



Strathfield Local Environmental Plan No 102

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*. (S03/00578/S69)

DIANE BEAMER, M.P.,

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

Strathfield Local Environmental Plan No 102

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Strathfield Local Environmental Plan No 102*.

2 Aims of plan

This plan aims:

- (a) to create a new zone, namely Zone No 6 (d) Proposed Open Space, to reserve part of the land to which this plan applies for open space purposes under the *Strathfield Planning Scheme Ordinance (the Ordinance)*, and
- (b) to create another new zone, namely Zone No 9 (a) Proposed Local Road, to reserve the remaining land for the purpose of new local roads and local road widening under the Ordinance, and
- (c) to insert an acquisition provision in the Ordinance relating to the new zones.

3 Land to which plan applies

This plan applies to certain land at Homebush, as shown coloured dark green with red edging or coloured grey between a heavy black line and a heavy black broken line on Sheets 1 and 2 of the map marked "Strathfield Local Environmental Plan No 102" deposited in the office of Strathfield Municipal Council.

4 Amendment of Strathfield Planning Scheme Ordinance

The *Strathfield Planning Scheme Ordinance* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Interpretation

Insert in appropriate order in paragraph (b) of the definition of *Scheme map* in clause 4 (1):

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[2] Clause 7 Application of Part

Omit “All land coloured grey between a firm black line and a broken black line;”

[3] Clause 9 Reservation of land

Omit “All land coloured grey between a firm black line and a broken black line.” from Column 1 of the Table to the clause and “Widening of existing local roads.” from Column 2 of that Table.

[4] Clause 18A

Insert after clause 18:

18A Acquisition of land within Zones Nos 6 (d) and 9 (a)

- (1) The owner of any land within Zone No 6 (d) or 9 (a) may, by notice in writing, request the Council to acquire the land.
- (2) Subject to subclause (3), on receipt of such a notice, the Council must acquire the land.
- (3) Until:
 - (a) land the subject of the notice referred to in subclause (1) is acquired by the Council, or
 - (b) land that has been acquired under this clause is developed for the purpose for which it has been acquired,

development may, with development consent, be carried out on the land for any purpose, if the Council is satisfied that the development will not adversely affect the usefulness of the land for the purpose for which it has been reserved.

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Schedule 1 Amendments

(4) In determining whether to grant consent to development under subclause (3), the Council must take into consideration:

- (a) the effect of the proposed development on the costs of the acquisition, and
- (b) the imminence of acquisition, and
- (c) the cost of re-instatement of the land for the purposes of public open space, local roads and local road widening.

[5] Clause 22 Restrictions on building and use of land

Insert after the matter relating to Zone No 6 (c) in the Table to the clause, in Columns 1, 2, 3, 4 and 5, respectively:

| | | | | |
|--|--|--|--|---|
| (d) Proposed Open Space. Dark green with red edging. | | Children's playgrounds; gardens; parks; sportsgrounds. | Drainage; roads; utility installations other than generating works or gas holders. | Any purpose other than those permitted by Column 3 or Column 4. |
|--|--|--|--|---|

[6] Clause 22, Table

Insert before the matter relating to Zone No 10 in Columns 1, 2, 3, 4 and 5, respectively:

| | | | | |
|---|--|--|--|---|
| 9. Local Road | | | Drainage; roads; utility installations other than generating works or gas holders. | Any purpose other than those permitted by Column 4. |
| (a) Proposed Local Road. Grey between a heavy black line and a heavy black broken line. | | | | |

BY AUTHORITY