



New South Wales

# **Fairfield Local Environmental Plan 1994 (Amendment No 128)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

SAM HADDAD

As delegate for the Minister for Planning and Infrastructure

## 2012 No 334

Clause 1          Fairfield Local Environmental Plan 1994 (Amendment No 128)

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## Fairfield Local Environmental Plan 1994 (Amendment No 128)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of Plan

This Plan is *Fairfield Local Environmental Plan 1994 (Amendment No 128)*.

### 2 Commencement

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

### 3 Land to which Plan applies

- (1) To the extent that this Plan rezones land from Zone 6 (a) Existing and Proposed Recreation to Zone 2 (a) Residential A under *Fairfield Local Environmental Plan 1994*, it applies to the following land:
  - (a) Lot 15, DP 27962, 117A Wetherill Street, Smithfield,
  - (b) part of Lot 1540, DP 260225, being part of 52 Richards Road, Wakeley,  
as shown distinctively coloured, edged heavy black and identified as “2 (a)” on Sheets 1 and 3, respectively, of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” (*the amending map*) deposited in the office of Fairfield City Council.
- (2) To the extent that this Plan reclassifies public land from community land to operational land, it applies to the following land:
  - (a) Lot 15, DP 27962, 117A Wetherill Street, Smithfield,
  - (b) part of Lot 1540, DP 260225, being part of 52 Richards Road, Wakeley,
  - (c) Lot 16, DP 849870, 45–59 Diamond Crescent, Bonnyrigg,
  - (d) Lot 17, DP 216871 and Lot 2, DP 559297, 38 Arthur Street, Cabramatta,
  - (e) part of Lot 2, DP 568025, being part of 165 Railway Parade, Cabramatta,
  - (f) Lot 99, DP 7225, 41 Peel Street, Canley Heights,

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- (g) Lot 1, DP 1043238 and Lot 2, DP 506737, 45–57 Cardwell Street, Canley Vale,
  - (h) Lots 1–3, DP 205119, 239 Sackville Street, Canley Vale,
  - (i) Lot 1, DP 811357, 65 The Avenue, Canley Vale,
  - (j) Lot 1, DP 720797, 23–25 Barbara Street, Fairfield,
  - (k) Lot 5, DP 1015540, 18 Railway Parade, Fairfield,
  - (l) Lot 1, DP 519170, 53 Stanbrook Street, Fairfield Heights,
  - (m) Lot 12, DP 8171, 476 Cabramatta Road West, Mt Pritchard,
  - (n) Lot 155, DP 7638, 10 Barton Street, Smithfield,
  - (o) Lot 51, DP 1390, Lot 50, DP 649176, Lot 2, DP 1090647 and Lot 2, DP 861489, 86 Avoca Road, Wakeley,
  - (p) Lot 1, DP 1126356, 171 Cowpasture Road, Wetherill Park,  
as shown edged heavy black on Sheets 2 and 4–18, respectively, of the amending map.

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Fairfield Local Environmental Plan 1994 (Amendment No 128)

Schedule 1 Amendment of Fairfield Local Environmental Plan 1994

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### **Schedule 1 Amendment of Fairfield Local Environmental Plan 1994**

#### **[1] Schedule 3 Classification or reclassification of public land**

Insert at the end of Part 2:

Lot 15, DP 27962, 117A Wetherill Street, Smithfield, as shown edged heavy black on Sheet 2 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land.

Part of Lot 1540, DP 260225, being part of 52 Richards Road, Wakeley, as shown edged heavy black on Sheet 4 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land.

Lot 16, DP 849870, 45–59 Diamond Crescent, Bonnyrigg, as shown edged heavy black on Sheet 5 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land—Covenant (H943475) and easement to drain water 3 metre(s) wide (DP 732193) as noted on Certificate of Title Folio Identifier 16/849870.

Lot 17, DP 216871 and Lot 2, DP 559297, 38 Arthur Street, Cabramatta, as shown edged heavy black on Sheet 6 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” are classified as operational land.

Part of Lot 2, DP 568025, being part of 165 Railway Parade, Cabramatta, as shown edged heavy black on Sheet 7 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land—Easement for underground mains (DP 568025), right of carriageway (DP 568025) and restriction(s) on the use of land (DP 265703) as noted on Certificate of Title Folio Identifier 2/568025.

Lot 99, DP 7225, 41 Peel Street, Canley Heights, as shown edged heavy black on Sheet 8 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land—Covenant (B186037) as noted on Certificate of Title Folio Identifier 99/7225.

Lot 1, DP 1043238 and Lot 2, DP 506737, 45–57 Cardwell Street, Canley Vale, as shown edged heavy black on Sheet 9 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” are classified as operational land—Leases (8047113, 8047114 and 8047115) as noted on Certificate of Title Folio Identifier 1/1043238; Leases (7100847 and

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AA7045) as noted on Certificate of Title Folio Identifier 2/506737.

Lots 1–3, DP 205119, 239 Sackville Street, Canley Vale, as shown edged heavy black on Sheet 10 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” are classified as operational land—Lease (AC196582) as noted on Certificates of Title Folio Identifiers 1/205119, 2/205119 and 3/205119.

Lot 1, DP 811357, 65 The Avenue, Canley Vale, as shown edged heavy black on Sheet 11 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land—Lease (U360597) as noted on Certificate of Title Folio Identifier 1/811357.

Lot 1, DP 720797, 23–25 Barbara Street, Fairfield, as shown edged heavy black on Sheet 12 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land.

Lot 5, DP 1015540, 18 Railway Parade, Fairfield, as shown edged heavy black on Sheet 13 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land—Covenant (G804923), easement for underground main 1 metre wide (V250700), covenant (A247812) and easement for services 3.1 metre(s) wide (DP 1015540) as noted on Certificate of Title Folio Identifier 5/1015540.

Lot 1, DP 519170, 53 Stanbrook Street, Fairfield Heights, as shown edged heavy black on Sheet 14 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land.

Lot 12, DP 8171, 476 Cabramatta Road West, Mt Pritchard, as shown edged heavy black on Sheet 15 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land.

Lot 155, DP 7638, 10 Barton Street, Smithfield, as shown edged heavy black on Sheet 16 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” is classified as operational land.

Lot 51, DP 1390, Lot 50, DP 649176, Lot 2, DP 1090647 and Lot 2, DP 861489, 86 Avoca Road, Wakeley, as shown edged heavy black on Sheet 17 of the map marked “Fairfield Local Environmental Plan 1994 (Amendment No 128)” are classified as operational land—Leases (AC520948, AC520949, AC520950

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Schedule 1 Amendment of Fairfield Local Environmental Plan 1994

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and AC520951) as noted on Certificate of Title Folio Identifier 51/1390; Restriction(s) on the use of land (DP 649176), positive covenant (DP 649176) and leases (AC520948, AC520949, AC520950 and AC520951) as noted on Certificate of Title Folio Identifier 50/649176; Easement to drain water 1.83 metre(s) wide and variable appurtenant to the land (DP 1090647) as noted on Certificate of Title Folio Identifier 2/1090647.

Lot 1, DP 1126356, 171 Cowpasture Road, Wetherill Park, as shown edged heavy black on Sheet 18 of the map marked "Fairfield Local Environmental Plan 1994 (Amendment No 128)" is classified as operational land.

### [2] Dictionary

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

Fairfield Local Environmental Plan 1994 (Amendment No 128)—Sheets 1 and 3