



Office of
Environment
& Heritage

Your reference: qA134076
Our reference: DOC11/28508
Contact: Richard Bonner 9995 6833

Mr Chris Shinn
Strategic Land Use Planning
Fairfield City Council
PO Box 21
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FAIRFIELD CITY COUNCIL	
20 JUL 2011	
TO: C. Shinn	DOC ID:
FILE: 10/03284	SCAN DATE:
CRM:	INITIALS:
LINK REF:	PAGES:
PROP No:	ASSESS No:

Dear Mr Shinn

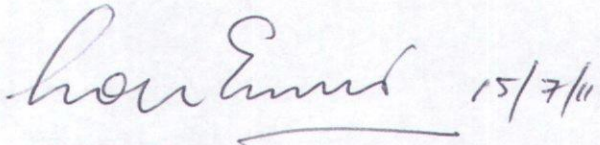
I refer to your 17 June 2011 letter inviting comments from the Office of Environment and Heritage (OEH) on draft Fairfield Local Environmental Plan Amendment No. 128 (draft LEP).

OEH has reviewed the draft LEP and notes two of the sites to be reclassified operational contain vegetation of high biodiversity value. These sites are 45-49 Diamond Road, Bonnyrigg (Bonnyrigg site) and 45-57 Cardwell Street, Canley Vale (Canley Vale site). As indicated in the Town Planner's report, draft Fairfield LEP 2010 proposes these areas be zoned E2 Environmental Conservation. OEH fully supports the application of an E2 zoning to assist in protecting areas of high biodiversity value. OEH is, however, concerned with the reclassification of the Bonnyrigg and Canley Vale sites to operational as the high biodiversity value areas could not be categorised as 'natural areas' under the *Local Government Act 1993* and the preparation of a management plan would no longer be required.

OEH notes that the justification provided in the Town Planner's report for reclassifying the Bonnyrigg site is to facilitate redevelopment and/or sale. The report also implies that areas intended to be rezoned E2 in draft Fairfield LEP 2010 (and with high biodiversity value) will be sold possibly as part of future subdivided lots intended for residential development. OEH recommends these areas not be reclassified operational, that they remain in Council ownership and be managed to protect their conservation values.

If you have any queries regarding this matter please contact Richard Bonner on 9995 6833.

Yours sincerely

 15/7/11

LOU EWINS
Manager Planning and Aboriginal Heritage
Environment Protection and Regulation
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Department of Premier and Cabinet

The Department of Environment, Climate Change and Water is now known as the Office of Environment and Heritage, Department of Premier and Cabinet

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