



## **Fairfield Local Environmental Plan 1994 (Amendment No 93)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P03/00381/S69)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2004 No 287

Clause 1                      Fairfield Local Environmental Plan 1994 (Amendment No 93)

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# Fairfield Local Environmental Plan 1994 (Amendment No 93)

under the

Environmental Planning and Assessment Act 1979

## 1 Name of plan

This plan is *Fairfield Local Environmental Plan 1994 (Amendment No 93)*.

## 2 Aims of plan

The aims of this plan are:

- (a) to utilise the principles of place management in pursuing the objectives for the Bonnyrigg Town Centre detailed in *Fairfield Development Control Plan No 28—Bonnyrigg Town Centre* (as adopted by the Council on 24 February 2004), and
- (b) to secure the vision for Bonnyrigg and general urban design strategies for the Bonnyrigg Town Centre that are set out in Part 3 (Master Plan of the Bonnyrigg Town Centre) of that development control plan, and
- (c) to allow for the establishment of a mix of land uses in certain parts of the Bonnyrigg Town Centre, and
- (d) to accommodate increased residential densities that will help sustain retail and commercial activities in the Bonnyrigg Town Centre and result in increased patronage of public transport facilities, and
- (e) to protect and regenerate the natural environment of the Bonnyrigg Town Centre, incorporating Clear Paddock Creek, a vegetated riparian corridor along either side of that creek and remnant native vegetation, to promote biological linkages between remnant native vegetation and to enhance water quality in that creek, and
- (f) to rezone land to support appropriate uses.

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**3 Land to which plan applies**

This plan applies to Bonnyrigg Town Centre, as shown edged heavy black on Sheets 1, 2 and 3 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 93)” deposited in the office of Fairfield City Council.

**4 Amendment of Fairfield Local Environmental Plan 1994**

*Fairfield Local Environmental Plan 1994* is amended as set out in Schedule 1.

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Fairfield Local Environmental Plan 1994 (Amendment No 93)

Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 4)

#### [1] Clause 25H

Insert after clause 25G:

##### 25H Bonnyrigg Town Centre

- (1) This clause applies to Bonnyrigg Town Centre, as shown edged heavy black on Sheets 1, 2 and 3 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 93)”.
- (2) The objectives for the redevelopment of the Bonnyrigg Town Centre (the **Town Centre**) are as follows:
  - (a) to ensure that Part 3 (Master Plan of the Bonnyrigg Town Centre) of *Fairfield Development Control Plan No 28—Bonnyrigg Town Centre* (as adopted by the Council on 24 February 2004) (the **Town Centre DCP**) is considered by the consent authority before consent is granted to proposed development,
  - (b) to create a clearly defined urban structure for the Town Centre that is sympathetic to the scale and appearance of surrounding areas, integrating the existing public housing estate with surrounding residential areas and featuring clearly defined entrance points to the Town Centre,
  - (c) to allow for a mix of integrated land uses and activities that support the retail, commercial, cultural and social vitality and viability of the Town Centre,
  - (d) to restore the natural setting of Clear Paddock Creek and establish a vegetated riparian corridor along either side of that creek and an off-line stormwater treatment system, promoting opportunities for sustainable biodiversity and biological linkages between areas of remnant native vegetation,
  - (e) to enhance the use and enjoyment of urban spaces and restored open space areas in the Town Centre through landscape design measures,
  - (f) to minimise the potential impacts of flooding, urban waste and stormwater on the Town Centre and surrounding neighbourhoods,

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- (g) to create a distinctive landscape character that enhances the image of the Town Centre, incorporating connections to public gathering places in Clear Paddock Creek Park and opportunities for focal points through landscape design, and highlighting the culture of the local community,
  - (h) to promote opportunities for infill development, ensuring that the form, appearance, size and placement of any such development helps to enhance the character of the Town Centre and emphasise the distinctiveness of local cultural environments,
  - (i) to enhance vehicular access and linkages within, and to and from, the Town Centre,
  - (j) to increase opportunities for the provision of, and access to and from, public transport,
  - (k) to improve access within, and to and from, the Town Centre for people with disabilities,
  - (l) to improve pedestrian access and amenity within, and to and from, the Town Centre,
  - (m) to create a pedestrian and cycleway network that:
    - (i) links all surrounding residential areas, public transport interchanges and areas of open space with the Town Centre, and
    - (ii) minimises any potential impact on the natural environment by locating primary pedestrian pathways away from the proposed (or, after its establishment, the existing) vegetated riparian corridor along either side of Clear Paddock Creek and away from areas of remnant native vegetation,
  - (n) to provide sufficient parking, and servicing access, to customers of the Town Centre, ensuring that parking and service areas are accessible to users and managed effectively,
  - (o) to allow development that incorporates a variety of housing, increasing housing choice and flexibility, to accommodate a range of income groups and encourage social diversity.
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Schedule 1 Amendments

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- (3) Despite the other provisions of this plan, development for the following purposes may be carried out with development consent on land within the Town Centre that is shown by vertical hatching on Sheet 2 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 93)”:
  - (a) multi-unit housing,
  - (b) residential flat buildings,
  - (c) two or more of the following, incorporated within the ground or first floors of a building (for example, a residential flat building):
    - (i) business premises,
    - (ii) community facilities,
    - (iii) dwellings,
    - (iv) entertainment facilities,
    - (v) refreshment rooms,
    - (vi) shops.
- (4) Despite the other provisions of this plan, development for the purposes of multi-unit housing may be carried out with development consent on land within the Town Centre that is shown by cross hatching on Sheet 2 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 93)”.
- (5) Development for any of the purposes referred to in subclauses (3) and (4) is required to comply with the height controls detailed in section 5.1.4 of the Town Centre DCP.
- (6) *State Environmental Planning Policy No 1—Development Standards* applies to subclause (5) in the same way as that Policy applies to a development standard.
- (7) Despite the other provisions of this plan, development for the purposes of a bulky goods salesroom or showroom may be carried out with development consent at 685 Smithfield Road (Lot 114, DP 1327), as shown edged heavy black on Sheet 3 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 93)”.
- (8) Before granting consent to the carrying out of any development within the Town Centre, the consent authority must consider the objectives set out in subclause (2) that are of relevance to the proposed development.

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- (9) Before granting consent to the carrying out of any development within the Town Centre on a site that is greater than 2,000 square metres, the consent authority must consider a site master plan, unless satisfied that the proposed development is minor.
- (10) For the purposes of subclause (9), a *site master plan* is a document, consisting of written information, maps and diagrams, that:
- (a) demonstrates how the design and configuration of proposed development achieves consistency with the objectives set out in subclause (2) that are of relevance to the proposed development, and
  - (b) includes information about measures to mitigate any environmental impacts of the proposed development, including measures for any of the following that are of relevance to the proposed development:
    - (i) noise attenuation,
    - (ii) flood mitigation and attenuation,
    - (iii) water management,
    - (iv) soil management, and
  - (c) includes information about any measures to enhance the natural environment, including any of the following measures that are of relevance to the proposed development:
    - (i) measures to establish a vegetated riparian corridor along either side of Clear Paddock Creek,
    - (ii) measures to protect or regenerate any remnant native vegetation,
    - (iii) measures to promote biological linkages between remnant native vegetation, and
  - (d) provides details in relation to urban design considerations (such as privacy, security, identified views and the relationship of the proposed development to the public domain), drawn from an analysis of the site and its context, together with an explanation of how the proposed development relates to provisions of the Town Centre DCP, and
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- (e) incorporates information about the staging of the proposed development.
- (11) The consent authority must not consent to the carrying out of development on land within the Town Centre that adjoins an arterial road and would enable vehicular access to or from the land by the arterial road, unless:
  - (a) it is satisfied that there is no other practicable means of vehicular access to or from the land, and
  - (b) it has consulted with the RTA.

### [2] Dictionary

Insert in appropriate order in the definition of *Map*:

Fairfield Local Environmental Plan 1994 (Amendment No 93)—Sheets 1 to 3

### [3] Dictionary

Insert in alphabetical order:

*RTA* means the Roads and Traffic Authority constituted under the *Transport Administration Act 1988*.

BY AUTHORITY

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