

Planning Proposal

Proposed amendment to
Fairfield Local Environmental Plan 2013

BONNYRIGG TOWN CENTRE – DEFERRED MATTER

APRIL 2016



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Introduction

1.1 EXECUTIVE SUMMARY

This Planning Proposal has been prepared to implement the provisions of the NSW Standard LEP under the Fairfield Local Environmental Plan 2013 to the Bonnyrigg Town Centre “Deferred Matter”. Currently, the precinct is governed by the provisions of Fairfield Local Environmental Plan 1994.

The Centre presents a unique opportunity for change which can improve the quality of the built environment of the centre, create a vibrant mixed use area and provide a focus for the community activities.

It is proposed to amend the Fairfield LEP 2013 to include new zones and planning controls for the entire precinct identified as the Bonnyrigg Town Centre “Deferred Matter”. Council is also proposing to identify sections of privately owned properties that are affected by land acquisition provisions of clause 5.1 – Relevant Acquisition Authority on land directly adjoining the Deferred Matter zoned SP2 Infrastructure (associated with the Parramatta to Liverpool Bus T-Way). In summary to achieve these outcomes, the following key changes are proposed;

- a) Remove mapping notations appearing on the Fairfield LEP 2013 Land Application Map that currently designate the Bonnyrigg Town Centre as a ‘Deferred Matter’
- b) Include a reference to “Bonnyrigg” in the third objective for the B4 zone that currently only refers to Prairiewood, Fairfield and Cabramatta Town Centres.
- c) Apply the B4 Mixed Use zone to the Bonnyrigg Plaza (100 Bonnyrigg Avenue) and 685-707 Smithfield Road with these sites to become the major focus for retail development in the Centre.
- d) Apply zones, B1 Neighbourhood Centre, B6 Enterprise Corridor, R4 Residential High Density, RE1 Existing and Proposed Recreation and RE2 – Private Recreation to remaining land in the deferred matter as detailed in this planning proposal.
- e) a variable height limit to be applied across the centre, with potential for up to eight (8) storeys (inclusive of 2 storeys of commercial) buildings on certain large sites;
- f) Amend Schedule 1 of Fairfield LEP 2013 to allow for the development of ‘*residential flat buildings*’, ‘*café and restaurant*’ and ‘*small bar*’ as an additional permitted use on certain land zoned B6 Enterprise Corridor
- g) Apply a new local clause to establish height incentives for future residential development of Bonnyrigg Plaza as long as this results in an active street frontage along Bonnyrigg Avenue.
- h) Identify sections of properties already zoned SP2 – Infrastructure (Classified Road) adjoining the Deferred Matter that are to be included on the Fairfield LEP (2013) Land Reservation Acquisition Map.

The Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including “A Guide to Preparing Local Environmental Plans” and “A Guide to Preparing Planning Proposals”.

The Bonnyrigg Town Centre Development Control Plan (DCP) will also be amended to guide future development and to ensure the underlying objectives of the planning proposal can be reasonably achieved.

1.2 PURPOSE OF THE PLANNING PROPOSAL

This planning proposal was initially endorsed by resolution of Council at its meeting of 22 March 2016. The following resolution is relevant to preparation of this planning proposal;

That Council:

1. *Endorse the Planning Proposal (Attachment A of the report) and associated Local Environmental Plan (LEP) Maps (Attachment B of the report) and inform the Department of Planning and Environment that it wishes to commence the Gateway process to amend the Fairfield LEP 2013 to rezone various parcels of land in the Bonnyrigg Town Centre Deferred Matter, through the application of the following zones of the NSW Standard LEP:*
 - 1.1 Zone R4 – High Density Residential
 - 1.2 Zone B1 – Neighbourhood Business Centre
 - 1.3 Zone B4 – Mixed Use Development
 - 1.4 Zone B6 – Enterprise Corridor
 - 1.5 Zone RE1 – Public Recreation
 - 1.6 Zone RE2 – Private Recreation
 - 1.7 Additional permitted uses of Residential Flat Buildings and Food & Drink Premises on certain sites proposed to be rezoned B6 – Enterprise Corridor.
2. *Endorse the draft built form, urban design and building envelope proposals detailed in this report and draft Bonnyrigg Town Centre - Strategic Review (Attachment C of the report) for inclusion with public exhibition of the Planning Proposal.*
3. *Receive a further report on the proposed new Development Control Plan to be prepared for the Bonnyrigg Town Centre and to accompany public exhibition of the Planning Proposal.*
4. *Receive a further report on the Planning Proposal and draft Development Control Plan following public exhibition to be carried out in accordance with the public consultation strategy outlined in this report.*

Further, Council at its meeting of the 26 April 2016 endorsed the following amendment to this planning proposal as follows.

That Council endorse the amendments to the Fairfield Local Environmental Plan (LEP) 2013 - Land Reservation Acquisition Map (as shown in Attachment A of the report) for inclusion in the Bonnyrigg Town Centre Planning Proposal previously endorsed by Council on the 22 March 2016, with necessary amendments to be made to all relevant sections of the Planning Proposal to implement the land reservation acquisition provisions of the Fairfield LEP 2013 for the area.

1.3 BACKGROUND TO BONNYRIGG DEFERRED AREA

In the current Fairfield LEP 2013 (which came into force in May 2013) the Bonnyrigg Town Centre was designated as a “Deferred Matter”. Council resolved to defer the Bonnyrigg Town Centre as a Development Application (DA) for a major retail development at 685-707 Smithfield Road, Edensor Park (that generates significant implications for the overall quantum of retail floor space in Bonnyrigg Town Centre) had not yet been determined.

At the time this planning proposal was prepared there was no clear timeframe for a decision on the above DA, however, sufficient certainty now exists in relation to consideration of retail floor issues in the Town Centre as a result of Council’s adoption of the Fairfield Retail Centres Study (in February 2016) that establishes a target for the level of increase in retail floor space in the Town Centre, including both Bonnyrigg Plaza and 685-707 Smithfield Rd.

The findings and recommendations of the Retail Study along with the Fairfield Employment Lands Study 2009 have been important planning documents in informing decisions about the rezoning of land in the deferred matter

In addition with the assistance of a specialist consultant Council undertook a comprehensive review of the urban design issues in Bonnyrigg Town Centre. Recommendations from this work have guided preparation Bonnyrigg Strategic Review, proposed LEP height controls and local clauses covering active street frontages as well as detailed amendments to the Bonnyrigg Town Centre Development Control Plan.

Existing situation

1.1 LAND TO WHICH THE PROPOSAL APPLIES

The precinct identified as Bonnyrigg Town Centre “Deferred Matter” and adjoining land zoned SP2 – Infrastructure (Classified Road) is identified in *Image 1 & 2* (over page). The centre is bound by Smithfield Road, Edensor Road, Elizabeth Drive and the Newleaf (Bonnyrigg Living Communities) Redevelopment. The site includes the Bonnyrigg Plaza, the large Bonnyrigg District Park and a number of community uses such as the Bonnyrigg Library and the community centre.

1.2 DEFERRED MATTER PRECINCTS

To assist with undertaking the Strategic review of the area, the Deferred Matter area has been grouped into various precincts. These precincts will subsequently form the basis for the provision of revised DCP controls for the area. See *Image 3* for Precinct delineations

Precinct 1 – consists of the Service station, basketball court, McDonalds and other fast food outlets on the corner of Elizabeth Drive and Smithfield Road.

Precinct 2 – consists of two large vacant sites related to the current Development application for a shopping centre at 685-707 Smithfield Road, Assyrian Community centre, heritage item, a Christian church, large fruit and grocery warehouse and a large discount store

Precinct 3 – consists of an existing Bunnings Warehouse, the former Westbus site and two smaller lots of land in between the TWAY and Bonnyrigg Plaza.

Precinct 4 - consists of the Bonnyrigg Plaza, Bonnyrigg Public School, a heritage item, youth centre, Bonnyrigg Library and community centre

Precinct 5 – This precinct is a mixture of bulky goods and two recently approved Development applications for mixed-use buildings up to 6 storeys in height.

Precinct 6 – consists of cultural and religious uses (two heritage items and two cultural buildings) as well as residential/social housing and bulky goods

Precinct 7 – consists of residential, a three storey mixed used building with restaurants and a service station.

Image 1: Cadastral of subject land

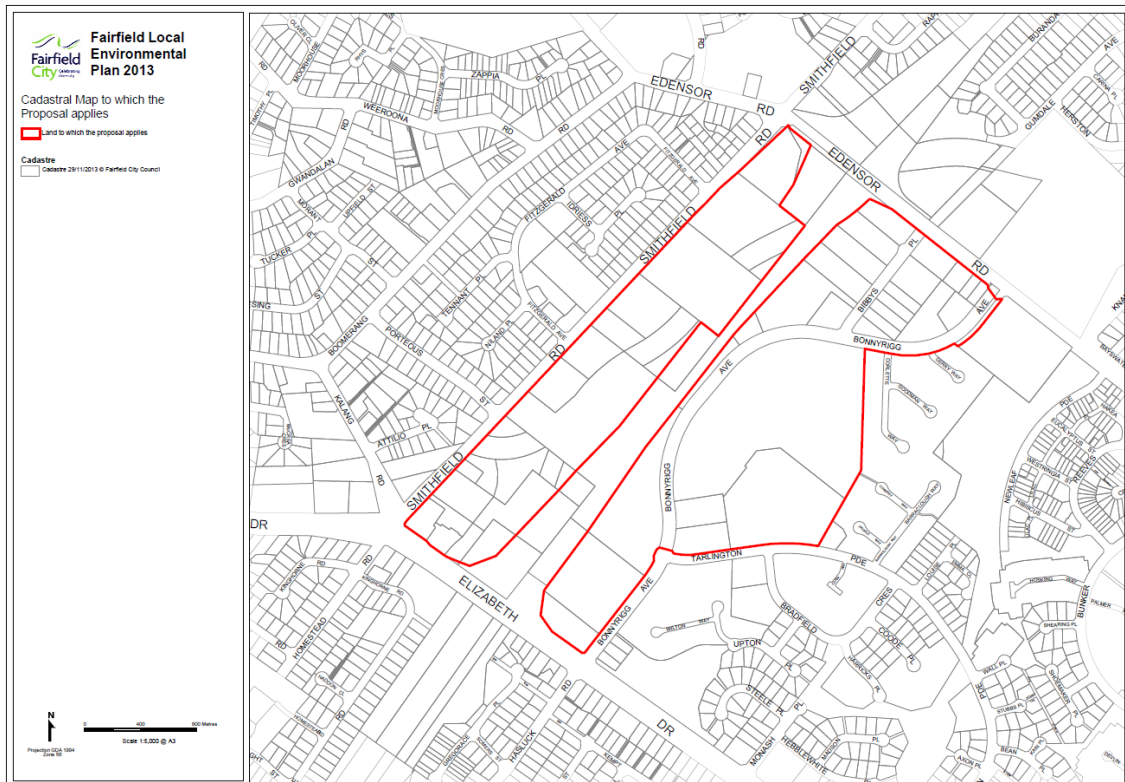


Image 2 – Aerial of land subject to Planning Proposal

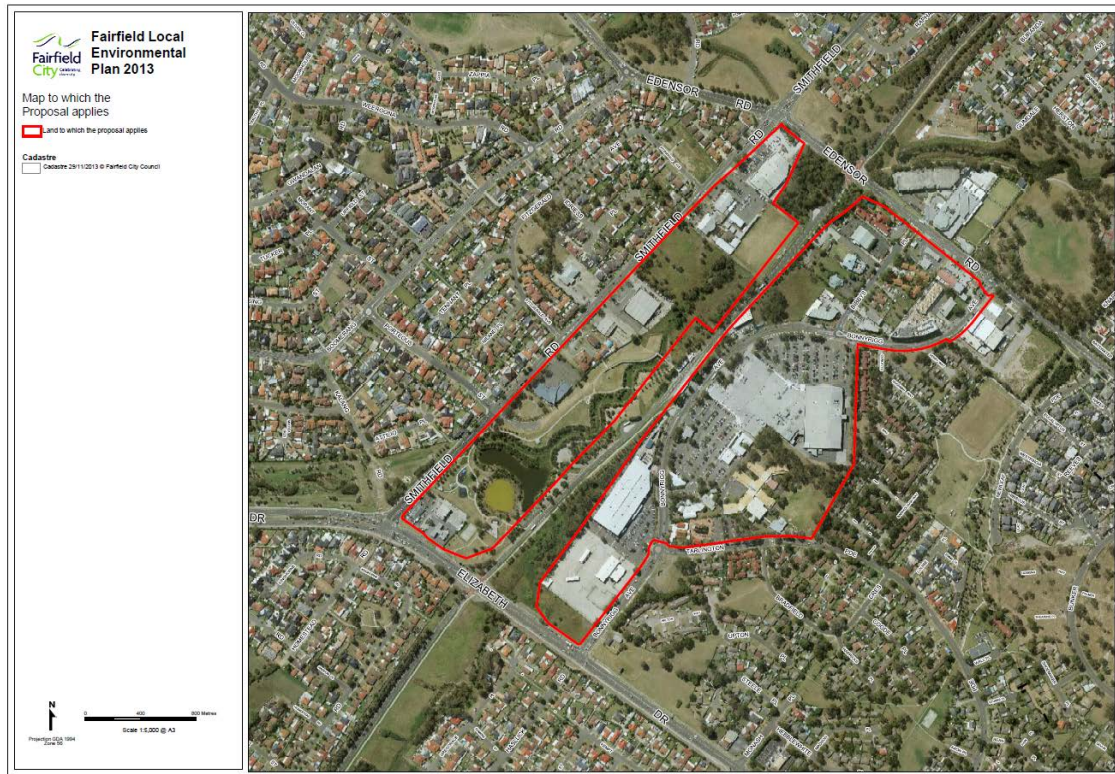


Image 3: Proposed Precincts within Bonnyrigg Town Centre



Image 4: Map with current zonings under Fairfield LEP 1994

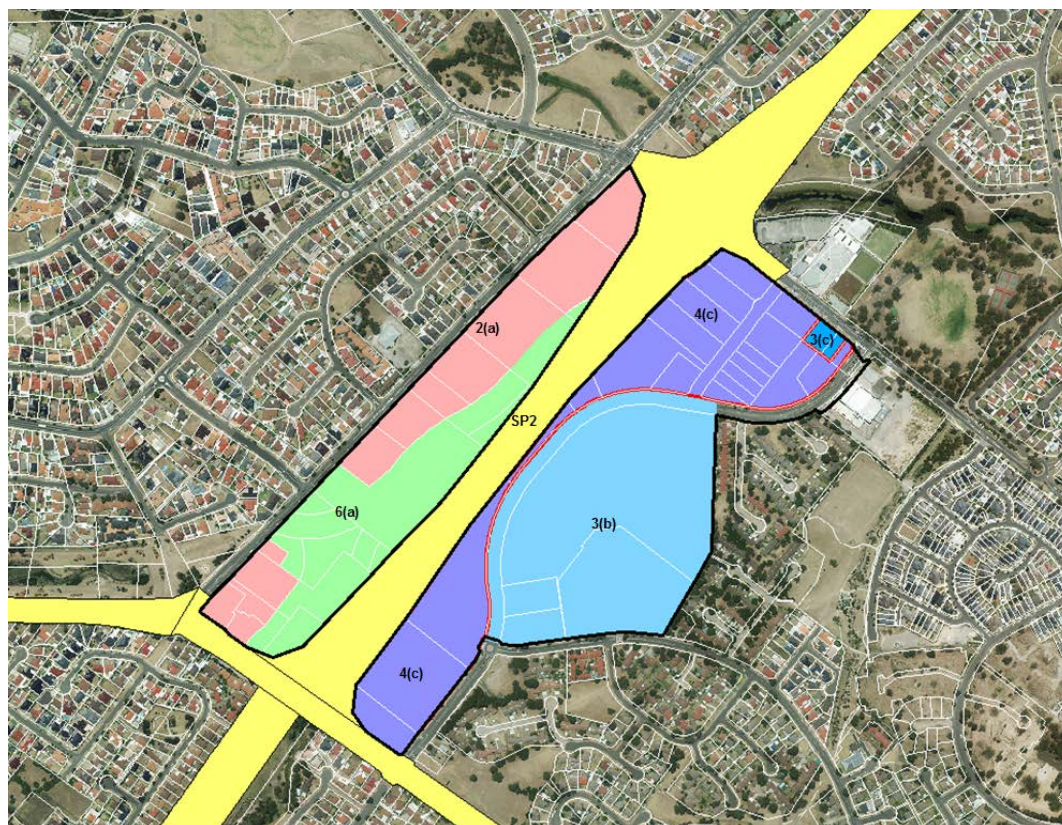


Image 5: Development within the study area

Development along Bonnyrigg Avenue



Image 1 – Bonnyrigg Plaza pedestrian crossing to TWAY



Existing Bunnings site on Bonnyrigg Avenue



Club facilities under construction at Bonnyrigg Ave/Edensor Rd



New 6 storey Mixed Use development under construction



Tyres Plus – On Bonnyrigg Avenue opposite Bonnyrigg Plaza

Development along TWAY



TWAY station



Bridge connecting North and South Bonnyrigg Town Centre over District Park



Street Art behind Tyres Plus along TWAY corridor

Development along Edensor Road



Proposed B1 zone on Edensor Rd



Service Station on Edensor Rd

Heritage items within Bonnyrigg



2-4 Bibbys Place



10 Bibbys Place



26 Bonnyrigg Avenue



711 Smithfield Road

Development on Smithfield Road



Proposed B6 Zone – Assyrian School & Community Centre



Existing abandoned warehouse to be zoned B4 Mixed Used

Development on Elizabeth Road



Proposed B6 Zone – McDonalds and Caltex



Proposed B6 Corner Elizabeth Drive and Smithfield Road

1.3 DEFERRED MATTER - EXISTING ZONING OF LAND & PLANNING CONTROLS

Under Council's adoption of the Fairfield LEP 2013 part of the Bonnyrigg Town Centre (not including land zoned associated with the Parramatta to Liverpool Bus T-Way zoned SP2 – Classified Road) was designated a 'deferred matter'. As such the provisions of Fairfield LEP 2014 continue to apply to the area.

The table below summarises the zones under Fairfield LEP 1994 applying to the Deferred Matter and associated planning controls currently applying under the Bonnyrigg Town Centre DCP No.28.

Control	Comment																																							
Zoning	2(a) Residential A located along Smithfield Road and Elizabeth Drive. <table><tr><th>Title Desc.</th><th>Property Address</th><th>Property Suburb</th></tr><tr><td>Lot: 1162 DP: 703037</td><td>661-671 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 114 DP: 1327</td><td>685 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 31 DP: 263540</td><td>697 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 32 DP: 263540</td><td>707 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 5 DP: 259948</td><td>741 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 1 DP: 643521</td><td>673-683 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 4441 DP: 748408</td><td>717-721 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 4442 DP: 748408</td><td>711-715 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 3 DP: 735708</td><td>743 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 1 DP: 846269</td><td>749 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 2 DP: 846269</td><td>751-753 Smithfield Road</td><td>EDENSOR PARK</td></tr><tr><td>Lot: 3 DP: 846269</td><td>549 Elizabeth Drive</td><td>EDENSOR PARK</td></tr></table> 3(b) Business – District Centre applying to Bonnyrigg Plaza and Bonnyrigg Public School), 3(c) Business – Local Centre located on Edensor Road containing a small number of ground floor business and above ground top shop housing. 4(c) Industrial – Special located on Bonnyrigg Avenue, containing the bus depot and hardware store towards Elizabeth Drive and small industrial businesses as well as a number of places of public worship and medium density residential in Bibbys Place. 6(a) Recreation Existing and Proposed contains the Bonnyrigg Town Centre Park with Clear Paddock Creek and associated detention basins. 6(b) Private Recreation lot associated the Club at the south eastern corner of the intersection between Bonnyrigg Avenue and Edensor Road. See <i>Image 4</i> above for the application of LEP1994 zones	Title Desc.	Property Address	Property Suburb	Lot: 1162 DP: 703037	661-671 Smithfield Road	EDENSOR PARK	Lot: 114 DP: 1327	685 Smithfield Road	EDENSOR PARK	Lot: 31 DP: 263540	697 Smithfield Road	EDENSOR PARK	Lot: 32 DP: 263540	707 Smithfield Road	EDENSOR PARK	Lot: 5 DP: 259948	741 Smithfield Road	EDENSOR PARK	Lot: 1 DP: 643521	673-683 Smithfield Road	EDENSOR PARK	Lot: 4441 DP: 748408	717-721 Smithfield Road	EDENSOR PARK	Lot: 4442 DP: 748408	711-715 Smithfield Road	EDENSOR PARK	Lot: 3 DP: 735708	743 Smithfield Road	EDENSOR PARK	Lot: 1 DP: 846269	749 Smithfield Road	EDENSOR PARK	Lot: 2 DP: 846269	751-753 Smithfield Road	EDENSOR PARK	Lot: 3 DP: 846269	549 Elizabeth Drive	EDENSOR PARK
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Building Height (DCP No.28)	Maximum of 6 storeys in height on certain land identified in the Bonnyrigg Masterplan and in the Bonnyrigg Town Centre Development Control Plan No.28.																																							
Floor Space Ratio	No floor space ratio within the FLEP1994. DCP controls stipulate maximum site coverage of 60%																																							

Heritage	Heritage items within the centre include: • 2-4 Bibbys Place – Temple • 10 Bibby's Place – Mosque • 26 Bonnyrigg Avenue – Temple • 711 Smithfield Road – Temple
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In addition to the above, clause 25(H) of the Fairfield LEP 1994 permits mixed use development (comprising residential flats up to 6 storeys and commercial uses) on the land zoned 2(a) and 4(c). In addition Clause 22G of Fairfield LEP 1994 permits granny flat housing on land zoned 2(a) subject to development consent.

1.4 LAND RESERVATION ACQUISITION MAP

Under implementation of the Fairfield LEP 2013, Council was required to zone land associated with the Liverpool to Parramatta Bus T-Way corridor - SP2 Infrastructure (Classified Road). This included the rear sections of some privately owned properties facing Smithfield Road.

Under the Fairfield LEP 1994 all of the subject land was previously zoned 5(b) Special Uses – Arterial Road and Arterial Road Widening and was affected by associated land acquisition provisions under Part 5 of the Fairfield LEP 1994. Under preparation of the Fairfield LEP 2013, although land associated with the Bus T-Way Corridor was zoned SP2, it was not identified on the accompanying Land Reservation Acquisition Map of the Fairfield LEP 2013 for sections of 4 privately owned properties and 1 Council owned parcel of land (at 673A Smithfield Road) affected by the SP2 Zone.

This creates uncertainty for affected land owners in the case in future the land needs to be acquired for road widening. Accordingly this planning proposal implements necessary amendments to the Fairfield LEP 2013 Land Reservation Acquisition Map as shown in Attachment A.9 to address statutory arrangements relating to land acquisition for land Zoned SP2 under Clause 5.1 of the Fairfield LEP 2013.

1.5 FLOOD RISK

The Bonnyrigg Deferred Area is affected by mainstream flooding and overland flooding as per *Image 5* (over page).

It is noted that there are properties along Smithfield Road that are affected by the 1 in 100 year flood event – requiring Council to take into consideration the impacts of flooding on future development. Chapter 11 of the Fairfield City Wide DCP contains flood related development controls that already apply to development in Bonnyrigg.

The existing controls under Chapter 11 will continue to apply to Bonnyrigg to ensure that developable land is not inappropriately sterilised, but rather development is designed to take into account the degree of flood risk.

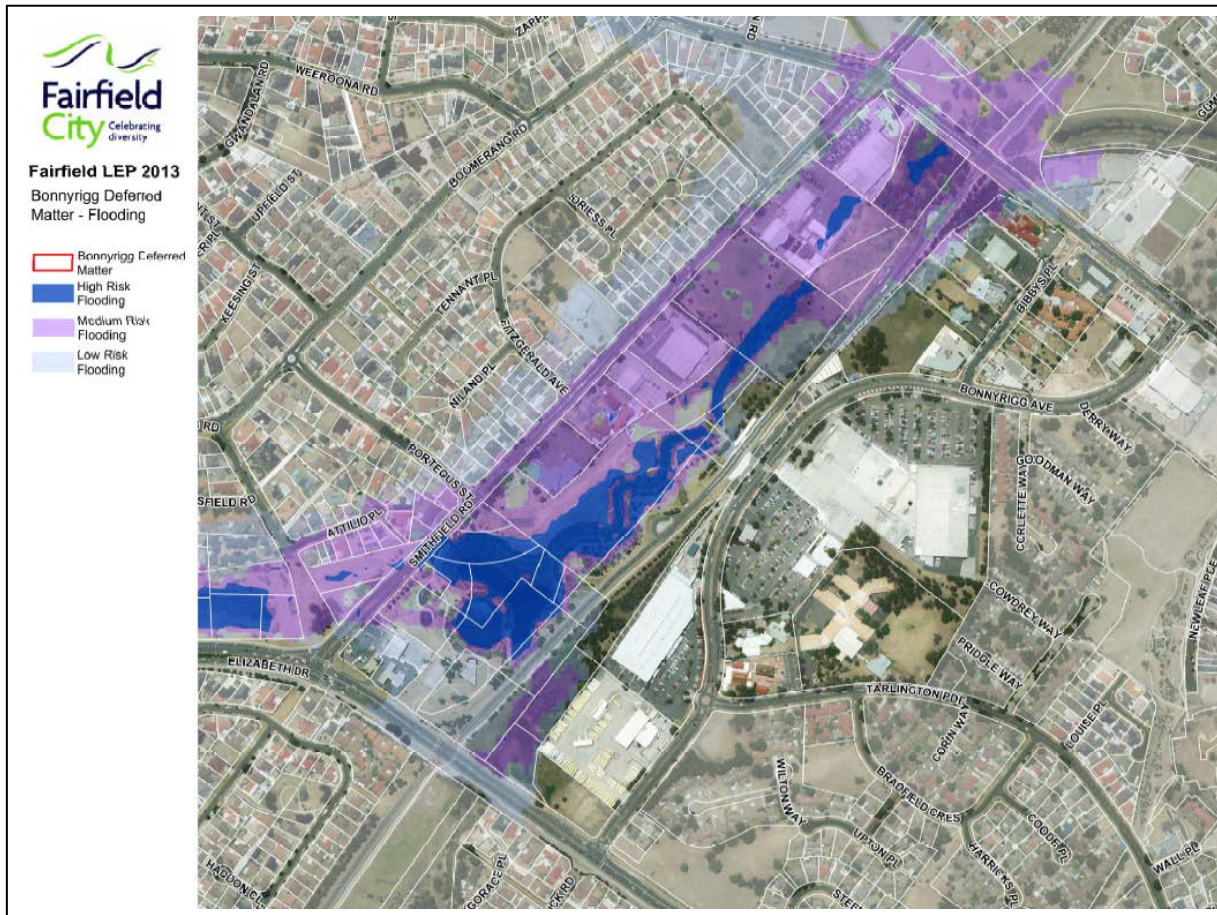
1.5.1 – Section 117 Direction (4.3) Flood Prone Land

As referenced further in this document, the planning proposal is consistent with the provisions of the above s.117 Direction as it does not propose to zone land that is within a flood planning area from zoned Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zone to a Residential, Business, Industrial, Special Use or Special Purpose Zone.

Existing clauses 6.5 – Flood Planning and 6.6 Floodplain Risk Management of the Fairfield LEP 2013 requires future development on flood liable land to take into account the impacts of flooding and incorporate appropriate design measures to ensure the safe occupation and evacuation of buildings in the event of flooding. These requirements are supplemented by the detailed provisions of Chp.11 of the Fairfield City Wide DCP that already apply to the Bonnyrigg Town Centre.

The area subject of flooding has been subject to extensive flood studies by both Council and private development proponent. None of the subject land to be zoned for residential and commercial uses is located in a floodway. In addition, the provisions of the planning proposal will not permit a significant increase in the development of that land to that already permitted under Fairfield LEP 1994. All of the subject sites proposed to be zoned for residential or commercial purposes (or both) currently permit these uses.

Image 5 – Flood Risk



Part 1 Description of the proposal

1.1 OBJECTIVES OR INTENDED OUTCOMES

Objectives

The purpose of the planning proposal is to:

- Implement the resolution of the Ordinary Council of 22 March 2016 [Item 23 in March 2016 Outcomes Committee Meeting] and 26 April 2016 [Item 33 in April 2016 Outcomes Committee Meeting]
- Promote the economic viability and vibrancy of Bonnyrigg Town Centre
- Provide a community focus in Bonnyrigg
- Improve the visual and aesthetic qualities, amenity, liveability and attractiveness of Bonnyrigg Town Centre
- Ensure that building envelopes respect the height, scale and massing of surrounding buildings
- Highlight cultural diversity and development within Bonnyrigg Town Centre
- Ensure certainty for development of land by applying appropriate Standard LEP Zones, associated development standards and provisions relating to acquisition of land that is zoned SP2 – Infrastructure (Classified Road).

Intended Outcomes

- To encourage accessibility through pedestrian links throughout Bonnyrigg Town Centre
- To ensure improved built form outcomes by increasing the maximum permitted height limit across the centre
- To minimise opportunities for overshadowing of private and public land within and surrounding the centre.
- To encourage the provision of through site links and connections.
- To retain existing the heritage items located within the centre.

1.2 PROPOSED PROVISIONS

In summary, the objective of the Planning Proposal aims to amend the Fairfield Local Environmental Plan 2013 to apply the following provisions to the Bonnyrigg 'deferred matter':

1. Remove reference to the 'Deferred Matter' from the Land Application Map' of Fairfield LEP 2013
2. Include a reference to 'Bonnyrigg' in the third objective relevant to the B4 Mixed Use Business Zone
3. Apply the Standard LEP zones to various parcels in the Bonnyrigg Town Centre 'Deferred Matter' as shown on the accompanying LEP zoning maps.
4. Apply relevant height control, key site, heritage, riparian land and watercourse maps to the deferred matter contained in Appendix A.
5. Include proposed new local clauses under Part 7 of the Fairfield LEP 2013 applying to street activation and additional height for development on the Bonnyrigg Plaza site, Bonnyrigg Avenue.
6. Identify sections of privately and Council owned property affected by Zone SP2 – Classified Road for inclusion on the Fairfield LEP 2013 Land Reservation Acquisition Map to be subject of the provisions of Cl.5.1 of Fairfield LEP 2013.

Appendix C of this planning proposal includes a schedule for Lot and DPs affected by the above proposals. The attachment indicates proposed zoning and height of building for each lot and DP. The planning proposal is in accordance with Council's decision at its meeting on 22 March and 26 April 2016 - see **Appendix B** for Council reports and meeting minutes.

Part 2 – Explanation of provisions

To achieve the objectives mentioned above, the Planning Proposal will need to amend the Fairfield Local Environmental Plan 2013 (FLEP 2013) as follows:

2.1. Proposed amendments to Fairfield Local Environmental Plan 2013

Fairfield Local Environmental Plan 2013	Amendments
Land Application Map	Remove reference and mapping details showing a <i>'Deferred Matter'</i> applying to Bonnyrigg Town Centre.
B4 Mixed Use Zone Objective	<i>Under the objectives for zone B4 Mixed Use, insert in the third dot point the following word;</i> <i>'Bonnyrigg'</i>
Clause 4.4A	<i>Insert 'Bonnyrigg' for land excluded from exceptions to maximum floor space ratio in Zone R4</i>
New clauses	<i>Insert after 7.8 Villawood – Height of Buildings</i> 7.9 Bonnyrigg – Height of Buildings 1) The objective of this clause is to allow buildings for the purpose of a residential flat building or shop top housing to be built to the maximum permissible building height only if the criteria contained in this clause are met. 2) This clause has effect despite clause 4.3 <i>Height of Buildings</i>. 3) The maximum height of a residential flat building or shop top housing on land identified as <i>"Bonnyrigg – Area 1"</i> on the Town Centre Precinct Map must not exceed 27metres. (a) Development consent must not be granted for a residential flat building or shop top housing to which this clause applies unless the consent authority is satisfied the proposed development: (i) results in an active street frontage along Bonnyrigg Avenue, (ii) has a form and external appearance that will improve the quality and amenity of the public domain, such as new pedestrian connection and open space, (iii) is designed to be compatible with the desired future character of the area, (iv) promotes the sharing of view corridors, (v) relates to surrounding heritage items; (vi) has acceptable environmental impacts such as overshadowing, wind and reflectivity, (vii) will encourage reduced car ownership, public transport patronage, walking and cycling, (viii) aims to achieve excellence in urban design whilst relating to the local context.

Additional Permitted Uses and Key Sites Map	Schedule 1 Additional Permitted Uses 21 Use of certain land at 673-683 , 661 Smithfield Road and 1-9, 11-19 and 21 Bonnyrigg Avenue , Bonnyrigg (1) This clause applies to land identified as '21' on the Key Sites Map. (2) Development of the purposes of a "<i>residential flat building</i>" is permitted with development consent 22 Use of certain land at 1-9, 11-19 and 21 Bonnyrigg Avenue, Bonnyrigg (1) This clause applies to land identified as "22" on the Key Sites Map (2) Development for the purpose of a "<i>residential flat building, restaurant and café</i>" and "<i>small bar</i>" is permitted with development consent. 23 Use of certain land at 27 and 35 Bonnyrigg Avenue, Bonnyrigg (3) This clause applies to land identified as "23" on the Key Sites Map (4) Development for the purpose of a <i>restaurant and café</i>" and "<i>small bar</i>" is permitted with development consent.
Land Zoning Map	Land to be rezoned (see Appendix A.1- A.8) to: B4 Mixed Use Residential B6 Enterprise Corridor R4 High Density Residential B1 Neighbourhood Centre RE1 Public Recreation RE2 Private Recreation
Land Reservation Acquisition Map	Make amendments to the Fairfield LEP 2013 – Land Reservation Acquisition (LRA) Map by identifying sections of privately and Council owned properties on the LRA Map currently zoned SP2 – Infrastructure (Classified Road) adjoining the Bonnyrigg Deferred Matter, associated with the Liverpool to Parramatta Bus T-Way.
Height of Building Map	Variable height limits are to be applied throughout the town centre as shown in Appendix A.4.
Floor Space Ratio Map	No floor space ratio is proposed for the entire Bonnyrigg Deferred Matter
Riparian Land and Watercourses Map	Map amended to include land adjoining sections of Clear Paddock Creek in Bonnyrigg Town Centre.
Active Street Frontages Map	Map amended to ensure active uses front onto Bonnyrigg Avenue in the Bonnyrigg Town Centre

Refer to Appendix A for related maps.

Development Control Plan Provisions

Development Control Plan (draft DCP) provisions will be prepared to provide further guidance to the Planning Proposal. The draft DCP will include supporting precinct specific objectives and planning provisions that will enable the achievement of the concept identified in the Urban Design Study.

The draft DCP includes the following key design considerations:

- Built form controls, including building setbacks, building depths and bulk, building design and materials;
- Streetscape and public domain objectives;
- Pedestrian and vehicular connectivity;
- Pedestrian amenity.

The draft DCP will be included as part of the public exhibition material associated with the planning proposal once gateway determination has been received.

Part 3 – Justification

Section A – Need for a planning proposal

Is the planning proposal a result of any strategic study or report?

Yes this planning proposal is a result of a strategic review of a range of planning issues relevant to the Bonnyrigg Town Centre (Appendix D.1), the findings and recommendations of the Fairfield Employment Lands Study (2008) and Fairfield Retail Centres Study (2015). Key issues and recommendations of these later studies relevant to Bonnyrigg Town Centre are as follows;

Fairfield Employment Lands Study 2008

The Fairfield Employment Lands Study (Appendix D.3) previously included an analysis of land zoned for employment uses i.e. 4(c) Special Industrial Uses (located along Bonnyrigg Avenue) in the Town Centre including the subject sites. In summary the Study reached the following recommendations in relation to strategic directions for employment lands in the Town Centre;

- The viability of the area as purely an industrial precinct is questionable. The 4(c) Special Industrial lands in Bonnyrigg are likely to undergo transition in future years toward residential and mixed use developments, as a result of current and future LEP/DCP provisions.
- One option may be to establish a B6 - Enterprise Corridor on the industrial lands. However, this needs to be assessed in light of the demand for additional retail/commercial development in the town centre as a result of urban renewal in the surrounding area, including the Department of Housing Estate
- Under this enterprise zone Council allows residential uses and restricts both commercial and retail development by: allowing only non-food and non-clothing retail (i.e. permit bulky goods retailing); and permitting a restricted degree of commercial development/businesses. These controls will ensure that the viability of the existing commercial centres in the LGA is protected.

Fairfield Retail Centres Study 2015

The Fairfield Retail and Commercial Centres Strategy 2015 (endorsed by Council in February 2016 – Appendix D.2) has played a critical role in clarifying directions and rezoning of land for retail and commercial development in the town centre.

In brief the key findings and recommendations of the strategy in relation to Bonnyrigg were;

- Establishing a retail floor space cap of 50,000m² (excluding showrooms, bulky goods development) for the town centre
- Allow for the development of two full-line supermarkets (including the current Woolworths at Bonnyrigg Plaza and proposed second supermarket at 685 Smithfield Avenue)
- Allow for second discount department store
- Promote the degree of connectivity (which can be in the form of pedestrian connections) between Bonnyrigg Plaza and 685 Smithfield

Bonnyrigg Strategic Review 2016

The *Bonnyrigg Strategic Review* (Appendix D.1) included an Urban Design analysis having regard to a broad range of objectives for the area (such as improving connectivity and urban design outcomes) and took into account relevant environmental constraints (in particular flooding) and design requirements of SEPP 65 (Design Quality of Residential Apartment Development) including the associated guidelines to the SEPP – *Apartment Design Guide*.

The Review provides a comprehensive evidence base strategic assessment of the area to progress the current Planning Proposal. The study establishes a vision as to how the potential of the centre can be realised whilst delivering public benefits such as improved pedestrian access. Key recommendations directly relevant to this Planning Proposal include:

Protecting Heritage

Retaining the existing heritage items identified under Schedule 4 of the Fairfield LEP 1994 by including them under Schedule 5 of Fairfield LEP 2013. This will ensure that Bonnyrigg's cultural and religious community and built forms are protected.

Protecting the District Park

The Bonnyrigg Town Centre Park is to be zoned as RE1 Public recreation in order to maintain sufficient open space for the increased densities within the town centre.

B6 Enterprise Corridor zone – additional permitted uses

In order to increase pedestrian patronage and achieve the objective of a 'walkable town centre' with interesting streetscapes, it is proposed that certain land proposed to be zoned B6 Enterprise Corridor have additional permitted uses for 'Restaurants and Café' and 'Small Bar' and 'Residential Flat Buildings'. This will help promote active street frontages on ground level as well as allowing increased densities near transport nodes.

The proposed zoning of these lands is also consistent with the findings and recommendations of the *Fairfield Retail Centres Study 2015* and *Fairfield Employment Lands Study 2016* (above) in regard to the zoning of land for a range of commercial uses (including bulky goods). The B6 zone also allows for a transition of current uses on these lands (e.g. Bunnings Warehouse site) and future redevelopment for residential apartments. In this regard the B6 zoning establishes certainty for existing and future development of these lands.

Building height & Incentives

Increase of maximum height allowances from 6 to 8 storeys. On larger sites, additional building height is appropriate as there will be no adverse impacts on bulk and scale of development, privacy and overshadowing. An incentive clause for height of buildings (Clause 7.9) is included for Bonnyrigg Plaza proposed to be zoned B4 Mixed Use Residential

FSR Issues

The planning proposal does not designate floor space ratios for future development. Rather Height of Building Controls, Street activation requirements in conjunction with a range of DCP controls (e.g. minimum open space, building footprint/envelope and site coverage requirements) will promote a desired built form. Under the relevant *LEP Practice Note PN 08-001* there is no imperative for FSR controls to be applied to Bonnyrigg Town Centre under the new standard LEP provisions.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Without an amendment to the planning controls in the LEP, the proposed urban design outcomes cannot be fully realised. Also, it is unlikely that the significant public benefits can be delivered in the absence of a whole of centre planning approach as is embodied in the planning proposal and supporting Strategic Review.

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

A Plan for Growing Sydney

'A Plan for Growing Sydney' (the Sydney Metropolitan Strategy) was released in December 2014 and is the NSW Government's 20-year plan for the Sydney Metropolitan Area.

A Plan for Growing Sydney is the Government's plan to bring all stakeholders together with a common purpose – to develop a competitive economy with world-class services and transport; to deliver greater housing choice to meet our changing needs and lifestyles; to create communities that have a strong sense of wellbeing; and to safeguard our natural environment.

'The Plan' sets the boundaries for future urban development and identifies the strategic transport corridors and Major Centres best placed to focus sustainable commercial and residential growth in the future. It therefore is essential to determine how the Planning Proposal meets the strategic directions and objectives of 'The Plan'.

The proposal is assessed against the broad strategic goals of A Plan for Growing Sydney. The vision for Sydney to be a 'strong global city, a great place to live' is supported by four goals. The planning proposal addresses directives under each goal as per follows:

Goal	Direction	Comment
2. A city of housing choice with homes that meet our needs and lifestyles	<i>Direction 2.1 - Accelerate housing supply across Sydney</i>	The planning proposal aims to facilitate support increased housing diversity within the Bonnyrigg Town Centre, particularly as a result of new apartment buildings. The building envelope and urban design guidelines developed for the town centre have regard to the requirements of SEPP 65 (Design Quality for Residential Apartment Design) and associated guidelines. The planning proposal allows for an increase in maximum building heights (from 6 to 8 storeys) for certain sites in the Town Centre facilitating increased residential densities for the area.
	<i>Direction 2.3 - Improve housing choice to suite different needs and lifestyles</i>	The Plan acknowledges a current shortage of apartments in the middle and outer areas of the city, with a plan to introduce planning controls that increase the number of homes in established urban areas to take advantage of public transport, jobs and services.

		Bonnyrigg master plan improves housing choice to suit different needs and lifestyles by providing housing in Bonnyrigg town centre that currently consists of commercial and bulky good premises. The proposal compliments the New Leaf (Bonnyrigg Living Communities) project over the Bonnyrigg Housing Estate that will result several thousand new low and medium density housing adjacent to the town centre which adds to the housing choice
3. A great place to live with communities that are strong, healthy and well connected	<i>Direction 3.1 – Revitalise existing suburbs</i>	The Plan identifies the need to prioritise the delivery of housing in or near centres in established urban areas. This planning proposal seeks to increase densities within the town centre and use urban design recommendation to make it a safe and welcoming space, provide a mix of uses, to reflect the cultural and religious history of the place and make it easy to access.
	<i>Direction 3.3 – Create healthy built environments</i>	The new housing will be located in close proximity to the Bonnyrigg District Park which provides for a range of active and passive recreation pursuits. The Bonnyrigg Strategic Review highlighted the opportunities for increases in the population of the area to have ready access to the Bus T-Way and range of facilities located in the Town Centre. These outcomes are also supported by the LEP clauses which promote active street frontages.
	<i>Direction 3.4 - Promote Sydney's heritage, arts and culture</i>	A number of heritage items (currently listed under the Fairfield LEP 1994) in the Bonnyrigg town centre have been retained and protected as part of the planning proposal.
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land resources	<i>Direction 4.1 - Protect our natural environment and biodiversity</i>	The Plan includes application of existing Cl.6.6 Riparian Land and Watercourses to land (within approximately 50m of the top of bank) adjoining Clear Paddock Creek which divides the east and west side of the deferred matter.

The Planning Proposal is consistent with the strategic direction detailed in 'The Plan' by providing a range of housing types and contributing to meet the projected increase in housing for the area.

Sub West District Strategy & Draft West Central Sub Regional Plan

The Greater Sydney Commission is yet to release the revised subregional strategies for public comment.

It is noted that while the Draft West Central Sub regional Plan should be considered in this planning proposal. In light of no Sub West District Strategy, the Draft sub Regional Plan is not entirely consistent with the Plan for growing Sydney. For this reason, this planning proposal has been assessed from a broader strategic perspective.

Is the planning proposal consistent with the local Council's community strategic plan, or other local strategic plan?

Fairfield City Plan 2012-2022 (December 2012)

Fairfield City Plan 2012-2022 ('the City Plan') sets out the community's desired vision, priorities and outcomes for Fairfield City over the next 10 years. Of relevance to the planning proposal are those goals that deal specifically with housing availability.

Table 2 below details how the planning proposal is consistent with the relevant 'Community Wellbeing' goals contained within City Plan.

Theme	Goal	Comment	Y/N
Places and Infrastructure	2.2 Cater for growth and residents desire for their children and grandchildren to live locally	The planning proposal is consistent with the relevant Places and Infrastructure goals in that it provides additional housing types for population growth in Fairfield City.	YES
Community Well Being	3.3 A range of housing types that cater for difference life stages, family needs and levels of affordability	The Planning Proposal is consistent with the relevant Community Wellbeing goals in that it has the potential to provide a range of housing types to meet the needs of the increased population. The Planning Proposal will aid in meeting the changing life requirements and ambitions of the residents of Fairfield	YES

Fairfield City Centres Study 2015

Council has recently adopted the Fairfield City Centres Study 2015 and Fairfield City Centres Policy. The Study reviews the current retail/commercial environment with regards to an up to date planning framework and existing centres hierarchy and examines future demand for retailing and the implications for the centres network.

The Study is a significant strategic document that shapes the development of centres and retail activity across the City. It provides an updated policy position for Council to assess significant retail development proposals and respond to significant retail/commercial development proposals in adjoining LGA's which have the ability to impact on the viability of existing centres within Fairfield City.

The table below details how the planning proposal is consistent with the criteria for 'subregional' town centres.

Subregional (Town) centres Criteria

Evaluation Criteria	Comment	Consistent
That the development proposal will not result in an unacceptable level of impact on the range of services provided in other existing sub regional centres or the major town centre	The planning proposal does not have a negative impact on services provided at other sub regional centres (Prairiewood), specialist centre (Cabramatta) and the major town centres (Fairfield Town Centre)	YES
That the development proposal will not result in a reduction in the range of services provided in nearby neighbourhood centres	The nearest adjoining neighbourhood centre is located on Edensor Rd	YES
Whether the development proposal will introduce types of retail services likely to reduce escape spending from Fairfield	The Bonnyrigg Town Centre is located to Elizabeth Drive which is a major State	YES
Whether the proposal will improve the viability of the sub regional centre by strengthening key retail functions – for examples, the provision of or upgrading of discount department stores and supermarkets		YES
Whether the development proposal demonstrates that a net community benefit will flow from the proposed expansion of retail floor space		YES

Fairfield Employment Lands Study 2008

Specific findings and recommendations of the Fairfield Employment Lands Study relevant to the Bonnyrigg Town Centre are:

- The viability of the area as purely an industrial precinct is questionable. The 4(c) Special Industrial lands in Bonnyrigg are likely to undergo transition in future years toward residential and mixed use developments, as a result of current and future LEP/DCP provisions.
- One option may be to establish a B6 - Enterprise Corridor on the industrial lands. However, this needs to be assessed in light of the demand for additional retail/commercial development in the town centre as a result of urban renewal in the surrounding area, including the Department of Housing Estate
- Under this enterprise zone Council allows residential uses and restricts both commercial and retail development by: allowing only non-food and non-clothing retail (i.e. permit bulky goods retailing); and permitting a restricted degree of commercial development/businesses. These controls will ensure that the viability of the existing commercial centres in the LGA is protected.

Residential Development Strategy 2009

The Fairfield Residential Development strategy is a 20 year strategy that guides the location and type of future residential development within the eastern half of the Local government area (LGA). The strategy has adopted a centres based planning approach to guide the location of new housing within existing urban areas of the Fairfield LGA.

Currently the Residential Development Strategy only covers the eastern half of the LGA. However, the following sections of this planning proposal provide an assessment against a range of sustainability elements listed in the Residential Development Strategy relevant to provision of new housing:

Future Housing Needs and Diversity

The planning proposal meets these strategies as it will provide additional dwellings that will assist Council in meeting key targets for the provision of diverse housing. The proposal is also located in an existing town area within close proximity to the Parramatta-Liverpool Transitway corridor and within walking distances (400m) to various commercial and retail uses. Additionally, it is located within walking distance to the Bonnyrigg District park, which has been embellished with a skatepark, playground and a Bush tucker trail.

Any future development on the site will be required to meet the applicable controls in the Bonnyrigg Town Centre DCP which will also ensure any future development integrates with surrounding neighbourhood.

Special Needs Groups

The planning proposal meets these strategies for the following reasons:

- The provision of high density housing will assist in meeting the special needs of groups identified in Fairfield LGA such as children, older generations, low income earners and culturally diverse populations.
- The ideal location of the centre in terms of proximity to public transport and services make any future dwellings accessible by an ageing population.
- The planning proposal will allow for a new development in an area that will cater for a range of groups.

Affordable Housing

The planning proposal meets the strategies as it will increase housing choice within the locality and thus ultimately providing a more affordable option. The planning proposal will provide greater flexibility in the provision of housing and the opportunity to provide new stocks of affordable housing.

Sustainable Development

The planning proposal meets the strategies as it is located within an existing town centre which has high levels of infrastructure and services. Furthermore, all development will be constructed as per the Bonnyrigg Town Centre Development Control Plan.

Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The relevant State Environmental Planning Policies are outlined in the table below:

SEPP Title	Relevance	Summary	Consistency of Planning Proposal
SEPP 19 – Bushland in Urban Areas	Applies to state	Aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	There are small remnant pockets of Cumberland Plain Woodland scattered along Clear Paddock Creek proposed to be zoned RE1 – Public Recreation and Bus T Way Corridor (currently zoned SP2 Infrastructure). These areas are also covered by the provisions of Cl.6.6 Riparian land and watercourses which aims to protect the ecological values of these areas.
SEPP 21 – Caravan Parks	Applies to state	Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents.	Not relevant to this planning proposal
SEPP No.29 – Western Sydney recreation area		Aims to enable the carrying out of development for recreational, sporting and cultural purposes within the Western Sydney Recreation Area	Not relevant to this planning proposal
SEPP 30 – Intensive Agriculture	NA	Establishes the requirement for development consent and additional requirements for cattle feedlots and piggeries.	Not relevant to this planning proposal
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	Yes	Aims to facilitate surplus urban land redevelopment for multi-unit housing and related development in a timely manner.	The Planning proposal will provide for urban consolidation adjacent to the TWAY bus service. The planning proposal does not contain provisions that would affect the application of the SEPP.
SEPP 33 – Hazardous and Offensive Development	NA	Aims to provide additional support and requirements for hazardous and offensive development	Not relevant to this planning proposal
SEPP 36 – Manufactured Home Estates	NA	Aims to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	Not relevant to this planning proposal

SEPP Title	Relevance	Summary	Consistency of Planning Proposal
SEPP 50 – Canal Estate Development	NA	Prohibits canal estate development	Not relevant to this planning proposal
SEPP 55 – Remediation of Land	Yes	Provides a State wide planning approach for the remediation of contaminated land.	The areas of the Town Centre where RFB's are permitted (including the 4(c) Special Industrial sites) are already zoned for this use. A desktop review does not indicate there are any existing or previous uses in the site that would give rise to detailed investigations into possible site contamination in the area under this planning proposal. Rather this matter can be dealt with on a site by site basis under future development applications.
SEPP 62 – Sustainable Aquaculture	NA	Aims to encourage and regulate sustainable aquaculture development	Not relevant to this planning proposal
SEPP 64 – Advertising and Signage	Yes	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP 65 – Design Quality of Residential Flat Development	Yes	Aims to improve the design qualities of residential flat building development in New South Wales.	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Affordable Rental Housing) 2009	Yes	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	The Planning Proposal does not contain provisions that would affect the application of the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	BASIX will be prepared at the Development Application stage. The Planning Proposal does not contain provisions that would affect the application of the SEPP

SEPP Title	Relevance	Summary	Consistency of Planning Proposal
SEPP (Exempt and Complying Development Codes) 2008	Yes	Aims to provide streamlined assessment process for development that complies with specified development standards.	The Planning Proposal does not contain provisions that would affect the application of the SEPP
SEPP (Housing for Seniors or People with a Disability) 2004	Yes	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Infrastructure) 2007	Yes	Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Major Development) 2005	NA	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	NA	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources.	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Miscellaneous Consent Provisions) 2007	NA	Aims to provide that the erection of temporary structures is permissible with consent across the State and that development comprising the subdivision of land, the erection of a building or the demolition of a building, to the extent to which it does not already require development consent under another environmental planning instrument, cannot be carried out except with development consent.	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (State and Regional Development) 2011	NA	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	The planning proposal does not contain provisions that would affect the application of the SEPP

SEPP Title	Relevance	Summary	Consistency of Planning Proposal
SEPP (Sydney Region Growth Centres) 2006	NA	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Western Sydney Employment Area) 2009	NA	Aims to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	The planning proposal does not contain provisions that would affect the application of the SEPP
SEPP (Western Sydney Parklands) 2009	N/A	Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	The planning proposal does not contain provisions that would affect the application of the SEPP

The relevant Sydney Regional Environmental Plans are outlined in the table below:

SREP Title	Relevance	Consistency of Planning Proposal
SREP 9 – Extractive Industry (No 2 – 1995)	NA	The planning proposal does not contain provisions that would affect the application of the SEPP
SREP 18 – Public Transport Corridors	Yes	Liverpool to Parramatta Bus Transit Way adjoins the subject site. The Planning Proposal amends the Fairfield LEP 2013 Land Reservation Acquisition Map to include sections of privately and Council owned properties associated with the T-Way and zoned SP2 – Infrastructure (Classified Road)
SREP 20 – Hawkesbury-Nepean River (No 2 – 1997)	NA	The planning proposal does not contain provisions that would affect the application of the SEPP
GMREP No.2 – Georges River Catchment	Yes	The planning proposal does not contain provisions that would affect the application of the SEPP

Detailed discussion of key applicable SEPPs

State Environmental Planning Policy 65 – Design Quality of Residential Flat Development

State Environmental Planning Policy 65 - Design Quality of Residential Flat Buildings requires a development that includes residential flat buildings, to consider the economic, environmental, cultural and social benefits of the design. The intent is to achieve design quality across all residential flat buildings across the State.

The Planning Proposal is informed by the Urban Design study which included consideration of the Design quality principles contained within SEPP 65 and associate *Apartment Design Guide*. In order to achieve better amenity and adhere to SEPP 65 controls, it is intended to increase the permitted height limit from 6 storeys to 8 storeys on certain large sites in Bonnyrigg Town Centre.

This will ensure better outcomes are achieved in relation to design and amenity.

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
1. Employment and Resources			
1.1 Business and Industrial Zones	- Encourage employment growth in suitable locations - Protect employment land in business and industrial zones - Support the viability of identified strategic centres.	The planning proposal implements the findings and recommendations of the Fairfield employment and retail strategies. It allows for long term transition toward residential development on certain land currently zoned 4(c) Special Industrial (to be zoned B6 – Enterprise Corridor under this planning proposal). While providing scope for existing employment uses to continue to occur on this land.	Yes
1.2 Rural Zones	Protect agricultural production value of rural land.	Not applicable. The planning proposal does not affect land within an existing or proposed rural zone.	NA
1.3 Mining, Petroleum Production and Extractive Industries	Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Not applicable. The planning proposal will not have the effect on mining, petroleum production and extractive industries.	NA
1.4 Oyster Aquaculture	Protect oyster aquaculture areas.	Not applicable. The planning proposal does not propose a change in land that would have adverse impacts on Oyster Aquaculture.	NA
1.5 Rural Lands	Protect agricultural production value of rural land and facilitate orderly and economic development of rural lands and related purposes	Not applicable. The planning proposal does not affect land within an existing or proposed rural or environment protection zone.	NA
2. Environment and Heritage			
2.1 Environment Protection Zones	Protect and conserve environmentally sensitive areas.	Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.	NA
2.2 Coastal Protection	The objective of this direction is to implement the principles in the NSW Coastal Policy	Not applicable. The planning proposal does not apply to land within the coastal zone	NA

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
2.3 Heritage Conservation	Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Facilitates transfer of existing heritage listed items from Schedule 4 of Fairfield LEP 1994 to Schedule 5 Fairfield LEP 2013. Consistent with current arrangements, no LEP height controls are proposed for the heritage items in the Town Centre. This is based on the fact that the height allowances are aimed at promoting redevelopment of sites that are not listed as heritage items.	Yes
2.4 Recreation Vehicle Areas	Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not applicable. The planning proposal does not apply to any area of significant conservation, nor will it allow land to be developed for a recreation vehicle area.	NA
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	- Encourage a variety and choice of housing types to provide for existing and future housing needs - Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and service - Minimise residential development on the environment and resource lands.	Consistent. The proposal will facilitate residential development in proximity to public transport.	Yes
3.2 Caravan Parks and Manufactured Home Estates	- Provide for a variety of housing types - Provide opportunities for caravan parks and manufactured home estates.	Not applicable. The planning proposal does not relate to caravan parks or manufactured home estates.	NA
3.3 Home Occupations	Encourage the carrying out of low-impact small businesses in dwelling houses.	Not applicable. The planning proposal does not affect home occupations in dwelling houses.	NA
3.4 Integrating Land Use and Transport	- Improve access to housing, jobs and services by walking, cycling and public transport. - Increase choice of available transport and reducing car dependency. - Reduce travel demand and distance (especially by car)	Consistent. The planning proposal is consistent with the objectives of this direction as it facilitates residential development within walking distance to public transport, and provides a mix of housing near the Parramatta to Liverpool TWAY.	Yes

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	- Support the efficient and viable operation of public transport services - Provide for the efficient movement of freight		
3.5 Development Near Licensed Aerodromes	- Ensure effective and safe operation of aerodromes - Ensure aerodrome operation is not compromised by development - Ensure development for residential purposes or human occupation, if situated on land within the ANEF contours between 20 and 25, incorporate noise mitigation measures.	Not applicable. The planning proposal does not apply to land near a licenced aerodrome.	NA
3.6 Shooting Ranges	- Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, - Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land - Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.	NA
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	Not applicable. The planning proposal does not apply to land affected by acid sulphate soils.	NA
4.2 Mine Subsidence and Unstable Land	Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Not applicable. The planning proposal does not apply to land within a proclaimed Min subsidence District or to land identified as unstable.	NA
4.3 Flood Prone Land	Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.	The planning proposal does not rezone land that is within a flood planning area from zone Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zone to a Residential, Business, Industrial, Special Use or Special Purpose Zone.	Yes

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
	Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Existing clauses 6.5 – Flood Planning and 6.6 Floodplain Risk Management of the Fairfield LEP 2013 require future development on flood liable land to take into account the impacts of flooding and incorporate appropriate design measures to ensure the safe occupation and evacuation of buildings in the event of flooding. These requirements are supplemented by the detailed provisions of Chp.11 of the Fairfield City Wide DCP that already to the Bonnyrigg Town Centre. The area subject of flooding within the town centre has been subject to extensive flood studies by both Council and proponent of private development. Existing and future development in this area will also need to comply with a range of performance & prescriptive based flood controls contained in Chp.11 – Flood Planning of the Fairfield City Wide DCP. None of the subject land to be zoned for residential and commercial uses is located in a floodway. In addition, the provisions of the planning proposal will not permit a significant increase in the development of that land to that currently permitted by the provisions of Fairfield LEP 1994. All of the subject sites proposed to zoned residential or commercial purpose (or both) currently permit these uses.	
4.4 Planning for Bushfire Protection	- Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. - Encourage sound management of bush fire prone areas	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.	NA

Section 117 Direction No. and Title	Contents of Section 117 Direction	Planning Proposal	Comply
5. Regional Planning			
5.1 Implementation of Regional Strategies	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies	Not applicable.	NA
5.2 Sydney Drinking Water Catchments	To protect water quality in the hydrological catchment	Not applicable.	NA
5.8 Second Sydney Airport: Badgerys Creek	Avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek	Not applicable.	NA
6. Local Plan Making			
6.1 Approval and Referral Requirements	Ensure LEP provisions encourage the efficient and appropriate assessment of development	Consistent. The planning proposal will not include provisions which will require future development applications for the subject site to obtain concurrence, consultation or referral to a Minister or Public Authority.	Yes
6.2 Reserving Land for Public Purposes	- Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes - Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Consistent. The planning proposal includes sections of privately and Council owned land zoned SP2 associated with the Parramatta – Liverpool Bus T-Way onto the Fairfield LEP 2013 Land Reservation Acquisition Map.	Yes
6.3 Site Specific Provisions	Discourage unnecessarily restrictive site specific planning controls	Consistent. The planning proposal will not create unnecessarily restrictive site specific planning controls.	Yes
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	Planning proposals shall be consistent with the NSW Government's A Plan for Growing Sydney published in December 2014.	Consistent. The planning proposal will facilitate additional residential development in proximity to public transport, shops, services and employment.	Yes

Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal does not apply to land that has been identified as containing critical habitat.

Existing provisions of the Fairfield LEP 2013 (e.g. Cl.6.6 – Riparian land and watercourses) will require the potential impacts of development on remnant indigenous vegetation (e.g. along Clear Paddock Creek) to be taken into account. In addition, Chp.3 of the Fairfield City Wide DCP requires further detailed assessment of the impacts of development on threatened species, populations or ecological communities, or their habitats.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Properties that back onto the creek are flood affected. Likely environmental effects pertaining to flood risk planning are manageable and will be appropriately addressed and regulated by the development assessment process.

The subject land affected by flooding issues is currently zoned and used for residential, community, commercial and bulky good purposes.

How has the planning proposal adequately addressed any social and economic effects?

It is considered that there will be no adverse social or economic effects as a result of the Planning Proposal. It is considered that the Planning Proposal will enable a higher and better use of the subject land in a way considered to be compatible with its surrounding environment.

The subject land is within comfortable walking distance of existing shops schools and other services within Bonnyrigg Town Centre.

Consultation with the community and public authorities post-Gateway will present an opportunity for additional social or environmental effects, if any, to be identified. However, given the nature and scale of the proposal and the existing technical background work undertaken to date, it is not anticipated that any further significant social or economic effects will emerge.

Identifying sections of privately owned land zoned SP2 – Infrastructure (Classified Road) on the Fairfield Land Reservation Acquisition Map will ensure greater economic certainty for relevant land owners in the event this land is required for road widening.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The subject properties are serviced and have access to the full range of public infrastructure to adequately facilitate the Planning Proposal. This includes access to T-Way Bus service, Smithfield Road (non-classified regional road) road access, water, sewer, electricity and telecommunications services.

The planning proposal will result in infill development that will not place any significant increase in demand for existing infrastructure.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The Gateway determination will advise the full list of public authorities that will need to be consulted with as part of the Planning Proposal process. It is requested that public authority consultation be undertaken concurrently with community consultation.

It is proposed that the following authorities be consulted regarding the Proposal:

- Office of Environment and Heritage;
- Roads and Maritime Services;
- NSW Office of Water;
- Transport for NSW; and
- Sydney Water.

(The Gateway Determination will determine consultation required. Insert this information after Gateway Determination - Delete before printing)

Part 4 – Mapping

This part of the Planning Proposal deals with the maps associated with the Fairfield Local Environmental Plan 2013 that are to be amended to facilitate the necessary changes as described in this report.

To achieve the objectives of the Planning Proposal, the following Local Environmental Plan maps are included in the Planning Proposal:

- Land Zoning Map
- Land Reservation Acquisition Map
- Height of Buildings Map
- Town Centre Map - Bonnyrigg
- Heritage Map
- Riparian Lands and Watercourses Map
- Key Sites (additional permitted uses on B6)
- Active Street frontages map

Appendix A contains maps of existing and proposed zones and development standards applying to this Planning Proposal and includes:

- A.1 The land subject to the Planning Proposal
- A.2 Current and Proposed Land Application Map
- A.3 Current and proposed Land Use Zones
- A.4 Current and proposed Height of Buildings
- A.5 Proposed Heritage Map
- A.6 Current and Proposed Key Sites Map
- A.7 Proposed Minimum Site Area Town Centre Precinct Map
- A.8 Current and Proposed Riparian Land and Watercourses Map
- A.9 Proposed Land Reservation Acquisition Map

Part 5 - Community Consultation

Community consultation is required under Sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979.

The Act sets out the community consultation requirement for planning proposals and these are determined or confirmed at the Gateway.

It is proposed that, at a minimum, this involves the notification of the public exhibition of the Planning Proposal:

- In the Fairfield City Corporate news section of the local newspaper that circulates widely in local government area; and
- in writing to the owners; the adjoining and the surrounding community in the vicinity of the site.

It is proposed that the Planning Proposal be exhibited for a minimum period of 28 days to coincide with the exhibition of an accompanying draft DCP amendment.

(The Gateway Determination will determine consultation required. Insert this information after Gateway Determination - Delete before printing)

Part 6 – Project Timeline

The project timeline is intended to be used only as a guide and may be subject to changes such as changes to issues that may arise during the public consultation process and/or community submissions.

No.	Step	Process content	Timeframe
1	s.56 – request for Gateway Determination	Prepare and submit Planning Proposal to DP&I	April 2016
2	Gateway Determination	- Assessment by DP&I (including LEP Panel) - Advice to Council	May - July 2016
3	Completion of required technical information and report (if required) back to Council	- Prepare draft controls for Planning Proposal - Update report on Gateway requirements	August 2016
4	Public consultation for Planning Proposal	In accordance with Council resolution and conditions of the Gateway Determination.	September – October 2016
5	Government Agency consultation	Notification letters to Government Agencies as required by Gateway Determination	September – October 2016
6	Public Hearing (if required) following public consultation for Planning Proposal	Under the Gateway Determination issued by DP&I public hearing is not required.	October 2016
7	Consideration of submission	Assessment and consideration of submissions	1 month
8	Report to Council on submissions to public exhibition and public hearing	Includes assessment and preparation of report to Council	December 2016
9	Possible re-exhibition	Covering possible changes to draft Planning Proposal in light of community consultation	March 2017
10	Report back to Council	Includes assessment and preparation of report to Council	April 2017
11	Referral to PCO and notify DP&I	- Draft Planning Proposal assessed by PCO, legal instrument finalised - Copy of the draft Planning Proposal forwarded to DP&I.	May 2017
12	Plan is made	Notified on Legislation web site	June 2017
Estimated Time Frame			15 months