail and	A total area of 0.2ha is proposed for Bonnyrigg Square. This park has been designed to facilitate pedestrian movements via a south-west/north-east

Control	Assessment
<p>community uses. Raised lawns with feature planting will provide informal seating options and shade. The central area will be left open to allow for different activities while recessed water fountains could provide a simple and fun element for play and cooling.</p> <p>The existing boundary vegetation to the west will be retained which will create a shaded shared path leading south into the estate. Future development of Bonnyrigg Plaza could see this western boundary activated with additional ground floor retail uses.</p> <p>The square will be a total of approximately 0.2 ha.</p>	<p>pathway that forms a central pedestrian spine through the park with links to Bonnyrigg Plaza to the south-west and Bonnyrigg Avenue to the north-east. Deciduous tree planting is proposed along this central pathway. There is a secondary pedestrian link which branches to the north-west, towards the T-Way along Bonnyrigg Avenue. The boundaries of the park are delineated with pathways utilising tessellated 'digital' pavers. Open green spaces are defined using concrete borders and informal seating and picnic shelters are dispersed throughout the park including under trees for shade.</p> <p>The design includes a public art feature and water features as a fun element for play and cooling.</p> <p>The mix of park features affords the opportunity for both active and passive recreation.</p> <p>The existing vegetation along the Bonnyrigg Plaza interface will be retained.</p>
<p>Village Green</p> <p>The Village Green transitions from an urban plaza in the west to wide open lawns in the east, linking Bonnyrigg town centre to the Lower Valley Creek Park.</p> <p>The space provides additional open space, recreational and green amenity close to the active Bonnyrigg Town Centre.</p> <p>The southern side of the Village Green is fronted by active ground floor frontage with high quality streetscape elements that reinforce a future link to Bonnyrigg Plaza and beyond to the T-Way station.</p> <p>Bespoke children's play equipment, BBQ and picnic facilities surround large areas of flat green open space that can be used for informal kick-about, picnic lunches and relaxing.</p> <p>The park will be approximately 0.4 ha in area.</p>	<p>The Village Green comprises a total area of 0.4ha. This park has been designed to transition from an urban plaza in the west to a centrally located children's playground and half basketball court, to open lawns including a feature tree and picnic shelters to the east.</p> <p>The southern edge of the Village Green has been designed to readily facilitate an active interface with the future development of the superlot to the south. The boundaries of the park are delineated by pathways utilising tessellated 'digital' pavers and also through a mix of evergreen and deciduous perimeter tree planting.</p> <p>The mix of park features affords the opportunity for both active and passive recreation.</p>

Access

Section A.14 provides controls to create a safe pedestrian and bicycle network that promotes active transport and a healthy community. The Access Plan identifies the locations for pedestrian and cycling share paths and pedestrian paths.

Road 1 has been designed to incorporate a 1.5 metre wide footpath and 2.5 metre wide shareway into the 18 metre wide road reserve. Road 2 has been designed to incorporate a 1.5 metre wide footpath into the 15 metre wide road reserve.

It is noted that the shareways identified in the modified Concept Approval do not form part of this DA. These will form part of the future separate DAs for the development of the residential superlots; at which stage detailed design work will be undertaken to inform built form and access arrangements, including access to car parking and waste collection.

Street Hierarchy

Section A.15 provides controls for the street network, including road widths and sections. The proposed road widths are generally consistent with the road widths identified in the Proposed Street Typologies plan and the DA is accompanied by a Traffic Report prepared by The Transport Planning Partnership.

Road 1 maintains an 18 metre wide road reserve from the intersection with Bonnyrigg Avenue which narrows to 15 metres along the eastern interface with the Village Green park. The Road 1 reserve then widens back to 18 metres south of the Village Green, through to its intersection with Tarlington Parade. The 18 metre wide road reserve includes a 1.5 metre footpath and 2.5 metre wide shareway.

Road 1 will operate as a two-way local road with 5.5 metre wide lanes. Parallel parking is provided along the southern edge of the Village Green and 90 degree parking is proposed along the southern edge of Road 1, where it interfaces with Tarlington Reserve.

A pedestrian crossing is proposed midblock on Road 1. This crossing is located on a strong desire line between the residential developments and the school and shopping centre. The crossing has also been proposed next to the playing fields that are used on weekends.

Road 2 maintains a road reserve width of 15 metres along the northern and southern Village Green interfaces see earlier comments. Road 2 will operate as a one-way loop road, around the Village Green park, with a 7.3 metre wide carriageway. 45 degree angle parking is proposed along the southern and western boundaries of the Village Green.

It is noted that the shareways identified in the modified Concept Approval do not form part of this DA. These will form part of the future separate DAs for the development of the residential superlots; at which stage detailed design work will be undertaken to inform built form and access arrangements, including access to car parking and waste collection.

Maximum Gross Floor Area/Dwellings

Section A.16 provides controls to manage the distribution of density across the precinct, consistent with the Structure Plan. Development is to be generally consistent with the maximum gross floor area ('GFA') and dwelling yield nominated for each specified block.

The development proposes residential superlots which will be subject to separate future DAs for built form, at which stage the GFA and dwelling yields will be considered. The dimensions and areas of the residential superlots will not preclude the future dwelling yields being achieved.

4.2.3 EXEMPT AND COMPLYING DEVELOPMENT CODE

Schedule 1 Part A (Concept Plan Approval) inserted new condition A5 which states that Part 3B of the low rise medium density housing code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 ('Exempt and Complying SEPP') applies to the site.

This will be a matter for consideration as part of the development of the superlots.

4.2.4 NON-RESIDENTIAL FLOORSPACE

Schedule 1 Part A (Concept Plan Approval) inserted new condition A6 which states that the maximum gross lettable area ('GLA') for the development shall not exceed 3,000m², including 2,217.12m² within Stages 8 to 18. The condition also identifies restrictions applicable to the non-residential floorspace.

Whilst it is acknowledged that Stages 12 and 13 include land identified in the Structure Plan for ground floor non-residential floorspace, the proposed development includes residential superlot subdivision. The development of the residential superlots will be subject to separate future DAs that will be required to address these built form and land use provisions.

4.2.5 VOLUNTARY PLANNING AGREEMENT

Schedule 1 Part A (Concept Plan Approval) inserted new condition A7 which requires a Voluntary Planning Agreement ('VPA') between NSW LAHC and Fairfield City Council to be prepared in accordance with the public benefit offer. The VPA is required to be publicly exhibited and executed prior to the determination of the first residential development application for Stages 8 to 18.

At the Council Meeting held on 27 September 2022, Council supported the recommendation for the draft VPA for the Bonnyrigg Living Communities Project and Explanatory Note to be placed on public notice for a period of 28 days, from the day it is advertised on Council's website.

Council also agreed to the determination of the Stages 8 to 11 DA (DA no. 234/2021) to occur as the changes to the VPA are in general agreement between the parties, with public exhibition and execution to be completed.

The proposed development includes the delivery of Bonnyrigg Square and the Village Green, both open space items already included in the executed VPA, which are to be carried over to the new VPA.

4.2.6 TRANSPORT INFRASTRUCTURE CONTRIBUTIONS

Schedule 1 Part A (Concept Plan Approval) inserted new condition A8, which requires the Proponent to enter into a Transport Infrastructure Contribution ('TIC') deed with Transport for NSW ('TfNSW') to undertake works in relation to land dedication and concept design at the intersection of Cabramatta Road and Humphries Road and the Humphries Road and Edensor Road intersection. The TIC deed is required to be entered into prior to the issue of a construction certificate for any future development of the site.

The TIC deed has been negotiated with TfNSW as part of the DA for Stages 8 to 11, which is pending referral to the Sydney Western City Planning Panel for determination. The subject site is not impacted by the TIC deed works.

4.2.7 BONNYRIGG SUBSTATION ZONE

Schedule 2 Part A (Modifications to the Concept Plan) requires a minimum 5 metre setback between the Bonnyrigg Substation Zone and adjoining residential development, unless an alternative setback has been agreed with Endeavour Energy.

The Bonnyrigg Substation is located along Elizabeth Drive, to the south of the subject site and does not impact the subject site.

4.2.8 PARK 2 (LOWER VALLEY CREEK SPORTS PARK)

Schedule 2 Part A (Modifications to the Concept Plan) amended Condition A6 to require the amenities building located within proposed Park 2 to be relocated further west of the park so that residents along Louise Place have better sight lines over the park.

Park 2 is not located within the subject site.

4.2.9 VEHICLE ACCESS

Schedule 2 Part B (Future Assessment Requirements) amended Condition B1 to require further investigations for relevant stages of the project to assess appropriateness of direct vehicular access for properties located within close proximity of signalised intersections and whether such access should be restricted to left-in left-out movements.

The proposed subdivision is creating superlots for future residential development. Each of the superlots has a frontage to a public road and access to the future development on these lots will be a matter for consideration as part of future DAs.

4.2.10 DRAINAGE

Schedule 2 Part B (Future Assessment Requirements) amended Condition B2 to require future stages within the development to demonstrate that all drainage and stormwater issues have been addressed. Relevantly, a stormwater management plan is required to be submitted with each stage demonstrating compliance with Council requirements for stormwater management.

Engineering Plans have been prepared by J. Wyndham Prince to accompany the DA which identify the stormwater arrangements for the proposed subdivision development, noting that detailed stormwater plans will accompany the future DAs for the development of the superlots.

4.2.11 TREE CANOPY COVERAGE

Schedule 2 Part B (Future Assessment Requirements) inserted Condition B3, which requires future stages of the development to demonstrate that the proposal would achieve tree canopy coverage of 25% in accordance with the target set by the modified concept approval.

Landscape Plans have been prepared by Distinctive which include a Street Tree Master Plan which demonstrates that planting in the public domain and streetscape will provide an approximate overall canopy cover of 38%. This has been calculated over an area of 17,449.7m², which excludes the residential superlots and Council verge areas external to the subject site.

It is acknowledged that further tree planting will be considered as part of the development of the residential superlots, subject to future DAs.

4.2.12 FUTURE RESIDENTIAL AMENITY

Schedule 2 Part B (Future Assessment Requirements) inserted Condition B4, which requires future development applications relating to residential use to demonstrate a high level of residential amenity in accordance with State Environmental Planning Policy 65 – Residential Apartment Development ('SEPP 65') and the Apartment Design Guide ('ADG') and the Concept Plan development controls.

The proposed development does not involve the construction of any buildings on the superlots, the provisions of SEPP 65 and the ADG will be considered at the detailed building design phase, which will be subject to separate DAs.

4.2.13 BASIX

Schedule 2 Part B (Future Assessment Requirements) inserted Condition B5, which requires all stages of the development to adhere to the requirements of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

The proposed development does not involve the construction of any buildings, BASIX provisions will be considered as part of the future separate DAs for the development of the superlots.

5. IMPACTS, SITE SUITABILITY & THE PUBLIC INTEREST

Pursuant to Schedule 1 of the EP&A Regulation, this section of the SEE provides an evaluation of the proposed development against the relevant provisions at Section 4.15 of the EP&A Act.

5.1 4.15(1)(a)(i) The provisions of any environmental planning instrument

As part of the modification assessment, the Department of Planning, Industry and Environment ("DPIE") advised it was satisfied that the modification did not result in any changes that would require any additional assessment under the environmental planning instruments (EPIs) that apply to the proposed development.

The proposed development is permitted under the modified Part 3A Concept Plan Approval issued for the Bonnyrigg Communities Plus Project and has been assessed against the relevant provisions.

5.2 4.15(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act

Draft amendments to the Fairfield Local Environmental Plan 2013 – Stage 2 have been exhibited and a planning report is in the process of being prepared, noting that the Planning Proposal must be referred to DPIE for finalisation by 25 November 2022. There are no provisions in the draft instrument that are relevant to the consideration of this application. The proposed development is permitted under the modified Part 3A Concept Plan Approval.

5.3 4.15(1)(a)(iii) The provisions of any development control plan

The proposed development is permitted under the modified Part 3A Concept Plan Approval. The conditions of that approval, in respect to Stages 12 and 13, apply the development controls contained in the modified Concept Plan (Modified Concept Plan 2019 Communities Plus Project). An assessment of the development against the development controls has been provided at Section 4.2.2.1 of this SEE.

5.4 4.15(1)(a)(iiia) The provisions of any planning agreement or draft planning agreement under section 7.4

Development of the Bonnyrigg Communities Plus Project is subject to an executed VPA with Fairfield City Council. The modified conditions of the Concept Approval require amendment to this VPA to remove its operation to Stages 8 to 18 and require a new VPA for local infrastructure to apply to Stages 8 to 18.

At the Council Meeting held on 27 September 2022, Council supported Council staff's recommendation for the draft VPA for the Bonnyrigg Living Communities Project and Explanatory Note to be placed on public notice for a period of 28 days, from the day it is advertised on Council's website.

Council also agreed to the determination of the Stages 8 to 11 DA (DA no. 234/2021) to occur as the changes to the VPA are in general agreement between the parties with public exhibition and execution to be completed.

The proposed development includes the delivery of Bonnyrigg Square and the Village Green, both open space items already included in the executed VPA, which are to be carried over to the new VPA.

5.5 4.15(1)(a)(iv) The provisions of the regulations

This DA has been made in accordance with the Environmental Planning and Assessment Regulation 2021.

5.6 4.15(1)(b) The likely impacts of the development

5.6.1 SOIL & WATER

The DA is accompanied by Civil Plans prepared by J. Wyndham Prince which include Soil and Water Management Plans that identify erosion and sediment control measures to be implemented for the duration of construction works. The DA is also accompanied by a Construction Environmental Management Plan prepared by J. Wyndham Prince which outlines measures to ensure the orderly environmental management specific to the construction phase of the project.

5.6.2 TREE REMOVAL

The DA is accompanied by an Aboricultural Impact Assessment ('AIA') prepared by Creative Planning Solutions which identifies a total of 115 trees for removal as part of the proposed development, includes Trees 18-20, 34-36, 58-64, 66, 67, 69-78, 89-97, 99-113, 127, 141, 156-160, 170, 171, 187, 208-210, 216-218, 224-233, 235-253, 259-269, 275, 341 & 344-351. The removal of these trees has been recommended based upon; tree locations being in direct conflict with proposed roadways, footpaths, retaining walls and site re-grading works, major and unsustainable incursions to the Tree Protection Zone ('TPZ') as a result of such works or due to being classified as dead.

The remaining 259 trees on the site, primarily within the superlots, are to be retained as they are generally located away from the proposed works and are to have nil or otherwise sustainable incursions to their respective TPZs. The AIA includes specific recommendations to be adopted to ensure that root sensitive construction techniques and methodology are employed to mitigate the potential negative impacts to trees identified for retention.

In order to compensate for the loss of trees, replacement planting is recommended to occur at a ratio of 1:1. Accordingly, it is recommended that 115 large growing, native compensatory tree plantings be provided within the open space and street verge areas associated with the development.

The Landscape Plans which accompany the DA demonstrate the addition of the following trees:

Open Space (Bonnyrigg Square & Village Green)	143 trees
Street Trees	109 trees
Buffer Planting (Western boundary)	75 trees
TOTAL	327 trees

Of these additional trees, 170 comprise replacement local native species, in accordance with the recommendation of the Arborist Report. This equates to the provision of 55 replacement trees (or 47.8%) in excess of the recommended 115 trees.

5.6.3 TRAFFIC

The DA is accompanied by a Traffic and Transport Assessment ('TTA') prepared by The Transport Planning Partnership to present the findings of the traffic and transport assessment undertaken for the development and to identify potential impacts of the proposal on the traffic network.

The TTA relevantly provides that overall, there will be no adverse traffic implications resulting from the proposed development, based on the existing road capacity.

5.6.4 LANDSCAPE

The DA is accompanied by detailed Landscape Plans prepared by Distinctive which detail the proposed embellishment of Bonnyrigg Square and the Village Green as part of Stages 1 and 2 of the development, respectively. These parks have been designed to maintain consistency with the endorsed Indicative Open Space Concept Plans in terms of size and the provision of key features, including play equipment, picnic shelters, seating, water features and public art and pedestrian linkages. The parks have been designed to readily integrate with the future residential development of the superlots, which will be subject to future DA approvals.

5.6.5 SOCIAL & ECONOMIC

Potential social impacts associated with the development include impacts to existing residents during the construction phase. The construction phase will necessitate temporary relocation of residents, which will be managed by NSW LAHC.

Potential impacts from construction activity will be managed in accordance with the Construction Environmental Management Plan to minimise the potential impacts on the private land owners and the existing social and private housing occupants in the surrounding residential areas.

The development will contribute to an overall positive social impact, through the delivery of open space and the future development of the superlots for mixed use development. The Bonnyrigg Communities Plus project has set a target 70/30 mix of private and social housing tenancies for the estate to facilitate improved integration of housing tenancy types.

The construction phase of the project will have a positive economic impact directly through employment associated with the construction work and indirectly through spending in the locality during the construction period.

5.7 4.15(1)(c) The suitability of the site for the development

The suitability of the site for the development was considered as part of the granting of consent to the Concept Approval, as modified. The proposed development is consistent with the modified Structure Plan, approved as part of the modified Concept Approval and the site is considered to be suitable for the development.

5.8 4.15(1)(d) Any submissions made in accordance with the Act or the regulations

Any public submission/s will be considered as part of the assessment process as required by the provisions of the EP&A Act.

5.9 4.15(1)(e) The public interest

The proposed subdivision is facilitating the future development of the site in accordance with the endorsed Concept Approval for the renewal of the Bonnyrigg Housing Estate. The renewal project offers significant public benefit by way of the provision of housing to meet the housing needs of the community, the delivery of open space, employment generation, improved social outcomes and the general revitalisation of the precinct. Approval of the development is in the public interest.

6. CONCLUSION

The development the subject of this SEE seeks approval for a staged subdivision to create three (3) residential superlots, three (3) open space lots, civil works to facilitate the construction of roads and the embellishment of the open space lots across Stages 12 and 13 of the Bonnyrigg Communities Plus site.

This SEE has considered the development against the relevant considerations of the *Environmental Planning and Assessment Act 1979* and the modified Concept Approval granted by DPIE. The development is permissible with consent and satisfies the relevant provisions of the relevant legislation and policies.

Potential environmental impacts from the development have been considered by this SEE, with the benefit of the supporting technical documents and plans supporting the DA. The assessment of relevant environmental considerations has found that the development will not have unacceptable impacts. The development will have a positive social and economic impact in the locality. Approval of the development is in the public interest as it will facilitate the revitalisation of the Bonnyrigg Housing Estate, in accordance with the modified Concept Approval.

Having addressed all the relevant matters; it is considered that the development can be supported.