



New South Wales

## **Fairfield Local Environmental Plan 1994 (Amendment No 65)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(P00/00389/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

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## **2001 No 352**

Clause 1                      Fairfield Local Environmental Plan 1994 (Amendment No 65)

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# **Fairfield Local Environmental Plan 1994 (Amendment No 65)**

## **1 Name of plan**

This plan is *Fairfield Local Environmental Plan 1994 (Amendment No 65)*.

## **2 Aims of plan**

This plan aims to encourage a range of outdoor dining areas within the Fairfield and Cabramatta Town Centres.

## **3 Land to which plan applies**

This plan applies to land zoned 3 (a) Sub-Regional Business Centre in the Fairfield Town Centre and land zoned 3 (b) District Business Centre in the Cabramatta Town Centre under *Fairfield Local Environmental Plan 1994*.

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

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

## Schedule 1 Amendments

(Clause 3)

### [1] Clause 25E

Insert after clause 25D:

#### 25E Outdoor dining

- (1) This clause applies to land within Zone 3 (a) Sub-Regional Business Centre in the Fairfield Town Centre and land within Zone 3 (b) District Business Centre in the Cabramatta Town Centre.
- (2) Nothing in this plan prevents a person from carrying out development for the purpose of an outdoor dining area on land to which this clause applies if:
  - (a) the outdoor dining area is the subject of an approval under section 125 of the *Roads Act 1993*, and
  - (b) the width of the outdoor dining area is no greater than the horizontal frontage of the associated refreshment room, and
  - (c) the person is the owner or lessee of the associated refreshment room, and
  - (d) a minimum width of at least 2 metres of unobstructed footpath is kept clear for use by pedestrians, and
  - (e) the outdoor dining area does not involve any form of structure (other than table umbrellas).

### [2] Dictionary

Insert in alphabetical order:

***outdoor dining area*** means a footpath, town square, plaza, park or other space that, in association with an adjacent refreshment room, is used for the purpose of placing tables and chairs for eating or socialising.