



New South Wales

Fairfield Local Environmental Plan 1994 (Amendment No 117)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P07/00783/PC-1)

TONY KELLY, MLC
Minister for Planning

2010 No 138

Clause 1 Fairfield Local Environmental Plan 1994 (Amendment No 117)

Fairfield Local Environmental Plan 1994 (Amendment No 117)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Fairfield Local Environmental Plan 1994 (Amendment No 117)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Aims of Plan

This Plan aims to amend *Fairfield Local Environmental Plan 1994* in respect of the land to which this Plan applies as follows:

- (a) to reclassify certain land from community land to operational land within the meaning of the *Local Government Act 1993*, and to rezone that land from Zone 6 (a) Existing and Proposed Recreation to Zone 2 (a) Residential A,
- (b) to reclassify certain land from community land to operational land within the meaning of the *Local Government Act 1993*,
- (c) to rezone certain land from Zone 5 (a) Special Uses to Zone 4 (a) General Industrial,
- (d) to rezone certain the land from Zone 6 (a) Existing and Proposed Recreation to Zone 6 (b) Private Recreation,
- (e) to rezone certain land from Zone 5 (b) Special Uses—Arterial Road and Arterial Road Widening to Zone 4 (a) General Industrial,
- (f) to permit, with consent, the carrying out of development for the purposes of a bus depot on certain land,
- (g) to permit, with consent, the carrying out of development on certain land for the purposes of function centres.

4 Land to which Plan applies

- (1) In respect of the aim set out in clause 3 (a), this Plan applies to 49 Delamere Street, Canley Vale, being Lot A, DP 342860, as shown edged heavy black on Sheet 1 of the map marked “Fairfield Land Classification Map—Amendment No 26” and shown distinctively coloured and edged heavy black on Sheet 1 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 117)” deposited in the office of Fairfield City Council.
- (2) In respect of the aim set out in clause 3 (b), this Plan applies to 42A, 44A and 46A Spencer Street, Fairfield, being Lots 2 and 3, DP 709663 and Lot 3, DP 583118, respectively, and Lot 1, DP 583118, Spencer Street, Fairfield, as shown edged heavy black on Sheet 2 of the map marked “Fairfield Land Classification Map—Amendment No 26”.
- (3) In respect of the aim set out in clause 3 (c), this Plan applies to 44 Larra Street (corner of The Promenade), Yennora, being Lots 1–3, Section 8, DP 1625, as shown distinctively coloured and edged heavy black on Sheet 2 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 117)”.
- (4) In respect of the aim set out in clause 3 (d), this Plan applies to 103 Edensor Road, St Johns Park, being Lot 446, DP 824288, as shown distinctively coloured and edged heavy black on Sheet 3 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 117)”.
- (5) In respect of the aim set out in clause 3 (e), this Plan applies to 39 Davis Road, Wetherill Park, being part of Lot 42, DP 1063600, as shown distinctively coloured and edged heavy black on Sheet 4 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 117)”.
- (6) In respect of the aim set out in clause 3 (f), this Plan applies to land known as West Bus Transport Facility, being Lots 1 and 2, DP 1071647, 1–9 and 11–19 Bonnyrigg Avenue, Bonnyrigg, as shown edged heavy red on Sheet 5 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 117)”.
- (7) In respect of the aim set out in clause 3 (g), this Plan applies to land within Zone 3 (c) at Edensor Park, Greenfield Park, Wakeley, Wetherill Park, Smithfield, Fairfield Heights, Canley Heights, Canley Vale and Villawood, as shown edged heavy red on Sheets 6–14 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 117)”.

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Fairfield Local Environmental Plan 1994 (Amendment No 117)

Schedule 1 Amendment of Fairfield Local Environmental Plan 1994

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[1] Clause 25I

Insert after clause 25H:

25I Function centres on certain land within Zone 3 (c)

- (1) This clause applies to land within Zone 3 (c) at Edensor Park, Greenfield Park, Wakeley, Wetherill Park, Smithfield, Fairfield Heights, Canley Heights, Canley Vale and Villawood, as shown edged heavy red on the Sheets 6–14 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 117)”.
- (2) Despite the other provisions of this plan, development for the purposes of a function centre may be carried out with development consent on land to which this clause applies.
- (3) In this clause, *function centre* has the same meaning as in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.

Note. The term is defined as follows:

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

[2] Schedule 2 Additional development

Omit the matter relating to Lot 901, DP 1002518 and part of Lot 456, DP 817646, Bonnyrigg Avenue, Bonnyrigg.

Insert instead:

Lots 1 and 2, DP 1071647,
1–9 and 11–19 Bonnyrigg Avenue, Bonnyrigg,
as shown edged heavy red on Sheet 5 of the map marked
“Fairfield Local Environmental Plan 1994 (Amendment
No 117)”:

Bus depot.

[3] Schedule 3 Classification or reclassification of public land

Insert at the end of Part 2 of the Schedule:

Lot A, DP 342860, 49 Delamere Street, Canley Vale, as shown edged heavy black on Sheet 1 of the map marked “Fairfield Land Classification Map—Amendment No 26” is reclassified as operational land.

Lot 2, DP 709663 (42A Spencer Street, Fairfield), Lot 3, DP 709663 (44A Spencer Street, Fairfield), Lot 3, DP 583118 (46A Spencer Street, Fairfield) and Lot 1, DP 583118 (Spencer Street, Fairfield), as shown edged heavy black on Sheet 2 of the map marked "Fairfield Land Classification Map—Amendment No 26" is reclassified as operational land—Easement for electricity affecting Lot 2, DP 709663 as noted on Certificate of Title Folio Identifier 2/709663.

[4] Dictionary

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

Fairfield Local Environmental Plan 1994 (Amendment No 117)—Sheets 1–4