






Premise

LOT 80 NEWLEAF PARADE BONNYRIGG Statement of Environmental Effects

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Sarah Smith		Rennie Rounds		Rennie Rounds	

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1. INTRODUCTION

Premise have been commissioned by Traders In Purple to prepare a Statement of Environmental Effects ('SEE') to accompany a Development Application ('DA') for the construction of a four storey residential flat building on the approved Lot 80 Newleaf Parade, Bonnyrigg.

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:
RHCO	22480-L80
Plans: Architectural, SEPP 65 Statement & Design Verification Statement	
Consultant	Drawing Ref:
AJH+	Bonnyrigg Greens
Plans: Landscape	
Consultant	Project Ref:
Distinctive	11-23
Plans: Civil Engineering	
Consultant	Project No:
Intrax	NSW230003
Report BASIX, BASIX Obligation Report, NATHERS Certificate & Stamped Plans	
Consultant	Project No:
BCA Energy/Jensen Hughes/Robert Romanous	1398296M_02
Report Hydraulic Services Rainwater Design	
Consultant	Report Ref:
Surex	SUR22139
Report: DDA Report	

Consultant	Report Ref:
Accessible Building Solutions	223014
Report: BCA	
Consultant	Report Ref:
InCode Solutions Pty Ltd.	2023047
Report: Acoustic Assessment	
Consultant	Report Ref:
Acoustic Logic	20230563.1
Report: Operational Waste Management Plan	
Consultant	Report Ref:
Elephants Foot Consulting	4834
Report: Construction & Demolition Waste Management Plan	
Consultant	Report Ref:
Elephants Foot Consulting	-
Report: Cost Report	
Consultant	Report Ref:
Newton Fisher Group	-
Report: Traffic Impact Assessment	
Consultant	Report Ref:
Rytenskild Traffic Group	23053

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 690 dwellings, including 256 social housing dwellings, delivered under Stages 1 to 7A with another 161 dwellings approved/under construction. Over 7 hectares of new and improved parkland has also been delivered.

The overall Project site is illustrated in Figure 1 below.

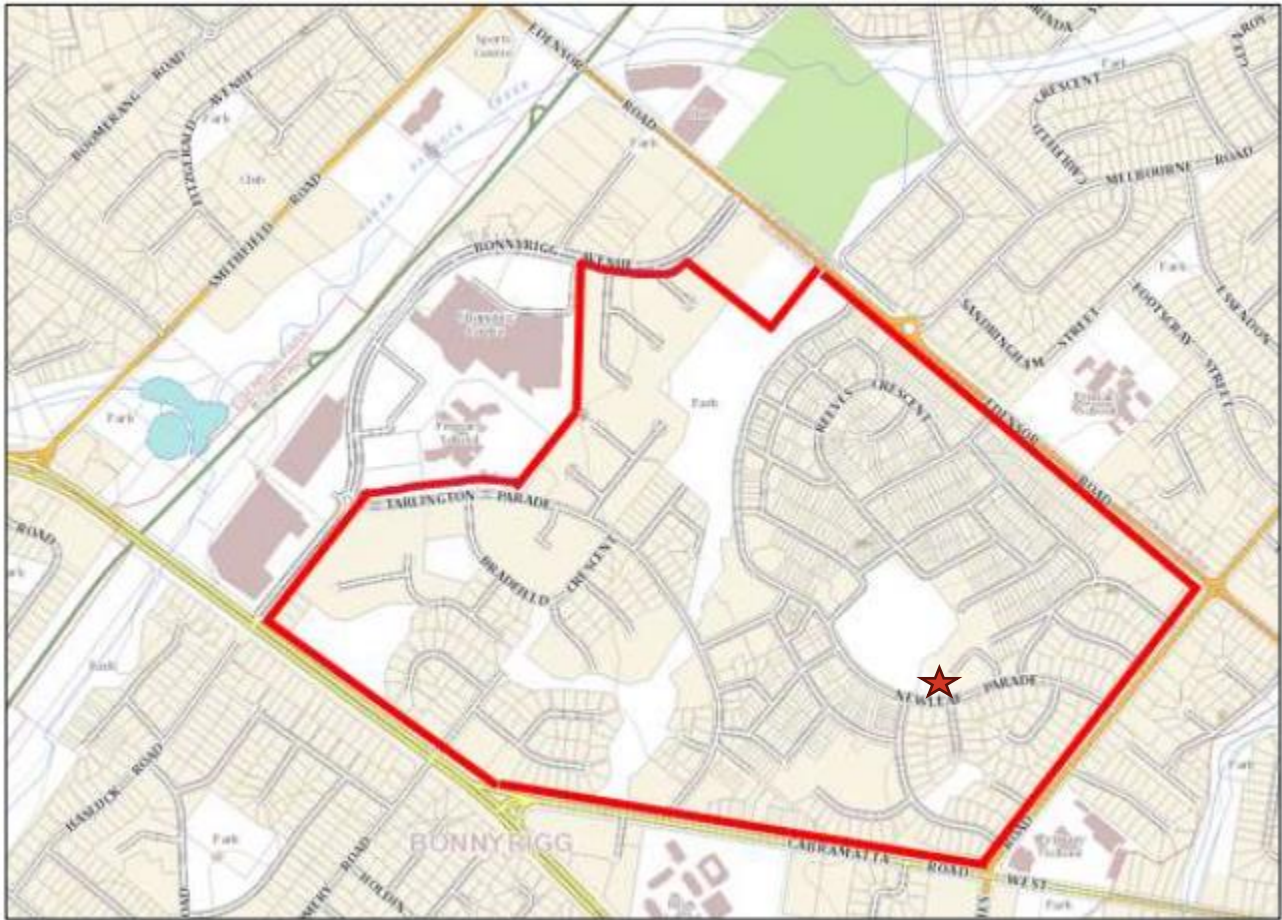


Figure 1: Overall Bonnyrigg Communities Plus Project site (SIX Maps)

The Project was initially approved by way of a Concept Plan application (MP06_0046) determined by the Minister for Planning on 12 January 2009. The original Concept Plan approval provided for:

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

Since the granting of this original approval, there have been six (6) subsequent modifications to the Concept Plan. Modification 5 is of relevance to the proposed development:

- MP06_0046 MOD 5 - approved on 23 November 2020 making 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

DA 234.1/2021

On 23 February 2023, the Sydney Western City Planning Panel granted consent to DA 234.1/2021 for the staged subdivision development of Stages 8 to 11, comprising a total of 222 residential lots, associated drainage and infrastructure works and the creation and embellishment of open space.

DA 234.1/2021 approved Lot 80 Newleaf Parade, Bonnyrigg (the subject site, see Figure 2 below). Lot 80 is situated within the approved Stage 1 and is yet to be registered.



Figure 2: Approved Plan (DA 234.1/2021)- the site outlined red.

Pre-DA Meeting for the proposed residential flat building

A Pre-DA Meeting was conducted with Council staff on Monday 27 March 2023 to discuss the proposed residential flat building development on approved Lot 80.

3. THE SITE & ITS LOCALITY

3.1 The Site & Locality

The site the subject of this application is known as approved Lot 80 Newleaf Parade, Bonnyrigg which is a residential superlot approved as part of DA 234.1/2021 which granted consent for the residential subdivision of Bonnyrigg Newleaf Stages 8 to 11 (the Humphries Precinct) of the Bonnyrigg Communities Plus Project site (Figure 3).

Lot 80 has a total area of 1,875sqm and 1.87m fall to the front boundary. Lot 80 will have frontages to both Newleaf Parade and the extension of Bishop Crescent, with Bunker Park opposite. Figure 5 below indicates the location of the site. The site is currently vacant having few trees scattered within the site.

Further Cabramatta Road is located to the south (which is further connected to Elizabeth Drive and Smithfield Road), Bonnyrigg Avenue & Edensor Road to the north and Humphries Road to the east.

Existing surrounding development consists of medium density development to the north and Bunker Park is located opposite to the site (Figures 6-8- Photographs) separated by a future road (extension of Bishop Crescent) creating a gateway corner as indicated on Figure 5 below. The site within close proximity to a number of facilities including bus stops (located on Newleaf Parade), Bonnyrigg Piazza, Bonnyrigg Public School, Bonnyrigg High School, Tarlington Reserve and Mount Pritchard Sporting Complex as indicated on Figures 4 & 5 below.



Figure 3: Stages 8 to 11 (Modified Concept Plan 2019) indicating location of the site.

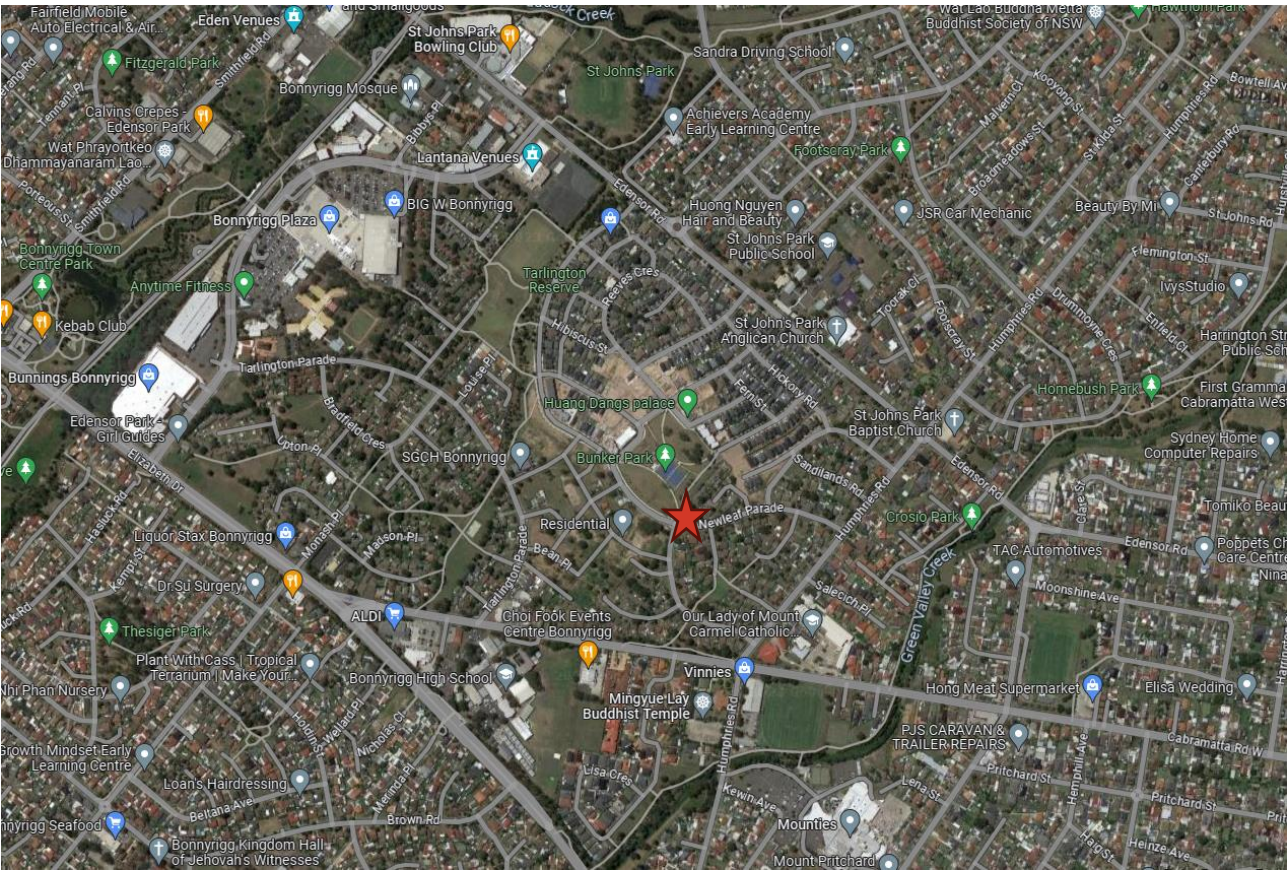


Figure 4: Site & surrounding area (Source: Google Map)



Figure 5: Site Analysis Plan prepared by AJH+



Figure 6: Site and adjacent park (Bunker Park)



Figure 7: Medium density development to the northwest & southwest



Figure 8: medium density development to the northeast

3.2 Development Description

Development consent is sought for the proposed social housing including construction of a part 3-storey and part 4-storey residential flat building (RFB) providing a total of 25 apartments. The development provides a

single level of basement with 25 car parking spaces and four levels with residential apartments providing 24 X two-bedroom apartments and 1 X one bedroom apartment. The details are indicated in Table 1 below.

Table 1: Apartment Mix

Level	Apartment Number	Apartment Type	Area (sqm)
Ground Level			
	G.01	2Bed/1Bath	80
	G.02	2Bed/1Bath	80
	G.03	2Bed/1Bath	80
	G.04	2Bed/1Bath	80
	G.05	2Bed/1Bath	80
	G.06	2Bed/1Bath	80
	G.07	1Bed/1Bath	55
Level 1			
	1.01	2Bed/1Bath	80
	1.02	2Bed/1Bath	80
	1.03	2Bed/1Bath	80
	1.04	2Bed/1Bath	80
	1.05	2Bed/1Bath	80
	1.06	2Bed/1Bath	83
	1.07	2Bed/1Bath	80
Level 2			
	2.01	2Bed/1Bath	80
	2.02	2Bed/1Bath	80
	2.03	2Bed/1Bath	80
	2.04	2Bed/1Bath	80
	2.05	2Bed/1Bath	80
	2.06	2Bed/1Bath	83
	2.07	2Bed/1Bath	80
Level 3			
	3.01	2Bed/1Bath	80
	3.02	2Bed/1Bath	80
	3.03	2Bed/1Bath	80
	3.04	2Bed/1Bath	83

In addition to the above the following should be noted regarding the proposed development:

- The development proposes a total Gross Floor Area (GFA) of 2,236m².
- A total of 529m² (28%) of deep soil area is provided.
- Waste storage area and services & comms room within the basement is also provided.
- Most of the apartments have dual aspect providing optimal cross ventilation (18 apartments) and solar access (21 apartments).
- 516m² (27.5%) of communal open space is provided on the site distributed around the building with most of the space having a northern aspect.

The proposal provides a three-storey (partly four-storey) building towards the western boundary. This configuration creates a significant deep soil landscape buffer towards the east, ensuring separation between the future dwelling and the proposed development. The building mainly consists of three stories, with a recessed fourth storey comprising four dwellings in the southwest corner. The location of the built form towards the western edge of the site locates the mass away from the future eastern dwellings with the top-

level setback further from the lower levels minimising the visual bulk / scale in all directions and minimizing the impact. The proposal is significantly modulated breaking down the scale and providing landscaping to wrap around the modulations and contributes positively to the enhancement of corners (gateway location). The colour selections provide a balance between dark and light elements, effectively breaking up the building volume into different sections including a clearly defined base and a recessed top level. The base, constructed with heavy brick and concrete, features sculpted patterned openings that add depth and visual interest. The upper level, built with lightweight materials, creates a distinct contrast with the heavy base, serving as a visually lighter top for the building. These darker recessive elements contribute to minimise the building scale (height) and visual bulk as indicated on Figures 9 & 10 below.

Further, the building is setback from all street frontages, allowing for extensive landscaping along all sides, extending the existing landscape outlook towards the park. The design incorporates substantial articulation and breaks down the building volumes in a manner that responds appropriately to both the adjacent park and future dwellings (Figures 9 & 10).

The proposal provides high quality garden apartments (Figures 9 & 10), close to the public open space and other facilities. The development ensures high quality with diversity in apartment typologies and providing affordable social housing. The apartments are provided with a high level of amenity and minimise impacts on the surrounding area. Most of the apartments are designed with living areas and bedrooms fronting the streets, providing passive surveillance over the streets and the public open space.



Figure 9: CGI for the proposed 3 storey (partly 4 storey) building



Figure 10: CGI for the proposed 3 storey (partly 4 storey) building

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 sets out the development for which concept approval, as modified (Modification MP06_0046 MOD 5), has been granted. Table 2 below sets out an assessment of the proposed development against items listed at Condition A2. The proposal is consistent with these conditions of the concept approval.

Table 2 Condition A2 (Modification MP06_0046 MOD 5)

Condition A2	Proposed	Complies
Concept approval is only to the following development:		
(1) Demolition of existing dwellings in stages.	Demolition has been undertaken in accordance with the approved Concept Plan. The DA is for construction of the RFB.	Yes
(2) Allocation of land uses within the renewed estate.	The proposed RFB is consistent with the allocation of land uses identified in the Concept Plan approval.	Yes
(3) Staged construction of 3,000 dwellings.	The proposed RFB will be providing 25 dwelling in accordance with the Concept Plan.	Yes
(4) Staged construction of up to 3,000m ² non-residential floorspace comprising community, retail and commercial uses.	N/A- The site has been identified for RFB.	N/A
(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.	N/A- The site has been identified for RFB.	Yes
(6) Reconfigured, relocated, upgraded existing and construction of new roads and pedestrian and bicycle movement network.	The proposal is consistent with the approved roads and pedestrian and bicycle movement network.	Yes
(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 Intrax to accompany the DA which include a Stormwater Management Plan.	Yes
(8) Retention, extension and upgrades of existing services infrastructure.	The proposal is consistent with the approval.	Yes

4.2.2 CONSISTENCY WITH PLANS & DOCUMENTATION

Schedule 1 Part A of the modified Approval inserted new condition A4 which requires the development of Stages 8 to 18 to be in accordance with the endorsed plans and documentation. The proposal is for a RFB which is overall consistent with these plans & documents specifically Bonnyrigg Master Plan (Modified Concept Plan 2019 Bonnyrigg Communities Plus Project' prepared by Architectus / AJC and dated 10 May 2019), Statement of Commitments titled 'Revised Statement of Commitments Bonnyrigg Communities Plus Project Concept Plan (MP06_0046)' prepared by FPD and dated 15 May 2019.

A7 Voluntary Planning Agreement

Condition A7 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 June 2023, Council supported the recommendation for the draft VPA for the Bonnyrigg Living Communities Project. Council accept the offer made by NSW Land and Housing Corporation and enter into a Voluntary Planning Agreement (VPA) associated with the Bonnyrigg Living Communities Project (NewLeaf Development). Council enter into a Deed of Agreement to amend the existing VPA with the NSW Land and Housing Corporation (dated 3 November 2008) as outlined in the report.

The proposed development is not impacted by the VPA.

4.2.3 COMPLIANCE WITH SCHEDULE 2 CONDITIONS

The development application addresses the relevant requirements listed in Schedule 2 of the modified Concept Plan approval as outlined below:

A1 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 does not impact the site.

A6 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 site and will not have any impact to the site.

B1 Vehicle Access

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 development is associated with Lot 80 which is a super lot approved as part of DA 234.1/2021 for Bonnyrigg Newleaf Stages 8 to 11 subdivision. Lot 80 is yet to be created. Once the subdivision is

completed, it will have frontages to both Newleaf Parade and the extension of Bishop Crescent, with Bunker Park opposite. This will be consistent with the DA and overall concept approval.

B2 Drainage

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 demonstrating compliance with Council requirements for stormwater management.

Engineering Plans have been prepared by Intrax to accompany the DA which includes the Stormwater Management plan. The proposal will be consistent with this condition.

B3 Tree Canopy Coverage

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 approved under DA 234.1/2021 for Bonnyrigg Newleaf Stages 8 to 11 subdivision. The landscape plans have been submitted with the proposal that are consistent with this DA and overall concept approval.

It is acknowledged that proposal includes removal of trees which was approved under DA 234.1/2021. Overall, the proposal is consistent with the Tree Canopy Coverage.

B5 BASIX

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 DA is submitted with a BASIX certificate in compliance with this condition.

B4 Future Residential Amenity

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 proposal indicates the compliance with State Environmental Planning Policy 65 – Residential Apartment Development & associated Apartment Design Guide and Bonnyrigg Master Plan (Modified Concept Plan 2019 Bonnyrigg Communities Plus Project' prepared by Architectus / AJC and dated 10 May 2019).

Overall, the proposal demonstrates the compliance with the condition and achieves a high level of residential amenity.

4.2.4 BONNYRIGG MASTER PLAN

'Modified Concept Plan 2019 Bonnyrigg Communities Plus Project' ('the Modified Concept Plan') provides the Master Plan with the controls. The following Table 3 identifies the relevant controls and provides a summary of this compliance for the proposal.

Table 3: Bonnyrigg Master Plan

Control	Proposed	Complies
A.4 Design Principles		
<p>Appropriate built form, massing and</p> <p>public/private interfaces. The increased densities at Bonnyrigg will require a considered approach to dealing with building setbacks, heights and massing. Generous landscape setbacks, regular entries and front doors along with staggered 2nd and 4th storey setbacks will help to create a balanced urban environment. Key frontages are to include active ground floor frontage to activate public domain and support Bonnyrigg Town Centre.</p>	<p>The proposal provides 4 storey apartments and provides generous setbacks (4m-8.7m) with significant landscaping and 28 % deep soil area (529 m²), regular entries and front doors with staggered 2nd and 4th storey setbacks. This will result in an appropriate built form and massing consistent with the Concept Plan.</p>	Yes
A.6 Character Areas		
<p>Humphries Precinct</p> <p>To the east of the estate this precinct will continue the 1 and 2 storey suburban character of the surrounding area.</p> <p>In key locations fronting Cabramatta Road, Humphries Road, Hilltop Park and the Junior Play Park additional density (up to 4 storeys) will provide additional built form definition.</p> <p>The roads will be largely based on a rationalisation of the existing network including new street tree and shrub planting to provide an attractive, green and low scale street environment that encourages walking and community interaction. A local scale park known as the 'Junior Play Park' will provide a neighbourhood focal point for this precinct with informal lawn areas, shade planting and children's play equipment.</p>	<p>The proposal provides a 4 storey RFB fronting Humphries Road and situated next to Bunker Park. It is noted that the proposal incorporates a partial 4 storey element (including only 4 apartments on the top) and therefore does not strictly comply with the height control of 3 storeys identified in the Masterplan (A.7 Structure Plan). The proposal is to seek the fourth storey in order to assist in increasing dwelling yield within the Stage. The location of the proposed apartments is considered to be of a high amenity given the nearby Bunker Park and other existing public open spaces and public transport (bus stops).</p> <p>In addition to the above it should be noted that DA 422.1/2017 has been granted by Council that included the same variation to the height for the garden apartments and provision of a four-storey building (same as proposed). The proposal is in line with this DA.</p> <p>Given the above justification and explanation, it is considered that the proposed development is consistent with the Concept Plan.</p>	Yes
A.7 Structure Plan		
<p>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>	<p>The site has been identified for RFBs and access as per the Concept Plan. Further the site is identified for a 3-storey development. However, the proposal incorporates a partial 4 storey element (including only 4 apartments on the top) and does not strictly comply with the height control of 3 storeys identified in the</p>	Yes

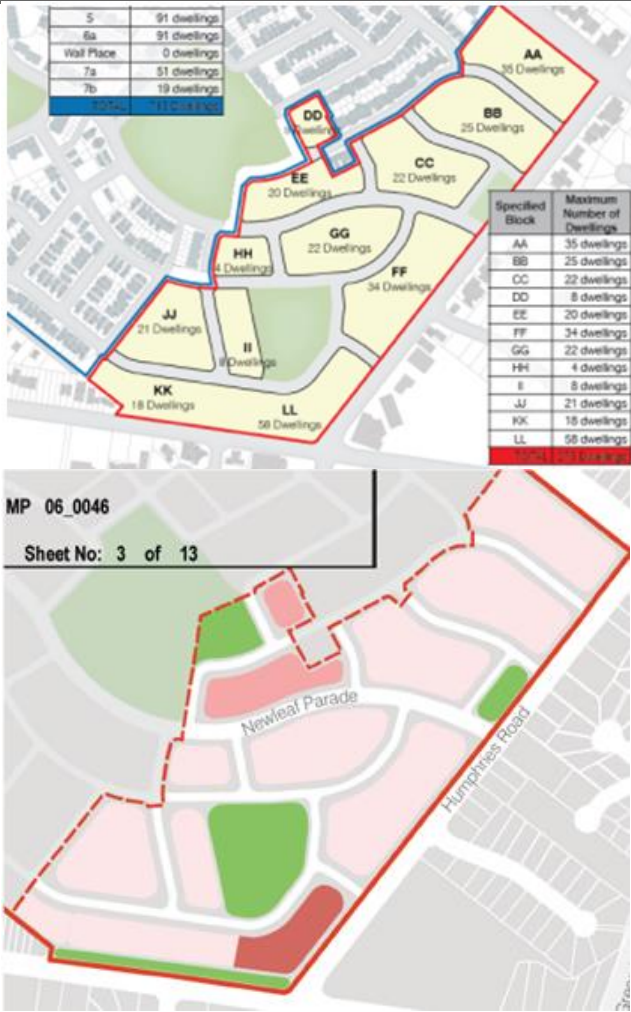
Control	Proposed	Complies
	<p>Masterplan (A.7 Structure Plan). The applicant has sought the fourth storey in order to assist in increasing dwelling yield within the Stage and by providing a fourth storey which can be accessed via proposed lift. The location of the proposed apartments is considered to be of a high amenity given the nearby Parks and other existing public open spaces and public transport (bus stop).</p> <p>In addition to the above, it should be noted that DA 422.1/2017 has been granted by Council that included the same variation to the height for the garden apartments (same as the proposed).</p> <p>Given the above justification and explanation, it is considered that the proposed development is consistent with the Concept Plan.</p>	
A.8 Building Heights		
a. The maximum height of buildings is to be generally consistent with Building Heights Plan.	<p>The site is identified for a 3-storey development as per Building Heights Plan. However, the proposal incorporates a 4 storey building and does not strictly comply with the height control. It is important to note that the development includes a partial 4 storey element providing only 4 apartments on the top level. This level is staggered from the lower levels by providing appropriate setbacks to the north and east boundaries of the site to minimise the visual bulk and scale as indicated on the photomontages and elevations submitted with the application. This application is to sought the fourth storey in order to assist in increasing dwelling yield within this area by providing a fourth storey. The location of the proposed apartments is of a high amenity given the nearby Parks and other existing public open spaces and public transport (bus stops on Newleaf Parade).</p> <p>In addition to the above it should be noted that DA 422.1/2017 has been granted by Council that included the same variation to the height for the garden apartments (same as the proposed).</p> <p>Given the above justification and explanation, it is considered that the proposed development is consistent with the Concept Plan.</p>	No – however justified
A.9 Built Form - Residential Flat Buildings		
a. The minimum lot size for a residential flat building is 1,500 sqm.	The site is 1, 875sqm.	Yes

Control	Proposed	Complies
c. Buildings are to be setback from the street as shown in the Building Setbacks Plan and the Street Wall Sections	The proposal is generally in compliance with a 4m deep soil setback with minor encroachment of the basement to the northwest corner of the site due to parking arrangement.	No- However justified
d. Deep soil landscape planting setbacks must include a deep soil planting area for a minimum of 60% the site's frontage.	The provides deep soil in compliance with the requirement.	Yes
e. Private open space may project into the deep soil planting setback by 2 metres for 40% of the site's frontage as shown in the Projection of Private Open Space figure.	A 4m setback is provided to the front.	Yes
f. Ground floor private open space facing the street is to be no more than 1 metre above street level.	The proposal complies with this requirement.	Yes
A.10 Crime Prevention through Environmental Design		
a. Development is to meet the principles of Crime Prevention through Environmental Design (CPTED).	Development meets the principles of Crime Prevention through Environmental Design (CPTED).	Yes
b. In particular, development is to:		
b.1 Maximise opportunities for casual surveillance of the public domain, including parks, from the main living area of dwellings	The openings, entries balconies, main living areas of the units are oriented to the frontages (west and north) to the park to maximise casual surveillance.	Yes
b.2 Maximise legibility of the movement network, public domain and building entrances	The units are oriented in a way (entries to the road frontages) to maximise legibility of the movement network, public domain and building entrances.	Yes
b.3 maximise visibility and minimising concealed areas, particularly at building entrances	The proposal includes a clearly defined main entrance to the building, which is well-illuminated and offers unobstructed views. This entrance area will benefit from passive surveillance by residents whose apartments overlook it, contributing to increased safety and security.	Yes
b.4 clearly demarcate the public and private domain.	The proposed landscaping and entrance to the building and units clearly demarcate the public and private domain.	Yes
c. Public, semi public/semi private, and private spaces are to be defined at their edges through fencing,	Public and private spaces are defined at their edges through fencing, landscape, and the positioning of	Yes

Control	Proposed	Complies
landscape, and the positioning of buildings.	buildings. Refer to the ground floor plan and landscape plan.	
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.	The units are oriented to the road frontages and parks for increasing the passive surveillance.	Yes
e. Homes that front the street/parks/ public spaces will have habitable rooms such as living rooms, balconies and kitchens facing these areas.	The units are oriented in a way that the openings, entries, balconies, main living areas and kitchens are facing roads/parks/ public spaces.	Yes
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.	Fencing will comply with this requirement.	Yes
g. Building materials and structures (including walls and fences) are to be designed to avoid any "natural ladder"	The proposed landscaping is provided in a way that will limit the opportunity for the use of the structures (walls & fences) as "natural ladders" that would encourage criminal behaviour.	Yes
h. Screens and bars, when utilised, will be integrated as design elements and will not appear to be retrofits.	The screens are integrated into the design as indicated on the elevations that add articulation and overall enhance the appearance of the building facades.	Yes
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.	The external areas of the ground floor are provided with appropriate landscaping. The ground floor units are provided with opening and entries to avoid any surveillance issues.	Yes
j. Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development.	The proposal includes a clearly defined entrance to the building and units, which offer unobstructed views and easily identifiable from the street frontages.	Yes
k. Where practicable, lift lobbies, stairwells and corridors are to be visible from public areas by way of glass panels or openings.	The proposal provides a clearly visible main entrance to corridor connecting to the lifts & stairs.	Yes

Control	Proposed	Complies
A.11 Car Parking		
a. Car parking must be designed to ensure that cars are not parked across pedestrian or cycle paths located in the street verge.	The development is provided with 25 car parking spaces within the basement.	Yes
b. Off-street parking should be provided behind the front building line to limit impact to the streetscape.	The parking spaces is provided in the basement.	Yes
c. Basement parking should be provided where possible.	The parking spaces is provided in the basement.	Yes
d. The minimum dimensions of any parking space are 2.5m x 5.5m.	The minimum dimensions of the parking space are 2.5m x 5.4m which do not comply with the requirement of 2.5m x 5.5m. However, this complies with minimum AS2890.1 Standard. Further please refer to the Traffic Impact Assessment submitted with the DA.	No- however justified
e. The following car parking rates apply: – 0.6 spaces per 1 bedroom unit. – 0.9 spaces per 2 bedroom unit. – 1.40 spaces per 3 bedroom unit. – 1 space per 5 units (visitor parking)	<p>The proposal provides 25 residential car parking spaces in compliance with the requirement. No on-site visitor car parking is provided that does not comply with the requirement. However, car parking rates are also outlined in Appendix D of the GTA TMAP (2018) as indicated below:</p> <p><u>Medium Density:</u></p> <ul style="list-style-type: none"> - 1 space per dwelling (1 to 2 bed) - 1.5 spaces per dwelling (3+ bed) - *Visitors can utilise on-street car parking <p>The proposal provides 25 residential car parking spaces as per the above requirement and visitors can utilise on-street car parking in compliance with the above requirements. Further please refer to the Traffic Impact Assessment submitted with the DA.</p>	
A.12 Activation		
a. Buildings in the areas identified as activation areas on the Activation Plan are to have a retail, commercial or community use facing the street on the ground floor.	N/A- the proposal provides a residential development (RFB).	Yes
A.13 Open Space Strategy		
d. Shrub planting or other objects that inhibit site lines are to be	The proposal will comply with this requirement.	

Control	Proposed	Complies
avoided to provide greater visibility across parks.		
A.14 Access		
d. Through site links are to be provided in the general locations shown on the Access Plan and the relevant Street Sections.	<p>The through site link shown on the Access Plan has not been provided as per DA Consent No. DA234.1.2021 (Stages 1 & 2 Subdivision). It was indicated in DA234.1.2021 that the main existing pedestrian destination point of 'Hilltop Park' (Bunker Park) feeds primary pathways that service the park. The proposed additional open space adjoining Bishop Crescent isn't a natural pedestrian connection due to levels and retaining walls. Therefore, pedestrian access is achieved via the road footpath network as the obvious and most direct route, rather than a 'link' through medium density residential (the site).</p> <p>Overall, the development is consistent with the DA Consent No. DA234.1.2021 and Concept Plan.</p>	No- However justified
A.16 Maximum Gross Floor Area / Dwellings		
<p>a. Development is to be generally consistent with the maximum GFA and dwelling yield nominated for each specified block (in the table below and adjacent plan).</p> <p>The subject block is identified as EE with nominated dwelling yield of 20 dwellings in the plan.</p>	<p>The block where the site is located is identified for 20 dwellings yield as per the Concept Plan. However, DA Consent No. DA234.1.2021 identified the site (Lot 80) for 25 residential apartment. It was indicated in DA234.1.2021:</p> <p><i>The other 'apartment' area opposite Bunker Park (location of proposed Lots 67 to 73) has a road (Rosella Street) that is too steep for apartment development to access from. An apartment development here will also adversely impact on existing dwellings in Stage 4B. After accounting for yields from proposed 'superlots' 80, 317 & 318, the yield for Stage 8 to 11 is 19 dwellings less than on the approved Concept Plan. This reduction will be made up by the apartments areas in the Tarlington Precinct. It should be noted that the yield plan in the Concept approval is indicative only and is labelled as such.</i></p> <p>In addition to the above, it is important to note that as per A16 Maximum GFA/Dwellings of the Concept Approval (see figures below) anticipated a high density of dwellings on the corner of Cabramatta Road and Humphries Road of up to 4 level tall however this is not achievable due to the size of the lots. Nevertheless, to overall density of 275 dwellings is maintained across the entire subdivision.</p>	No- However justified

Control	Proposed	Complies
	 <p>Figure 11: Approved plans (MP06_0046)</p> <p>Given the above information the development is overall consistent with the DA Consent No. DA234.1.2021 and Concept Plan.</p>	

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 June 2023, Council supported the recommendation for the draft VPA for the Bonnyrigg Living Communities Project. Council accept the offer made by NSW Land and Housing Corporation and enter into a Voluntary Planning Agreement (VPA) associated with the Bonnyrigg Living Communities Project (NewLeaf Development). Council enter into a Deed of Agreement to amend the existing VPA with the NSW Land and Housing Corporation (dated 3 November 2008) as outlined in the report.

The proposed development is not impacted by the VPA.

4.2.6 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 proposal will not impact the substation site.

4.2.7 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.

4.2.8 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 development is provided with the access consistent to the approved concept plan.

4.2.9 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 demonstrating compliance with Council requirements for stormwater management.

Engineering Plans have been prepared by Intrax to accompany the DA which includes the Stormwater Management plan consistent to the Concept Approval.

4.3 State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

State Environmental Planning Policy No. 65 and the NSW Apartment Design Guidelines (ADG) provide guidance on standards for quality residential development to ensure adequate levels and amenity and efficiency can be achieved.

The proposed apartment building is designed with regard to the relevant guidelines contained in SEPP 65. As per the requirements of SEPP 65, AJH+ have provided an explanation of how the proposals satisfy the ten design principles of SEPP 65, and a checklist of compliance with SEPP 65.

Overall, the apartments have a very high design quality, and provide a very high level of consistency with the design principles in the ADG. This is discussed in further detail below.

4.3.1 APARTMENT DESIGN GUIDELINES

The Apartments Design Guide Report prepared by AJH+ demonstrates the proposed apartments are generally designed in accordance with the controls and objectives of the ADG.

The following summary table is provided in the key areas of considerations:

Table 4: ADG Compliance Table (Source: AJH+)

ADG RULES OF THUMB	%	PROPOSED	COMPLIES
Overall Sunlight Access (TBC) to Living Rooms & Private Open Space	70%	84% (21 apartments)	Yes
Natural Cross Ventilation	60%	72% (18 apartments)	Yes
South Aspect Units	15%	3 (12% south facing)	Yes
Accessibility	20%	100% (25 apartments)	Yes
Minimum Apartment Sizes	100%	All apartment areas comply	Yes
Habitable Room depths	-	Max 8m depth	Yes
Living rooms internal width	100%	All bedroom dimensions comply	Yes
Bedroom Dimension/Area (excluding wardrobe)	100%	All bedroom dimensions comply	Yes
Minimum Ceiling Heights	100%	2.7m 2.4m 3.3m	Yes
Primary Balcony/Private Open Space Minimum	100%	10 sqm	Yes
Minimum Storage	-	6 sqm 8 sqm	Yes
Common circulation	-	Max 7 units per core	Yes
Building Depth	-	Max 23m	Yes
Building Separation	-	Adequate separation	Yes
Deep Soil Zone	7%	28% (529 sqm)	Yes
Communal Open Space (C.O.S.)	25%	27.5% (516 sqm)	Yes

Overall, the proposed Apartments are designed to comply with SEPP 65 and the objectives of the ADG. The design is considered to provide a high level of amenity for future residents with a generous amount of communal & private open space and internal living area, good cross ventilation and solar access. The apartments are within proximity to public transport and public open spaces (trees, parks & reserves), which provide a desirable living space for future residents. In this regard, the objectives of the ADG are satisfied.

4.4 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The application has been submitted a BASIX Certificate in support of the Application and in accordance with the provisions of the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

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

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.

The subject site is zoned R1 General Residential under Fairfield LEP 2013 and residential flat buildings are permissible within the zone subject to consent. The objectives of the zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To permit a range of non-residential land uses that are capable of integration with the surrounding locality.*

It is considered that the proposed development provides residential flat building with 25 apartments which would be consistent with the above objectives of the R1 General Residential zone.

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

There is no draft instrument that is 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 8 to 11, 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 4.2.4 of this SEE. Additionally, the proposal generally complies with the Bonnyrigg Master Plan.

In addition to the above, Fairfield Citywide Development Control Plan 2013 (the DCP) identifies the site in *Inset F – Bonnyrigg Master Plan Living Communities Bonnyrigg* which indicates that the following relevant Chapters of the DCP:

Chapter 2 – Development Application Process
Chapter 3 – Environmental Management and Constraints
Chapter 10 – Miscellaneous Development
Chapter 11 – Flood Risk Management
Chapter 13 – Child Care Centres

In addition to the above the following Appendices are referred:

- A – Definitions
- B – Notification Policy
- C – Advice for Designing Advertising Signs
- D – Preservation of Trees and Vegetation
- E – Waste Not Policy to Manage Demolition and Construction Waste
- G – Heritage and Development

There are no provisions in the above chapters or appendices which are applicable to the design of the residential flat building development. The supporting documents have been provided as per Chapter 2 of the DCP.



Figure 12: INSET F - Bonnyrigg Master Plan Living Communities Bonnyrigg (Fairfield Citywide Development Control Plan 2013)

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.

It is noted that Council have endorsed the new draft VPA which is not formalised yet.

The proposed development is not impacted by the 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 Intrax which include Soil and Water Management Plans that identify erosion and sediment control measures to be implemented for the duration of construction works.

5.6.2 TREE REMOVAL

The Landscape Plans have been approved under DA 234.1/2021 for Bonnyrigg Newleaf Stages 8 to 11 subdivision. The Landscape Plans are submitted with the proposal that are consistent with this DA and overall concept approval.

It is acknowledged that proposal includes removal of trees as indicated on the submitted Landscape Plans that was approved under DA 234.1/2021.

5.6.3 WASTE

The residents will be provided with a communal waste room in the basement. The residents will be responsible for walking their waste and recycling to the Communal Waste Room and placing their waste and recycling into the correct bin. On the nominated waste collection day, the building caretaker will be responsible for transporting the bins from the waste room to the kerbside. To service the bins, a Council collection vehicle will park along Newleaf Parade. Once the bins are serviced, the collection vehicle will continue along Newleaf Parade in a forward direction. When waste collection is complete, the building caretaker will return the bins to resume operational use. An area is made available within close proximity of the garbage and recycling bin

collection room in the basement for the storage of discarded residential bulky items (e.g. whitegoods, furniture, etc.).

The proposal is supported with an Operational Waste Management Plan prepared by Elephants Foot Consulting providing the above details.

In addition to the above, the DA is provided with a Construction & demolition Waste Management Plan prepared by Elephants Foot Consulting.

5.6.4 NOISE

The DA is accompanied by an Acoustic Assessment prepared by Acoustic Logic discussing the following noise impact associated with the development potential traffic noise from Cabramatta Road west and Humphries Road and external noise emissions from mechanical plant. Please refer this Assessment for details.

5.6.5 TRAFFIC

The DA is accompanied by a Traffic and Transport Impact Assessment prepared by Rytenschild Traffic Group to present the findings of the traffic and transport assessment undertaken for the development and covers the following:

- Car parking supply and design.
- Access arrangements.
- Provision for safe pedestrian and cyclist's access.
- Service vehicle access and manoeuvring.

5.6.6 ACCESS

The DA is accompanied by a DDA Report prepared by Accessible Building Solutions indicating compliance with the access provisions of the BCA and the Access to Premises Standard.

5.6.7 BCA

The DA is accompanied by a BCA Report prepared by InCode Solutions Pty Ltd indicating that compliance with the BCA can be achieved, subject to compliance with Parts 4-7 of the Report.

5.6.8 LANDSCAPE

The DA is accompanied by detailed Landscape Plans prepared by Distinctive which detail the proposed embellishment of the site. The proposal aims to maintain the existing landscape pattern prevalent in the Bonnyrigg area and integrating with the surrounding area. The landscaping surrounding the building at the ground level are designed to "wrap" around the building, creating a sense of continuity and extending the park-like quality consistent with the surrounding area. This enhances the presentation of the development to the streetscape and contributes positively to the character of the area. Overall, the proposal emphasises the integration of landscaping elements to create a cohesive and visually appealing environment.

5.6.9 SOCIAL & ECONOMIC

The development will contribute to an overall positive social impact, through the delivery of residential flat building including 25 apartments. 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 proposed development offers significant public benefit by way of the provision of housing to meet the housing needs of the community, 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 social housing including a part 3-storey and part 4-storey residential flat building, within close proximity to public transport and open spaces.

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 under the provisions of the Part 3A Concept Plan Approval for the Bonnyrigg Living Communities Project and satisfies the relevant provisions of the legislation and regulations.

The proposed dwellings have been designed to achieve compliance with the provisions of the Bonnyrigg Masterplan and ADG. The proposed development is provided with a high level of design and amenity with extensive landscaping that will contribute positively to the streetscape and provide an appropriate built form consistent with the character of the area.

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 proposal will deliver a range of positive social, economic and environmental benefits to the community and the region. Approval of the proposed social housing is in the public interest as it will facilitate the revitalisation of the Bonnyrigg Housing Estate, in accordance with the Concept Approval.

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