

ROCKDALE LEP 2011, BOTANY BAY LEP 2013 AND PROPOSED BAYSIDE LEP COMPARISON

PART 1 – PRELIMINARY

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
1.1 Name of Plan	This Plan is Rockdale Local Environmental Plan 2011 .	This Plan is Botany Bay Local Environmental Plan 2013 .	This Plan is Bayside Local Environmental Plan .
1.1AA Commencement	This Plan commences on the day on which it is published on the NSW legislation website.	This Plan commences on the day on which it is published on the NSW legislation website.	This Plan commences on the day on which it is published on the NSW legislation website.
1.2 Aims of Plan	(1) This Plan aims to make local environmental planning provisions for land in that part of the Bayside local government area to which this Plan applies (in this Plan referred to as Rockdale) in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows— (a) to provide a vibrant area in which Rockdale residents can live, work and play, (b) to conserve the environmental heritage of Rockdale, (c) to maintain and improve residential amenity and encourage a diversity of housing to meet the needs of Rockdale residents, (d) to promote economic activity within Rockdale through the facilitation of commercial, employment-generating and tourism opportunities, (e) to provide high quality open space and a range of recreational facilities to meet the demands of Rockdale and its visitors, (f) to promote and enhance Rockdale’s foreshores, (g) to encourage residential and employment densities around transport nodes in order to provide sustainable transport options, (h) to minimise impacts on land subject to environmental hazards, particularly flooding.	(1) This Plan aims to make local environmental planning provisions for land in Botany Bay in accordance with the relevant standard environmental planning instrument under section 33A of the Act. (2) The particular aims of this Plan are as follows— (a) to recognise the importance of Botany Bay as a gateway to Sydney, given its proximity to Sydney (Kingsford Smith) Airport and Port Botany, (b) to encourage sustainable economic growth and development, (c) to provide direction concerning growth and change in Botany Bay, (d) to identify and conserve those items and localities that contribute to the local built form and the environmental and cultural heritage of Botany Bay, (e) to protect and enhance the natural and cultural landscapes in Botany Bay, (f) to create a highly liveable urban place through the promotion of design excellence in all elements of the built environment and public domain, (g) to protect residential amenity.	(1) This Plan aims to make local environmental planning provisions for land in Bayside in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act. (2) The particular aims of this Plan are as follows: (a) to protect, conserve and enhance Aboriginal cultural heritage and the environmental, cultural, scenic, built and landscape heritage of Bayside, (b) to provide high quality open space areas and recreational facilities, (c) to reduce community risk and improve resilience to, and from, urban and natural hazards, (d) to encourage sustainable economic growth and development in Bayside, (e) to create a liveable urban place through the application of design excellence in all elements of the built environment and public domain, (f) to encourage diversity in housing, to meet the needs of, and enhance amenity for, Bayside residents, (g) to encourage walking, cycling and use of public transport through appropriate intensification of development densities surrounding transport nodes, (h) to encourage development that demonstrates efficient and sustainable use of energy and resources in accordance with ecologically sustainable development principles, (i) to enhance and protect the functions and roles of the international trade gateways of Sydney Airport and Port Botany, (j) to increase urban tree canopy cover and enable the protection and enhancement of green corridor connections, and (k) to promote and enhance the amenity of Botany Bay’s foreshores and Bayside’s waterways.
1.3 Land to which Plan applies	This Plan applies to the land identified on the Land Application Map .	(1) This Plan applies to the land identified on the Land Application Map. (1A) Despite subclause (1), this Plan does not apply to the land identified as “Deferred matter” on the Land Application Map.	(1) This Plan applies to the land identified on the Land Application Map .
1.4 Definitions	The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.	The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.	The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.
1.5 Notes	Notes in this Plan are provided for guidance and do not form part of this Plan.	Notes in this Plan are provided for guidance and do not form part of this Plan.	Notes in this Plan are provided for guidance and do not form part of this Plan.

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1.6 Consent Authority	The consent authority for the purposes of this Plan is (subject to the Act) the Council.	The consent authority for the purposes of this Plan is (subject to the Act) the Council.	The consent authority for the purposes of this Plan is (subject to the Act) the Council.
1.7 Maps	(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name— (a) approved by the local plan-making authority when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local plan-making authority when the instruments are made. (1AA) (Repealed) (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map. (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister. (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both. Note. The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled <i>Standard technical requirements for LEP maps</i> and <i>Standard requirements for LEP GIS data</i> which are available on the website of the Department of Planning and Environment.	(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name— (a) approved by the local plan-making authority when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local plan-making authority when the instruments are made. (1AA) (Repealed) (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map. (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister. (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both. Note. The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled <i>Standard technical requirements for LEP maps</i> and <i>Standard requirements for LEP GIS data</i> which are available on the website of the Department of Planning and Environment.	(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name - (a) approved by the local plan-making authority when the map is adopted, and (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the local plan-making authority when the instruments are made. (1AA) (Repealed) (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map. (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister. (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both. Note. The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled <i>Standard technical requirements for LEP maps</i> and <i>Standard requirements for LEP GIS data</i> which are available on the website of the Department of Planning, Industry and Environment.
1.8 Repeal of planning instruments applying to land	(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. Note. The following local environmental plans are repealed under this provision— <i>Rockdale Local Environmental Plan 2000</i> <i>Rockdale Planning Scheme Ordinance</i> (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.	(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. Note. The following local environmental plans are repealed under this provision— <i>County of Cumberland Planning Scheme Ordinance</i> <i>Municipality of Botany Interim Development Order 19</i> (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies. Note. While <i>Botany Local Environmental Plan 1995</i> no longer applies to the land to which this Plan applies, it continues to apply to the land identified as “Deferred matter” under clause 1.3 (1A).	(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed. Note. The following local environmental plans are repealed under this provision: <i>Rockdale Local Environmental Plan 2011</i> <i>Botany Bay Local Environmental Plan 2013</i> <i>Botany Bay Local Environmental Plan 1995</i> (2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.

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1.8A Savings provision relating to development applications	(1) If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced. Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable. (2) To avoid doubt, Rockdale Local Environmental Plan 2011 (Amendment No 12) applies to the determination of a development application made (but not finally determined) before the commencement of that Plan.	If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced. Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.	(1) If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced. Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable
1.9 Application of SEPPs	(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act. (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies— State Environmental Planning Policy No 1—Development Standards	(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act. (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies— State Environmental Planning Policy No 1—Development Standards	(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act. (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies: State Environmental Planning Policy No 1—Development Standards
1.9A Suspension of covenants, agreements and instruments	(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. (2) This clause does not apply— (a) to a covenant imposed by the Council or that the Council requires to be imposed, or (b) to any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or (c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or (d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or (e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or (f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument.	(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. (2) This clause does not apply— (a) to a covenant imposed by the Council or that the Council requires to be imposed, or (b) to any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or (c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or (d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or (e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or (f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument.	(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. (2) This clause does not apply: (a) to a covenant imposed by the Council or that the Council requires to be imposed, or (b) to any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or (c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or (d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or (e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or (f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or (g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument. (4) Under section 3.16 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

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	(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).	(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).	

PART 2 – PERMITTED OR PROHIBITED DEVELOPMENT

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
2.1 Land Use Zones	The land use zones under this Plan are as follows— Rural Zones RU4 Primary Production Small Lots Residential Zones R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential Business Zones B1 Neighbourhood Centre B2 Local Centre B4 Mixed Use B6 Enterprise Corridor Industrial Zones IN2 Light Industrial Special Purpose Zones SP2 Infrastructure SP3 Tourist Recreation Zones RE1 Public Recreation RE2 Private Recreation Environment Protection Zones E1 National Parks and Nature Reserves	The land use zones under this Plan are as follows— Residential Zones R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential Business Zones B1 Neighbourhood Centre B2 Local Centre B3 Commercial Core B4 Mixed Use B5 Business Development B7 Business Park Industrial Zones IN1 General Industrial IN2 Light Industrial Special Purpose Zones SP1 Special Activities SP2 Infrastructure Recreation Zones RE1 Public Recreation RE2 Private Recreation Waterway Zones W3 Working Waterways	The land use zones under this Plan are as follows: Rural Zones RU4 Primary Production Small Lots Residential Zones R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential Business Zones B1 Neighbourhood Centre B2 Local Centre B3 Commercial Core B4 Mixed Use B5 Business Development B6 Enterprise Corridor B7 Business Park Industrial Zones IN1 General Industrial IN2 Light Industrial Special Purpose Zones SP1 Special Activities

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			SP2 Infrastructure SP3 Tourist Recreation Zones RE1 Public Recreation RE2 Private Recreation Environment Protection Zones E1 National Parks and Nature Reserves Waterway Zones W1 Natural Waterways W2 Recreational Waterways W3 Working Waterways
2.2 Zoning of land to which Plan applies	For the purposes of this Plan, land is within the zones shown on the Land Zoning Map .	For the purposes of this Plan, land is within the zones shown on the Land Zoning Map .	For the purposes of this Plan, land is within the zones shown on the Land Zoning Map .
2.3 Zone objectives and Land Use Table	(1) The Land Use Table at the end of this Part specifies for each zone— (a) the objectives for development, and (b) development that may be carried out without development consent, and (c) development that may be carried out only with development consent, and (d) development that is prohibited. (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. (3) In the Land Use Table at the end of this Part— (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone. (4) This clause is subject to the other provisions of this Plan. Notes. 1 Schedule 1 sets out additional permitted uses for particular land. 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.	(1) The Land Use Table at the end of this Part specifies for each zone— (a) the objectives for development, and (b) development that may be carried out without development consent, and (c) development that may be carried out only with development consent, and (d) development that is prohibited. (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. (3) In the Land Use Table at the end of this Part— (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone. (4) This clause is subject to the other provisions of this Plan. Notes. 1 Schedule 1 sets out additional permitted uses for particular land. 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.	(1) The Land Use Table at the end of this Part specifies for each zone: (a) the objectives for development, and (b) development that may be carried out without development consent, and (c) development that may be carried out only with development consent, and (d) development that is prohibited. (2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. (3) In the Land Use Table at the end of this Part: (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone. (4) This clause is subject to the other provisions of this Plan. Notes. 1 Schedule 1 sets out additional permitted uses for particular land. 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.

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	3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). 4 Clause 2.6 requires consent for subdivision of land. 5 Part 5 contains other provisions which require consent for particular development.	3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). 4 Clause 2.6 requires consent for subdivision of land. 5 Part 5 contains other provisions which require consent for particular development.	3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). 4 Clause 2.6 requires consent for subdivision of land. 5 Part 5 contains other provisions which require consent for particular development.
2.4 Unzoned land	(1) Development may be carried out on unzoned land only with development consent. (2) In deciding whether to grant development consent, the consent authority— (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.	(1) Development may be carried out on unzoned land only with development consent. (2) In deciding whether to grant development consent, the consent authority— (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.	(1) Development may be carried out on unzoned land only with development consent. (2) In deciding whether to grant development consent, the consent authority: (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.
2.5 Additional permitted uses for particular land	(1) Development on particular land that is described or referred to in Schedule 1 may be carried out— (a) with development consent, or (b) if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development. (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	(1) Development on particular land that is described or referred to in Schedule 1 may be carried out— (a) with development consent, or (b) if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development. (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	(1) Development on particular land that is described or referred to in Schedule 1 may be carried out: (a) with development consent, or (b) if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development. (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.
2.6 Subdivision - consent requirements	(1) Land to which this Plan applies may be subdivided, but only with development consent. Notes. 1 If a subdivision is specified as exempt development in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent. 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development. (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land. Note. The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.	(1) Land to which this Plan applies may be subdivided, but only with development consent. Notes. 1 If a subdivision is specified as exempt development in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent. 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development. (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land. Note. The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.	(1) Land to which this Plan applies may be subdivided, but only with development consent. Notes. 1 If a subdivision is specified as exempt development in an applicable environmental planning instrument, such as this Plan or <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>, the Act enables it to be carried out without development consent. 2 Part 6 of <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> provides that the strata subdivision of a building in certain circumstances is complying development. (2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land. Note. The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.
2.7 Demolition requires development consent	The demolition of a building or work may be carried out only with development consent. Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development	The demolition of a building or work may be carried out only with development consent. Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development	The demolition of a building or work may be carried out only with development consent. Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this Plan or <i>State Environmental Planning Policy (Exempt and Complying Development</i>

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	<i>Codes) 2008</i> , as exempt development, the Act enables it to be carried out without development consent.	<i>Codes) 2008</i> , as exempt development, the Act enables it to be carried out without development consent.	<i>Codes) 2008</i> , as exempt development, the Act enables it to be carried out without development consent.
2.8 Temporary use of land	(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months. (3) Development consent must not be granted unless the consent authority is satisfied that— (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use. (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause. (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).	(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months. (3) Development consent must not be granted unless the consent authority is satisfied that— (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use. (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause. (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).	(1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months. (3) Development consent must not be granted unless the consent authority is satisfied that: (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use. (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause. (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).

LAND USE TABLE

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
RU4 Primary Production Small Lots	1 Objectives of zone - To enable sustainable primary industry and other compatible land uses. - To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature. - To minimise conflict between land uses within this zone and land uses within adjoining zones. - To protect the agricultural production value of Rockdale’s heritage listed market gardens. 2 Permitted without consent Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Roads 3 Permitted with consent Aquaculture; Building identification signs; Dwelling houses; Environmental protection works; Farm buildings; Flood mitigation works; Plant nurseries; Roadside stalls; Water supply systems 4 Prohibited Any development not specified in item 2 or 3	<i>Zone not included in Botany Bay LEP 2013.</i>	1 Objectives of zone - To enable sustainable primary industry and other compatible land uses. - To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature. - To minimise conflict between land uses within this zone and land uses within adjoining zones. - To protect the agricultural production value of Rockdale’s heritage listed market gardens. 2 Permitted without consent Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture 3 Permitted with consent Aquaculture; Building identification signs; Dwelling houses; Environmental protection works; Farm buildings; Flood mitigation works; Plant nurseries; Roadside stalls; Roads; Water supply systems 4 Prohibited Any development not specified in item 2 or 3
R2 Low Density Residential	Zone R2 Low Density Residential 1 Objectives of zone - To provide for the housing needs of the community within a low density residential environment. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To ensure that land uses are carried out in a context and setting that minimises any impact on the character and amenity of the area. 2 Permitted without consent Home-based child care; Home businesses; Home industries; Home occupations; Roads 3 Permitted with consent Attached dwellings; Boarding houses; Building identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Hostels; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water supply systems 4 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone - To provide for the housing needs of the community within a low density residential environment. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To encourage development that promotes walking and cycling. 2 Permitted without consent Home occupations 3 Permitted with consent Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Hospitals; Multi dwelling housing; Neighbourhood shops; Office premises; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Tank-based aquaculture 4 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone - To provide for the housing needs of the community within a low density residential environment. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To ensure that land uses are carried out in a context and setting that minimises any impact on the character and amenity of the area. - To enable residential development in accessible locations so as to maximise public transport patronage and to encourage walking and cycling. 2 Permitted without consent Home-based child care, Home occupations 3 Permitted with consent Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Environmental protection works; Exhibition home; Flood mitigation works; Group homes; Health consulting rooms; Home business; Home industries; Hostels; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water supply systems 4 Prohibited Any development not specified in item 2 or 3
R3 Medium Density Residential	1 Objectives of zone - To provide for the housing needs of the community within a medium density residential environment. - To provide a variety of housing types within a medium density residential environment.	1 Objectives of zone - To provide for the housing needs of the community within a medium density residential environment. - To provide a variety of housing types within a medium density residential environment.	1 Objectives of zone - To provide for the housing needs of the community within a medium density residential environment. - To provide a variety of housing types within a medium density residential environment.

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	- To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To ensure that land uses are carried out in a context and setting that minimises any impact on the character and amenity of the area. 2 Permitted without consent Home-based child care; Home businesses; Home industries; Home occupations; Roads 3 Permitted with consent Attached dwellings; Boarding houses; Building identification signs; Centre-based child care facilities; Community facilities; Environmental protection works; Group homes; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Respite day care centres; Seniors housing; Tank-based aquaculture; Water supply systems; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential flat buildings; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies	- To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To encourage development that promotes walking and cycling. 2 Permitted without consent Home occupations 3 Permitted with consent Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Multi dwelling housing; Neighbourhood shops; Office premises; Oyster aquaculture; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies	- To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To ensure that land uses are carried out in a context and setting that minimise any impact on the character and amenity of the area - To enable residential development in accessible locations so as to maximise public transport patronage and to encourage walking and cycling 2 Permitted without consent Home-based childcare, Home occupations 3 Permitted with consent Attached dwellings; Bed and Breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual Occupancies; Dwelling houses; Educational establishments; Environmental protection works; Exhibition homes; Flood Mitigation works; Group homes; Health service facilities; Home business, Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Neighbourhood supermarket; Oyster aquaculture; Places of public worship; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; water supply systems 4 Prohibited Any development not specified in item 2 or 3
R4 High Density Residential	1 Objectives of zone - To provide for the housing needs of the community within a high density residential environment. - To provide a variety of housing types within a high density residential environment. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. 2 Permitted without consent Home-based child care; Home businesses; Home occupations; Recreation areas; Roads 3 Permitted with consent Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities;	1 Objectives of zone - To provide for the housing needs of the community within a high density residential environment. - To provide a variety of housing types within a high density residential environment. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To encourage development that promotes walking and cycling. 2 Permitted without consent Home occupations 3 Permitted with consent Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses;	1 Objectives of zone - To provide for the housing needs of the community within a high density residential environment. - To provide a variety of housing types within a high density residential environment. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To enable residential development in accessible locations so as to maximise public transport patronage and to encourage walking and cycling 2 Permitted without consent Home-based child care, Home occupations 3 Permitted with consent

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	Neighbourhood shops; Oyster aquaculture; Places of public worship; Residential flat buildings; Respite day care centres; Shop top housing; Water supply systems; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sex services premises; Signage; Storage premises; Tank-based aquaculture; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies	Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Shop top housing; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home businesses; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tank-based aquaculture; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies	Attached dwellings; Bed and Breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health service facilities; Home business; Home industry; Hostels; Multi dwelling housing; Neighbourhood shops; Neighbourhood supermarket; Oyster aquaculture; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Secondary dwellings; Seniors housing; Sewage reticulation systems; Shop top housing; Water recycling facilities; Water supply systems 4 Prohibited Pond-based aquaculture; Tank-based aquaculture; Any development not specified in item 2 or 3
B1 Neighbourhood Centre	1 Objectives of zone - To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. - To ensure that development within the zone does not detract from the economic viability of the commercial centres in Zone B2 Local Centre and Zone B4 Mixed Use within Rockdale. - To ensure that the nature, scale and type of development is compatible with adjacent residential development. 2 Permitted without consent Home-based child care; Home businesses; Home occupations; Roads 3 Permitted with consent Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Commercial premises; Community facilities; Exhibition homes; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Plant nurseries; Respite day care centres; Shop top housing; Shops; Tank-based aquaculture; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Attached dwellings; Boat building and repair facilities; Boat launching ramps; Boat sheds;	1 Objectives of zone - To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. - To ensure that development does not adversely impact on residential amenity and is compatible with the existing streetscape. 2 Permitted without consent Home occupations 3 Permitted with consent Bed and breakfast accommodation; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Dwelling houses; Food and drink premises; Hostels; Kiosks; Markets; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Respite day care centres; Roads; Shop top housing; Shops; Tank-based aquaculture; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works;	1 Objectives of zone - To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. - To ensure that development within the zone does not detract from the economic viability of the commercial centres - To ensure that the scale of development does not adversely impact on residential amenity and is compatible with the existing streetscape. 2 Permitted without consent Home-based child care; Home business; Home occupations 3 Permitted with consent Bed & breakfast accommodation; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Group homes; Hostels; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Respite day care centres; Roads; Shop top housing; Tank-based aquaculture; Waste or resource transfer facilities; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Advertising structures; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cellar

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Garden centres; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Landscaping material supplies; Marinas; Mooring pens; Moorings; Multi dwelling housing; Open cut mining; Pond-based aquaculture Port facilities; Registered clubs; Research stations; Residential flat buildings; Restricted premises; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sex services premises; Signage; Specialised retail premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies	Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Pubs; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies	door premises, Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Garden Centres; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Home occupations (sex services); Hospitals; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Landscaping material supplies; Marinas; Mooring pens; Moorings; Recreation facilities (major); Open cut mining; Pond-based aquaculture; Port facilities; Plant nurseries; Registered clubs; Research stations; Residential accommodation; Restricted premises; Roadside stalls; Rural industries; Rural supplies; Service stations; Sewage treatment plants; Sex service premises; Specialised retail premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises, Warehouse or distribution centres; Waste or resource management facilities, Water recreation structures; Wharf or boating facilities; Wholesale supplies
B2 Local Centre	1 Objectives of zone - To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. - To encourage employment opportunities in accessible locations. - To maximise public transport patronage and encourage walking and cycling. - To accommodate population growth through high density mixed use development that complements the role of retail, commercial, civic and cultural premises in the Rockdale town centre. - To create a lively Rockdale town centre with an amenable and pedestrian focused public domain activated by building uses that engage with the street. 2 Permitted without consent Home-based child care; Home businesses; Home occupations; Roads 3 Permitted with consent Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Group homes; Hostels; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home	1 Objectives of zone - To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. - To encourage employment opportunities in accessible locations. - To maximise public transport patronage and encourage walking and cycling. 2 Permitted without consent Home occupations 3 Permitted with consent Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Dwelling houses; Educational establishments; Entertainment facilities; Function centres; Home industries; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities	1 Objectives of zone - To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. - To encourage employment opportunities in accessible locations. - To maximise public transport patronage and encourage walking and cycling - To create lively town centres with amenable and pedestrian focused public domain activated by building uses that engage with the street. - To accommodate population growth through high density mixed use development that complements the role of retail, commercial and cultural premises in the Rockdale town centre 2 Permitted without consent Home-based childcare; Home business; Home occupations 3 Permitted with consent Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Hostels; Home industries; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Dwelling houses; Eco-tourist facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture Port facilities; Research stations; Residential accommodation; Rural industries; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies	(major); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies	services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies
B3 Commercial Centre	<i>Zone not included in Rockdale LEP 2011.</i>	1 Objectives of zone • To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community. • To encourage appropriate employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. 2 Permitted without consent Nil 3 Permitted with consent Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities;	1 Objectives of zone • To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community. • To encourage appropriate employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. 2 Permitted without consent Nil 3 Permitted with consent Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities;

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies	Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies
B4 Mixed Use	1 Objectives of zone - To provide a mixture of compatible land uses. - To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. 2 Permitted without consent Home-based child care; Home businesses; Home occupations; Roads 3 Permitted with consent Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Attached dwellings; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Multi dwelling housing; Open cut mining; Pond-based aquaculture Port facilities; Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies	1 Objectives of zone - To provide a mixture of compatible land uses. - To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. 2 Permitted without consent Home occupations 3 Permitted with consent Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Dwelling houses; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies	1 Objectives of zone - To provide a mixture of compatible land uses. - To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. 2 Permitted without consent Home-based childcare, Home business, Home occupations 3 Permitted with consent Artisan food and drink industry; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Group Homes; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Residential Accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Wharf or boating facilities; Wholesale supplies
B5 Business Development	<i>Zone not included in Rockdale LEP 2011.</i>	1 Objectives of zone To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres. 2 Permitted without consent Nil 3 Permitted with consent Centre-based child care facilities; Food and drink premises; Garden centres; Hardware and building supplies; High technology industries; Landscaping material supplies; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Roads; Specialised retail premises; Tank-based aquaculture; Vehicle sales	1 Objectives of zone To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres. 2 Permitted without consent Nil 3 Permitted with consent Centre-based child care facilities; Food and drink premises; Garden centres; Hardware and building supplies; High technology industries; Landscaping material supplies; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Roads; Specialised retail premises; Tank-based aquaculture; Vehicle sales

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies	or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies
B6 Enterprise Corridor	1 Objectives of zone - To promote businesses along main roads and to encourage a mix of compatible uses. - To provide a range of employment uses (including business, office, retail and light industrial uses). - To maintain the economic strength of centres by limiting retailing activity. - To promote redevelopment that will contribute to the locality, including by improving the visual character of the locality, improving access and parking, reducing land use conflicts and increasing amenity for nearby residential development. 2 Permitted without consent Roads 3 Permitted with consent Animal boarding or training establishments; Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Plant nurseries; Pubs; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Camping grounds; Caravan parks; Centre-based child care facilities; Correctional centres; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries;	<i>Zone not included in Botany Bay LEP 2013.</i>	1 Objectives of zone - To promote businesses along main roads and to encourage a mix of compatible uses. - To provide a range of employment uses (including business, office, retail and light industrial uses). To maintain the economic strength of centres by limiting retailing activity. - To promote redevelopment that will contribute to the locality, including by improving the visual character of the locality, improving access and parking, reducing land use conflicts and increasing amenity for nearby residential development. 2 Permitted without consent Roads 3 Permitted with consent Animal boarding or training establishments; Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Plant nurseries; Pubs; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Camping grounds; Caravan parks; Centre-based child care facilities; Correctional centres; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; General Industries; Heavy industrial storage establishments; Home-based child care; Home

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	Farm buildings; Forestry; Function centres; Heavy industrial storage establishments; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Open cut mining; Pond-based aquaculture Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Retail premises; Rural industries; Sex services premises; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities		businesses; Home occupations; Home occupations (sex services); Industries; Open cut mining; Pond-based aquaculture; Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Retail premises; Rural industries; Sex services premises; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities
B7 Business Park	<i>Zone not included in Rockdale LEP 2011.</i>	1 Objectives of zone - To provide a range of office and light industrial uses. - To encourage employment opportunities. - To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. - To encourage uses in the arts, technology, production and design sectors. 2 Permitted without consent Home occupations 3 Permitted with consent Centre-based child care facilities; Dwelling houses; Food and drink premises; Garden centres; Hardware and building supplies; Home industries; Light industries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Roads; Tank-based aquaculture; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities	1 Objectives of zone - To provide a range of office and light industrial uses. - To encourage employment opportunities. - To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. - To encourage uses in the arts, technology, production and design sectors. 2 Permitted without consent Home occupations 3 Permitted with consent Centre-based child care facilities; Food and drink premises; Garden centres; Hardware and building supplies; Light industries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Respite day care centres; Roads; Tank-based aquaculture; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities
IN1 General Industrial	<i>Zone not included in Rockdale LEP 2011.</i>	1 Objectives of zone - To provide a wide range of industrial and warehouse land uses. - To encourage employment opportunities. - To minimise any adverse effect of industry on other land uses. - To support and protect industrial land for industrial uses.	1 Objectives of zone - To provide a wide range of industrial and warehouse land uses. - To encourage employment opportunities.

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		2 Permitted without consent Nil 3 Permitted with consent Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Restaurants or cafes; Roads; Take away food and drink premises; Tank-based aquaculture; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water supply systems; Wharf or boating facilities	- To minimise any adverse effect of industry on other land uses. - To support and protect industrial land for industrial uses. 2 Permitted without consent Nil 3 Permitted with consent Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Restaurants or cafes; Roads; Take away food and drink premises; Tank-based aquaculture; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Water supply systems; Wharf or boating facilities
IN2 Light industrial	1 Objectives of zone - To provide a wide range of light industrial, warehouse and related land uses. - To encourage employment opportunities and to support the viability of centres. - To minimise any adverse effect of industry on other land uses. - To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. - To support and protect industrial land for industrial uses. 2 Permitted without consent Roads 3 Permitted with consent Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Take away food and drink premises; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Airstrips; Amusement centres; Camping grounds; Caravan parks; Centre-based child care facilities;	1 Objectives of zone - To provide a wide range of light industrial, warehouse and related land uses. - To encourage employment opportunities and to support the viability of centres. - To minimise any adverse effect of industry on other land uses. - To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. - To support and protect industrial land for industrial uses. 2 Permitted without consent Nil 3 Permitted with consent Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Roads; Tank-based aquaculture; Timber yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4 4 Prohibited Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments;	1 Objectives of zone - To provide a wide range of light industrial, warehouse and related land uses. - To encourage employment opportunities and to support the viability of centres. - To minimise adverse effect of industry on other land uses. - To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. - To support and protect industrial land for industrial uses. 2 Permitted without consent Nil 3 Permitted with consent Depots; Garden centres; Hardware & building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Roads; Sewerage systems; Take-away food and drink premises; Tank-based aquaculture; Timber Yards; Warehouse or distribution centres; Waste or Resource Management Facilities; Water Supply Systems; Any other development not specified in item 2 or 4. 4 Prohibited

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Marinas; Mooring pens; Moorings; Pond-based aquaculture Registered clubs; Research stations; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities	Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Resource recovery facilities; Respite day care centres; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities	Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Electricity Generating Works; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; General Industries; Health services facilities; Heavy industrial storage establishments; Heavy Industries; Helipad; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Port facilities; Registered clubs; Residential accommodation; Respite day care centres; Rural industries; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities.
SP1 Special Activities	<i>Zone not included in Rockdale LEP 2011.</i>	1 Objectives of zone - To provide for special land uses that are not provided for in other zones. - To provide for sites with special natural characteristics that are not provided for in other zones. - To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; The purpose shown on the Land Zoning Map , including any development that is ordinarily incidental or ancillary to development for that purpose 4 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone - To provide for special land uses that are not provided for in other zones. - To provide for sites with special natural characteristics that are not provided for in other zones. - To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose 4 Prohibited Any development not specified in item 2 or 3.
SP2 Infrastructure	1 Objectives of zone - To provide for infrastructure and related uses. - To prevent development that is not compatible with or that may detract from the provision of infrastructure. 2 Permitted without consent Roads 3 Permitted with consent Aquaculture; The purpose shown on the Land Zoning Map , including any development that is ordinarily incidental or ancillary to development for that purpose 4 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone - To provide for infrastructure and related uses. - To prevent development that is not compatible with or that may detract from the provision of infrastructure. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; Roads; The purpose shown on the Land Zoning Map , including any development that is ordinarily incidental or ancillary to development for that purpose 4 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone - To provide for infrastructure and related uses. - To prevent development that is not compatible with or that may detract from the provision of infrastructure. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose. 4 Prohibited Any development not specified in item 2 or 3.

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
SP3 Tourism	1 Objectives of zone To provide for a variety of tourist-oriented development and related uses. 2 Permitted without consent Home-based child care; Home businesses; Home occupations; Roads 3 Permitted with consent Aquaculture; Building identification signs; Business identification signs; Environmental protection works; Food and drink premises; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Garden centres; Hardware and building supplies; Health services facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Landscaping material supplies; Moorings; Mortuaries; Open cut mining; Plant nurseries; Port facilities; Research stations; Residential accommodation; Restricted premises; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Specialised retail premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies	<i>Zone not included in Botany Bay LEP 2013.</i>	1 Objectives of zone To provide for a variety of tourist-oriented development and related uses. 2 Permitted without consent Home-based child care; Home businesses; Home occupations; 3 Permitted with consent Aquaculture; Building identification signs; Business identification signs; Environmental protection works; Food and drink premises; Roads; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4 4 Prohibited Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Garden centres; Hardware and building supplies; Health services facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Landscaping material supplies; Moorings; Mortuaries; Open cut mining; Plant nurseries; Port facilities; Research stations; Residential accommodation; Restricted premises; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Specialised retail premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies
RE1 Public Recreation	1 Objectives of zone - To enable land to be used for public open space or recreational purposes. - To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes. 2 Permitted without consent Roads 3 Permitted with consent Aquaculture; Boat launching ramps; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Signage; Water supply systems 4 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone - To enable land to be used for public open space or recreational purposes. - To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; Centre-based child care facilities; Community facilities; Emergency services facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Signage; Water storage facilities 4 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone - To enable land to be used for public open space or recreational purposes. - To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes. 2 Permitted without consent Environmental protection works; Flood mitigation works 3 Permitted with consent Aquaculture; Boat launching ramps; Centre-based child care facilities; Community facilities; Emergency services facilities; Information and education facilities; Environmental facilities; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Signage; Water supply systems. 4 Prohibited Any development not specified in item 2 or 3
RE2 Private Recreation	1 Objectives of zone To enable land to be used for private open space or recreational purposes.	1 Objectives of zone To enable land to be used for private open space or recreational purposes.	1 Objectives of zone To enable land use to be used for private open space or recreational purposes.

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	- To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes. 2 Permitted without consent Roads 3 Permitted with consent Aquaculture; Boat launching ramps; Building identification signs; Business identification signs; Community facilities; Environmental facilities; Environmental protection works; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Water supply systems 4 Prohibited Any development not specified in item 2 or 3	- To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Entertainment facilities; Environmental facilities; Flood mitigation works; Food and drink premises; Information and education facilities; Kiosks; Markets; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Water storage facilities 4 Prohibited Any development not specified in item 2 or 3	- To provide a range of recreational settings and activities and compatible land uses. - To protect and enhance the natural environment for recreational purposes. 2 Permitted without consent Nil 3 Permitted with consent Aquaculture; Boat launching ramps; Building Identification Sign; Business Identification Sign; Centre-based child care facilities; Community facilities; Environmental protection works; Entertainment facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Water supply systems; 4 Prohibited Any development not specified in item 2 or 3
E1 National parks and nature reserves	1 Objectives of zone - To enable the management and appropriate use of land that is reserved under the National Parks and Wildlife Act 1974 or that is acquired under Part 11 of that Act. - To enable uses authorised under the National Parks and Wildlife Act 1974. - To identify land that is to be reserved under the National Parks and Wildlife Act 1974 and to protect the environmental significance of that land. 2 Permitted without consent Uses authorised under the National Parks and Wildlife Act 1974 3 Permitted with consent Nil 4 Prohibited Any development not specified in item 2 or 3	<i>Zone not included in Botany Bay LEP 2013.</i>	1 Objectives of zone - To enable the management and appropriate use of land that is reserved under the National Parks and Wildlife Act 1974 or that is acquired under Part 11 of that Act. - To enable uses authorised under the National Parks and Wildlife Act 1974. - To identify land that is to be reserved under the National Parks and Wildlife Act 1974 and to protect the environmental significance of that land. 2 Permitted without consent Uses authorised under the National Parks and Wildlife Act 1974 3 Permitted with consent Nil 4 Prohibited Any development not specified in item 2 or 3
W1 Natural Waterways	<i>Zone not included in Rockdale LEP 2011.</i>	<i>Zone not included in Botany Bay LEP 2013.</i>	1 Objectives of zone - To protect the ecological and scenic values of natural waterways. - To prevent development that would have an adverse effect on the natural values of waterways in this zone. - To provide for sustainable fishing industries and recreational fishing. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; Environmental facilities; Flood mitigation works 4 Prohibited Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3
W2 Recreational Waterways			1 Objectives of zone To protect the ecological, scenic and recreation values of recreational waterways.

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	<i>Zone not included in Rockdale LEP 2011.</i>	<i>Zone not included in Botany Bay LEP 2013.</i>	- To allow for water-based recreation and related uses. - To provide for sustainable fishing industries and recreational fishing. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture, Boat launching ramps; Boat building and repair facilities; Boat sheds, Building identification signs; Business identification signs; Environmental facilities, Flood mitigation works; Jetties, Kiosks; Marinas, Moorings, Water recreation structures 4 Prohibited Any other development not specified in item 2 or 3
W3 Working Waterways	<i>Zone not included in Rockdale LEP 2011.</i>	1 Objectives of zone - To enable the efficient movement and operation of commercial shipping, water-based transport and maritime industries. - To promote the equitable use of waterways, including appropriate recreational uses. - To minimise impacts on ecological values arising from the active use of waterways. - To provide for sustainable fishing industries. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Environmental facilities; Flood mitigation works; Port facilities; Water recreation structures; Wharf or boating facilities 4 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone To enable the efficient movement and operation of commercial shipping, water-based transport and maritime industries. - To promote the equitable use of waterways, including appropriate recreational uses. - To minimise impacts on ecological values arising from the active use of waterways. - To provide for sustainable fishing industries. 2 Permitted without consent Environmental protection works 3 Permitted with consent Aquaculture; Boat building and repair facilities; Boat sheds; Building identification signs; Business identification signs; Environmental facilities; Flood mitigation works; Port facilities; Water recreation structures; Wharf or boating facilities 4 Prohibited Any development not specified in item 2 or 3

PART 3 – EXEMPT & COMPLYING

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
3.1 Exempt development	Note. Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act. The section states that exempt development— (a) must be of minimal environmental impact, and (b) cannot be carried out in a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994, and (c) cannot be carried out in a wilderness area (identified under the Wilderness Act 1987). (1) The objective of this clause is to identify development of minimal environmental impact as exempt development. (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development. (3) To be exempt development, the development— (a) must meet the relevant deemed-to-satisfy provisions of the <i>Building Code of Australia</i> or, if there are no such relevant provisions, must be structurally adequate, and (b) must not, if it relates to an existing building, cause the building to contravene the <i>Building Code of Australia</i>, and (c) must not be designated development, and (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. (4) Development that relates to an existing building that is classified under the <i>Building Code of Australia</i> as class 1b or class 2–9 is exempt development only if— (a) the building has a current fire safety certificate or fire safety statement, or (b) no fire safety measures are currently implemented, required or proposed for the building. (5) To be exempt development, the development must— (a) be installed in accordance with the manufacturer’s specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval. Note. See State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and Part 5A of the Local Land Services Act 2013. (6) A heading to an item in Schedule 2 is part of that Schedule.	Note. Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act. The section states that exempt development— (a) must be of minimal environmental impact, and (b) cannot be carried out in a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994, and (c) cannot be carried out in a wilderness area (identified under the Wilderness Act 1987). (1) The objective of this clause is to identify development of minimal environmental impact as exempt development. (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development. (3) To be exempt development, the development— (a) must meet the relevant deemed-to-satisfy provisions of the <i>Building Code of Australia</i> or, if there are no such relevant provisions, must be structurally adequate, and (b) must not, if it relates to an existing building, cause the building to contravene the <i>Building Code of Australia</i>, and (c) must not be designated development, and (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. (4) Development that relates to an existing building that is classified under the <i>Building Code of Australia</i> as class 1b or class 2–9 is exempt development only if— (a) the building has a current fire safety certificate or fire safety statement, or (b) no fire safety measures are currently implemented, required or proposed for the building. (5) To be exempt development, the development must— (a) be installed in accordance with the manufacturer’s specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval. Note. See State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and Part 5A of the Local Land Services Act 2013. (6) A heading to an item in Schedule 2 is part of that Schedule.	Note. Under section 4.1 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act. The section states that exempt development - (a) must be of minimal environmental impact, and (b) cannot be carried out in a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994, and (c) cannot be carried out in a wilderness area (identified under the Wilderness Act 1987). (1) The objective of this clause is to identify development of minimal environmental impact as exempt development. (2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development. (3) To be exempt development, the development: (a) must meet the relevant deemed-to-satisfy provisions of the <i>Building Code of Australia</i> or, if there are no such relevant provisions, must be structurally adequate, and (b) must not, if it relates to an existing building, cause the building to contravene the <i>Building Code of Australia</i>, and (c) must not be designated development, and (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. (e) (Repealed) (4) Development that relates to an existing building that is classified under the <i>Building Code of Australia</i> as class 1b or class 2–9 is exempt development only if - (a) the building has a current fire safety certificate or fire safety statement, or (b) no fire safety measures are currently implemented, required or proposed for the building. (5) To be exempt development, the development must: (a) be installed in accordance with the manufacturer’s specifications, if applicable, and (b) not involve the removal, pruning or other clearing of vegetation that requires a permit, development consent or other approval unless it is undertaken in accordance with a permit, development consent or other approval. Note. See <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> and Part 5A of the <i>Local Land Services Act 2013</i>. (6) A heading to an item in Schedule 2 is part of that Schedule.
3.2 Complying development	(1) The objective of this clause is to identify development as complying development. (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with— (a) the development standards specified in relation to that development, and (b) the requirements of this Part,	(1) The objective of this clause is to identify development as complying development. (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with— (a) the development standards specified in relation to that development, and (b) the requirements of this Part,	(1) The objective of this clause is to identify development as complying development. (2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with - (a) the development standards specified in relation to that development, and (b) the requirements of this Part,

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	is complying development. Note. See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances. (3) To be complying development, the development must— (a) be permissible, with development consent, in the zone in which it is carried out, and (b) meet the relevant deemed-to-satisfy provisions of the <i>Building Code of Australia</i>, and (c) have an approval, if required by the Local Government Act 1993, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land. (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule. (5) A heading to an item in Schedule 3 is part of that Schedule.	is complying development. Note. See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances. (3) To be complying development, the development must— (a) be permissible, with development consent, in the zone in which it is carried out, and (b) meet the relevant deemed-to-satisfy provisions of the <i>Building Code of Australia</i>, and (c) have an approval, if required by the Local Government Act 1993, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land. (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule. (5) A heading to an item in Schedule 3 is part of that Schedule.	is complying development. Note. See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances. (3) To be complying development, the development must: (a) be permissible, with development consent, in the zone in which it is carried out, and (b) meet the relevant deemed-to-satisfy provisions of the <i>Building Code of Australia</i>, and (c) have an approval, if required by the <i>Local Government Act 1993</i>, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land. (4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule. (5) A heading to an item in Schedule 3 is part of that Schedule.
3.3 Environmentally sensitive areas excluded	(1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development. (2) For the purposes of this clause— <i>environmentally sensitive area for exempt or complying development</i> means any of the following— (a) the coastal waters of the State, (b) a coastal lake, (c) land within the coastal wetlands and littoral rainforests area (within the meaning of the Coastal Management Act 2016), (d) land reserved as an aquatic reserve under the Fisheries Management Act 1994 or as a marine park under the Marine Parks Act 1997, (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention, (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies, (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance, (h) land reserved under the National Parks and Wildlife Act 1974 or land acquired under Part 11 of that Act, (i) land reserved or dedicated under the Crown Lands Act 1989 for the preservation of flora, fauna, geological formations or for other environmental protection purposes, (j) land that is a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994.	(1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development. (2) For the purposes of this clause— <i>environmentally sensitive area for exempt or complying development</i> means any of the following— (a) the coastal waters of the State, (b) a coastal lake, (c) land within the coastal wetlands and littoral rainforests area (within the meaning of the Coastal Management Act 2016), (d) land reserved as an aquatic reserve under the Fisheries Management Act 1994 or as a marine park under the Marine Parks Act 1997, (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention, (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies, (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance, (h) land reserved under the National Parks and Wildlife Act 1974 or land acquired under Part 11 of that Act, (i) land reserved or dedicated under the Crown Lands Act 1989 for the preservation of flora, fauna, geological formations or for other environmental protection purposes, (j) land that is a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994.	(1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development. (2) For the purposes of this clause: <i>environmentally sensitive area for exempt or complying development</i> means any of the following: (a) the coastal waters of the State, (b) a coastal lake, (c) land within the coastal wetlands and littoral rainforests area (within the meaning of the Coastal Management Act 2016), (d) land reserved as an aquatic reserve under the Fisheries Management Act 1994 or as a marine park under the Marine Parks Act 1997, (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention, (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies, (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance, (h) land reserved under the National Parks and Wildlife Act 1974 or land acquired under Part 11 of that Act, (i) land reserved or dedicated under the Crown Lands Act 1989 for the preservation of flora, fauna, geological formations or for other environmental protection purposes, (j) land that is a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016 or declared critical habitat under Part 7A of the Fisheries Management Act 1994.

PART 4 – PRINCIPAL DEVELOPMENT STANDARDS

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
4.1 Minimum subdivision lot size	(1) The objectives of this clause are as follows— (a) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area,	[Not adopted]	(1) The objectives of this clause are as follows— (a) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area,

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	(b) to minimise any likely impact of subdivision, and development on subdivided land, on the amenity of neighbouring properties, (c) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls. (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan. (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (3A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size for the purposes of subclause (3). (3B) Despite subclause (3), development consent may be granted to the subdivision of a lot on which there is an existing dual occupancy, or on which a dual occupancy is proposed, if— (a) the area of each lot resulting from the subdivision is equal to or greater than 350 square metres, and (b) each of the lots will have one of the dwellings on it. (4) This clause does not apply in relation to the subdivision of any land— (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or (b) by any kind of subdivision under the Community Land Development Act 1989. (4A) This clause does not apply to the subdivision of land in Zone R2 Low Density Residential on which the erection of an attached dwelling or a semi-detached dwelling is proposed.		(b) to minimise any likely impact of subdivision, and development on subdivided land, on the amenity of neighbouring properties, (c) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls. (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan. (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. (3A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size for the purposes of subclause (3). (a) the area of each lot resulting from the subdivision is equal to or greater than 350 square metres, and (b) each of the lots will have one of the dwellings on it. (4) This clause does not apply in relation to the subdivision of any land— (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or (b) by any kind of subdivision under the Community Land Development Act 1989. (3B) Despite subclause (3), development consent may be granted to the subdivision of a lot on which there is an existing dual occupancy, or on which a dual occupancy is proposed on any land identified on the Lot Size Map, if- (a) the area of each lot resulting from the subdivision is equal to or greater than 350 square metres, and (b) each of the lots will have one of the dwellings on it. (4A) This clause does not apply to the subdivision of land in Zone R2 Low Density Residential on which the erection of an attached dwelling or a semi-detached dwelling is proposed.
4.2 Rural Subdivision [compulsory if clause 4.1 adopted and land to which Plan applies includes land zoned RU1, RU2, RU3, RU4 or RU6]	(1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone. (2) This clause applies to the following rural zones— (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (baa) Zone RU3 Forestry, (c) Zone RU4 Primary Production Small Lots, (d) Zone RU6 Transition. Note. When this Plan was made it did not include Zone RU1 Primary Production, Zone RU2 Rural Landscape or Zone RU6 Transition. (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land. (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot. (5) A dwelling cannot be erected on such a lot. Note. A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).	[Not adopted]	(1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone. (2) This clause applies to the following rural zones: (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (baa) Zone RU3 Forestry, (c) Zone RU4 Primary Production Small Lots, (d) Zone RU6 Transition. Note. When this Plan was made it did not include Zone RU1 Primary Production, Zone RU2 Rural Landscape or Zone RU6 Transition. (3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land. (4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot. (5) A dwelling cannot be erected on such a lot. Note. A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
4.2A Minimum lot size for attached and semi-detached dwellings in Zone R2	(1) The objective of this clause is to ensure that the size of lots for attached dwellings or semi-detached dwellings on land in Zone R2 Low Density Residential is consistent with the zoning objective of providing for the housing needs of the community within a low density residential environment. (2) Development consent must not be granted to the erection of an attached dwelling or a semi-detached dwelling on a lot comprising land in Zone R2 Low Density Residential unless the area of the lot is at least 350 square metres. (3) A reference in this clause to a lot does not include a reference to any lot comprising common property (within the meaning of the Strata Schemes (Freehold Development) Act 1973) or association property (within the meaning of the Community Land Development Act 1989).	<i>Clause not included in Botany Bay LEP 2013.</i>	<i>Clause not included in Bayside LEP.</i>
4.3 Height of buildings	(1) The objectives of this clause are as follows— (a) to establish the maximum limit within which buildings can be designed and floor space can be achieved, (b) to permit building heights that encourage high quality urban form, (c) to provide building heights that maintain satisfactory sky exposure and daylight to buildings, key areas and the public domain, (d) to nominate heights that will provide an appropriate transition in built form and land use intensity. (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. (2A) Despite subclause (2), the height of a building may exceed the maximum height shown for the land on the Height of Buildings Map by an additional— (a) 12 metres—if the building is in Area A identified on the Height of Buildings Map and on a lot having an area of at least 1,500 square metres, (b) 6 metres—if the building is in Area B identified on the Height of Buildings Map and on a lot having an area of at least 2,000 square metres, (c) 6 metres—if the building is in Area C identified on the Height of Buildings Map and on a lot having an area of at least 1,200 square metres, (d) 15 metres—if the building is in Area D identified on the Height of Buildings Map and on a lot having an area of at least 1,000 square metres, (e) 3 metres—if the building is in Area E identified on the Height of Buildings Map and on a lot having an area of at least 600 square metres, (f) 9 metres—if the building is in Area G identified on the Height of Buildings Map and on a lot having an area of at least 1,000 square metres, (g) 12 metres—if the building is in Area H identified on the Height of Buildings Map and on a lot having an area of at least 2,000 square metres, (h) 3 metres—if the building is in Area I identified on the Height of Buildings Map and on a lot having an area of at least 1,000 square metres,	(1) The objectives of this clause are as follows— (a) to ensure that the built form of Botany Bay develops in a coordinated and cohesive manner, (b) to ensure that taller buildings are appropriately located, (c) to ensure that building height is consistent with the desired future character of an area, (d) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development, (e) to ensure that buildings do not adversely affect the streetscape, skyline or landscape when viewed from adjoining roads and other public places such as parks, and community facilities. (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. (2A) Despite subclause (2), if an area of land in Zone R3 Medium Density Residential or Zone R4 High Density Residential exceeds 2,000 square metres, the height of a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map but must not exceed 22 metres. (2B) Subclause (2A) does not apply to land identified as “Area 1” on the Height of Buildings Map. (2C) Despite subclause (2), if an area of land identified as “Area 2” on the Height of Buildings Map has a site area exceeding 1,900 square metres, the maximum height for a building on that land may exceed the maximum height shown for the land on the Height of Buildings Map by no more than 2 metres.	(1) The objectives of this clause are as follows: (a) to permit building heights that encourage high quality urban form, (b) to ensure that building height is consistent with the desired future character of an area, (c) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development, (d) to nominate heights that will provide an appropriate transition in built form and land use intensity. (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. (3) Despite subclause (2), the height of a building may exceed the maximum height shown for the land on the Height of Buildings Map by an additional: (a) 12 metres—if the building is in Area 1 identified on the Height of Buildings Map and on a lot having an area of at least 1,500 square metres, (b) 6 metres—if the building is in Area 2 identified on the Height of Buildings Map and on a lot having an area of at least 2,000 square metres, (c) 6 metres—if the building is in Area 3 identified on the Height of Buildings Map and on a lot having an area of at least 1,200 square metres, (d) 15 metres—if the building is in Area 4 identified on the Height of Buildings Map and on a lot having an area of at least 1,000 square metres, (e) 3 metres—if the building is in Area 5 identified on the Height of Buildings Map and on a lot having an area of at least 600 square metres, (f) 9 metres—if the building is in Area 6 identified on the Height of Buildings Map and on a lot having an area of at least 1,000 square metres, (g) 12 metres—if the building is in Area 7 identified on the Height of Buildings Map and on a lot having an area of at least 2,000 square metres, (h) 3 metres—if the building is in Area 8 identified on the Height of Buildings Map and on a lot having an area of at least 1,000 square metres, (i) 9 metres—if the building is in Area 9 identified on the Height of Buildings Map and on a lot having an area of at least 2,000 square metres,

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	(i) 9 metres—if the building is in Area J identified on the Height of Buildings Map and on a lot having an area of at least 2,000 square metres, (j) 3 metres—if the building is in Area L identified on the Height of Buildings Map and on a lot having an area of at least 800 square metres, (k) 25.15 metres—if the building is in Area M identified on the Height of Buildings Map and on a lot having an area of at least 9,000 square metres. (2B) Despite subclause (2), the maximum height of a building that is in Area K identified on the Height of Buildings Map and that is used only for the purpose of seniors housing is— (a) 14.5 metres—if the building is within 38 metres of Harrow Road, and (b) 9.5 metres—if the building is not within 38 metres of Harrow Road.		(j) 3 metres—if the building is in Area 10 identified on the Height of Buildings Map and on a lot having an area of at least 800 square metres, (k) 25.15 metres—if the building is in Area 11 identified on the Height of Buildings Map and on a lot having an area of at least 9,000 square metres. (l) 2 metres – if the building in Area 12 identified on the Height of Buildings Map and on a lot having an area of at least 1,900 square metres (4) Despite subclause (2), the maximum height of a building that is in Area 13 identified on the Height of Buildings Map and that is used only for the purpose of seniors housing is: (a) 14.5 metres—if the building is within 38 metres of Harrow Road, and (b) 9.5 metres—if the building is not within 38 metres of Harrow Road. (5) Despite subclause (2), the maximum height of a building that is in Area 14 identified on the Height of Buildings Map is 22m if: (a) the building is used for the purposes of multi dwelling housing or residential flat buildings; and (b) the site area is equal or greater to 2,000 square metres. (6) Despite subclause (2), the height of a building that is in Area 15 identified on the Height of Buildings Map may exceed the maximum height shown for the land on the Height of Buildings Map, but must not exceeds the building height plane for that land. In this clause: building height plane means a continuous plane commencing at a height of 1.5 metres above ground level (existing) and at a distance of 13.6 metres south of the southern boundary of Lot 22, DP 620329 (Point A), projecting to a position at a height of 11.7 metres above ground level (existing) and at a distance of 31.6 metres north of Point A, and continuing at that projection over the land to which this clause applies. (7) Clause 5.6 ‘Architectural Roof Features’ does not apply to a building on land to which subclause (6) applies.
4.3A Exception to height of buildings	(1) This clause applies to land at 152–206 Rocky Point Road, Kogarah, being Lot 22, DP 620329, Lot 2, DP 838198, Lot 1, DP 599502, Lot 1, DP 1144981, Lot 1, DP 666138 and Lot 2, DP 405531. (2) Despite clause 4.3, the height of a building on land to which this clause applies may exceed the maximum height shown for the land on the Height of Buildings Map, but must not exceed the building height plane for that land. (3) Clause 5.6 does not apply to a building on land to which this clause applies. (4) In this clause— building height plane means a continuous plane commencing at a height of 1.5 metres above ground level (existing) and at a distance of 13.6 metres south of the southern boundary of Lot 22, DP 620329 (Point A), projecting to a position at a height of 11.7 metres above ground level (existing) and at a distance of 31.6 metres north of Point A, and continuing at that projection over the land to which this clause applies.	<i>Clause not included in Botany Bay LEP 2013.</i>	<i>Clause not included in Bayside LEP.</i>
4.4 Floor space ratio	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows:

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	(a) to establish the maximum development density and intensity of land use, accounting for the availability of infrastructure and generation of vehicular and pedestrian traffic, in order to achieve the desired future character of Rockdale, (b) to minimise adverse environmental effects on the use or enjoyment of adjoining properties, (c) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing or likely to undergo a substantial transformation. (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. (2A) The floor space ratio for a building on land that is in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential and that has an area of less than 460 square metres is not to exceed 0.55:1. (2B) Without limiting subclause (2), the ratio of the gross floor area of all buildings (or parts of buildings) that are residential accommodation to the site area is not to exceed— (a) (Repealed) (b) 2.25:1 if the site is at 213 Princes Highway and 4 Wardell Street, Arncliffe. (2C) Despite subclause (2), the floor space ratio for a building may exceed the maximum floor space ratio allowed under that subclause by up to— (a) 1:1—if the building is in Area A identified on the Floor Space Ratio Map and on a lot having an area of at least 1,500 square metres, (b) 1:1—if the building is in Area B identified on the Floor Space Ratio Map and on a lot having an area of at least 2,000 square metres, (c) 0.5:1—if the building is in Area C identified on the Floor Space Ratio Map and on a lot having an area of at least 1,200 square metres, (d) 2:1—if the building is in Area D identified on the Floor Space Ratio Map and on a lot having an area of at least 1,000 square metres, (e) 0.5:1—if the building is in Area F identified on the Floor Space Ratio Map and on a lot having an area of at least 600 square metres, (f) 0.7:1—if the building is in Area G identified on the Floor Space Ratio Map and on a lot having an area of at least 600 square metres and contains one or more pedestrian arcades, (g) 0.5:1—if the building is in Area I identified on the Floor Space Ratio Map and on a lot having an area of at least 800 square metres. (2D) Despite subclause (2), the maximum floor space ratio for a building on land identified as “Area E” on the Floor Space Ratio Map is 5:1. However, the ratio of the gross floor area of all buildings, other than commercial premises, to the site area must not exceed 3:1. Note. Floor space ratios are determined cumulatively by calculating the gross floor area of all buildings on the site concerned (clause 4.5 (2)). (2E) Despite subclause (2), the maximum floor space ratio for a building on land identified as Area H on the Floor Space Ratio Map is, if the building is used only for the purpose of seniors housing, 1.25:1.	(a) to establish standards for the maximum development density and intensity of land use, (b) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality, (c) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing, and are not likely to undergo, a substantial transformation, (d) to ensure that buildings do not adversely affect the streetscape, skyline or landscape when viewed from adjoining roads and other public places such as parks, and community facilities, (e) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain, (f) to provide an appropriate correlation between the size of a site and the extent of any development on that site, (g) to facilitate development that contributes to the economic growth of Botany Bay. (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. (2A) Despite subclause (2), if an area of land in Zone R3 Medium Density Residential or Zone R4 High Density Residential exceeds 2,000 square metres, the floor space ratio of a building on that land may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map but must not exceed 1.5:1. (2B) Subclause (2A) does not apply to land identified as “Area 1” on the Floor Space Ratio Map. (2C) Despite subclause (2), if an area of land identified as “Area 2” on the Floor Space Ratio Map has a site area exceeding 1,900 square metres, the maximum floor space ratio for a building on that land may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map by no more than 0.65:1. (2D) Despite subclause (2), if a building is permissible under clause 9A of Schedule 1 on land identified as “Area 4” on the Floor Space Ratio Map, the maximum floor space ratio for the building must not exceed 1.5:1.	(a) to establish standards for the maximum development density and intensity of land use, (b) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality, (c) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain, (d) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing or likely to undergo a substantial transformation. (e) to ensure that buildings do not adversely affect the streetscape, skyline or landscape when viewed from adjoining roads and other public places such as parks, and community facilities. (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. (3) Despite subclause (2), if an area of land identified as “Area 1” on the Floor Space Ratio Map has a site area exceeding 1,900 square metres, the maximum floor space ratio for a building on that land may exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map by no more than 0.65:1. (4) Despite subclause (2), if a building is permissible under clause 10 of Schedule 1 on land identified as “Area 3” on the Floor Space Ratio Map, the maximum floor space ratio for the building must not exceed 1.5:1. (5) Despite subclause (2), the floor space ratio for a building may exceed the maximum floor space ratio allowed under that subclause by up to— (a) 1:1—if the building is in Area 5 identified on the Floor Space Ratio Map and on a lot having an area of at least 1,500 square metres, (b) 1:1—if the building is in Area 6 identified on the Floor Space Ratio Map and on a lot having an area of at least 2,000 square metres, (c) 0.5:1—if the building is in Area 7 identified on the Floor Space Ratio Map and on a lot having an area of at least 1,200 square metres, (d) 2:1—if the building is in Area 8 identified on the Floor Space Ratio Map and on a lot having an area of at least 1,000 square metres, (e) 0.5:1—if the building is in Area 10 identified on the Floor Space Ratio Map and on a lot having an area of at least 600 square metres, (f) 0.7:1—if the building is in Area 11 identified on the Floor Space Ratio Map and on a lot having an area of at least 600 square metres and contains one or more pedestrian arcades, (g) 0.5:1—if the building is in Area 13 identified on the Floor Space Ratio Map and on a lot having an area of at least 800 square metres. (6) Despite subclause (2), the floor space ratio of all buildings (or parts of buildings) that are residential accommodation on land identified as ‘Area 14’ on the Floor Space Ratio Map is not to exceed 2.25:1. (7) The floor space ratio for a building on land that is in Zone R2 Low Density Residential, R3 Medium Density Residential or R4 High Density Residential in “Area 15” on the Floor Space Ratio Map, and that land has an area of less than 460 square metres, is not to exceed 0.55:1. (8) Despite subclause (2), the maximum floor space ratio for a building on land identified as Area 9 on the Floor Space Ratio Map is 5:1. However, the ratio of the gross floor area of all buildings, other than commercial premises, to the site area must not exceed 3:1. Note. Floor space ratios are determined cumulatively by calculating the gross floor area of all buildings on the site concerned (clause 4.5 (2)).

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP														
			(9) Despite subclause (2), the maximum floor space ratio for a building on land identified as Area 12 on the Floor Space Ratio Map is, if the building is used only for the purpose of seniors housing, 1.25:1. (10) Despite subclause (2), development consent may be granted to development for the purposes of multi dwelling housing and residential flat buildings on land identified as Area 4 on the Floor Space Ratio Map that results in a floor space ratio that does not exceed 1.65:1 if the site area is equal to or greater than 2,000 square metres. (11) Despite clause 4.4 (2), development for the purposes of a dwelling house, semidetached dwellings, attached dwellings and dual occupancies on land in ‘Area 2’ identified on the Floor Space Ratio Map on land with a site area noted in column 1 below, is not to exceed the floor space ratio specified in Column 2 below for land with that site area: <table><tr><th>Site Area</th><th>Maximum Floor Space Ratio</th></tr><tr><td>< 200 sqm</td><td>0.80:1</td></tr><tr><td>200-250 sqm</td><td>0.75:1</td></tr><tr><td>251-300 sqm</td><td>0.70:1</td></tr><tr><td>301-350 sqm</td><td>0.65:1</td></tr><tr><td>351-449 sqm</td><td>0.60:1</td></tr><tr><td>> 450sqm</td><td>0.55:1</td></tr></table>	Site Area	Maximum Floor Space Ratio	< 200 sqm	0.80:1	200-250 sqm	0.75:1	251-300 sqm	0.70:1	301-350 sqm	0.65:1	351-449 sqm	0.60:1	> 450sqm	0.55:1
Site Area	Maximum Floor Space Ratio																
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251-300 sqm	0.70:1																
301-350 sqm	0.65:1																
351-449 sqm	0.60:1																
> 450sqm	0.55:1																
4.4A Exceptions to floor space ratio for residential accommodation	<i>Clause not included in Rockdale LEP 2011.</i>	(1) The objectives of this clause are as follows— (a) to ensure that the bulk and scale of development is compatible with the character of the locality, (b) to promote good residential amenity. (2) This clause applies to land identified as “Area 3” on the Floor Space Ratio Map. (3) Despite clause 4.4 (2), the following provisions relate to floor space ratios on land to which this clause applies— (a) the maximum floor space ratio for a dwelling house is not to exceed the floor space ratio applicable to the site area of the land on which the dwelling house is situated—	Proposed to be included as part of Clause 4.4 (above), as subclause (10). As a result of the proposed inclusion in Clause 4.4, this standalone clause will no longer be required.														

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		Site Area <200 square metres 0.85:1 200–250 square metres 0.80:1 251–300 square metres 0.75:1 301–350 square metres 0.70:1 351–400 square metres 0.65:1 401–450 square metres 0.60:1 >450 square metres 0.55:1 (b) the maximum floor space ratio for multi dwelling housing is not to exceed 0.8:1, (c) the maximum floor space ratio for a residential flat building is not to exceed 1:1, (d) the maximum floor space ratio for all other development for the purpose of residential accommodation is 0.5:1.	
4.4B Exceptions to floor space ratio in Zone R3 and Zone R4	<i>Clause not included in Rockdale LEP 2011.</i>	(1) The objective of this clause is to encourage the development of larger sites (former industrial sites) to facilitate better built form and urban design. (2) This clause applies to land in Zone R3 Medium Density Residential and Zone R4 High Density Residential. (3) Despite clause 4.4, development consent may be granted to development for the purposes of multi dwelling housing and residential flat buildings on land to which this clause applies that results in a floor space ratio that does not exceed 1.65:1 if— (a) the site area is equal to or greater than 2,000 square metres, and (b) the site area is land identified on the Acid Sulfate Soils Map, and (c) the consent authority considers that the development is, or is likely to be, adversely affected by any of the following— (i) contamination, (ii) noise (including aircraft, rail or road noise), and (d) the consent authority is satisfied that— (i) the development will be compatible with the desired future character in terms of building bulk and scale, and (ii) the development will contribute to the amenity of the surrounding locality, and (iii) any consolidation of lots for the purposes of this clause is not likely to result in adjoining lots that cannot be developed in accordance with this Plan.	Proposed to be modified and included as part of Clause 4.3 and 4.4 (above) this standalone clause will no longer be required.
4.4C Consent to development in Zone R3 and Zone R4	<i>Clause not included in Rockdale LEP 2011.</i>	Development consent must not be granted to development on land in Zone R3 Medium Density Residential or Zone R4 High Density Residential unless the consent authority is satisfied that the development will— (a) achieve acceptable amenity outcomes (including in terms of overlooking, overshadowing and comparative streetscape elevation) in relation to adjoining land, and (b) provide appropriate building setback, and	<i>Clause not included in Bayside LEP.</i>

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		(c) provide a transition in building scale to development on adjoining land, and (d) be compatible with the character of the area in terms of building bulk and scale, and (e) not impede the fulfilment of an objective of clause 4.3 or 4.4B. Note. Because clauses 4.3 (2A), 4.4 (2A) and 4.4B also apply only to land in Zone R3 Medium Density Residential and Zone R4 High Density Residential, this clause applies to development on land to which those clauses apply.	
4.5 Calculation of floor space ratio and site area	(1) Objectives The objectives of this clause are as follows— (a) to define <i>floor space ratio</i>, (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to— (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and (iii) require community land and public places to be dealt with separately. (2) Definition of “floor space ratio” The <i>floor space ratio</i> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. (3) Site area In determining the site area of proposed development for the purpose of applying a floor space ratio, the <i>site area</i> is taken to be— (a) if the proposed development is to be carried out on only one lot, the area of that lot, or (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out. In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development. (4) Exclusions from site area The following land must be excluded from the site area— (a) land on which the proposed development is prohibited, whether under this Plan or any other law, (b) community land or a public place (except as provided by subclause (7)). (5) Strata subdivisions The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation. (6) Only significant development to be included The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot. (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed	(1) Objectives The objectives of this clause are as follows— (a) to define <i>floor space ratio</i>, (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to— (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and (iii) require community land and public places to be dealt with separately. (2) Definition of “floor space ratio” The <i>floor space ratio</i> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. (3) Site area In determining the site area of proposed development for the purpose of applying a floor space ratio, the <i>site area</i> is taken to be— (a) if the proposed development is to be carried out on only one lot, the area of that lot, or (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out. In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development. (4) Exclusions from site area The following land must be excluded from the site area— (a) land on which the proposed development is prohibited, whether under this Plan or any other law, (b) community land or a public place (except as provided by subclause (7)). (5) Strata subdivisions The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation. (6) Only significant development to be included The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot. (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.	(1) Objectives The objectives of this clause are as follows- (a) to define floor space ratio, (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to: (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and (iii) require community land and public places to be dealt with separately. (2) Definition of “floor space ratio” The <i>floor space ratio</i> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area. (3) Site area In determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be: (a) if the proposed development is to be carried out on only one lot, the area of that lot, or (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out. In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development. (4) Exclusions from site area The following land must be excluded from the site area: (a) land on which the proposed development is prohibited, whether under this Plan or any other law, (b) community land or a public place (except as provided by subclause (7)). (5) Strata subdivisions The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation. (6) Only significant development to be included The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot. (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	development, and may not include any other area on which the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings. (9) Covenants to prevent “double dipping” When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot. (10) Covenants affect consolidated sites If— (a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land. (11) Definition In this clause, <i>public place</i> has the same meaning as it has in the Local Government Act 1993.	(8) Existing buildings The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings. (9) Covenants to prevent “double dipping” When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot. (10) Covenants affect consolidated sites If— (a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land. (11) Definition In this clause, <i>public place</i> has the same meaning as it has in the Local Government Act 1993.	community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings. (9) Covenants to prevent “double dipping” When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot. (10) Covenants affect consolidated sites If: (a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land. (11) Definition In this clause, <i>public place</i> has the same meaning as it has in the Local Government Act 1993.
4.6 Exceptions to development standards	(1) The objectives of this clause are as follows— (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances. (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause. (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating— (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard. (4) Development consent must not be granted for development that contravenes a development standard unless— (a) the consent authority is satisfied that— (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular	(1) The objectives of this clause are as follows— (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances. (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause. (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating— (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard. (4) Development consent must not be granted for development that contravenes a development standard unless— (a) the consent authority is satisfied that— (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the development is proposed to be carried out, and	(1) The objectives of this clause are as follows: (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances. (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause. (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating: (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard. (4) Development consent must not be granted for development that contravenes a development standard unless: (a) the consent authority is satisfied that: (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and (ii) the proposed development will be in the public interest because it is consistent with the objectives of the

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	standard and the objectives for development within the zone in which the development is proposed to be carried out, and (b) the concurrence of the Secretary has been obtained. (5) In deciding whether to grant concurrence, the Secretary must consider— (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and (b) the public benefit of maintaining the development standard, and (c) any other matters required to be taken into consideration by the Secretary before granting concurrence. (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if— (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard. Note. When this Plan was made it did not include Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU6 Transition, R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living. (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant’s written request referred to in subclause (3). (8) This clause does not allow development consent to be granted for development that would contravene any of the following— (a) a development standard for complying development, (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated, (c) clause 5.4, (ca) clause 4.3 (2A), 4.4 (2A), (2B), (2C) or (2D), unless it is for a demonstrable public benefit, such as the provision of pedestrian links, (cb) clause 4.3A, (cc) clause 7.1 or 7.2.	(b) the concurrence of the Secretary has been obtained. 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PART 5 - MISCELLANEOUS PROVISIONS

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
5.1 Relevant acquisition authority	(1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the Land	(1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be	5.1 Relevant acquisition authority (1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be

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	<i>Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions)</i>. Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> requires the authority to acquire the land. (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the <i>Land Reservation Acquisition Map</i> (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).	acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions)</i>. Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> requires the authority to acquire the land. (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the <i>Land Reservation Acquisition Map</i> (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).	acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions)</i>. Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> requires the authority to acquire the land. (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).																																																																						
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When this Plan was made it did not include Zone E1 National Parks and Nature Reserves. (3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.	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5.1A Development on land intended to be acquired for public purposes	(1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose. (2) This clause applies to land shown on the Land Reservation Acquisition Map and specified in Column 1 of the Table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1. (3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that Table. <table><tr><th>Column 1 Land</th><th>Column 2 Development</th></tr><tr><td>Zone R2 Low Density Residential and marked “Car parks”</td><td>Car parks</td></tr><tr><td>Zone R2 Low Density Residential and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone R3 Medium Density Residential and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone R4 High Density Residential and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone B2 Local Centre and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone B4 Mixed Use and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone B4 Mixed Use and marked “Car parks”</td><td>Car parks; Roads</td></tr><tr><td>Zone SP2 Infrastructure and marked “Classified road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone RE1 Public Recreation and marked “Local open space” or “Regional open space”</td><td>Recreation areas</td></tr></table>	Column 1 Land	Column 2 Development	Zone R2 Low Density Residential and marked “Car parks”	Car parks	Zone R2 Low Density Residential and marked “Local road” or “Local road widening”	Roads	Zone R3 Medium Density Residential and marked “Local road” or “Local road widening”	Roads	Zone R4 High Density Residential and marked “Local road” or “Local road widening”	Roads	Zone B2 Local Centre and marked “Local road” or “Local road widening”	Roads	Zone B4 Mixed Use and marked “Local road” or “Local road widening”	Roads	Zone B4 Mixed Use and marked “Car parks”	Car parks; Roads	Zone SP2 Infrastructure and marked “Classified road” or “Local road widening”	Roads	Zone RE1 Public Recreation and marked “Local open space” or “Regional open space”	Recreation areas	<i>Clause not included in Botany Bay LEP 2013.</i>	(1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose. (2) This clause applies to land shown on the Land Reservation Acquisition Map and specified in Column 1 of the Table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1. (3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that Table. <table><tr><th>Column 1 Land</th><th>Column 2 Development</th></tr><tr><td>Zone R2 Low Density Residential and marked “Car parks”</td><td>Car parks</td></tr><tr><td>Zone R2 Low Density Residential and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone R3 Medium Density Residential and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone R4 High Density Residential and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone B2 Local Centre and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone B4 Mixed Use and marked “Local road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone B4 Mixed Use and marked “Car parks”</td><td>Car Parks, Roads</td></tr><tr><td>Zone SP2 Infrastructure and marked “Classified road” or “Local road widening”</td><td>Roads</td></tr><tr><td>Zone RE1 Public Recreation and marked “Local open space” or “Regional open space”</td><td>Recreation areas</td></tr></table>	Column 1 Land	Column 2 Development	Zone R2 Low Density Residential and marked “Car parks”	Car parks	Zone R2 Low Density Residential and marked “Local road” or “Local road widening”	Roads	Zone R3 Medium Density Residential and marked “Local road” or “Local road widening”	Roads	Zone R4 High Density Residential and marked “Local road” or “Local road widening”	Roads	Zone B2 Local Centre and marked “Local road” or “Local road widening”	Roads	Zone B4 Mixed Use and marked “Local road” or “Local road widening”	Roads	Zone B4 Mixed Use and marked “Car parks”	Car Parks, Roads	Zone SP2 Infrastructure and marked “Classified road” or “Local road widening”	Roads	Zone RE1 Public Recreation and marked “Local open space” or “Regional open space”	Recreation areas
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5.2 Classification and	(1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the Local Government Act 1993.	(1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the Local Government Act 1993.	(1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the <i>Local Government Act 1993</i>.																																								

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
reclassification of public land	Note. Under the Local Government Act 1993, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land. (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993. (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993. (4) The public land described in Part 1 of Schedule 4— - does not cease to be a public reserve to the extent (if any) that it is a public reserve, and - continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land. (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except— - those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and - any reservations that except land out of the Crown grant relating to the land, and - reservations of minerals (within the meaning of the Crown Lands Act 1989). Note. In accordance with section 30 (2) of the Local Government Act 1993, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.	Note. Under the Local Government Act 1993, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land. (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993. (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993. (4) The public land described in Part 1 of Schedule 4— - does not cease to be a public reserve to the extent (if any) that it is a public reserve, and - continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land. (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except— - those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and - any reservations that except land out of the Crown grant relating to the land, and - reservations of minerals (within the meaning of the Crown Lands Act 1989). Note. In accordance with section 30 (2) of the Local Government Act 1993, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.	Note. Under the Local Government Act 1993, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land. (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993. (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993. (4) The public land described in Part 1 of Schedule 4: - does not cease to be a public reserve to the extent (if any) that it is a public reserve, and - continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land. (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except: - those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and - any reservations that except land out of the Crown grant relating to the land, and - reservations of minerals (within the meaning of the Crown Lands Act 1989). Note. In accordance with section 30 (2) of the Local Government Act 1993, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4.
5.3 Development near zone boundaries	[Not adopted]	(1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone. (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 25 metres. (3) This clause does not apply to— - land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or - land within the coastal zone, or - land proposed to be developed for the purpose of sex services or restricted premises. Note. When this Plan was made it did not include Zone E1 National Parks and Nature Reserves or Zone E3 Environmental Management. (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to	<i>Clause not included in Bayside LEP.</i>

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		development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that— (a) the development is not inconsistent with the objectives for development in both zones, and (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land. (5) This clause does not prescribe a development standard that may be varied under this Plan.	
5.4 Controls relating to miscellaneous permissible uses	(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the <i>Building Code of Australia</i>. (2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 60 square metres of floor area. (3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 60 square metres of floor area. (4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed— (a) 30% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser. (5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms. (6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 15 square metres. (7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 80 square metres. (7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres. (8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 8 square metres. (9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater— (a) 60 square metres, (b) 43% of the total floor area of the principal dwelling. (10) Artisan food and drink industry exclusion If development for the purposes of an artisan food and drink industry is permitted under	(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the <i>Building Code of Australia</i>. (2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area. (3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area. (4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed— (a) 10% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser. (5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms. (6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 30 square metres. (7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 square metres. (7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres. (8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 8 square metres. (9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater— (a) 60 square metres, (b) 20% of the total floor area of the principal dwelling. (10) Artisan food and drink industry exclusion If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed—	1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the <i>Building Code of Australia</i>. (2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 60 square metres of floor area. (3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 60 square metres of floor area. (4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 30% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser. (5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms. (6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 30 square metres. (7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 square metres. (7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres. (8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 8 square metres. (9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater: (a) 60 square metres, (b) 20% of the total floor area of the principal dwelling. (10) Artisan food and drink industry exclusion If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed: (a) 30% of the gross floor area of the industry, or (b) 400 square metres,

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed— (a) 30% of the gross floor area of the industry, or (b) 400 square metres, whichever is the lesser.	(a) 10% of the gross floor area of the industry, or (b) 400 square metres, whichever is the lesser.	whichever is the lesser.
5.5 Repealed			
5.6 Architectural roof features	(1) The objectives of this clause are as follows— (a) to permit variations to maximum building height standards for roof features of visual interest, (b) to ensure that roof features are decorative elements and that the majority of the roof is contained within the maximum building height standard. (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent. (3) Development consent must not be granted to any such development unless the consent authority is satisfied that— (a) the architectural roof feature— (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.	(1) The objectives of this clause are as follows— (a) to ensure that architectural roof features to which this clause applies are decorative elements only and that the majority of the roof is contained within the maximum building height standard. (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent. (3) Development consent must not be granted to any such development unless the consent authority is satisfied that— (a) the architectural roof feature— (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.	(1) The objectives of this clause are as follows: (a) To allow minor architectural roof features to exceed height limits (b) To ensure that any architectural roof feature does not cause an adverse visual impact or adversely affect the amenity of neighbouring premises (c) To encourage integration of the design of the roof into the overall façade, building composition and desired contextual response, and (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent. (3) Development consent must not be granted to any such development unless the consent authority is satisfied that: (a) the architectural roof feature: (i) comprises a decorative element on the uppermost portion of a building, and (ii) is not an advertising structure, and (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and (iv) will cause minimal overshadowing, and (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.
5.7 Development below mean high water mark	(1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).	(1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).	(1) The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. (2) Development consent is required to carry out development on any land below the mean high water mark of any body of water subject to tidal influence (including the bed of any such water).
5.8 Conversion of fire alarms	(1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. (2) The following development may be carried out, but only with development consent— (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider, (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider, (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider. (3) Development to which subclause (2) applies is complying development if it consists only of— (a) internal alterations to a building, or	(1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. (2) The following development may be carried out, but only with development consent— (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider, (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider, (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider. (3) Development to which subclause (2) applies is complying development if it consists only of— (a) internal alterations to a building, or	(1) This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. (2) The following development may be carried out, but only with development consent- (a) converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider, (b) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider, (c) converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider. (3) Development to which subclause (2) applies is complying development if it consists only of- (a) internal alterations to a building, or

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	(b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm. (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday. (5) In this clause— private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.	(b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm. (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday. (5) In this clause— private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.	(b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm. (4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday. (5) In this clause: private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.
5.9 Repealed			
5.10 Heritage conservation	Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5. (1) Objectives The objectives of this clause are as follows— (a) to conserve the environmental heritage of Rockdale; (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. (2) Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land— (i) on which a heritage item is located or that is within a heritage conservation area, or	Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5. (1) Objectives The objectives of this clause are as follows— (a) to conserve the environmental heritage of Botany Bay, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. (2) Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.	Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the <i>Heritage Map</i> as well as being described in Schedule 5. The location and nature of Aboriginal objects and Aboriginal places of heritage significance may be described in Schedule 5 and shown on the <i>Heritage Map</i> (see the direction to Schedule 5). (1) Objectives The objectives of this clause are as follows: (a) to conserve the environmental heritage of Bayside, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. (2) Requirement for consent Development consent is required for any of the following: (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance): (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

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	(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance. (3) When consent not required However, development consent under this clause is not required if— (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development— (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development— (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or (d) the development is exempt development. (4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6). (5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned. (6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause. (7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register	(3) When consent not required However, development consent under this clause is not required if— (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development— (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development— (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or (d) the development is exempt development. (4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6). (5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned. (6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause. (7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)— (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	(f) subdividing land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance. (3) When consent not required However, development consent under this clause is not required if: (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development- (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development- (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or (d) the development is exempt development. (4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6). (5) Heritage assessment The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned. (6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause. (7) Archaeological sites

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	or to which an interim heritage order under the Heritage Act 1977 applies)— (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. (8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance— (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent. (9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item— (a) notify the Heritage Council about the application, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. (10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that— (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.	(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance— (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent. (9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item— (a) notify the Heritage Council about the application, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. (10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that— (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.	The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies): (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. (8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance— (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent. (9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item— (a) notify the Heritage Council about the application, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. (10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that: (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.
5.11 Bush fire hazard reduction	Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent. Note. The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.	Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent. Note. The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.	Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent. Note. The Rural Fires Act 1997 also makes provision relating to the carrying out of development on bush fire prone land.
5.12 Infrastructure	(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a	(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a	(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a

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development and use of existing buildings of the Crown	public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007 . (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.	public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007 . (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.	public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007 . (2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.
5.13 Eco-tourist facilities	[Not applicable]	[Not applicable]	[Not applicable]
5.14 Siding Spring Observatory - maintaining dark sky	[Not adopted]	[Not adopted]	[Not adopted]
5.15 Defence communications facility	[Not adopted]	[Not adopted]	[Not adopted]
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	[Not applicable]	[Not applicable]	[Not applicable]
5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	[Not applicable]	[Not applicable]	[Not applicable]
5.18 Intensive livestock agriculture	[Not applicable]	[Not applicable]	[Not applicable]
5.19 Pond-based, tank-based and oyster aquaculture	(1) Objectives The objectives of this clause are as follows— (a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community’s resources so that the total quality of life now and in the future can be preserved and enhanced, (b) to set out the minimum site location and operational requirements for permissible pond-based and tank-based aquaculture development. (2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent The consent authority must not grant development consent to carry out	(1) Objectives The objectives of this clause are as follows— (a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community’s resources so that the total quality of life now and in the future can be preserved and enhanced, (b) to set out the minimum site location and operational requirements for permissible pond-based and tank-based aquaculture development. (2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following—	(1) Objectives The objectives of this clause are as follows- (a) to encourage sustainable oyster, pond-based and tank-based aquaculture in the State, namely, aquaculture development that uses, conserves and enhances the community’s resources so that the total quality of life now and in the future can be preserved and enhanced, (b) to set out the minimum site location and operational requirements for permissible pond-based and tank-based aquaculture development. (2) Pond-based or tank-based aquaculture—matters of which consent authority must be satisfied before granting consent

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following— (a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development, (b) in the case of— (i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and (ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of extensive aquaculture, and (iii) tank-based aquaculture in Zone R3 Medium Density Residential, Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and (iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water. (3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent. (4) Extensive pond-based aquaculture permitted without consent in certain zones Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if— (a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and (b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6. (5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider— (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and (b) the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i>. (6) Oyster aquaculture permitted without consent in priority oyster aquaculture areas Development for the purpose of oyster aquaculture may be carried out without development consent— (a) on land that is wholly within a priority oyster aquaculture area, or (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area. (7) Definitions In this clause— aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the Fisheries Management Act 1994.	(a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development, (b) in the case of— (i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and (ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of extensive aquaculture, and (iii) tank-based aquaculture in Zone R3 Medium Density Residential, Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and (iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water. (3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent. (4) Extensive pond-based aquaculture permitted without consent in certain zones Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if— (a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and (b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6. (5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider— (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and (b) the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i>. (6) Oyster aquaculture permitted without consent in priority oyster aquaculture areas Development for the purpose of oyster aquaculture may be carried out without development consent— (a) on land that is wholly within a priority oyster aquaculture area, or (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area. (7) Definitions In this clause— aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the Fisheries Management Act 1994. extensive aquaculture has the same meaning as in the Fisheries Management (Aquaculture) Regulation 2017. NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry).	The consent authority must not grant development consent to carry out development for the purpose of pond-based aquaculture or tank-based aquaculture unless the consent authority is satisfied of the following: (a) that the development complies with the site location and operational requirements set out in Part 1 of Schedule 6 for the development, (b) in the case of: (i) pond-based aquaculture or tank-based aquaculture in Zone R1 General Residential, Zone R2 Low Density Residential or Zone R5 Large Lot Residential—that the development is for the purpose of small scale aquarium fish production, and (ii) pond-based aquaculture in Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of extensive aquaculture, and (iii) tank-based aquaculture in Zone R3 Medium Density Residential, Zone E3 Environmental Management or Zone E4 Environmental Living—that the development is for the purpose of small scale aquarium fish production, and (iv) pond-based aquaculture or tank-based aquaculture in Zone W1 Natural Waterways, Zone W2 Recreational Waterways or Zone W3 Working Waterways—that the development will use waterways to source water. (3) The requirements set out in Part 1 of Schedule 6 are minimum requirements and do not limit the matters a consent authority is required to take into consideration under the Act or the conditions that it may impose on any development consent. (4) Extensive pond-based aquaculture permitted without consent in certain zones Development for the purpose of pond-based aquaculture, that is also extensive aquaculture, may be carried out without development consent if- (a) the development is carried out in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots or Zone RU6 Transition, and (b) the development complies with the site location requirements and operational requirements set out in Part 2 of Schedule 6. (5) Oyster aquaculture—additional matters that consent authority must consider in determining a development application In determining a development application for development for the purpose of oyster aquaculture, the consent authority must consider- (a) any provisions of any aquaculture industry development plan that are relevant to the subject of the development application, and (b) the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i>. (6) Oyster aquaculture permitted without consent in priority oyster aquaculture areas Development for the purpose of oyster aquaculture may be carried out without development consent: (a) on land that is wholly within a priority oyster aquaculture area, or (b) on land that is partly within and partly outside a priority oyster aquaculture area, but only if the land outside the area is no more than 0.1 hectare in area. (7) Definitions In this clause:

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	extensive aquaculture has the same meaning as in the Fisheries Management (Aquaculture) Regulation 2017. NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry). priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i>, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.	priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i>, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.	aquaculture industry development plan means an aquaculture industry development plan published under Part 6 of the Fisheries Management Act 1994. extensive aquaculture has the same meaning as in the Fisheries Management (Aquaculture) Regulation 2017. NSW Oyster Industry Sustainable Aquaculture Strategy means the third edition of the publication of that title, as published in 2016 by the Department of Primary Industries (within the Department of Industry). priority oyster aquaculture area means an area identified as a priority oyster aquaculture area on a map referred to in Chapter 5.3 of the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i>, being a map a copy of which is held in the head office of the Department of Primary Industries (within the Department of Industry) and published on that Department's website.

PART 6 - LOCAL PROVISIONS

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
6.1 Acid Sulfate soils	(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	6.1 Acid sulfate soils (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.
	(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.
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	(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if— (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works. (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)— (a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety, (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil), (c) minor work, being work that costs less than \$20,000 (other than drainage work). (6) Despite subclause (2), development consent is not required under this clause to carry out any works if— (a) the works involve the disturbance of less than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins), foundations or flood mitigation works, or (b) the works are not likely to lower the watertable.	(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works. (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)— (a) emergency work, being the repair or replacement of the works of the public authority, required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety, (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil), (c) minor work, being work that costs less than \$20,000 (other than drainage work). (6) Despite subclause (2), development consent is not required under this clause to carry out any works if— (a) the works involve the disturbance of less than 1 tonne of soil, and (b) the works are not likely to lower the watertable.	(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if: (a) a preliminary assessment of the proposed works prepared in accordance with the <i>Acid Sulfate Soils Manual</i> indicates that an acid sulfate soils management plan is not required for the works, and (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works. (5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power): (a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety, (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil), (c) minor work, being work that costs less than \$20,000 (other than drainage work). (6) Despite subclause (2), development consent is not required under this clause to carry out any works if: (a) the works involve the disturbance of less than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations or flood mitigation works, or (b) the works are not likely to lower the watertable.
6.2 Earthworks	(1) The objectives of this clause are as follows— (a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, (b) to allow earthworks of a minor nature without requiring separate development consent. (2) Development consent is required for earthworks unless— (a) the work is exempt development under this Plan or another applicable environmental planning instrument, or (b) the work is ancillary to other development for which development consent has been given. (3) Before granting development consent for earthworks, the consent authority must consider the following matters— (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material,	(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. (2) Development consent is required for earthworks unless— (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given. (3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters— (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics,	(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. (2) Development consent is required for earthworks unless: (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given. (3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters: (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics,

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	(f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area. Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.	(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with harming Aboriginal objects.	(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with harming Aboriginal objects.
6.3 Stormwater and water sensitive urban design	(1) The objective of this clause is to minimise the impacts of urban stormwater on any of the following— (a) land on which development is carried out, (b) properties adjoining that land, (c) native bushland, (d) receiving waters. (2) This clause applies to any land in any of the following zones— (a) Zone R2 Low Density Residential, (b) Zone R3 Medium Density Residential, (c) Zone R4 High Density Residential, (d) Zone B1 Neighbourhood Centre, (e) Zone B2 Local Centre, (f) Zone B4 Mixed Use, (g) Zone B6 Enterprise Corridor, (h) Zone IN2 Light Industrial. (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is designed to maximise the use of water permeable surfaces on the site having regard to the soil characteristics affecting on-site infiltration of water, and (b) will include, where practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) will avoid, or if a disturbance or impact cannot be avoided, will minimise and mitigate, any disturbance or impact of stormwater runoff on— (i) properties adjoining the land on which the development is proposed to be carried out, and (ii) native bushland, and (iii) receiving waters.	(1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters. (2) This clause applies to all land in residential, business and industrial zones. (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.	(1) The objective of this clause is to avoid or minimise the adverse impacts of urban stormwater on the land on which development is to be carried out, adjoining properties, native bushland, waterways, receiving waters and groundwater systems. (2) Before granting development consent to development on any land to which this Plan applies, the consent authority must be satisfied that: (a) water sensitive urban design principles are incorporated into the design of the development, where possible and (b) riparian, stormwater and flooding measures are integrated as part of the development, and (c) the stormwater management system includes all reasonable management actions to avoid any adverse impacts on the land to which the development is to be carried out, adjoining properties, native bushland, waterways, receiving waters and groundwater systems, and (d) if a potential adverse environmental impact cannot be feasibly avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, native bushland, waterways receiving waters and groundwater systems, and (e) the development is designed to maximise the use of water permeable surfaces on the site having regard to the soil characteristics affecting on-site infiltration of water. (3) For the purposes of subclause (2) (a), the water sensitive urban design principles are— (a) protection and enhancement of water quality, by improving the quality of stormwater runoff from urban catchments, (b) minimisation of harmful impacts of urban development on water balance and on surface and groundwater flow regimes, (c) integration of stormwater management systems into the landscape in a manner that provides multiple benefits, including water quality protection, stormwater retention and detention, public open space, and recreational and visual amenity (d) retention, where possible, of on-site stormwater for use as an alternative supply to mains water, groundwater or river water
6.4 Terrestrial Biodiversity	(1) The objective of this clause is to maintain terrestrial and aquatic biodiversity, including the following— (a) protecting native fauna and flora, (b) protecting the ecological processes necessary for their continued existence,	(1) The objective of this clause is to maintain terrestrial biodiversity by— (a) protecting native fauna and flora, and (b) protecting the ecological processes necessary for their continued existence, and (c) encouraging the conservation and recovery of native fauna and flora and their habitats.	(1) The objective of this clause is to maintain and enhance terrestrial biodiversity by: (a) protecting native fauna and flora and the ecological processes necessary for their continued existence, and (b) encouraging the recovery and conservation of native fauna and flora and their habitats, and

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	(c) encouraging the recovery of native fauna and flora and their habitats. (2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map. (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact of the proposed development on the following— (a) native ecological communities, (b) the habitat of any threatened species, populations or ecological community, (c) regionally significant species of fauna and flora or habitat, (d) habitat elements providing connectivity. (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid any adverse environmental impact, or (b) if that impact cannot be avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact. (5) In this clause— Terrestrial Biodiversity Map means the Rockdale Local Environmental Plan 2011 Terrestrial Biodiversity Map.	(2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map. (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider— (a) whether the development is likely to have— (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and (iv) any adverse impact on the habitat elements providing connectivity on the land, and (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	(c) protecting, restoring and enhancing biodiversity corridors (2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map. (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider: (a) whether the development is likely to have: (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and (iv) any adverse impact on the habitat elements providing connectivity on the land, and (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development, and (c) any opportunity to restore or enhance remnant vegetation, habitat and biodiversity corridors (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority: (a) has taken into account the objectives of this clause, and (b) is satisfied that the development is designed, sited and will be managed to avoid any potentially adverse environmental impact, and (c) if that potentially adverse environmental impact cannot be avoided by adopting feasible alternatives: (i) the development is designed, sited and will be managed to minimise that impact, and (ii) the development includes measures to offset the loss of biodiversity values.
6.5 Flood Planning	(1) The objectives of this clause are as follows— (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change, (c) to avoid significant adverse impacts on flood behaviour and the environment. (2) This clause applies to— (a) land that is shown as “Flood planning area” on the Flood Planning Map, and (b) other land at or below the flood planning level. (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) is compatible with the flood hazard of the land, and (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and (c) incorporates appropriate measures to manage risk to life from flood, and	<i>Clause not included in Botany Bay LEP 2013.</i>	(1) The objectives of this clause are as follows: (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change, (c) to avoid significant adverse impacts on flood behaviour and the environment. (2) This clause applies to land at or below the flood planning level. (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development: (a) is compatible with the flood hazard of the land, and (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and (c) incorporates appropriate measures to manage risk to life from flood, and (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

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	(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding. (4) A word or expression used in this clause has the same meaning as it has in the <i>Floodplain Development Manual</i> (ISBN 0 7347 5476 0), published in 2005 by the NSW Government, unless it is otherwise defined in this clause. (5) In this clause— <i>flood planning level</i> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. <i>Flood Planning Map</i> means the Rockdale Local Environmental Plan 2011 Flood Planning Map.		(4) A word or expression used in this clause has the same meaning as it has in the <i>Floodplain Development Manual</i> (ISBN 0 7347 5476 0), published in 2005 by the NSW Government, unless it is otherwise defined in this clause. (5) In this clause: <i>Flood planning level</i> means the level of a 1% AEP flood event plus 0.5 metre freeboard.
6.6 Flood plain risk management	<i>Clause not included in Rockdale LEP 2011.</i>	<i>Clause not included in Botany Bay LEP 2013.</i>	(1) The objectives of this clause are as follows: (a) in relation to development with particular evacuation or emergency response issues, to enable evacuation of land subject to flooding in events exceeding the flood planning level, (b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events. (2) This clause applies to land between the 1% AEP flood event (annual exceedance probability) plus 0.5 metre freeboard and the probable maximum flood level. (3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the development incorporates appropriate measures to manage the risk to life from flood - a) caravan parks, b) moveable dwellings, c) correctional centres, d) emergency services facilities, e) group homes, f) hospitals, g) residential care facilities, h) tourist and visitor accommodation, i) educational establishments, j) centre-based child care facilities, k) seniors housing (4) In this clause, probable maximum flood has the same meaning as it has in the <i>Floodplain Development Manual</i> (ISBN 0 7 347 54760) published in 2005 by the NSW Government
6.7 Riparian land, wetlands and waterways	(1) The objective of this clause is to protect and maintain the following— (a) water quality within watercourses and artificial waterbodies, (b) the stability of the bed and banks of watercourses and artificial waterbodies, (c) aquatic riparian habitats, (d) ecological processes within watercourses, artificial waterbodies and riparian areas. (2) This clause applies to land situated within 40 metres of the top of the bank of a watercourse or artificial waterbody.	(1) The objective of this clause is to protect and maintain the following— (a) water quality within watercourses, (b) the stability of the bed and banks of watercourses, (c) aquatic and riparian habitats, (d) ecological processes within watercourses and riparian areas. (2) This clause applies to all watercourses and all land that is within 40 metres of the top of the bank of each watercourse. (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—	(1) The objectives of this clause is to protect and maintain the following: (i) water quality within waterways, and (ii) the stability of the bed and banks of waterways, and (iii) native flora and fauna and their habitats, and (iv) ecological processes within waterways and riparian lands, and (v) scenic and cultural heritage values of waterways and riparian lands. (2) This clause applies to: (a) Land identified as ‘Waterway’ on the Waterways Map. (b) Land identified as ‘Wetlands’ on the Wetlands Map.

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	(3) Before determining a development application to carry out development on land to which this clause applies, the consent authority must consider whether or not the development— (a) will cause any adverse impact on the following— (i) the water quality within a watercourse or artificial waterbody, (ii) aquatic and riparian species, habitats and ecosystems, (iii) the stability of the bed, shore and banks of a watercourse or artificial waterbody, (iv) the free passage of fish and other aquatic organisms within or along a watercourse or within an artificial waterbody, (v) any future rehabilitation of a watercourse, artificial waterbody and riparian areas, (vi) flows within a watercourse, and (b) will increase water extraction from a watercourse or artificial waterbody. (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or (b) if that impact cannot be avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	(a) whether or not the development is likely to have any adverse impact on the following— (i) the water quality and flows within the watercourse, (ii) aquatic and riparian species, habitats and ecosystems of the watercourse, (iii) the stability of the bed and banks of the watercourse, (iv) the free passage of fish and other aquatic organisms within or along the watercourse, (v) any future rehabilitation of the watercourse and riparian areas, and (b) whether or not the development is likely to increase water extraction from the watercourse, and (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	(c) Applies to land within: 10 metres of streams mapped as Stream Order 1 20 metres of streams mapped as Stream Order 2 30 metres of streams mapped as Stream Order 3 40 metres of streams mapped as Stream Order 4 On the Stream Order map. (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider: (a) whether the development is likely to have an adverse impact on the following: (i) the surface and groundwater characteristics of the land, including water quality, water flows and salinity (ii) native flora and fauna, including migratory species and the provision and quality of their habitats, (iii) the stability of the bed, shore and banks of any waterway, (iv) the free passage of fish and other native aquatic and terrestrial organisms within or along any waterway and riparian land, (v) public access to, and use of, any public waterway and its foreshores, and (b) any future rehabilitation or re-creation of the waterway and riparian areas, and (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. (d) whether or not the development is likely to increase water extraction from the watercourse (e) opportunity for the rehabilitation of existing piped or channelised waterways to a near natural state. (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development: (a) is consistent with the objectives of this clause, and (b) is designed, sited and will be managed to avoid any potential adverse environmental impacts, and (c) if a potential adverse environmental impact cannot be avoided—the development will be managed to mitigate that impact. Waterway means the whole or any part of a watercourse, waterbody (artificial) or waterbody (natural).
6.X Wetlands	(1) The objective of this clause is to ensure that natural wetlands are preserved and protected from the impacts of development. (2) This clause applies to land identified as “Wetland” on the Wetlands Map. (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following— (a) any adverse impact from the proposed development on the growth and survival of native flora and fauna, (b) the condition and significance of the native flora on the land and whether it should be substantially retained, (c) the provision and quality of habitats for indigenous and migratory species, (d) any adverse impact from the proposed development on the surface and groundwater characteristics of the site, including on water quality, natural water flows and salinity,	(1) The objective of this clause is to ensure that wetlands are preserved and protected from the impacts of development. (2) This clause applies to land identified as “Wetland” on the Wetlands Map. (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider— (a) whether or not the development is likely to have any significant adverse impact on the following— (i) the condition and significance of the existing native fauna and flora on the land, (ii) the provision and quality of habitats on the land for indigenous and migratory species, (iii) the surface and groundwater characteristics of the land, including water quality, natural water flows and salinity, and (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	<i>Clause not included in Bayside LEP.</i>

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	(e) any adverse impact from the proposed development on any wetland in the vicinity of the proposed development, (f) proposed measures to minimise or mitigate those impacts. (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid any adverse environmental impacts, or (b) if those impacts cannot be avoided—the development is designed, sited and will be managed to minimise those impacts. (5) In this clause— Wetlands Map means the Rockdale Local Environmental Plan 2011 Wetlands Map.	(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	
6.8 Limited development on foreshore area/foreshore building line	(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area. (2) Development consent must not be granted for development on land in the foreshore area except for the following— (a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, (b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so, (c) development for the purposes of boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors). (3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied that— (a) the development will contribute to achieving the objectives for the zone in which the land is located, and (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and (c) the development will not cause environmental harm such as— (i) pollution or siltation of the waterway, or (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or (iii) an adverse effect on drainage patterns, and (d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore.	(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area. (2) Development consent must not be granted for development on land in the foreshore area except for the following purposes— (a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, (b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so, (c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors). (3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied that— (a) the development will contribute to achieving the objectives for the zone in which the land is located, and (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and (c) the development will not cause environmental harm such as— (i) pollution or siltation of the waterway, or (ii) an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or (iii) an adverse effect on drainage patterns, and (d) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and (h) sea level rise or change of flooding patterns as a result of climate change has been considered. (4) In deciding whether to grant consent for development in the foreshore area, the consent authority must consider whether and to what extent the development would encourage the following—	(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area. (2) Development consent must not be granted for development on land in the foreshore area except for the following purposes: (a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area, (b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so (c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors). (3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied that: (a) the development will contribute to achieving the objectives for the zone in which the land is located, and (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and (c) the development will not cause environmental harm such as: (i) pollution or siltation of the waterway, or (ii) an adverse effect on surrounding uses, aquatic habitat, riparian corridors, wetland areas, fauna and flora habitats, or (iii) an adverse effect on drainage patterns, and (d) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and (g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and (i) sea level rise or change of flooding patterns as a result of climate change has been considered. (4) In deciding whether to grant consent for development in the foreshore area, the consent authority must consider whether and to what extent the development would encourage the following:

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		(a) continuous public access to and along the foreshore through or adjacent to the proposed development, (b) public access to link with existing or proposed open space, (c) public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land, (d) public access to be located above mean high water mark, (e) the reinforcing of the foreshore character and respect for existing environmental conditions. (5) In this clause— foreshore area means the land between the foreshore building line and the mean high water mark of the nearest natural waterbody shown on the Foreshore Building Line Map. foreshore building line means— (a) the line that is landward of, and at the distance specified on the Foreshore Building Line Map from, the mean high water mark of the nearest natural waterbody shown on that map or, (b) if no distance is specified, the line shown as the foreshore building line on that map.	(a) continuous public access to and along the foreshore through or adjacent to the proposed development, (b) public access to link with existing or proposed open space, (c) public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land, (d) public access to be located above mean high water mark, (e) the reinforcing of the foreshore character and respect for existing
6.9 Airspace operations	(1) The objectives of this clause are as follows— (a) to provide for the effective and ongoing operation of the Sydney (Kingsford-Smith) Airport by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport, (b) to protect the community from undue risk from that operation. (2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application. (3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that— (a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or (b) the development will not penetrate the Limitation or Operations Surface. (4) The consent authority must not grant development consent for the development if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed. (5) In this clause— Limitation or Operations Surface means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the <i>Obstacle Limitation Surface Map</i> or the <i>Procedures for Air Navigation Services Operations Surface Map</i> for the Sydney (Kingsford-Smith) Airport. relevant Commonwealth body means the body, under Commonwealth legislation, that is responsible for development approvals for development that penetrates the Limitation or Operations Surface for the Sydney (Kingsford-Smith) Airport.	(1) The objectives of this clause are as follows— (a) to provide for the effective and ongoing operation of the Sydney (Kingsford Smith) Airport by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport, (b) to protect the community from undue risk from that operation. (2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application. (3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that— (a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or (b) the development will not penetrate the Limitation or Operations Surface. (4) The consent authority must not grant development consent for the development if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed. (5) In this clause— Limitation or Operations Surface means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the <i>Obstacle Limitation Surface Map</i> or the <i>Procedures for Air Navigation Services Operations Surface Map</i> for the Sydney (Kingsford Smith) Airport. relevant Commonwealth body means the body, under Commonwealth legislation, that is responsible for development approvals for development that penetrates the Limitation or Operations Surface for the Sydney (Kingsford Smith) Airport.	(1) The objective of this clause is to protect airspace around airports. (2) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the Airports Act 1996 of the Commonwealth unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division. Note. Controlled activities include the construction or alteration of buildings or other structures that causes an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the Airports Act 1996 of the Commonwealth.
6.10 Development	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows—	(1) The objectives of this clause are as follows:

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
in areas subject to aircraft noise	(a) to prevent certain noise sensitive developments from being located near the Sydney (Kingsford-Smith) Airport and its flight paths, (b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings, (c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport. (2) This clause applies to development that— (a) is on land that— (i) is near the Sydney (Kingsford-Smith) Airport, and (ii) is in an ANEF contour of 20 or greater, and (b) the consent authority considers is likely to be adversely affected by aircraft noise. (3) Before determining a development application for development to which this clause applies, the consent authority— (a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021—2000, and (c) must be satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2000. (4) In this clause— ANEF contour means a noise exposure contour shown as an ANEF contour on the <i>Noise Exposure Forecast Contour Map</i> for the Sydney (Kingsford-Smith) Airport prepared by the Department of the Commonwealth responsible for airports. AS 2021—2000 means AS 2021—2000, <i>Acoustics—Aircraft noise intrusion—Building siting and construction</i>.	(a) to prevent certain noise sensitive developments from being located near the Sydney (Kingsford Smith) Airport and its flight paths, (b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings, (c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport. (2) This clause applies to development that— (a) is on land that— (i) is near the Sydney (Kingsford Smith) Airport, and (ii) is in an ANEF contour of 20 or greater, and (b) the consent authority considers is likely to be adversely affected by aircraft noise. (3) Before determining a development application for development to which this clause applies, the consent authority— (a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021—2000, and (c) must be satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2000. (4) In this clause— ANEF contour means a noise exposure contour shown as an ANEF contour on the <i>Noise Exposure Forecast Contour Map</i> for the Sydney (Kingsford Smith) Airport prepared by the Department of the Commonwealth responsible for airports. AS 2021—2000 means AS 2021—2000, <i>Acoustics—Aircraft noise intrusion—Building siting and construction</i>.	(a) to prevent certain noise sensitive developments from being located near the Sydney (Kingsford-Smith) Airport and its flight paths, (b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings, (c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport. (2) This clause applies to development that: (a) is on land that: (i) is near the Sydney (Kingsford-Smith) Airport, and (ii) is in an ANEF contour of 20 or greater, and (b) the consent authority considers is likely to be adversely affected by aircraft noise. (3) Before determining a development application for development to which this clause applies, the consent authority: (a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021-2015, <i>Acoustics-Aircraft noise intrusion-Building siting and construction</i>, and (c) must be satisfied that the development will meet AS 2021-2015, <i>Acoustics - Aircraft noise intrusion - Building siting and construction</i> with respect to interior noise levels for the purposes of: (i) if the development will be in an ANEF contour of 20 or greater - child care centres, educational establishments, entertainment facilities, hospitals, places of public worship, public administration buildings or residential accommodation, and (ii) if the development will be in an ANEF contour of 25 or greater - business premises, hostels, hotel or motel accommodation, office premises or retail premises. (4) In this clause: airport means civil, military or joint civil and military airport. ANEF contour means a noise exposure contour shown as an ANEF contour on the <i>Australian Noise Exposure Forecast Contour Map</i> for that airport endorsed by the Department of the Commonwealth responsible for airports.
6.11 Active street frontages	(1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B4 Mixed Use. (2) This clause applies to land identified as “Active street frontages” on the Active Street Frontages Map. (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use. (4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following— (a) entrances and lobbies (including as part of mixed use development), (b) access for fire services, (c) vehicle access.	(1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages. (2) This clause applies to land identified as “Active street frontage” on the Active Street Frontages Map. (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use. (4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following— (a) entrances and lobbies (including as part of mixed use development), (b) access for fire services, (c) vehicular access.	(1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages. (2) This clause applies to land identified as “Active street frontage” on the Active Street Frontages Map. (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use. (4) Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following: (a) entrances and lobbies (including as part of mixed use development), (b) access for fire services, (c) vehicular access.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	(5) In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises. (6) In this clause— Active Street Frontages Map means the Rockdale Local Environmental Plan 2011 Active Street Frontages Map.	(5) In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.	(5) In this clause, a building has an active street frontage if all premises on the entire ground floor of the building facing the street are used for the purposes of one or more of the following uses: (i) business premises; (ii) retail premises; or (iii) medical centre. (6) Despite any other provision of this Plan, development consent may be granted to a mixed use development, on land to which this clause applies, incorporating residential accommodation and one or more of the uses listed under subclause (5). (7) Development consent must not be granted to development under subclause (6) for mixed use development incorporating residential accommodation unless the consent authority is satisfied that no part of the ground floor of the building with the active street frontage will be used for the purpose of residential accommodation. (8) In this clause— Active Street Frontages Map means the Bayside Local Environmental Plan Active Street Frontages Map
6.12 Design Excellence	(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design. (2) This clause applies to the following development— (a) development involving the erection of a new building or external alterations to an existing building within the Arncliffe Precinct or the Banksia Precinct, (b) development that is the erection of a new building on land bounded by a heavy black line on the Design Excellence Map, (c) development that is the subject of a development application that relies on clause 4.3 (2A) (a), (f), (g), (h), (i) or (k). Note. In determining an application for a modification of a development consent granted under this clause, the consent authority must again take the requirements of this clause into consideration (see section 4.55 (3) of the Act). (3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence. (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters— (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, (b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain, (c) whether the development detrimentally impacts on view corridors, (d) the requirements of any development control plan made by the Council and as in force at the commencement of this clause, (e) how the development addresses the following matters— (i) the suitability of the land for development, (ii) existing and proposed uses and use mix, (iii) heritage issues and streetscape constraints,	(1) The objective of this clause is to deliver the highest standard of sustainable architectural and urban design. (2) This clause applies to land at Mascot Station Precinct, as shown edged heavy pink, and the BATA site at Eastgardens, as shown edged heavy orange, on the Key Sites Map. (3) Development consent must not be granted to development involving the construction of a new building or to external alterations to an existing building on land to which this clause applies unless the consent authority considers that the development exhibits design excellence. (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters— (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain, (c) whether the development detrimentally impacts on view corridors, (d) the achievement of the principles of ecologically sustainable development.	(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design. (2) This clause applies to the following development— (a) development involving the erection of a new building or external alterations to an existing building within the Arncliffe Precinct or the Banksia Precinct, (a) development that is the erection of a new building or external alterations to an existing building on land bounded by a heavy black line on the Design Excellence Map, (b) development that is the subject of a development application that relies on clause 4.3 (3) (a), (f), (g), (h), (i) or (k). Note. In determining an application for a modification of a development consent granted under this clause, the consent authority must again take the requirements of this clause into consideration (see section 4.55 (3) of the Act). (3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence. (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters— (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, (b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain, (c) whether the development detrimentally impacts on view corridors, (d) the requirements of any development control plan made by the Council and as in force at the commencement of this clause, (e) how the development addresses the following matters— (i) the suitability of the land for development, (ii) existing and proposed uses and use mix, (iii) heritage issues and streetscape constraints,

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	(iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, (v) bulk, massing and modulation of buildings, (vi) street frontage heights, (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity, (viii) the achievement of the principles of ecologically sustainable development, (ix) pedestrian, cycle, vehicular and service access, circulation and requirements, (x) the impact on, and any proposed improvements to, the public domain, (xi) achieving appropriate interfaces at ground level between the building and the public domain, (xii) excellence and integration of landscape design. (5) In addition, development consent must not be granted to development to which this clause applies unless— (a) if the development is in respect of a building that is, or will be, higher than 12 metres or 3 storeys (or both) but not higher than 40 metres or 12 storeys (or both)— (i) a design review panel reviews the development, and (ii) the consent authority takes into account the findings of the design review panel, or (b) if the development is in respect of a building that is, or will be, higher than 40 metres or 12 storeys (or both)— (i) an architectural design competition is held in relation to the development, and (ii) the consent authority takes into account the results of the architectural design competition. (6) Subclause (5) (b) does not apply if— (a) the NSW Government Architect certifies in writing that an architectural design competition need not be held but that a design review panel should instead review the development, and (b) a design review panel reviews the development, and (c) the consent authority takes into account the findings of the design review panel. (7) An architectural design competition conducted in accordance with Design Excellence Guidelines that were in force when the competition was conducted is taken to have been conducted in accordance with the Design Excellence Guidelines. (8) In this clause— architectural design competition means a competitive process conducted in accordance with the Design Excellence Guidelines. Design Excellence Guidelines means the Design Excellence Guidelines adopted by the Council and in force at the commencement of State Environmental Planning Policy Amendment (Arncliffe and Banksia Precincts) 2018, or, if none have been adopted, the Design Excellence Guidelines issued by the Secretary. design review panel means a panel of 3 or more persons established by the consent authority for the purposes of this clause and approved by the NSW Government Architect.		(iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, (v) bulk, massing and modulation of buildings, (vi) street frontage heights, (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity, (viii) the achievement of the principles of ecologically sustainable development, (ix) pedestrian, cycle, vehicular and service access, circulation and requirements, (x) the impact on, and any proposed improvements to, the public domain, (xi) achieving appropriate interfaces at ground level between the building and the public domain, (xii) excellence and integration of landscape design. (5) In addition, development consent must not be granted to development to which this clause applies unless— (a) if the development is in respect of a building that is, or will be, higher than 12 metres or 3 storeys (or both) but not higher than 40 metres or 12 storeys (or both)— (i) a design review panel reviews the development, and (ii) the consent authority takes into account the findings of the design review panel, or (b) if the development is in respect of a building that is, or will be, higher than 40 metres or 12 storeys (or both)— (i) an architectural design competition is held in relation to the development, and (ii) the consent authority takes into account the results of the architectural design competition. (6) Subclause (5) (b) does not apply if— (a) the NSW Government Architect certifies in writing that an architectural design competition need not be held but that a design review panel should instead review the development, and (b) a design review panel reviews the development, and (c) the consent authority takes into account the findings of the design review panel. (7) An architectural design competition conducted in accordance with Design Excellence Guidelines that were in force when the competition was conducted is taken to have been conducted in accordance with the Design Excellence Guidelines. (8) In this clause— architectural design competition means a competitive process conducted in accordance with the Bayside Design Excellence Guidelines. Bayside Design Excellence Guidelines means the Bayside Design Excellence Guidelines adopted by the Bayside Council and in force at the commencement of <i>State Environmental Planning Policy Amendment (Arncliffe and Banksia Precincts) 2018</i>, or, if none have been adopted, the Design Excellence Guidelines issued by the Secretary. design review panel means a panel of 3 or more persons established by the consent authority for the purposes of this clause and approved by the NSW Government Architect.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
6.13 Location of Sex service premises	(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children. (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following— (a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land— (i) in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or (ii) used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship, Note. When this Plan was made it did not include Zone R1 General Residential. (b) the impact of the proposed development and its hours of operation on any place likely to be regularly frequented by children— (i) that adjoins the proposed development, or (ii) that can be viewed from the proposed development, or (iii) from which a person can view the proposed development.	(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children. (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following— (a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land— (i) in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or (ii) used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship, (b) the impact of the proposed development and its hours of operation on any place likely to be regularly frequented by children— (i) that adjoins the proposed development, or (ii) that can be viewed from the proposed development, or (iii) from which a person can view the proposed development.	(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children. (2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following: (a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land: (i) in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or (ii) used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship, (b) the impact of the proposed development and its hours of operation on any place likely to be regularly frequented by children: (i) that adjoins the proposed development, or (ii) that can be viewed from the proposed development, or (iii) from which a person can view the proposed development.
6.14 Converting serviced apartments to residential flat buildings	<i>Clause not included in Rockdale LEP 2011.</i>	(1) The objective of this clause is to prevent substandard residential accommodation occurring through the conversion of serviced apartments to a residential flat building. (2) Development consent must not be granted for the subdivision, under a strata scheme, of a building or a part of a building that is being, or has been, used for serviced apartments into a residential flat building unless the consent authority has considered the following in relation to the residential flat building— (a) the design quality principles set out in Schedule 1 to State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development, (b) the design principles of the Apartment Design Guide (within the meaning of that Policy).	(1) The objective of this clause is to prevent substandard residential accommodation occurring through the conversion of serviced apartments to a residential flat building. (2) Development consent must not be granted for the subdivision, under a strata scheme, of a building or a part of a building that is being, or has been, used for serviced apartments into a residential flat building unless the consent authority has considered the following in relation to the residential flat building: (a) the design quality principles set out in Schedule 1 to State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development, (b) the design principles of the Apartment Design Guide (within the meaning of that Policy).
Residential flat buildings and multi dwelling housing in zone R2	<i>Clause not included in Rockdale LEP 2011.</i>	(1) The objective of this clause is to provide for the adaptive reuse of land and existing buildings for residential flat buildings and multi dwelling housing. (2) This clause applies to land in Zone R2 Low Density Residential. (3) Development consent must not be granted to development for the purposes of a residential flat building or multi dwelling housing on land to which this clause applies unless— (a) the development is— (i) a building that was designed and constructed for, or (ii) on land that, on the commencement of this Plan, was used for, a purpose other than residential accommodation, and (b) the consent authority has considered— (i) the impact of the development on the scale and streetscape of the surrounding locality, and (ii) the suitability of the building or land for adaptive reuse, and (iii) the degree of modification of the footprint and facade of the building.	<i>Clause included in Additional Permitted Use 34.</i>

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
Dwelling houses in certain business zones	<i>Clause not included in Rockdale LEP 2011.</i>	(1) The objective of this clause is to provide for the use of purpose built dwelling houses in certain business zones, for residential purposes, under particular circumstances. (2) This clause applies to land in the following zones— (a) Zone B1 Neighbourhood Centre, (b) Zone B2 Local Centre, (c) Zone B4 Mixed Use, (d) Zone B7 Business Park. (3) Development consent must not be granted to development for the purpose of a dwelling house on land to which this clause applies unless— (a) the development is a building that was designed and constructed as a dwelling house before the commencement of this Plan, and (b) the consent authority has considered whether the development will provide residential amenity.	<i>Clause not included in Bayside LEP.</i>
Office premises in certain residential zones	<i>Clause not included in Rockdale LEP 2011.</i>	(1) The objective of this clause is to provide for the adaptive reuse of existing buildings for office premises. (2) This clause applies to land in the following zones— (a) Zone R2 Low Density Residential, (b) Zone R3 Medium Density Residential. (3) Development consent must not be granted to development for the purposes of office premises on land to which this clause applies unless— (a) the development is a building that was designed and constructed for a purpose other than residential accommodation before the commencement of this Plan, and (b) the consent authority has considered— (i) whether the development will adversely affect the amenity of the surrounding locality, and (ii) the suitability of the building for adaptive reuse, and (iii) the degree of modification of the footprint and facade of the building.	<i>Clause not included in Bayside LEP.</i>
6.15 Land at Hillsdale fronting Denison Street and Smith Street	<i>Clause not included in Rockdale LEP 2011.</i>	(1) This clause applies to land at Hillsdale as shown edged heavy green on the Key Sites Map. (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that vehicular access to any development on the land is provided from Denison Street only.	(1) This clause applies to the following land— (a) 140 Denison Street, Hillsdale, being Lot 4, DP 1211336 (2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that vehicular access to any development on the land is provided from Denison Street only.
6.16 Essential Services	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required—	<i>Clause not included in Botany Bay LEP 2013.</i>	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:
	(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable road access.		(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable road access.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
6.17 Site area of proposed development in Arncliffe and Banksia precincts includes dedicated land	The site area of proposed development on land within the Arncliffe Precinct or the Banksia Precinct is, for the purpose of applying a floor space ratio under clause 4.5, taken to include land that— (a) is dedicated to the Council or a public authority for a public purpose (including roads, drainage or open space), and (b) would have been part of the site area if it had not been so dedicated.	<i>Clause not included in Botany Bay LEP 2013.</i>	The site area of proposed development on land within the Arncliffe Precinct or the Banksia Precinct is, for the purpose of applying a floor space ratio under clause 4.5, taken to include land that: (a) is dedicated to the Council or a public authority for a public purpose (including roads, drainage or open space), and (b) would have been part of the site area if it had not been so dedicated.
6.18 Development requiring the preparation of a development control plan	<i>Clause not included in Rockdale LEP 2011.</i>	(1) The objective of this clause is to ensure that development on certain land occurs in accordance with a site-specific development control plan. (2) This clause applies to land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 and Lot 24, DP 1242288. (3) Development consent must not be granted for development on land to which this clause applies unless— (a) a development control plan that provides for the matters specified in subclause (4) has been prepared for the land, or (b) guidelines and controls similar to those mentioned in subclause (4) already apply to the land, or (c) the development is of a minor nature and is consistent with the objectives of the zone in which the land is situated. (4) The development control plan must provide for all of the following— (a) design principles drawn from an analysis of the site and its context, (b) the compatibility of the proposed development with the desired future character of the area, (c) the phasing of development and how it will provide for the social and recreational needs of a new community, (d) distribution of land uses, including open space (its function and landscaping) and environment protection areas, (e) the existing and proposed mix of land uses, (f) subdivision pattern and provision of services, (g) building envelopes and built form controls, including bulk, massing and modulation of buildings, (h) housing mixes and tenure choices, including affordable and adaptable housing, (i) heritage conservation, including both Aboriginal and European heritage, (j) encouraging sustainable transport, including increased use of public transport, walking and cycling, road access and the circulation network and appropriate car parking provision, including integrated options to reduce car use, (k) the overall transport hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, with particular regard to public transport, pedestrians and cyclists, (l) improvements to the public domain, (m) minimising adverse impacts on adjoining buildings or the public domain, (n) achieving appropriate interface at ground level between buildings and the public domain, (o) impacts on view corridors, (p) the application of the principles of ecologically sustainable development, (q) environmental impacts, such as overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,	(1) The objective of this clause is to ensure that development on certain land occurs in accordance with a site-specific development control plan. (2) This clause applies to land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 and Lot 24, DP 1242288. (3) Development consent must not be granted for development on land to which this clause applies unless— (a) a development control plan that provides for the matters specified in subclause (4) has been prepared for the land, or (b) guidelines and controls similar to those mentioned in subclause (4) already apply to the land, or (c) the development is of a minor nature and is consistent with the objectives of the zone in which the land is situated. (4) The development control plan must provide for all of the following— (a) design principles drawn from an analysis of the site and its context, (b) the compatibility of the proposed development with the desired future character of the area, (c) the phasing of development and how it will provide for the social and recreational needs of a new community, (d) distribution of land uses, including open space (its function and landscaping) and environment protection areas, (e) the existing and proposed mix of land uses, (f) subdivision pattern and provision of services, (g) building envelopes and built form controls, including bulk, massing and modulation of buildings, (h) housing mixes and tenure choices, including affordable and adaptable housing, (i) heritage conservation, including both Aboriginal and European heritage, (j) encouraging sustainable transport, including increased use of public transport, walking and cycling, road access and the circulation network and appropriate car parking provision, including integrated options to reduce car use, (k) the overall transport hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, with particular regard to public transport, pedestrians and cyclists, (l) improvements to the public domain, (m) minimising adverse impacts on adjoining buildings or the public domain, (n) achieving appropriate interface at ground level between buildings and the public domain, (o) impacts on view corridors, (p) the application of the principles of ecologically sustainable development, (q) environmental impacts, such as overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		(r) environmental constraints, including acid sulfate soils, flooding, groundwater, stormwater, aircraft movement and noise, contamination and remediation, (s) opportunities to apply integrated water sensitive urban design, (t) no additional overshadowing to the residential buildings in Zone R2 on the eastern side of Bunnerong Road between 9 am and 3 pm on 21 June in each year	(r) environmental constraints, including acid sulfate soils, flooding, groundwater, stormwater, aircraft movement and noise, contamination and remediation, (s) opportunities to apply integrated water sensitive urban design, (t) no additional overshadowing to the residential buildings in Zone R2 on the eastern side of Bunnerong Road between 9 am and 3 pm on 21 June in each year
6.19 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens—general	<i>Clause not included in Rockdale LEP 2011.</i>	(1) This clause applies to land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 and Lot 24, DP 1242288. (2) The consent authority must not grant consent to development unless it is satisfied the development will provide for a minimum of 5,000 square metres of gross floor area on the land for non-residential purposes, not including any of the following— (a) residential accommodation, (b) a car park, (c) a telecommunications facility.	(1) This clause applies to land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 and Lot 24, DP 1242288. (2) The consent authority must not grant consent to development unless it is satisfied the development will provide for a minimum of 5,000 square metres of gross floor area on the land for non-residential purposes, not including any of the following— (a) residential accommodation, (b) a car park, (c) a telecommunications facility.

PART 7 – INTENSIVE URBAN DEVELOPMENT AREAS

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
7.1 Arrangements for designated State public infrastructure	(1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the development of land for the purposes of residential accommodation to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes. (2) Despite all other provisions of this Plan, development consent must not be granted for development for the purposes of residential accommodation in an intensive urban development area unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development is to be carried out. (3) This clause does not apply to a development application to carry out development on land in an intensive urban development area if— (a) all or any part of the land to which the application applies is a special contributions area (as defined by section 7.1 of the Act), or (b) the development will not result in an increase in residential accommodation within the intensive urban development area. (4) In this Part— designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds— (a) State and regional roads, (b) bus interchanges and bus lanes, (c) regional open space, (d) social infrastructure and facilities (such as schools, hospitals, emergency services and facilities for justice purposes). intensive urban development area means the Arncliffe Precinct or the Banksia Precinct.	<i>Clause not included in Botany Bay LEP 2013.</i>	(1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the development of land for the purposes of residential accommodation to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes. (2) Despite all other provisions of this Plan, development consent must not be granted for development for the purposes of residential accommodation in an intensive urban development area unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development is to be carried out. (3) This clause does not apply to a development application to carry out development on land in an intensive urban development area if: (a) all or any part of the land to which the application applies is a special contributions area (as defined by section 7.1 of the Act), or (b) the development will not result in an increase in residential accommodation within the intensive urban development area. (4) In this Part: designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds: (a) State and regional roads, (b) bus interchanges and bus lanes, (c) regional open space, (d) social infrastructure and facilities (such as schools, hospitals, emergency services and facilities for justice purposes). intensive urban development area means the Arncliffe Precinct or the Banksia Precinct.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
7.2 Public utility infrastructure	(1) Development consent must not be granted for development on land in an intensive urban development area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required. (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure. (3) In this clause— public utility infrastructure, in relation to an intensive urban development area, includes infrastructure for any of the following— (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage.	<i>Clause not included in Botany Bay LEP 2013.</i>	(1) Development consent must not be granted for development on land in an intensive urban development area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required. (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure. (3) In this clause: public utility infrastructure, in relation to an intensive urban development area, includes infrastructure for any of the following: (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage.
7.3 Relationship between Part and remainder of the Plan	A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.	<i>Clause not included in Botany Bay LEP 2013.</i>	A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.

SCHEDULE 1 ADDITIONAL PERMITTED USES

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
1 Use of certain land at 10–12 Allen Street and 11–13 Ann Street, Arncliffe (1) This clause applies to land at 10–12 Allen Street and 11–13 Ann Street, Arncliffe being— (a) Lots A and B, DP 970613, and (b) Lots 9, 10 and 16, Section I, DP 1071. (2) Development for the purposes of a residential flat building is permitted with development consent. 2 (Repealed) 3 Use of certain land at 213 Princes Highway and 4 Wardell Street, Arncliffe (1) This clause applies to land at 213 Princes Highway and 4 Wardell Street, Arncliffe being Lots 1–14, DP 124275, Lots 25–33, DP 1646 and Lot 1, DP 652922. (2) Development for the purposes of a mixed use development incorporating shops and shop top housing is permitted with development consent. (3) Development consent must not be granted for a mixed use development unless the application applies to the entire site. 4 Use of certain land at 18 Hartill-Law Avenue, Bardwell Park (1) This clause applies to land at 18 Hartill-Law Avenue, Bardwell Park being Lot 1, DP 801518. (2) Development for the purposes of a registered club is permitted with development consent. 5 Use of certain land at 58 President Avenue, Kogarah	1 Use of certain land at 1024–1044 Botany Road, Botany (1) This clause applies to land at 1024–1044 Botany Road, Botany, being Lot 1, DP 826172, Lot 1, DP 590790 and Lots 1, 2 and 6–10, DP 7826 and identified as “1” on the Additional Permitted Uses Map. (2) Development for the purposes of light industries, industrial retail outlets, self storage facilities, vehicle body repair workshops and vehicle repair stations is permitted with development consent. 2 Use of certain land at 1354 Botany Road, Botany (1) This clause applies to land at 1354 Botany Road, Botany, being Part Lot 1, DP 73950, known as Sir Joseph Banks Hotel and identified as “2” on the Additional Permitted Uses Map. (2) Development for the purposes of a pub is permitted with development consent. 3 Use of certain land at 23A Clevedon Street and 68 Pemberton Street, Botany (1) This clause applies to land at 23A Clevedon Street and 68 Pemberton Street, Botany, being Lot 1, DP 191664, Lot 1, DP 669008 and Lot A, DP 359739 and identified as “3” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot is permitted with development consent. 4 Use of certain land at Tupia Street, Botany (1) This clause applies to land at the end of Tupia Street, Botany within Sir Joseph Banks Park, being Lot Y, DP 32914 and identified as “4” on the Additional Permitted Uses Map.	1 Use of certain land at 1024–1044 Botany Road, Botany (1) This clause applies to land at 1024–1044 Botany Road, Botany, being Lot 1, DP 826172, Lot 1, DP 590790 and Lots 1, 2 and 6–10, DP 7826 and identified as “1” on the Additional Permitted Uses Map. (2) Development for the purposes of light industries, industrial retail outlets, self-storage facilities, vehicle body repair workshops and vehicle repair stations is permitted with development consent. 2 Use of certain land at 23A Clevedon Street and 68 Pemberton Street, Botany (1) This clause applies to land at 23A Clevedon Street and 68 Pemberton Street, Botany, being Lot 1, DP 191664, Lot 1, DP 669008 and Lot A, DP 359739 and identified as “2” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot is permitted with development consent. 3 Use of certain land at Tupia Street, Botany (1) This clause applies to land at the end of Tupia Street, Botany within Sir Joseph Banks Park, being Lot Y, DP 32914 and identified as “3” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot and public administration building is permitted with development consent. 4 Use of certain land at Wentworth Avenue, Eastgardens (1) This clause applies to land at Hensley Athletic Field, bordered by Wentworth Avenue, Denison Street, Smith Street and Corish Circle,

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
(1) This clause applies to land at 58 President Avenue, Kogarah being Lot 37, DP 1052178. (2) Development for the purposes of a car park at ground level is permitted with development consent. 6 Use of certain land at Bay Street Open Space Precinct, Rockdale (1) This clause applies to land known as Ador Avenue Reserve, McCarthy Reserve, Rockdale Women’s Playing Fields and Former Rockdale Bowling Club at— (a) 170 Bay Street, Rockdale being Lot D, DP 332630, Lot 2, DP 519343, Lot 2, DP 518813, Part Lot 1, DP 721666 and Part Lot 1, DP 724135, and (b) 9 Ador Avenue, Rockdale being Lot 27, DP 13109 and Part Lot 1, DP 721666, and (c) 310 West Botany Street, Rockdale being Lot 1, DP 517350 and Lot 1, DP 34647, and (d) 310A West Botany Street, Rockdale being Lot E, DP 15263 and Lot 1, DP 529102, and (e) 331 West Botany Street, Rockdale being Part Lot 1, DP 721666, and (f) 339 West Botany Street, Rockdale being Part Lot 1, DP 721666 and Part Lot 1, DP 724135, and (g) 341 West Botany Street, Rockdale being Part Lot 1, DP 721666, Part Lot 1, DP 724135 and Lot 2, DP 302304. (2) Development for the purposes of information and education facilities, kiosks, office premises, public administration buildings, recreation facilities (major) and retail premises is permitted with development consent. 6AA Use of certain land at 564–570 Princes Highway and 75–81 Railway Street, Rockdale (1) This clause applies to land at 564–570 Princes Highway and 75–81 Railway Street, Rockdale, being— (a) Lot 11, DP 1074481 and Lot 2, DP 529876, and (b) Lot 101, DP 771165, Lot 3, DP 82942, Lot 1, DP 455421 and Lot 1, DP 912313. (2) Development for the purpose of residential flat buildings at ground floor is permitted with development consent if the ground floor of the building facing Princes Highway, Railway Street or Parker Street is used for commercial premises. 6A Use of certain land at 432 West Botany Street, Rockdale (1) This clause applies to land at 432 West Botany Street, Rockdale, being Lots 3 and 4, SP 34276. (2) Development for the purposes of a shop associated with a charitable organisation is permitted with development consent. 7 Use of certain land at Kendall Street Reserve, Sans Souci (1) This clause applies to land at 2–24 Lawson Street, Sans Souci being Lot 12, DP 229778. (2) Development for the purposes of an educational establishment is permitted with development consent. 7A Use of certain land at Cahill Park, 2 and 2A Princes Highway, Wollri Creek	(2) Development for the purposes of a depot and public administration building is permitted with development consent. 5 Use of certain land at Wentworth Avenue, Eastgardens (1) This clause applies to land at Hensley Athletic Field, bordered by Wentworth Avenue, Denison Street, Smith Street and Corish Circle, Eastgardens, being Lot 182, DP 752015 and Lot 3, DP 79069 and identified as “5” on the Additional Permitted Uses Map. (2) Development for the purposes of a car park, entertainment facility, food and drink premises, function centre and registered club is permitted with development consent. 6 Use of certain land at Florence Avenue, Eastlakes (1) This clause applies to land at Florence Avenue, Eastlakes, being Lot 3, DP 791176 and identified as “6” on the Additional Permitted Uses Map. (2) Development for the purposes of light industries and a warehouse or distribution centre is permitted with development consent. 7 Use of certain land at 75 Gardeners Road, Eastlakes (1) This clause applies to land at 75 Gardeners Road, Eastlakes, being Lot 1, DP 1116853 and identified as “7” on the Additional Permitted Uses Map. (2) Development for the purposes of entertainment facilities, food and drink premises, function centres, garden centres, hardware and building supplies, landscaping material supplies, recreation areas and recreation facilities (indoor) is permitted with development consent. 8 Use of certain land at King Street, Eastlakes (1) This clause applies to land at L’Estrange Park, King Street, Eastlakes, being Lot 7068, DP 1028505 and identified as “8” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot and public administration building is permitted with development consent. 9 Use of certain land at 102 Maloney Street, Eastlakes (1) This clause applies to land at 102 Maloney Street, Eastlakes, being Lot 100, DP 740358 and identified as “9” on the Additional Permitted Uses Map. (2) Development for the purposes of a service station is permitted with development consent. 9AA Use of certain land at Coward Street, John Street, Haran Street, Church Avenue, O’Riordan Street and Gardeners Road, Mascot (1) This clause applies to land at Coward Street, John Street, Haran Street, Church Avenue, O’Riordan Street and Gardeners Road, Mascot, known as Linear Park, being Lots 1, 2 and 4 and part of Lots 3 and 5, DP 85917 and Lot 1, DP 224757 and identified as “9AA” on the Additional Permitted Uses Map. (2) Development for the purposes of a recreation area is permitted with development consent. 9A Use of certain land at Coward Street, King Street and Kent Road, Mascot	Eastgardens, being Lot 182, DP 752015 and Lot 3, DP 79069 and identified as “4” on the Additional Permitted Uses Map. (2) Development for the purposes of a car park, entertainment facility, food and drink premises, function centre and registered club is permitted with development consent. 5 Use of certain land at Florence Avenue, Eastlakes (1) This clause applies to land at Florence Avenue, Eastlakes, being Lot 3, DP 791176 and identified as “5” on the Additional Permitted Uses Map. (2) Development for the purposes of light industries and a warehouse or distribution centre is permitted with development consent. 6 Use of certain land at 75 Gardeners Road, Eastlakes (1) This clause applies to land at 75 Gardeners Road, Eastlakes, being Lot 1, DP 1116853 and identified as “6” on the Additional Permitted Uses Map. (2) Development for the purposes of entertainment facilities, food and drink premises, function centres, garden centres, hardware and building supplies, landscaping material supplies, recreation areas and recreation facilities (indoor) is permitted with development consent. 7 Use of certain land at King Street, Eastlakes (1) This clause applies to land at L’Estrange Park, King Street, Eastlakes, being Lot 7068, DP 1028505 and identified as “7” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot and public administration building is permitted with development consent. 8 Use of certain land at 102 Maloney Street, Eastlakes (1) This clause applies to land at 102 Maloney Street, Eastlakes, being Lot 100, DP 740358 and identified as “8” on the Additional Permitted Uses Map. (2) Development for the purposes of a service station is permitted with development consent. 9 Use of certain land at Coward Street, John Street, Haran Street, Church Avenue, O’Riordan Street and Gardeners Road, Mascot (1) This clause applies to land at Coward Street, John Street, Haran Street, Church Avenue, O’Riordan Street and Gardeners Road, Mascot, known as Linear Park, being Lots 1, 2 and 4 and part of Lots 3 and 5, DP 85917 and Lot 1, DP 224757 and identified as “9” on the Additional Permitted Uses Map. (2) Development for the purposes of a recreation area is permitted with development consent. 10 Use of certain land at Coward Street, King Street and Kent Road, Mascot (1) This clause applies to land at Coward Street, King Street and Kent Road, Mascot, being Lots 2 and 4, DP 234489, Lot B, DP 164829, Lot 1, DP 81210, Lot 1, DP 93, Lot 1, DP 721562, Lot 1, DP 202747, Lot 133, DP 659434, Lots 4 and 5, DP 38594, Lots 1 and 2, DP 738342, Lot 23, DP 883548, Lot 3, DP 230355, Lot 4, DP 537339, Lot 1, DP 445957 and Lot 2, DP 510447 and identified as “10” on the Additional Permitted Uses Map.

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
(1) This clause applies to land known as Cahill Park, 2 and 2A Princes Highway, Wolli Creek being Lot 3, DP 1148894. (2) Development for the purposes of a restaurant or cafe is permitted with development consent. 8 Use of certain land at 55–107 Princes Highway, Wolli Creek (1) This clause applies to 55–93, 95–103 and 107 Princes Highway, Wolli Creek being— (a) Lot 1, DP 124350, and (b) Lot 1, DP 366899, and (c) Lot Y, DP 406764, and (d) Lot C, DP 358076, and (e) Lot 2, DP 366899, and (f) Lot 1, DP 434701, and (g) Lot 1, DP 435902, and (h) Lot 1, DP 437335, and (i) Lot 1, DP 437151, and (j) Lot 5, DP 538220, and (k) Lot 2, DP 221119, and (l) Lot 1, DP 733375. (2) Development for the purposes of vehicle body repair workshops and vehicle repair stations is permitted with development consent. 9 Use of certain land at 50 Park Road, Sans Souci (1) This clause applies to land at 50 Park Road, Sans Souci being Lot 1, DP 1152183. (2) Development for the purposes of a registered club or a restaurant or cafe is permitted with development consent. 10 Use of certain land at 55 Sanoni Avenue, Sandringham (1) This clause applies to land at 55 Sanoni Avenue, Sandringham being Lot 436, DP 752056. (2) Development for the purposes of a registered club or a restaurant or cafe is permitted with development consent.	(1) This clause applies to land at Coward Street, King Street and Kent Road, Mascot, being Lots 2 and 4, DP 234489, Lot B, DP 164829, Lot 1, DP 81210, Lot 1, DP 93, Lot 1, DP 721562, Lot 1, DP 202747, Lot 133, DP 659434, Lots 4 and 5, DP 38594, Lots 1 and 2, DP 738342, Lot 23, DP 883548, Lot 3, DP 230355, Lot 4, DP 537339, Lot 1, DP 445957 and Lot 2, DP 510447 and identified as “9A” on the Additional Permitted Uses Map. (2) Development is permitted with development consent— (a) for any of the following purposes, but only if the purpose relates to the use of Sydney (Kingsford Smith) Airport— (i) commercial premises, (ii) function centres, (iii) information and education facilities, (iv) passenger transport facilities, (v) tourist and visitor accommodation, or (b) for the purpose of any other building or place used only for purposes that relate to the use of Sydney (Kingsford Smith) Airport. (3) Without limiting subclause (2), development is permitted with development consent for the purpose of a building or place used for the provision of any of the following services— (a) services related to any of the following uses carried out at Sydney (Kingsford Smith) Airport— (i) the assembly, storage or land transport of air freight, (ii) the accommodation, or transportation by air or land, of air passengers or air crew, (iii) the storage, operation, maintenance or repair of aircraft or aircraft components, (iv) the administrative functions associated with the airport, such as airport management and security, (v) the functions of government departments and authorities related to air passengers and air freight, (b) services provided for hotel or motel guests, including banking, dry cleaning, hairdressing and the like, that are located within the confines of the hotel or motel building. (4) In determining whether to grant development consent under this clause, the consent authority must consider the following— (a) whether or not the development is likely to support the role of Sydney (Kingsford Smith) Airport and environs as a transport gateway, (b) whether or not the development is likely to compromise the viability of adjoining industrial uses. 9B Use of certain land at 2 Hollingshed Street, Mascot (1) This clause applies to land at 2 Hollingshed Street, Mascot, being Lot 2, DP 827779 and identified as “9B” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot and public administration building is permitted with development consent. 10 Use of certain land at 60 Kent Road, Mascot (1) This clause applies to land at 60 Kent Road, Mascot, being Lot 7, DP 38594 and identified as “10” on the Additional Permitted Uses Map.	(2) Development is permitted with development consent: (a) for any of the following purposes, but only if the purpose relates to the use of Sydney (Kingsford Smith) Airport: (i) commercial premises, (ii) function centres, (iii) information and education facilities, (iv) passenger transport facilities, (v) tourist and visitor accommodation, or (b) for the purpose of any other building or place used only for purposes that relate to the use of Sydney (Kingsford Smith) Airport. (3) Without limiting subclause (2), development is permitted with development consent for the purpose of a building or place used for the provision of any of the following services: (a) services related to any of the following uses carried out at Sydney (Kingsford Smith) Airport: (i) the assembly, storage or land transport of air freight, (ii) the accommodation, or transportation by air or land, of air passengers or air crew, (iii) the storage, operation, maintenance or repair of aircraft or aircraft components, (iv) the administrative functions associated with the airport, such as airport management and security, (v) the functions of government departments and authorities related to air passengers and air freight, (b) services provided for hotel or motel guests, including banking, dry cleaning, hairdressing and the like, that are located within the confines of the hotel or motel building. (4) In determining whether to grant development consent under this clause, the consent authority must consider the following: (a) whether or not the development is likely to support the role of Sydney (Kingsford Smith) Airport and environs as a transport gateway, (b) whether or not the development is likely to compromise the viability of adjoining industrial uses. 11 Use of certain land at 2 Hollingshed Street, Mascot (1) This clause applies to land at 2 Hollingshed Street, Mascot, being Lot 2, DP 827779 and identified as “11” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot and public administration building is permitted with development consent. 12 Use of certain land at 60 Kent Road, Mascot (1) This clause applies to land at 60 Kent Road, Mascot, being Lot 7, DP 38594 and identified as “12” on the Additional Permitted Uses Map. (2) Development for the purposes of business premises and office premises (but not restricted premises) is permitted with development consent. 13 Use of certain land at King Street, Mascot (1) This clause applies to land at King Street, Mascot, being Lot 2, DP 510447 and identified as “13” on the Additional Permitted Uses Map.

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	(2) Development for the purposes of business premises and office premises (but not restricted premises) is permitted with development consent. 10A Use of certain land at King Street, Mascot (1) This clause applies to land at King Street, Mascot, being Lot 2, DP 510447 and identified as “10A” on the Additional Permitted Uses Map. (2) Development for any of the following purposes is permitted with development consent, but only if the purpose relates to the use of Sydney (Kingsford Smith) Airport— (a) freight transport facilities, (b) industrial training facilities, (c) general industries, (d) light industries, (e) storage premises, (f) transport depots. (3) In determining whether to grant development consent under this clause, the consent authority must consider the following— (a) whether or not the development is likely to support the role of Sydney (Kingsford Smith) Airport and environs as a transport gateway, (b) whether or not the development is likely to compromise the viability of adjoining industrial uses. 11 Use of certain land along Qantas Drive, Mascot (1) This clause applies to land adjacent to Qantas Drive, Mascot, being Lot 20, DP 747023 and identified as “11” on the Additional Permitted Uses Map. (2) Development for the purposes of signage is permitted with development consent. 12 Use of certain land at Robey and High Streets, Mascot (1) This clause applies to land at Robey and High Streets, Mascot, being Lots 4 and 5, DP 632359, known as John Curtin Reserve and identified as “12” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot and public administration building is permitted with development consent. 13 Use of certain land at 303–305 Gardeners Road, Rosebery (1) This clause applies to land at 303–305 Gardeners Road, Rosebery, being Lot 10, DP 1142723 and Lot A, DP 187154, known as The Lakes Hotel and identified as “13” on the Additional Permitted Uses Map. (2) Development for the purposes of a pub is permitted with development consent. 14 Use of certain land at 321 Gardeners Road, Rosebery (1) This clause applies to land at 321 Gardeners Road, Rosebery, being Lot 100, DP 1088772 and identified as “14” on the Additional Permitted Uses Map. (2) Development for the purposes of a service station is permitted with development consent. 15 Use of certain land at 395 Gardeners Road, Rosebery	(2) Development for any of the following purposes is permitted with development consent, but only if the purpose relates to the use of Sydney (Kingsford Smith) Airport: (a) freight transport facilities, (b) industrial training facilities, (c) general industries, (d) light industries, (e) storage premises, (f) transport depots. (3) In determining whether to grant development consent under this clause, the consent authority must consider the following: (a) whether or not the development is likely to support the role of Sydney (Kingsford Smith) Airport and environs as a transport gateway, (b) whether or not the development is likely to compromise the viability of adjoining industrial uses. 14 Use of certain land along Qantas Drive, Mascot (1) This clause applies to land adjacent to Qantas Drive, Mascot, being Lot 20, DP 747023 and identified as “14” on the Additional Permitted Uses Map. (2) Development for the purposes of signage is permitted with development consent. 15 Use of certain land at Robey and High Streets, Mascot (1) This clause applies to land at Robey and High Streets, Mascot, being Lots 4 and 5, DP 632359, known as John Curtin Reserve and identified as “15” on the Additional Permitted Uses Map. (2) Development for the purposes of a depot and public administration building is permitted with development consent. 16 Use of certain land at 321 Gardeners Road, Rosebery (1) This clause applies to land at 321 Gardeners Road, Rosebery, being Lot 100, DP 1088772 and identified as “16” on the Additional Permitted Uses Map. (2) Development for the purposes of a service station is permitted with development consent. 17 Use of certain land at 395 Gardeners Road, Rosebery (1) This clause applies to land at 395 Gardeners Road, Rosebery, being Lot 1, DP 75748 and identified as “17” on the Additional Permitted Uses Map. (2) Development for the purposes of a service station and vehicle repair workshop is permitted with development consent. 18 Use of certain land at 409 Gardeners Road, Rosebery (1) This clause applies to land at 409 Gardeners Road, Rosebery, being Lot 1, DP 217097 and Lot 5, DP 223717, known as the Roxy Theatre and identified as “18” on the Additional Permitted Uses Map. (2) Development for the purposes of entertainment facilities, function centres, health services facilities and hotel or motel accommodation, is permitted with development consent.

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
	(1) This clause applies to land at 395 Gardeners Road, Rosebery, being Lot 1, DP 75748 and identified as “15” on the Additional Permitted Uses Map. (2) Development for the purposes of a service station and vehicle repair workshop is permitted with development consent. 16 Use of certain land at 409 Gardeners Road, Rosebery (1) This clause applies to land at 409 Gardeners Road, Rosebery, being Lot 1, DP 217097 and Lot 5, DP 223717, known as the Roxy Theatre and identified as “16” on the Additional Permitted Uses Map. (2) Development for the purposes of entertainment facilities, function centres, health services facilities and hotel or motel accommodation, is permitted with development consent. 17 Use of certain land at 1 and 3 Macquarie Street and 3 and 3A Maloney Street, Rosebery (1) This clause applies to land at 1 and 3 Macquarie Street and 3 and 3A Maloney Street, Rosebery, being Lots 6 and 5, DP 18556, Lot 11, DP 1142723 and Lot 8, DP 18556, and identified as “17” on the Additional Permitted Uses Map. (2) Development for the purposes of a car park in association with the use of the hotel at 305 Gardeners Road, Rosebery, known as The Lakes Hotel, is permitted with development consent. 18 Use of certain land at Astrolabe Park, Mutch Park and Rhodes Street Reserve (1) This clause applies to the following land , identified as “18” on the Additional Permitted Uses Map— (a) land at Isaac Smith Street, Daceyville, being Lot 2825, DP 752015, known as Astrolabe Park, (b) land at Rhodes Street, Hillsdale, being Lot 245, DP 752015, Lot 1, DP 122212 and Lot 1, DP 813900, known as Rhodes Street Reserve, (c) land at Wentworth Avenue, Pagewood, being Lots 3881 and 3882, DP 752015, known as Mutch Park. (2) Development for the purposes of a recreation area is permitted with development consent. 19 Use of certain land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens (1) This clause applies to land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 and Lot 24, DP 1242288 and identified as “19” on the Additional Permitted Uses Map. (2) Development for the following purposes is permitted with development consent— (a) serviced apartments, (b) commercial premises, (c) recreation facilities (indoor).	19 Use of certain land at 1 and 3 Macquarie Street and 3 and 3A Maloney Street, Rosebery (1) This clause applies to land at 1 and 3 Macquarie Street and 3 and 3A Maloney Street, Rosebery, being Lots 6 and 5, DP 18556, Lot 11, DP 1142723 and Lot 8, DP 18556, and identified as “19” on the Additional Permitted Uses Map. (2) Development for the purposes of a car park in association with the use of the hotel at 305 Gardeners Road, Rosebery, known as The Lakes Hotel, is permitted with development consent. 20 Use of certain land at Astrolabe Park, Mutch Park and Rhodes Street Reserve (1) This clause applies to the following land , identified as “20” on the Additional Permitted Uses Map: (a) land at Isaac Smith Street, Daceyville, being Lot 2825, DP 752015, known as Astrolabe Park, (b) land at Rhodes Street, Hillsdale, being Lot 245, DP 752015, Lot 1, DP 122212 and Lot 1, DP 813900, known as Rhodes Street Reserve, (c) land at Wentworth Avenue, Pagewood, being Lots 3881 and 3882, DP 752015, known as Mutch Park. (2) Development for the purposes of a recreation area is permitted with development consent. 21 Use of certain land at 10–12 Allen Street and 11–13 Ann Street, Arncliffe (1) This clause applies to land at 10–12 Allen Street and 11–13 Ann Street, Arncliffe being— (a) Lots A and B, DP 970613, and (b) Lots 9, 10 and 16, Section I, DP 1071, and identified as “21” on the Additional Permitted Uses Map. (2) Development for the purposes of a residential flat building is permitted with development consent. 22 Use of certain land at 213 Princes Highway and 4 Wardell Street, Arncliffe (1) This clause applies to land at 213 Princes Highway and 4 Wardell Street, Arncliffe being Lots 1–14, DP 124275, Lots 25–33, DP 1646 and Lot 1, DP 652922, and identified as “22” on the Additional Permitted Uses Map. (2) Development for the purposes of a mixed use development incorporating shops and shop top housing is permitted with development consent. (3) Development consent must not be granted for a mixed use development unless the application applies to the entire site. 23 Use of certain land at 18 Hartill-Law Avenue, Bardwell Park (1) This clause applies to land at 18 Hartill-Law Avenue, Bardwell Park being Lot 1, DP 801518, and identified as “23” on the Additional Permitted Uses Map. (2) Development for the purposes of a registered club is permitted with development consent.

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		24 Use of certain land at 58 President Avenue, Kogarah (1) This clause applies to land at 58 President Avenue, Kogarah being Lot 37, DP 1052178, and identified as “24” on the Additional Permitted Uses Map. (2) Development for the purposes of a car park at ground level is permitted with development consent. 25 Use of certain land at Bay Street Open Space Precinct, Rockdale (1) This clause applies to land known as Ador Avenue Reserve, McCarthy Reserve, Rockdale Women’s Playing Fields and Former Rockdale Bowling Club at— (a) 170 Bay Street, Rockdale being Lot D, DP 332630, Lot 2, DP 519343, Lot 2, DP 518813, Part Lot 1, DP 721666 and Part Lot 1, DP 724135, and (b) 9 Ador Avenue, Rockdale being Lot 27, DP 13109 and Part Lot 1, DP 721666, and (c) 310 West Botany Street, Rockdale being Lot 1, DP 517350 and Lot 1, DP 34647, and (d) 310A West Botany Street, Rockdale being Lot E, DP 15263 and Lot 1, DP 529102, and (e) 331 West Botany Street, Rockdale being Part Lot 1, DP 721666, and (f) 339 West Botany Street, Rockdale being Part Lot 1, DP 721666 and Part Lot 1, DP 724135, and (g) 341 West Botany Street, Rockdale being Part Lot 1, DP 721666, Part Lot 1, DP 724135 and Lot 2, DP 302304, and identified as “25” on the Additional Permitted Uses Map. (2) Development for the purposes of information and education facilities, kiosks, office premises, public administration buildings, recreation facilities (major) and retail premises is permitted with development consent. 26 Use of certain land at 564–570 Princes Highway and 75–81 Railway Street, Rockdale (1) This clause applies to land at 564–570 Princes Highway and 75–81 Railway Street, Rockdale, being— (a) Lot 11, DP 1074481 and Lot 2, DP 529876, and (b) Lot 101, DP 771165, Lot 3, DP 82942, Lot 1, DP 455421 and Lot 1, DP 912313, and identified as “26” on the Additional Permitted Uses Map. (2) Development for the purpose of residential flat buildings at ground floor is permitted with development consent if the ground floor of the building facing Princes Highway, Railway Street or Parker Street is used for commercial premises. 27 Use of certain land at 432 West Botany Street, Rockdale (1) This clause applies to land at 432 West Botany Street, Rockdale, being Lots 3 and 4, SP 34276. (2) Development for the purposes of a shop associated with a charitable organisation is permitted with development consent. 28 Use of certain land at Kendall Street Reserve, Sans Souci

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		(1) This clause applies to land at 2–24 Lawson Street, Sans Souci being Lot 12, DP 229778, and identified as “28” on the Additional Permitted Uses Map. (2) Development for the purposes of an educational establishment is permitted with development consent. 29 Use of certain land at Cahill Park, 2 and 2A Princes Highway, Wolli Creek (1) This clause applies to land known as Cahill Park, 2 and 2A Princes Highway, Wolli Creek being Lot 3, DP 1148894, and identified as “29” on the Additional Permitted Uses Map. (2) Development for the purposes of a restaurant or cafe is permitted with development consent. 30 Use of certain land at 55–107 Princes Highway, Wolli Creek (1) This clause applies to 55–93, 95–103 and 107 Princes Highway, Wolli Creek being— (a) Lot 1, DP 124350, and (b) Lot 1, DP 366899, and (c) Lot Y, DP 406764, and (d) Lot C, DP 358076, and (e) Lot 2, DP 366899, and (f) Lot 1, DP 434701, and (g) Lot 1, DP 435902, and (h) Lot 1, DP 437335, and (i) Lot 1, DP 437151, and (j) Lot 5, DP 538220, and (k) Lot 2, DP 221119, and (l) Lot 1, DP 733375, and identified as “30” on the Additional Permitted Uses Map. (2) Development for the purposes of vehicle body repair workshops and vehicle repair stations is permitted with development consent. 31 Use of certain land at 50 Park Road, Sans Souci (1) This clause applies to land at 50 Park Road, Sans Souci being Lot 1, DP 1152183, and identified as “31” on the Additional Permitted Uses Map. (2) Development for the purposes of a registered club is permitted with development consent. 32 Use of certain land at 55 Sanoni Avenue, Sandringham (1) This clause applies to land at 55 Sanoni Avenue, Sandringham being Lot 436, DP 752056, and identified as “32” on the Additional Permitted Uses Map. (2) Development for the purposes of a registered club is permitted with development consent. 33 Use of certain land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens (1) This clause applies to land at 128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 and Lot 24, DP 1242288 and identified as “33” on the Additional Permitted Uses Map.

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
		(2) Development for the following purposes is permitted with development consent— (a) serviced apartments, (b) commercial premises, (c) recreation facilities (indoor). 34 Use of certain land in R2 Low Density Residential zone for multi-dwelling housing and residential flat buildings (1) This clause applies to land identified as “34” on the Additional Permitted Uses Map. (2) Development for the following purposes is permitted with development consent— (a) multi-dwelling housing, (b) residential flat building, (3) Despite 34(2) above, development consent must not be granted to development for the purposes of a residential flat building or multi dwelling housing on land to which this clause applies unless— (a) the development is— (i) a building that was designed and constructed for, or (ii) on land that, on the commencement of this Plan, was used for, a purpose other than residential accommodation, and (b) the consent authority has considered— (i) the impact of the development on the scale and streetscape of the surrounding locality, and (ii) the suitability of the building or land for adaptive reuse, and (iii) the degree of modification of the footprint and facade of the building. 35 Use of certain land in R3 Medium Density Residential zone for residential flat buildings (1) This clause applies to land identified as “35” on the Additional Permitted Uses Map. (2) Development for the purposes of a residential flat building is permitted with development consent.

SCHEDULE 2 EXEMPT DEVELOPMENT

Development type	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
Note 1. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy. Note 2. Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners’ property rights and the common law still apply.			

Signage—general	(1) Signage must not be installed on or in, or in relation to, a heritage item or a draft heritage item (within the meaning of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008). (2) Signage installed behind the glass line of a shop window need not comply with subclause (1) or any of the other requirements of this Schedule so long as the signage does not cover more than 40% of the surface area of the window. (3) Any advertisement that is not visible from outside the site on which it is displayed need not comply with subclause (1) or any of the other requirements set out in this Schedule. (4) A sign that replaces a sign that has been approved, or authorised by development consent, under the Act must not be larger than that sign.	(1) Must be associated with the lawful use of the building or a use permitted by a development consent (except for temporary signs). (2) Must not be flashing, moving or animated. (3) Must not be detrimental to the functioning of the building. (4) Must not be on the walls that face or adjoin a residential premises. (5) Maximum—4 signs per premises. (6) Must not cover any windows or architectural features of the building to which the sign is affixed. (7) Must have the consent of the owner of the property on which the sign is located. (8) Must not cover mechanical ventilation inlets or outlets. (9) If the sign is not flush with the wall—must be at least 2.6m above any public footpath. (10) If the sign is over a public road—must be at least 600mm from a kerb or roadway edge. Note. A sign erected on or over a public road requires consent under the Roads Act 1993. (11) Must be of a professional structural standard and finish. (12) Must not be attached to a tree. (13) Must not be located on any roof or above the line of any guttering, verandah or awning (including the fascia of the verandah or awning). (14) Must not be erected on a heritage item. (15) Must not be erected on a brothel. (16) If the sign is illuminated, the illumination, including the cabling, must be concealed or integral with the sign. (17) Must be wholly located on the land or premises to which the sign relates, unless it is a temporary sign and the consent of the owner of the property is obtained.	
Retaining walls for non-domestic purposes (not including sea walls)		(1) Maximum height—500mm. (2) Must not prevent, divert or redirect the natural flow of stormwater drainage. (3) The footings, wall and any associated drainage must be contained entirely within the property boundary. (4) Must not be constructed over any existing easements or over any existing stormwater line on the property. (5) Maximum—1 per lot.	

Signage—fascia signs (signs on the fascia or return end of an awning)		(1) Must meet the general requirements for signage. (2) Must not be illuminated. (3) Maximum of 1 fascia sign per premises. (4) Must not project above or below the fascia or return end of the awning to which the sign is attached. (5) Must be flush with the fascia. (6) If not a ridged sign—must be within a ridged frame.	
Signage—painted wall signs (signs painted on to a wall of a building)		(1) Maximum size—0.75m². (2) Must not be illuminated. (3) Must be erected at the ground level only. (4) Must be attached to the building containing the business. (5) Must be fixed flat on the wall to which it is attached. (6) Must not project above or beyond the parapet or eaves. (7) Must be securely fixed. (8) Maximum—1 sign per premises. (9) Must not be erected in a heritage conservation area.	
Signage—pole and pylon signs including directory board signs		(1) If a single industrial unit or an industrial complex with less than 3 units—1 business identification sign may be attached to the facade of each unit. (2) If an industrial complex, containing 3 or more industrial units with a common driveway—1 directory board is permitted. (3) Must not be higher than 6m above the existing ground level. (4) Maximum length—2400mm. (5) Maximum height—500mm. (6) Must not project more than 300mm from a wall. (7) If a directory board, must front the main public entry point to the premises. (8) Must not obstruct the sight lines of vehicles or pedestrian traffic. (9) Must not be illuminated. (10) Must not be attached to a flagpole. (11) Must be built in accordance with engineer’s certification for the structure and footings.	

Signage—real estate signs		(1) Must be located on the property that is being advertised. (2) Must not be illuminated. (3) Must be removed no later than 14 days after the sale of the property or, in the case of subdivision, when 90% of lots are sold or within 5 years, whichever occurs first. (4) Maximum area— (a) single dwelling—2.5m². (b) multi dwelling development of less than 10 dwellings—5m². (c) multi dwelling development of 10 or more dwellings—10m². (d) commercial building—5m². (e) maximum height—8m. (5) Maximum—1 per site.	
Signage—temporary signs (signs displayed on large scale developments under construction or announcing a local, cultural, education, religious event or the like)		(1) Maximum—1 per street frontage. (2) Must not be illuminated. (3) The names of sponsors or their logos must not be the dominant feature. (4) Must be displayed no more than 28 days before the event. (5) Must be removed within 14 days after the event. (6) Must be displayed on the property where the temporary event is to be held. (7) May be attached to an existing boundary fence but must not project more than 100mm from the fence. (8) Maximum area—3.5m².	
Signage—top hamper signs (signs attached to the transom of the doorway or display window of a building)		(1) Must not be illuminated. (2) Maximum area—2.5m². (3) Maximum height—600mm. (4) Must not extend below the head of the doorway or window to which the sign is affixed. (5) Must be flush to the external face of the premises and not project more than 150mm. (6) Maximum of 1 top hamper sign per street frontage. (7) Must relate to an approved use of the premises. (8) Must be securely fixed.	

Signage—under awning signs (signs attached to the under side of an awning other than a fascia return end)		(1) Maximum of 1 under awning sign per ground floor occupancy with a street frontage. (2) Must be below an awning fascia. (3) Must not project beyond the awning to which the sign is attached. (4) Maximum length—2.5m. (5) Maximum height—0.5m. (6) If in a residential zone—must not be illuminated. (7) Must be at least 2.6m above natural ground level to the underside of the sign. (8) Must be erected horizontally to the ground. (9) Must be securely fixed by stiffened metal supports. (10) Must be erected at right angles to the building. (11) Must not be closer than 3m to another suspended under awning sign.	
Signage—window signs (signs attached to or displayed in a shop window)		(1) Maximum coverage of the window surface must not exceed 20% of the window area or a maximum of 6m². (2) Must only be erected on ground floor windows. (3) Maximum—1 window sign per premises. (4) Must not be illuminated.	
Home occupation signage	(1) Only 1 per site. (2) Maximum area—750mm². (3) Must be located wholly within the boundaries of the subject property.		
A-frame signs and sandwich boards	(1) Must be portable and free standing (consisting of two boards joined by one edge or any other means). (2) Must not be located on a public footpath unless— (a) the sign or signs are installed in accordance with the Footway Trading Policy, published by the Council with effect on 1 July 2012, and (b) the sign or signs are not illuminated.		

Business identification signage	(1) In the case of business identification signage on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential— (a) must relate to the use of the land on which it is erected and not involve any third party advertising, and (b) may have a maximum area of 1m², and (c) must be affixed to the building no higher than 3m above finished ground level and below the eaves line of the building, and (d) must not overhang a public road or footpath, and (e) must not be illuminated or have any flashing or moving elements. (2) In the case of business identification signage on land in Zone B1 Neighbourhood Centre, Zone B2 Local Centre or Zone B4 Mixed Use— (a) if the premises concerned have an awning, there may be— (i) one or more business identification signs below the level of the awning, and (ii) not more than one building identification sign on the awning fascia, and (iii) not more than one suspended under-awning sign or projecting wall sign for each 3 metres of the length of the shop front of the premises, each of which must not exceed 2.5 metres in length or 0.5 metre in height and no part of which is to be less than 2.6 metres above finished ground level. (b) if the premises concerned do not have an awning, there may be one or more such signs, but none is to extend more than 4.6 metres above ground level or above the level of the bottom of the first floor window (whichever is lower) and not more than 50% of the area of the shop front of the premises is to be covered by such signs. (3) In the case of business identification signage on land in Zone B6 Enterprise Corridor or Zone IN2 Light Industrial— (a) on premises consisting of a neighbourhood shop, must comply with the requirements applying to business identification signage under subclause (2), or (b) on any other premises, have a maximum area of 10m².		
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SCHEDULE 3 COMPLYING DEVELOPMENT

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
Note. <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This Schedule contains additional complying development not specified in that Policy. Part 1 Types of development (When this Plan was made this Part was blank.) Part 2 Complying development certificate conditions Note. Complying development must comply with the requirements of the Act, the regulations under the Act and this Plan. General conditions	Note. <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This Schedule contains additional complying development not specified in that Policy. Part 1 Types of development (When this Plan was made this Part was blank) Part 2 Complying development certificate conditions Note. Complying development must comply with the requirements of the Act, the regulations under the Act and this Plan. General conditions	Note. <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This Schedule contains additional complying development not specified in that Policy. Part 1 Types of development Part 2 Complying development certificate conditions Note. Complying development must comply with the requirements of the Act, the regulations under the Act and this Plan. General conditions Any development specified in Part 1 is subject to the same conditions set out in Schedule 6 <i>to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
Any development specified in Part 1 is subject to the same conditions set out in Schedule 6 to <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> .	Any development specified in Part 1 is subject to the same conditions set out in Schedule 6 to <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> .	

SCHEDULE 4 CLASSIFICATION AND RECLASSIFICATION OF PUBLIC LAND

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP																																																						
Part 1 Land classified, or reclassified, as operational land—no interests changed Column 1 Locality Nil	Part 1 Land classified, or reclassified, as operational land—no interests changed Column 1 Locality Henry Kendall Crescent, Lot 126A, DP 21810 Mascot	Part 1 Land classified, or reclassified, as operational land—no interests changed Column 1 Locality Nil																																																						
Part 2 Land classified, or reclassified, as operational land—interests changed <table> <tr> <th>Column 1</th><th>Column 2</th><th>Column 3</th></tr> <tr> <th>Locality</th><th>Description</th><th>Any trusts etc not discharged</th></tr> <tr> <td>23–25 Barden Street, Arncliffe</td><td>Lot 1, DP 594582; Lot 120, DP 710332</td><td>Nil</td></tr> <tr> <td>9 Bidjigal Road, Arncliffe</td><td>Lot 3, DP 1247416</td><td>Nil</td></tr> <tr> <td>10 Rye Avenue, Bexley</td><td>Lot 102, DP 1042328; Lot B, DP 368323</td><td>Nil</td></tr> <tr> <td>316 Bexley Road, Bexley</td><td>Lot 3, DP 31941</td><td>Nil</td></tr> <tr> <td>36B Princess Street, Brighton Le Sands</td><td>Lot 2, DP 880794</td><td>Nil</td></tr> <tr> <td>35, 37 and 41 Beach Street, Kogarah</td><td>Lot 148, DP 455610; Lot 149, DP 1110; Lot 1, DP 509948; Lot 1, DP 32964; Lot 1, DP 45657</td><td>Nil</td></tr> <tr> <td>10 Cross Street, Kogarah</td><td>Lot 9, DP 11451</td><td>Nil</td></tr> <tr> <td>40–56 French Street, Kogarah</td><td>Lot 145, DP 455610; Lot 146, DP 455610; Lot 147, DP 455610</td><td>Nil</td></tr> <tr> <td>25A and 25B The Strand, Rockdale</td><td>Lot 3, DP 231326; Lot 503, DP 875758; Lot 1, DP 537729</td><td>Nil</td></tr> <tr> <td>49 Walker Street, Turrella</td><td>Lot 2, DP 223324</td><td>Nil</td></tr> </table>	Column 1	Column 2	Column 3	Locality	Description	Any trusts etc not discharged	23–25 Barden Street, Arncliffe	Lot 1, DP 594582; Lot 120, DP 710332	Nil	9 Bidjigal Road, Arncliffe	Lot 3, DP 1247416	Nil	10 Rye Avenue, Bexley	Lot 102, DP 1042328; Lot B, DP 368323	Nil	316 Bexley Road, Bexley	Lot 3, DP 31941	Nil	36B Princess Street, Brighton Le Sands	Lot 2, DP 880794	Nil	35, 37 and 41 Beach Street, Kogarah	Lot 148, DP 455610; Lot 149, DP 1110; Lot 1, DP 509948; Lot 1, DP 32964; Lot 1, DP 45657	Nil	10 Cross Street, Kogarah	Lot 9, DP 11451	Nil	40–56 French Street, Kogarah	Lot 145, DP 455610; Lot 146, DP 455610; Lot 147, DP 455610	Nil	25A and 25B The Strand, Rockdale	Lot 3, DP 231326; Lot 503, DP 875758; Lot 1, DP 537729	Nil	49 Walker Street, Turrella	Lot 2, DP 223324	Nil	Part 2 Land classified, or reclassified, as operational land—interests changed <table> <tr> <th>Column 1</th><th>Column 2</th><th>Column 3</th></tr> <tr> <th>Locality</th><th>Description</th><th>Any trusts etc not discharged</th></tr> <tr> <td>Nil</td><td></td><td></td></tr> </table>	Column 1	Column 2	Column 3	Locality	Description	Any trusts etc not discharged	Nil			Part 2 Land classified, or reclassified, as operational land—interests changed <table> <tr> <th>Column 1</th><th>Column 2</th><th>Column 3</th></tr> <tr> <th>Locality</th><th>Description</th><th>Any trusts etc not discharged</th></tr> <tr> <td>Nil</td><td></td><td></td></tr> </table>	Column 1	Column 2	Column 3	Locality	Description	Any trusts etc not discharged	Nil		
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Part 3 Land classified, or reclassified, as community land Column 1 Locality Nil	Part 3 Land classified, or reclassified, as community land Column 1 Locality Nil	Part 3 Land classified, or reclassified, as community land Column 1 Locality Nil																																																						

SCHEDULE 5 ENVIRONMENTAL HERITAGE

Rockdale LEP 2011						Botany Bay LEP 2013						Proposed Bayside LEP					
Part 1 Heritage items						Part 1 Heritage items						Part 1 Heritage items					
Suburb	Item name	Address	Property description	Significance	Item no	Suburb	Item Name	Address	Property Description	Significance	Item No	Suburb	Item Name	Address	Property Description	Significance	New Item No
Arncliffe	Arncliffe Railway Station Group	Arncliffe Railway station, Station Street and road bridge on Forest Road	Part Lot 1, DP 1033288	State	I1	Banksmeadow	Sir Joseph Banks Hotel (circa 1920)	1354 Botany Road (corner of Botany Road and Waratah Street)	Part Lot 1, DP 73950	Local	I72	Arncliffe	Arncliffe Railway Station Group	Arncliffe Railway station, Station Street and road bridge on Forest Road	Part Lot 1, DP 1033288	State, Local	I1
Arncliffe	Federation cottage	9 Brennans Road	Lot 3, DP 10357	Local	I3	Banksmeadow	Commercial building	1619 Botany Road	Lot 1, DP 913863	Local	I60	Arncliffe	Federation cottage	9 Brennans Road	Lot 3, DP 10357	Local	I2
Arncliffe	“Newstead”	1 Carlton Street	Lot 6, DP 1850	Local	I4	Banksmeadow	Banksmeadow Public School	Brighton Street through to Wiggins Street	Lot 12, DP 859010	Local	I62	Arncliffe	“Newstead”	1 Carlton Street	Lot 6, DP 1850	Local	I3
Arncliffe	Victorian cottage	5 Dowling Street	Lot 3, DP 853549	Local	I5	Banksmeadow	Streetscape—verge plantings of Canary Island Date Palm (Phoenix canariensis)	Brighton Street		Local	I63	Arncliffe	Victorian cottage	5 Dowling Street	Lot 3, DP 853549	Local	I4
Arncliffe	Victorian cottage	9 Dowling Street	Lot 1, DP 853549	Local	I6	Banksmeadow	Former headmaster’s residence to Banksmeadow Public School	60 Brighton Street	Lot 11, DP 859010	Local	I64	Arncliffe	Victorian cottage	9 Dowling Street	Lot 1, DP 853549	Local	I5
Arncliffe	House	19 Dowling Street	Lot 100, DP 859517	Local	I7	Botany/Daceyville/Eastlakes/Mascot/Pagewood	Botany water reserves	About 200ha between Mascot and Botany extending from the northern shore of Botany Bay to Gardeners Road including the Lakes and Eastlakes Golf Courses and Mill and	Lots 1 and 2, DP 1039418; Lot 1, DP 233011; Lot 1, DP 241650; Lots 2473 and 2825, DP 752015; Lots 5, 6 and 7, DP 780391; Lot 3, DP 780392; Lot 2, DP 854374; Lot 13, DP 87663 and Lot 4, DP 87663	State	I2	Arncliffe	House	19 Dowling Street	Lot 100, DP 859517	Local	I6
Arncliffe	Paired house	21 Duncan Street	Lot A, DP 186303	Local	I9							Arncliffe	Paired house	21 Duncan Street	Lot A, DP 186303	Local	I7
Arncliffe	Paired house	23 Duncan Street	Lot 1, DP 875396	Local	I10							Arncliffe	Paired house	23 Duncan Street	Lot 1, DP 875396	Local	I8
Arncliffe	Stone cottage	25 Duncan Street	Lot 11, DP 875397	Local	I11							Arncliffe	Stone cottage	25 Duncan Street	Lot 11, DP 875397	Local	I9
Arncliffe	“Glenwood”	27 Eden Street	Lots 1 and 2, SP 61118	Local	I12							Arncliffe	“Glenwood”	27-29 Eden Street	Lots 1 and 2, SP 61118	Local	I10
Arncliffe	“Bard of Avon”	39 Eden Street	Lot 1, DP 650148	Local	I13							Arncliffe	“Bard of Avon”	39 Eden Street	Lot 1, DP 650148	Local	I11
Arncliffe	Californian bungalow	7 Fairview Street	Lot 20, DP 9096	Local	I15							Arncliffe	Californian bungalow	7 Fairview Street	Lot 20, DP 9096	Local	I12
Arncliffe	Californian bungalow	21 Fairview Street	Lot 25, DP 9096	Local	I16							Arncliffe	Californian bungalow	21 Fairview Street	Lot 25, DP 9096	Local	I13
Arncliffe	Street plantings	Firth Street		Local	I18							Arncliffe	Street plantings	Firth Street		Local	I14
Arncliffe	Arncliffe Post Office	35 Firth Street	Lot 1, DP 1000369	Local	I19							Arncliffe	Arncliffe Post Office	35 Firth Street	Lot 1, DP 1000369	Local	I15
Arncliffe	Glennie Lane	Firth Street (laneway between Nos 43 and 44		Local	I20							Arncliffe	Glennie Lane	Firth Street (laneway between Nos 43 and 44 through to Stanley Street)	DP 1793	Local	I16
												Arncliffe	Victorian shop and dwelling	45 Firth Street	Lot B, DP 365141	Local	I17
												Arncliffe	St Francis Xavier Church group	2–4 and 6 Forest Road	Lot A, DP 323842;	Local	I18

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
			through to Stanley Street)							Engine Ponds							Lot B, DP 323842; Lot A, DP 317958; Lot 1, DP 185896			
Arncliffe	Victorian shop and dwelling	45 Firth Street	Lot B, DP 365141	Local		I21	Botany	Booralee Park	Bounded by Sydenham Railway Line and Daniel, Bay, Lord, Myrtle and Jasmine Streets	Lot 7078, DP 1027047	Local		I61	Arncliffe	St Francis Xavier Catholic Presbytery	26 Forest Road	Lot 12, DP 580363	Local		I19
Arncliffe	St Francis Xavier Church group	2–4 and 6 Forest Road	Lot A, DP 323842; Lot B, DP 323842; Lot A, DP 317958; Lot 1, DP 185896	Local		I22	Botany	Sir Joseph Banks Hotel (former, circa 1840)	23 Anniversary Street	Lots 1–19, SP 62214	State		I4	Arncliffe	Rosslyn Hospital	30 Forest Road	Lots 1–10, SP 47963	Local		I20
Arncliffe	St Francis Xavier Catholic Presbytery	26 Forest Road	Lot 12, DP 580363	Local		I23	Botany	Fire station (circa 1906)	1–3 Banksia Street	Lot A, DP 328019	Local		I7	Arncliffe	“Gladstone” and “Wentworth”	134 and 136 Forest Road	Lot B, DP 372194; Part Lot 49, Section B, DP 933; Lot C, DP 395258	Local		I21
Arncliffe	Rosslyn Hospital	30 Forest Road	Lots 1–10, SP 47963	Local		I24	Botany	Post office (circa 1923)	2 Banksia Street	Lot 1, DP 208627	Local		I6	Arncliffe	House	137 Forest Road	Lot 50, DP 1919	Local		I22
Arncliffe	“Gladstone” and “Wentworth”	134 and 136 Forest Road	Lot B, DP 372194; Part Lot 49, Section B, DP 933; Lot C, DP 395258	Local		I25	Botany	House	6 Banksia Street	Lot A, DP 332049	Local		I8	Arncliffe	Arncliffe preschool and kindergarten	139 Forest Road	Lot 49, DP 1919	Local		I23
Arncliffe	House	137 Forest Road	Lot 50, DP 1919	Local		I26	Botany	House	7 Banksia Street	Lot 7, DP 5177	Local		I9	Arncliffe	“Coburra”	184 Forest Road	Lot A, DP 343038	Local		I24
Arncliffe	Arncliffe preschool and kindergarten	139 Forest Road	Lot 49, DP 1919	Local		I27	Botany	House	8 Banksia Street	Lot B, DP 332049	Local		I10	Arncliffe	“Wilga”	220 Forest Road	Lots 3 and 8, DP 13853	Local		I25
Arncliffe	“Coburra”	184 Forest Road	Lot A, DP 343038	Local		I28	Botany	House	47 Banksia Street	Lot B, DP 331090	Local		I11	Arncliffe	Californian bungalow	224 Forest Road	Lot 2, DP 13853	Local		I26
Arncliffe	“Wilga”	220 Forest Road	Lots 3 and 8, DP 13853	Local		I29	Botany	Streetscape—verge plantings of Canary Island Date Palm (Phoenix canariensis)	Bay Street (western side of Botany Road)		Local		I12	Arncliffe	Federation house	39 Hirst Street	Lot 2, DP 556457	Local		I27
Arncliffe	Californian bungalow	224 Forest Road	Lot 2, DP 13853	Local		I30	Botany	House group	10–14 Bay Street	Lots 1, 2 and 3, DP 748509	Local		I13	Arncliffe	Federation house	79 Hirst Street	Lot 13, Section C, DP 2996	Local		I28
Arncliffe	Federation house	39 Hirst Street	Lot 2, DP 556457	Local		I31	Botany	House	16 Bay Street	Lot 1, DP 998741	Local		I14	Arncliffe	House	8 Kembla Street	Lot 21, DP 865131	Local		I29
Arncliffe	Federation house	79 Hirst Street	Lot 13, Section C, DP 2996	Local		I32	Botany	House	19 Bay Street	Lot 1, DP 904269	Local		I15	Arncliffe	House	31 Kyle Street	Lot 7, Section 4, DP 1633	Local		I30
Arncliffe	House	8 Kembla Street	Lot 21, DP 865131	Local		I33	Botany	House group	45–57 Bay Street	Lots A–D, DP 436271; Lots A and B, DP 439683; Lot 1, Section B, DP 3449	Local		I16	Arncliffe	Wolli Creek Aqueduct	27 and 27A Lusty Street, Part 74 1 Bonar Street	Part Lot 1, DP 8682; Lot 2, DP 444657; Lot 3, DP 86820 (part roadway between Turrella Street and Lusty Street and part bed of Wolli Creek)	State		I31
														Arncliffe, Wolli Creek	Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS)—Western Main Carrier	11 and 13A Marsh Street	Lot 17, DP 1069479; Part Lot 5, DP 1050923; Lot 9, DP 1050923; Lot	State		I32

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
	Arncliffe	House	31 Kyle Street	Lot 7, Section 4, DP 1633	Local	I35		Botany	Corner store—“Alto”	50–52 Bay Street	Lot 2, DP 11383	Local	I17					10, DP 1050923		
	Arncliffe	Wolli Creek Aqueduct	27 and 27A Lusty Street, Part 74 1 Bonar Street	Part Lot 1, DP 8682; Lot 2, DP 444657; Lot 3, DP 86820 (part roadway between Turrella Street and Lusty Street and part bed of Wolli Creek)	State	I36		Botany	House	135 Bay Street	Lot 1, DP 335932	Local	I18		Arncliffe	Palm trees	Mawson Street		Local	I33
	Arncliffe	Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS)—Western Main Carrier	11 and 13A Marsh Street	Lot 17, DP 1069479; Part Lot 5, DP 1050923; Lot 9, DP 1050923; Lot 10, DP 1050923	State	I238		Botany	House	145 Bay Street	Lot 101, DP 732151	Local	I19		Arncliffe	Victorian terrace	3 and 4 Mitchell Street	Lots 35 and 36, DP 2069	Local	I34
	Arncliffe	Palm trees	Mawson Street		Local	I37		Botany	House	147 Bay Street	Lot A, DP 389313	Local	I20		Arncliffe	Californian bungalow	12 Mitchell Street	Lot A, DP 439701	Local	I35
	Arncliffe	Victorian terrace	3 and 4 Mitchell Street	Lots 35 and 36, DP 2069	Local	I38		Botany	House—“The White House”	151 Bay Street	Lots 9 and 10, Section G, DP 1787	Local	I21		Arncliffe	Timber Victorian house	16 Mitchell Street	Lot 24, DP 2069	Local	I36
	Arncliffe	Californian bungalow	12 Mitchell Street	Lot A, DP 439701	Local	I39		Botany	House group	165–179 Bay Street	Lots 1–4, DP 223896; Lots X and Y, DP 100856; Lots A and B, DP 443066	Local	I22		Arncliffe	Arncliffe Public School and “Teluba”	168–170 Princes Highway	Lot 1, DP 124274; Lot 10, DP 1066280; Lot 11, DP 1066280	Local	I37
	Arncliffe	Timber Victorian house	16 Mitchell Street	Lot 24, DP 2069	Local	I41		Botany	Botany Public School (circa 1869)	1076 Botany Road	Lot 1, DP 433364; Lot 1, DP 194311	Local	I23		Arncliffe	Walz quarry	Roach Street (between Gore Street and Forest Road)		Local	I38
	Arncliffe	Arncliffe Public School and “Teluba”	168–170 Princes Highway	Lot 1, DP 124274; Lot 10, DP 1066280; Lot 11, DP 1066280	Local	I42		Botany	Hippo’s Friends Child Care Centre	1082 Botany Road	Lot 1, DP 112970	Local	I36		Arncliffe	“Meryton”	58 Roach Street	Lot 3, DP 22180	Local	I39
	Arncliffe	Walz quarry	Roach Street (between Gore Street and Forest Road)		Local	I43		Botany	Finnies buildings	1094–1098 Botany Road	Lots 43–45, DP 856900	Local	I37		Arncliffe	Victorian house	23 Segenhoe Street	Lot A, DP 339374	Local	I40
	Arncliffe	“Meryton”	58 Roach Street	Lot 3, DP 22180	Local	I44		Botany	Captain Cook Hotel	1114 Botany Road	Lot 1, DP 1112025	Local	I38		Arncliffe	Victorian house	25 Segenhoe Street	Lot 16, Section E, DP 2271	Local	I41
	Arncliffe	Victorian house	23 Segenhoe Street	Lot A, DP 339374	Local	I45		Botany	House group	1158–1168 Botany Road	Lots A and B, DP 438725; Lots C– E, DP 353030; Lot A, DP 310296	Local	I40		Arncliffe	Californian Bungalow	27 Segenhoe Street	Lots 17–18, Section E, DP 2271	Local	I42
								Botany	Commercial/ residential building	1226 Botany Road	Part Lot 8, Section 2, DP 773	Local	I47		Arncliffe	Victorian house	16 Stanley Street	Lot 1, DP 569361	Local	I43
								Botany	House group	1268–1270 Botany Road	Lot 7, DP 657544; Lot A, DP 352054	Local	I49		Arncliffe	Victorian house	20 Stanley Street	Lot 2, DP 421335	Local	I44
								Botany	St Matthew’s Anglican Church (circa 1862)	1331 Botany Road (corner of	Lot 1, DP 593463; Lot 3, DP 593463	Local	I71		Arncliffe	Victorian house	22 Stanley Street	Lot B, DP 449610	Local	I45
															Arncliffe	Victorian semi-detached dwelling	26 Stanley Street	Lot 2, DP 592250	Local	I46
															Arncliffe	Victorian cottage	39 Station Street	Lot 21, DP 1673	Local	I47
															Arncliffe	Federation house	22 Walters Street	Lot A, DP 301582	Local	I48
															Arncliffe	Victorian cottage	23 Walters Street	Lot 2, DP 913129	Local	I49
															Arncliffe	House	73 West Botany Street	Lot 25, Section 3, DP 1633	Local	I50
															Arncliffe	Former hospital for women	112 West Botany Street	Lot 1, DP 229505	Local	I51
															Arncliffe	Arncliffe Park and monument	71A Wollongong Road	Lot 100, DP 1081168	Local	I52

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
	Arncliffe	Victorian house	25 Segenhoe Street	Lot 16, Section E, DP 2271	Local	I46				Botany Road and Lord Street)					Arncliffe	House	78 Wollongong Road	Lot 2, DP 1434	Local	I53
	Arncliffe	Californian bungalow	27 Segenhoe Street	Lots 17–18, Section E, DP 2271	Local	I47		Botany	Botany Uniting Church	1355 Botany Road	Part Lot 4, Section B, DP 1787; Part Lot 1, DP 566495	Local	I53		Arncliffe	House	117 Wollongong Road	Lot 9, DP 1387	Local	I54
	Arncliffe	Victorian house	16 Stanley Street	Lot 1, DP 569361	Local	I48									Arncliffe	House	148 Wollongong Road	Lot 12, DP 6460	Local	I55
	Arncliffe	Victorian house	20 Stanley Street	Lot 2, DP 421335	Local	I49		Botany	John Brothchie Kindergarten (formerly Botany School of Arts hall)	1361 Botany Road	Lot 14, DP 660975	Local	I54		Arncliffe	“Dappeto”	171 Wollongong Road	Corner Lots 54–59, DP 8954; Lots 33–36, DP 9096	State	I56
	Arncliffe	Victorian house	22 Stanley Street	Lot B, DP 449610	Local	I50									Arncliffe	Federation house	191 Wollongong Road	Lot 1, DP 972108	Local	I57
	Arncliffe	Victorian semi-detached dwelling	26 Stanley Street	Lot 2, DP 592250	Local	I51		Botany	House	1365 Botany Road	Lot 1, DP 217275	Local	I55		Arncliffe	Federation house	193 Wollongong Road	Lot 3, DP 5343	Local	I58
	Arncliffe	Victorian cottage	39 Station Street	Lot 21, DP 1673	Local	I52		Botany	Botany Town Hall (circa 1898)	1423 Botany Road (corner of Botany Road and Edward Street)	Lot 14, DP 3592; Part Lot 5, DP 5177	Local	I69		Arncliffe	“Fairview”	197 Wollongong Road	Lot A, DP 317797	Local	I59
	Arncliffe	Federation house	22 Walters Street	Lot A, DP 301582	Local	I53									Arncliffe	House	215 Wollongong Road	Lot A, DP 442621	Local	I60
	Arncliffe	Victorian cottage	23 Walters Street	Lot 2, DP 913129	Local	I54		Botany	House—“Helena”	1424 Botany Road	Lot 49, DP 4747	Local	I56		Arncliffe	Federation house	258 Wollongong Road	Lot 1, DP 950168	Local	I61
	Arncliffe	Sewer vent	20A West Botany Street	Lot 1, DP 667322	Local	I55									Banksia	Sandstone Victorian cottage	15 Bowmer Street	Lot 30, Section D, DP 1771	Local	I62
	Arncliffe	House	73 West Botany Street	Lot 25, Section 3, DP 1633	Local	I56		Botany	Police station (circa 1871)	1441 Botany Road	Lot 100, DP 1052312	Local	I24		Banksia	House	15 Cameron Street	Lot 11, Section 12, DP 2248	Local	I63
	Arncliffe	Former hospital for women	112 West Botany Street	Lot 1, DP 229505	Local	I57		Botany	Boarding house (front building)	1443 Botany Road	Lot 15, Section 8, DP 773	Local	I57		Banksia	Sandstone Victorian cottage	1 Curtis Street	Lot A, DP 165784	Local	I64
	Arncliffe	Arncliffe Park and monument	71A Wollongong Road	Lot 100, DP 1081168	Local	I58		Botany	House	1447 Botany Road	Lot 1, DP 1082257	Local	I58		Banksia	Sandstone Victorian cottage	5 Curtis Street	Lot 1, DP 666244	Local	I65
	Arncliffe	House	78 Wollongong Road	Lot 2, DP 1434	Local	I59		Botany	Presbyterian Church of Australia and manse	1561–1563 Botany Road	Part Lot 111, DP 904964 and Part Lot 112, DP 918728	Local	I59		Banksia	Sandstone Victorian cottage	7 Curtis Street	Lot B, DP 165784	Local	I66
	Arncliffe	House	117 Wollongong Road	Lot 9, DP 1387	Local	I60		Botany	Streetscape—verge plantings of Canary Island Date Palm (Phoenix canariensis)	Brown Avenue		Local	I65		Banksia	Part of single-storey terraced cottages known as Jackson’s Row	11 Gibbes Street	Lot 1, DP 900433	Local	I67
	Arncliffe	House	148 Wollongong Road	Lot 12, DP 6460	Local	I61									Banksia	Part of single-storey terraced cottages known as Jackson’s Row	18 Gibbes Street	Lot 2, DP 984067	Local	I68
								Botany	Electricity Substation No 153	14 Byrnes Street	Lot 1, DP 310135	Local	I67		Banksia	Stone house	7 Godfrey Street	Lot 53, Section E, DP 1771; Lot 54, DP 455079	Local	I69
															Banksia	Stone Victorian house	29 Godfrey Street,	Lot 41, Section E, DP 1771	Local	I70
															Banksia	Stone house	19 Monahan Avenue	Lot 46, DP 6679	Local	I71

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
	Arncliffe	“Dappeto”	171 Wollongong Road	Corner Lots 54–59, DP 8954; Lots 33–36, DP 9096	State	I62		Botany	House	31 Cranbrook Street	Lot 7, Section 9, DP 773; Lot 8, Section 9, DP 773	Local	I96		Banksia	Arncliffe Market Garden	212 West Botany Street	Lot 1, DP 514811	State	I72
	Arncliffe	Federation house	191 Wollongong Road	Lot 1, DP 972108	Local	I63		Botany	House	35 Cranbrook Street	Lot 10, Section 9, DP 773	Local	I97		Banksia	Gardiner Park	15A Wolli Creek Road	Lots 1–4, 11 and Part Lot 12, Section 1, DP 1771; Lot 661, DP 827186; Lot 1, DP 940560	Local	I73
	Arncliffe	Federation house	193 Wollongong Road	Lot 3, DP 5343	Local	I65		Botany	House	37 Cranbrook Street	Lot 11, Section 9, DP 773	Local	I98		Banksmeadow	Main Administration building–“Orica” and Mature Ficus	16-20A Beauchamp Road	Lot 1105 DP1227173	Local	I74
	Arncliffe	“Fairview”	197 Wollongong Road	Lot A, DP 317797	Local	I66		Botany	Terrace group	42–54 Daphne Street	Lot 100, DP 1010340; Lots 1–15, SP 62387	Local	I99		Banksmeadow	Sir Joseph Banks Hotel (circa 1920)	1354 Botany Road (corner of Botany Road and Waratah Street)	Part Lot 1, DP 73950	Local	I75
	Arncliffe	House	215 Wollongong Road	Lot A, DP 442621	Local	I67		Botany	House group	18–20 Erith Street	Lot 7, Section 2, DP 889; Lot 8, DP 318902	Local	I100		Banksmeadow	Commercial building	1619 Botany Road	Lot 1, DP 913863	Local	I76
	Arncliffe	Federation house	258 Wollongong Road	Lot 1, DP 950168	Local	I68		Botany	Sir Joseph Banks Park	Fremlin Street	Lot 1, DP 668135	Local	I25		Banksmeadow	Pier Hotel	1751 Botany Road	Lot 1, DP 1031248	Local	I77
	Banksia	Sandstone Victorian cottage	15 Bowmer Street	Lot 30, Section D, DP 1771	Local	I69		Botany	Sydney Water Corporation Sewage Pumping Station SP0060	Corner of McFall and Erith Streets	Lot 12, Section 2, DP 889; Lot 13, Section 2, DP 889	Local	I79		Banksmeadow	Botany Bay Hotel	1807 Botany Road	Lot A, DP 333268	Local	I78
	Banksia	House	15 Cameron Street	Lot 11, Section 12, DP 2248	Local	I70		Botany	House group	21–23 Salisbury Street	Lot 1, Section 15, DP 773; Lot 2, Section 15, DP 773	Local	I156		Banksmeadow	Streetscape—verge plantings of Canary Island Date Palm (<i>Phoenix canariensis</i>)	Brighton Street		Local	I80
	Banksia	Sandstone Victorian cottage	1 Curtis Street	Lot A, DP 165784	Local	I71		Botany	Streetscape—verge plantings of Canary Island Date Palm (<i>Phoenix canariensis</i>)	Swinbourne Street (William to Queen Streets)		Local	I158		Banksmeadow	Former headmaster’s residence to Banksmeadow Public School	60 Brighton Street	Lot 11, DP 859010	Local	I81
	Banksia	Sandstone Victorian cottage	5 Curtis Street	Lot 1, DP 666244	Local	I72		Botany	Sydney Water Corporation sewer vent	Tenterden Road		Local	I159		Bardwell Park	Hillsdon’s Nursery Cottage	112 Slade Road	SP 68708	Local	I82
	Banksia	Sandstone Victorian cottage	7 Curtis Street	Lot B, DP 165784	Local	I73		Botany	House	16 Tenterden Road	Lot 1, DP 723591	Local	I160		Bardwell Valley	Stone Federation house	15 East Street	Lot 4, DP 10685	Local	I83
	Banksia	Part of single-storey terraced cottages known as Jackson’s Row	11 Gibbes Street	Lot 1, DP 900433	Local	I74		Botany	House	50 Tenterden Road	Lot 11 and 12, DP 455886	Local	I161		Bardwell Valley	Californian bungalow cottage (part of a street precinct)	2 Hamilton Street	Lot 65, DP 9171	Local	I84
	Banksia	Part of single-storey terraced cottages known as Jackson’s Row	18 Gibbes Street	Lot 2, DP 984067	Local	I75									Bardwell Valley	Californian bungalow cottage (part of a street precinct)	3 Hamilton Street	Lot 38, DP 9171	Local	I85
															Bardwell Valley	“Forsythe”	57 Hannam Street	Lot A, DP 325441	Local	I86
															Bardwell Valley	“Mill Cottage”	29–31 John Street	Lot 2, DP 67720	Local	I87

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
	Banksia	Stone house	7 Godfrey Street	Lot 53, Section E, DP 1771; Lot 54, DP 455079	Local	I76		Botany	House	54 Tenderden Road	Lot 13, DP 935631	Local	I162		Bardwell Valley	Quarry (includes rock faces and public reserve above)	40 John Street	Lots 1–3, DP 1088303	Local	I88
	Banksia	Stone Victorian house	29 Godfrey Street,	Lot 41, Section E, DP 1771	Local	I77		Botany	House group	63–65 Tenderden Road	Lot A, DP 387770; Lot B, DP 387770	Local	I163		Bardwell Valley	Californian bungalow	13 Lansdowne Street	Lot 10, DP 9171	Local	I89
	Banksia	Stone house	19 Monahan Avenue	Lot 46, DP 6679	Local	I78		Botany	House	84 Tenderden Road	Lot B, DP 338192	Local	I164		Bardwell Valley	Brick Californian bungalow cottage	17 Lansdowne Street	Lot 12, DP 9171	Local	I90
	Banksia	Arncliffe Market Garden	212 West Botany Street	Lot 1, DP 514811	State	I93		Botany	Residential building	16 The Esplanade	Lot B, DP 323638	Local	I165		Bardwell Valley	Stone cottage	30 The Glen Road	Lot 1, DP 10685	Local	I92
	Banksia	Gardiner Park	15A Wolli Creek Road	Lots 1–4, 11 and Part Lot 12, Section I, DP 1771; Lot 661, DP 827186; Lot 1, DP 940560	Local	I79		Botany	Electricity Substation No 340	3 William Street (corner of Swinbourne and William Streets)	Lot 1, DP 669129	Local	I80		Bexley	Stone cottage	17A Abercorn Street	Lot 701, DP 1054480	Local	I93
	Bardwell Park	Hillsdon's Nursery Cottage	112 Slade Road	SP 68708	Local	I90		Botany	House	2 Woodstock Street	Lot 14, Section 13, DP 773	Local	I169		Bexley	Federation house	68A Abercorn Street	Lot A, DP 378177	Local	I94
	Bardwell Valley	Stone Federation house	15 East Street	Lot 4, DP 10685	Local	I81		Daceyville	Dacey Garden Reserve and substation	Corner of Gardeners and Bunnerong Roads	Lot 7003, DP 1027005; Lots 1, 2 and 3, DP 1163798	Local	I76		Bexley	Federation house	78 Abercorn Street	Lot 3, DP 984963	Local	I95
	Bardwell Valley	Californian bungalow cottage (part of a street precinct)	2 Hamilton Street	Lot 65, DP 9171	Local	I82		Daceyville	Commercial building group	1–11 General Bridges Crescent	Lot 304, DP 32175; Lot 305, DP 32175; Lot 306, DP 32175; Lot 307, DP 32175; Lot 308, DP 32175; Lot 309, DP 32175	Local	I109		Bexley	House	6 Beaconsfield Street	Lot 5B, DP 329521	Local	I98
	Bardwell Valley	Californian bungalow cottage (part of a street precinct)	3 Hamilton Street	Lot 38, DP 9171	Local	I83		Daceyville	Marist Brothers School and presbytery	Haig Avenue	Part Lot 1, DP 186759	Local	I114		Bexley	Seaforth Park	16A Beaconsfield Street	Lot 50, DP 1680	Local	I99
	Bardwell Valley	“Forsythe”	57 Hannam Street	Lot A, DP 325441	Local	I85		Daceyville	Former St Michael's Church (now hall)	Haig Avenue	Lot 1, DP 666538	Local	I115		Bexley	Bardwell Creek Flora Reserve (south of Bexley Road)	369D and 369F Bexley Road	Part Lot 11, Section B, DP 4580; Lots 7–10 and 18–25, Section C, DP 4580; Lots 27–34, Section B, DP 4580; Lot 17, DP 9730; Lot 3, DP 17016; Lot 7, DP 17073; Lot 5, DP 17225; Lots 6 and 8, DP 17225; Lot 14, DP 14208; Lot 2, DP 204870; Lot 4, DP 206746; Lot 6, DP 210027; Lot 1, DP 211151; Lot 7, DP 21406;	Local	I100
	Bardwell Valley	“Mill Cottage”	29–31 John Street	Lot 2, DP 67720	Local	I86		Daceyville	Daceyville Public School	Joffre Crescent	Lot 1, DP 997642; Lot 2, DP 997642; Lot	Local	I132							
	Bardwell Valley	Quarry (includes rock faces and public reserve above)	40 John Street	Lots 1–3, DP 1088303	Local	I87														
	Bardwell Valley	Californian bungalow	13 Lansdowne Street	Lot 10, DP 9171	Local	I88														

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP							
				6, DP 210027; Lot 1, DP 211151; Lot 7, DP 21406; Lot B, DP 327603; Lots A and B, DP 327604; Lot 4, DP 326997; Lot E, DP 328325; Lot 3, DP 532927; Lot 12, DP 1042165; Lot 7008, DP 1031070; Lot 2, DP 605883						598272; Lot 3, DP 598272; Lot 4, DP 598272					Bexley	John Downey’s Cottage	14 Downey Street	Lot A, DP 325231	Local	I115	
															Bexley	Street plantings	Dunmore Street North		Local	I116	
															Bexley	Christ Church Anglican Church and hall	1A, 1B and 1C Dunmore Street North	Part Lot 18, Section 2, DP 1680; Lots 19 and 20, Section 2, DP 1036	Local	I117	
								Mascot	Former Tennyson Hotel, now Mascot Inn	952 Botany Road (corner of High Street and Botany Road)	Lot 1, DP 657249	Local	I77		Bexley	Federation house	12 Dunmore Street North	Lot 3, DP 412732	Local	I118	
								Mascot	House group	999 Botany Road	Part Lot 1, DP 918245	Local	I29		Bexley	Federation house	14 Dunmore Street North	Lot 2, DP 412732	Local	I119	
								Mascot	Electricity Substation No 147	1001 Botany Road	Lot 1, DP 232836	Local	I30		Bexley	Federation house	16 Dunmore Street North	Lot 1, DP 412732	Local	I120	
								Mascot	Former National Bank of Australasia	1005 Botany Road, corner of Botany Road and Coward Street	Lot A, DP 319304	Local	I31		Bexley	Ercildoune	18 Dunmore Street North	Lot 100, DP 1050077	Local	I121	
															Bexley	Fairmont	20 Dunmore Street North	Lot B, DP 322348	Local	I122	
	Bexley	Former quarry	369E Bexley Road	Lots 12–20, Section B, DP 4580	Local	I102									Bexley	House	29 Dunmore Street North	Lot B, DP 900366	Local	I123	
	Bexley	Donnans Reserve	389 Bexley Road	Lots 1 and 2, DP 119398; Lots 1 and 2, DP 559733	Local	I103									Bexley	Inter-war house	33 Dunmore Street North	Lot B, DP 324948	Local	I124	
	Bexley	Montrose (main house only)	80 Broadford Street	Lot 6, DP 651338	Local	I104									Bexley	Federation house	38 Dunmore Street North	Lot 4, DP 659447	Local	I125	
	Bexley	Victorian terrace	42 Bruce Street	Lot A, DP 410796	Local	I105		Mascot	Coronation Hall	1007 Botany Road (corner of Coward and Botany Roads)	Lot 1, DP 202492	Local	I32		Bexley	Federation house	40 Dunmore Street North	Lot D, DP 414121	Local	I126	
	Bexley	Barwell Park and Botanical Gardens	56 Bruce Street	Lots 8–11 and 25–29, Section 9, DP 1763	Local	I106									Bexley	Street plantings	Forest Road (between St Georges Road and Waratah Street)		Local	I127	
	Bexley	Street plantings	Caledonian Street		Local	I107		Mascot	Commercial building group	1009–1021 Botany Road	Lot 1, DP 213130; Lot A, DP 349471; Lot B, DP 349471; Lot A, DP 440204; Lot B, DP 440204; Lot C, DP 440204; Corner Lot D, DP 440204	Local	I33		Bexley	St Andrew’s Church	267 Forest Road	Lots 26 and 27, Section 3, DP 1114; Lot 4, DP 951021	Local	I128	
	Bexley	Federation house	4 Carrington Street	Lot 1, DP 944994	Local	I108									Bexley	Ercildoune	274 Forest Road	Lot B, DP 384921	Local	I129	
	Bexley	Sewer vents	Connemarra Street (opposite Nos 1 and 28)		Local	I114									Bexley	Bexley Primary School	330 Forest Road	Part Lot 131, DP 1053602	Local	I130	
	Bexley	Sandstone and brick Federation cottage	12 Connemarra Street	Lot 1, DP 902728	Local	I109									Bexley	Original Bexley School buildings	339–377 Forest Road	Lot 11, DP 857373	Local	I131	
								Mascot	Mature Hoop Pine	1055 Botany Road	Lot 13, DP1035450	Local	I34		Bexley	Bexley School of Arts	476–476A Forest Road	Lots 81 and 82, DP 748688	Local	I132	
								Mascot	House	1075 Botany Road	Lot 1, DP 939651; Lot 1, DP314593	Local	I35		Bexley	Victorian house	496 Forest Road	Lot 1, DP 660880; Lot A, DP 314295; Lots A and B, DP 325598	Local	I133	
															Bexley	Milk Depot Group (Art Deco)	623 Forest Road	Lot 704, DP 1056168	Local	I134	

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
Bexley	Semi-detached dwelling	49 Connemarra Street	Lot 282, DP 811807	Local		I110	Mascot	Commercial building group	1133–1135 Botany Road (corner of Botany Road and King Street)	Part Lot 1, DP 932383; Lot 1, DP 930137	Local		I39		style commercial buildings)					
Bexley	Victorian house	50 Connemarra Street	Lot B, DP 33681	Local		I111								Bexley	Bexley Congregation Church	626–628 Forest Road and 3 Wood Street	Lots 700–701, DP 1146232	Local		I135
Bexley	Semi-detached dwelling	51 Connemarra Street	Lot 281, DP 811807	Local		I112	Mascot	Commercial building group	1171–1173 Botany Road	Lot 11, Section 1, DP 1873	Local		I41	Bexley	Original church building and convent only	20–26 Croydon Road, Bexley	Lot 21, DP 1162915	Local		I136
Bexley	Stone house	71 Connemarra Street	Lot 1, SP 70789	Local		I113	Mascot	Commercial building group	1175–1177 Botany Road	Lot 3, DP 617916; Lot 4, DP 617916	Local		I42	Bexley	Street plantings	Gladstone Street R 854 Gladstone Street BEXLEY NSW 2207		Local		I137
Bexley	Californian bungalow	8 Donnan Street	Lots 4 and 5, Section B, DP 6266	Local		I115	Mascot	Commercial building group	1183–1185 Botany Road	Lot C, DP 341159	Local		I43	Bexley	Californian bungalow	12 Gladstone Street	Lot 2, DP 880870	Local		I138
Bexley	John Downey's Cottage	14 Downey Street	Lot A, DP 325231	Local		I116	Mascot	Commercial building group	1187–1189 Botany Road	Lot 1, DP 541076; Lot 2, DP 541076	Local		I44	Bexley	Bexley Uniting Church—(Federation style (1926)	29 Gladstone Street	Lot 34, DP 1061827; Lot 1, DP 913135	Local		I139
Bexley	Street plantings	Dunmore Street North		Local		I117								Bexley	House	31 Gladstone Street	Lot 32, Section 7, DP 1680	Local		I140
Bexley	Christ Church Anglican Church and hall	1A, 1B and 1C Dunmore Street North	Part Lot 18, Section 2, DP 1680; Lots 19 and 20, Section 2, DP 1036	Local		I118	Mascot	Commercial building group	1193–1203 Botany Road	Lot 12, DP 832835; Lot 1, DP 1127006; Lot D, DP 402625; Lot E, DP 402625; Lot F, DP 402625; Lot A, DP 339491	Local		I45	Bexley	Tonbridge	33 Gladstone Street	Lot 31, Section 7, DP 1680	Local		I141
Bexley	Federation house	12 Dunmore Street North	Lot 3, DP 412732	Local		I171								Bexley	Group of houses	25–33 and 37 Harrow Road	Lot 1, DP 22420; Lot 2, DP 22420; Lot 3, DP 22420; Lot 4, DP 22420; Lot 5, DP 22420; Lot 7, DP 22420	Local		I142
Bexley	Federation house	14 Dunmore Street North	Lot 2, DP 412732	Local		I120								Bexley	St Elmo	50 Harrow Road	Lot 1, DP 21617	Local		I143
Bexley	Federation house	16 Dunmore Street North	Lot 1, DP 412732	Local		I119	Mascot	Commercial building group	1209–1223 Botany Road	Lot A, DP 445050; Lot B, DP 445050; Lot 1, DP 204954; Lot 2, DP 204954; Lot 1, DP 827779; Lot B, DP 30500; Lot C, DP 30500; Lot D, DP 30500	Local		I46	Bexley	Italia	77 Harrow Road	Lot 1, DP 219456	Local		I144
Bexley	Ercildoune	18 Dunmore Street North	Lot 100, DP 1050077	Local		I121								Bexley	Esperanza	83 Harrow Road	Lot 1, DP 585490	Local		I145
Bexley	Fairmont	20 Dunmore Street North	Lot B, DP 322348	Local		I122								Bexley	Federation house	87 Harrow Road	Lot 2, DP 902392	Local		I146
Bexley	House	29 Dunmore Street North	Lot B, DP 900366	Local		I123								Bexley	Bardwell Creek Flora Reserve (north of Bardwell Valley Golf Course)	2A Hillcrest Avenue (part of Bardwell Valley Golf Course)		Local		I147
Bexley	Inter-war house	33 Dunmore Street North	Lot B, DP 324948	Local		I124								Bexley	House	30 Kingsland Road South	Lot 1, DP 953135	Local		I148
Bexley	Federation house	38 Dunmore Street North	Lot 4, DP 659447	Local		I125	Mascot	Single storey terrace group	1239–1245 Botany Road	Lot 1, DP 501790; Lot 2, DP 501790; Lot 1, DP 327594; Lot	Local		I48	Bexley	House	1 Park Avenue	Lot 1, DP 960924	Local		I149
Bexley	Federation house	40 Dunmore Street North	Lot D, DP 414121	Local		I126								Bexley	Street plantings	Queen Victoria Street (both sides)		Local		I150

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP								
	Bexley	Street plantings	Forest Road (between St Georges Road and Waratah Street)		Local	I127					1, DP 911127							R 71 Queen Victoria Street BEXLEY NSW 2207				
	Bexley	St Andrew’s Church	267 Forest Road	Lots 26 and 27, Section 3, DP 1114; Lot 4, DP 951021	Local	I128	Mascot	House	1289 Botany Road	Lot 13, DP 135940	Local	I50		Bexley	Service station	74 Queen Victoria Street	Lot B, DP 326518	Local	I151			
	Bexley	Ercildoune	274 Forest Road	Lot B, DP 384921	Local	I129	Mascot	House	1291 Botany Road	Lot 14, DP 135940; Lot 5, DP 3280	Local	I51		Bexley	Former Bexley Council Chambers (Jack & Jill Kindergarten)	131 Queen Victoria Street	Lot C, DP 417935	Local	I152			
	Bexley	Bexley Primary School	330 Forest Road	Part Lot 13, DP 1053602	Local	I130	Mascot	Beckenham Memorial Church	1293–1295 Botany Road	Part Lot 6, DP 3280; Part Lot 7, DP 3280; Part Lot 8, DP 3280; Part Lot 9, DP 3280	Local	I52		Bexley	Bexley Fire Station	163 Queen Victoria Street	SP 60800	Local	I153			
	Bexley	Original Bexley School buildings	339–377 Forest Road	Lot 11, DP 857373	Local	I131	Mascot	Mascot Park	Coward Street (corner of O’Riordan Street)	Lot 7073, DP 93716; Lot 1, DP 668903	Local	I82		Bexley	Stone dwelling	26 Stoney Creek Road	Lot 71, DP 1594	Local	I154			
	Bexley	Bexley School of Arts	476–476A Forest Road	Lots 81 and 82, DP 748688	Local	I132	Mascot	House	85 Coward Street	Lot 1, DP 501282	Local	I83		Bexley	St Gabriel’s Church—Post War American Colonial (1952)	55 Stoney Creek Road	Lot 64, DP 9826; Lot 1, DP 305969	Local	I155			
	Bexley	Victorian house	496 Forest Road	Lot 1, DP 660880; Lot A, DP 314295; Lots A and B, DP 325598	Local	I133	Mascot	Shop	95 Coward Street	Lot A, DP 502775	Local	I84		Bexley	Bexley Park	95 Stoney Creek Road	Lot 1, DP 964567; Lot 98, DP 8760	Local	I156			
	Bexley	Milk Depot Group (Art Deco style commercial buildings)	623 Forest Road	Lot 704, DP 1056168	Local	I135	Mascot	House	110 Coward Street	Lot 1, DP 999395	Local	I85		Bexley	Stone house	22 Verdun Street	Lot A, DP 373398	Local	I157			
	Bexley	Bexley Congregation Church	626–628 Forest Road and 3 Wood Street	Lots 700–701, DP 1146232	Local	I136	Mascot	Shop	115 Coward Street	Lot 4, DP 115029	Local	I86		Bexley	“Dundry”	44 Verdun Street	Lot A, DP 335234	Local	I158			
	Bexley	Original church building and convent only	20–26 Croydon Road, Bexley	Lot 21, DP 1162915	Local	I137	Mascot	House	117 Coward Street	Lot 3, DP 115029	Local	I87		Bexley	“Cardeeri” (cottage)	48 Waratah Street	Lot 40, DP 4690	Local	I159			
	Bexley	Street plantings	Gladstone Street		Local	I138	Mascot	Uniting Church and rectory	118–122 Coward Street	Lot 2, DP 917174; Lot 1, DP 917524; Lot 1, DP 197503; Lot B, DP 155557	Local	I88		Bexley	Marist College	52 Wolseley Street	Lots 10, 11, 29, 32, 33 and 35, Section 21, DP 1680; Lots A and B, DP 350585; Lots 1 and 2, DP 301625; Lots C and D, DP 349327; Lots A and B, DP 348536; Lot 1, DP 980285; Lots 2 and 3, DP 456804; Lot F, DP 349328	Local	I160			
	Bexley	Californian bungalow	12 Gladstone Street	Lot 2, DP 880870	Local	I139	Mascot	House	119 Coward Street	Lot 34, Section 1, DP 4089	Local	I89		Bexley North	Glendalough McIlveen Museum and Research Centre	120 Kingsland Road North	Lot B, DP 347347; Lot 52, DP 524952	Local	I161			
	Bexley	Bexley Uniting Church—	29 Gladstone Street	Lot 34, DP 1061827;	Local	I140	Mascot	House—“Orara”	123 Coward Street	Lot 1, DP 201169	Local	I91		Bexley North	Stotts Reserve	167 Slade Road		Local	I162			
														Botany/ Daceyville/ Eastlakes/	Botany water reserves	About 200ha between Mascot and	Lots 1 and 2, DP 1039418; Lot 1, DP	State	I163			

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
	Bexley	Bexley Fire Station	163 Queen Victoria Street	SP 60800	Local	I155		Mascot	House—“Verandale”	87 Hardie Street	Lot 23, Section 4, DP 1873; Lot 24, Section 4, DP 1873	Local	I120		Botany	Corner store—“Alto”	50–52 Bay Street	Lot 2, DP 11383	Local	I177
	Bexley	Stone dwelling	26 Stoney Creek Road	Lot 71, DP 1594	Local	I157									Botany	House	135 Bay Street	Lot 1, DP 335932	Local	I178
	Bexley	St Gabriel’s Church—Post War American Colonial (1952)	55 Stoney Creek Road	Lot 64, DP 9826; Lot 1, DP 305969	Local	I158		Mascot	House	3 Hicks Avenue	Lot 29, Section 3, DP 937	Local	I124		Botany	House	145 Bay Street	Lot 101, DP 732151	Local	I179
	Bexley	Bexley Park	95 Stoney Creek Road	Lot 1, DP 964567; Lot 98, DP 8760	Local	I159		Mascot	House	16 Hicks Avenue	Lot 1, DP 135158; Lot 2, DP 135158	Local	I125		Botany	House—“The White House”	147 Bay Street	Lot A, DP 389313	Local	I180
	Bexley	Stone house	22 Verdun Street	Lot A, DP 373398	Local	I160									Botany	House group	151 Bay Street	Lots 9 and 10, Section G, DP 1787	Local	I181
	Bexley	“Dundry”	44 Verdun Street	Lot A, DP 335234	Local	I161		Mascot	House	24 Hicks Avenue	Lot 17, Section 2, DP 937	Local	I126		Botany		165–179 Bay Street	Lots 1–4, DP 223896; Lots X and Y, DP 100856; Lots A and B, DP 443066	Local	I182
	Bexley	“Cardeeri” (cottage)	48 Waratah Street	Lot 40, DP 4690	Local	I162		Mascot	House	27 Hicks Avenue	Lot B, DP 301997	Local	I127		Botany	Botany Public School (circa 1869)	1076 Botany Road	Lot 1, DP 433364; Lot 1, DP 194311	Local	I183
	Bexley	Marist College	52 Wolseley Street	Lots 10, 11, 29, 32, 33 and 35, Section 21, DP 1680; Lots A and B, DP 350585; Lots 1 and 2, DP 301625; Lots C and D, DP 349327; Lots A and B, DP 348536; Lot 1, DP 980285; Lots 2 and 3, DP 456804; Lot F, DP 349328	Local	I163		Mascot	House	36 Hicks Avenue	Lot 19, Section 1, DP 937	Local	I128		Botany	Hippo’s Friends Child Care Centre	1082 Botany Road	Lot 1, DP 112970	Local	I184
								Mascot	House	96 High Street	Lot 1, DP 615829	Local	I129		Botany	Finnies buildings	1094–1098 Botany Road	Lots 43–45, DP 856900	Local	I185
	Bexley North	Glendalough McIlveen Museum and Research Centre	120 Kingsland Road North	Lot B, DP 347347; Lot 52, DP 524952	Local	I164		Mascot	Mature Ficus	112 High Street	Lot 2, DP 593694	Local	I130		Botany	Captain Cook Hotel	1114 Botany Road	Lot 1, DP 1112025	Local	I186
	Bexley North	Stotts Reserve	167 Slade Road		Local	I165		Mascot	House—“Daktari”	114 High Street	Lot 21, DP 771708	Local	I131		Botany	House group	1158–1168 Botany Road	Lots A and B, DP 438725; Lots C– E, DP 353030; Lot A, DP 310296	Local	I187
	Brighton-Le-Sands	Brighton-Le-Sands Houses (Brighton Parade	3, 9, 11, 23 and 33 Brighton Parade	Lot 4, DP 78024; Lot 1, DP 78024; Lot 16, DP	Local	I166		Mascot	House group	15–17 Johnson Street	Lot A, DP 409409; Lot B, DP 409409	Local	I133		Botany	Commercial/residential building	1226 Botany Road	Part Lot 8, Section 2, DP 773	Local	I188
								Mascot	House	18 Johnson Street	Lot 46, Section 3, DP 1873	Local	I134		Botany	House group	1268–1270 Botany Road	Lot 7, DP 657544; Lot A, DP 352054	Local	I189
								Mascot	House	20 Johnson Street	Lot 45, Section 3, DP 1873	Local	I135		Botany	St Matthew’s Anglican Church (circa 1862)	1331 Botany Road (corner of Botany Road and Lord Street)	Lot 1, DP 593463; Lot 3, DP 593463	Local	I190
								Mascot	House	38 Johnson Street	Lot 35, Section 3, DP 1873	Local	I136		Botany	Botany Uniting Church	1355 Botany Road	Part Lot 4, Section B, DP 1787; Part Lot 1, DP 566495	Local	I191
								Mascot	House	68 Johnson Street	Lot 36, Section 4, DP 1873	Local	I137		Botany	John Brothchie Kindergarten (formerly Botany School of Arts hall)	1361 Botany Road	Lot 14, DP 660975	Local	I192
								Mascot	House	90 Johnson Street	Lot 25, Section 4, DP 1873	Local	I138		Botany	House	1365 Botany Road	Lot 1, DP 217275	Local	I193

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Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
				45, DP 11976							440093; Lot C, DP 440093; Lot D, DP 440093				Botany	House group	21–23 Salisbury Street	Lot 1, Section 15, DP 773; Lot 2, Section 15, DP 773	Local	I210
	Carlton	Carlton School of Arts	13 Argyle Street (corner of Short Street)	Lot 18, Section 1, DP 2122	Local	I175	Mascot	Railway bridge over Botany Road	Near McBurney Avenue	Over road	Local	I153			Botany	Streetscape—verge plantings of Canary Island Date Palm (<i>Phoenix canariensis</i>)	Swinbourne Street (William to Queen Streets)		Local	I211
	Carlton	Carlton House	92 Carlton Parade	Lot 2, DP 958201	Local	I176	Mascot	House	10 Miles Street	Lot 1, DP 999385	Local	I152			Botany	Sydney Water Corporation sewer vent	Tenterden Road		Local	I212
	Carlton	Victorian terrace	12 Ethel Street	Lot 8, Section 20, DP 2122	Local	I177	Mascot	House	174 Sutherland Street	Lot 17, Section 10, DP 1873	Local	I157			Botany	House	16 Tenterden Road	Lot 1, DP 723591	Local	I213
	Carlton	House	52 Fleet Street	Lot 5, DP 533438	Local	I178	Mascot	House	1 Walker Avenue	Lot 11, DP 18877	Local	I166			Botany	House	50 Tenterden Road	Lot 11 and 12, DP 455886	Local	I214
	Carlton	Cottage (half of semi-detached dwelling)	4 Grantham Street	Lot 101, DP 740911	Local	I179	Mascot	House	64–66 Wellington Street	Lot 12, DP 615592; Lot 13, DP 615592	Local	I167			Botany	House	54 Tenterden Road	Lot 13, DP 935631	Local	I215
	Carlton	Single fronted Victorian cottage	51 Grantham Street	Lot 1, DP 73551	Local	I180	Pagewood	Bonnie Doon Golf Club House	Banks Avenue	Part Lot 2871, DP 752015	Local	I5			Botany	House group	63–65 Tenterden Road	Lot A, DP 387770; Lot B, DP 387770	Local	I216
	Carlton	Wambrook	26 Grey Street	Lot 38, Section 12, DP 2122	Local	I181	Pagewood	Harris Reserve	Bunnerong Road	Lot 7011, DP 1027015	Local	I66			Botany	House	84 Tenterden Road	Lot B, DP 338192	Local	I217
	Carlton	House	5 High Street	Lot 7, Section 7, DP 2122	Local	I182	Pagewood	Glanville Reserve, including streetscape—verge plantings of Canary Island Date Palm (<i>Phoenix canariensis</i>)	Bounded by Glanville Avenue, White Road and Kerr Crescent	Lot 7013, DP 1027018	Local	I110			Botany	Residential building	16 The Esplanade	Lot B, DP 323638	Local	I218
	Carlton	Cottage	56 Hill Street	Lot E, DP 900655	Local	I183								Botany	Electricity Substation No 340	3 William Street (corner of Swinbourne and William Streets)	Lot 1, DP 669129	Local	I219	
	Carlton	House	95 Mill Street	Lot 5, Section 16, DP 2122	Local	I184	Pagewood	Jellicoe Park	Park Parade	Lot 7067, DP 1059870; Lots 7325, 7326 and 7327, DP 1153726	Local	I155			Botany	House	2 Woodstock Street	Lot 14, Section 13, DP 773	Local	I220
	Carlton	House	65 Short Street	Lot 2, DP 221335	Local	I185								Brighton-Le-Sands	Brighton-Le-Sands Houses (Brighton Parade precinct)	3, 9, 11, 23 and 33 Brighton Parade	Lot 4, DP 78024; Lot 1, DP 78024; Lot 16, DP 15057; Lot 10, DP 15057; Lot 5, DP 15057	Local	I221	
	Carlton	House	67 Short Street	Lot 1, DP 221335	Local	I186	Rosebery	Former bank building	686 Botany Road (corner of Botany and Gardeners Roads)	Lot A, DP 411716	Local	I26			Brighton-Le-Sands	School building—Brighton-Le-Sands Public School (1916)	35 Crawford Road	Lots 1 and 2, DP 194470	Local	I222
	Carlton	Stone cottage	66 Willison Road	Lot 32, Section 8, DP 3252	Local	I188								Brighton-Le-Sands, Dolls Point, Kyeemagh, Monterey, Ramsgate Beach, Sans Souci, Sandringham	Cook Park	General Holmes Drive, The Grand Parade		Local	I223	
	Carlton	Shop	76 Willison Road	Lot 37, Section 9, DP 3252	Local	I189	Rosebery	Newmarket Hotel	889 Botany Road (corner of Botany and	Lot 2, DP 215517; Lot 3, DP 215517	Local	I70								
	Dolls Point	Primrose House	190 Russell Avenue	Lot 2, DP 530790; Lot 449, DP 752056	Local	I190														

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
	Kingsgrove	Pembroke Cottage	9 Bennett Street	Lot D, DP 382653	Local	I191				Gardeners Roads)					Brighton- Le-Sands	Kings Wetland	Kings Road	Lot 1, DP 229723; Part Lot 1, DP 214047	Local	I224
	Kogarah	House	34 Kitchener Street	Lot 12, Section F, DP 1562; Lot 1, DP 315194	Local	I193		Rosebery	The Lakes Hotel	305 Gardeners Road (corner of Macquarie Street and Gardeners Road)	Lot A, DP 187154; Lot 10, DP 1142723	Local	I178		Brighton- Le-Sands	Street Trees	Princess Street		Local	I225
	Kogarah	Sandstone Victorian cottage	38 Kitchener Street	Lot 1, DP 310720	Local	I194									Brighton- Le-Sands	Group of Houses	26–26A, 28, 40, 35, 37 and 53 Teralba Road	Lot 1, DP 564103; Lot 700, DP 1059734; Lot 25, DP 11976; Lot 54, DP 11976; Lot 53, DP 11976; Lot 45, DP 11976	Local	I226
	Kogarah	Queens Avenue landscaping	Victoria Way		Local	I195		Rosebery	Former Roxy Theatre	409 Gardeners Road	Lot 1, DP 217097; Lot 5, DP 223717	Local	I104							
	Kogarah	Stone cottage only	7 Robertson Street	SP 41680	Local	I196		Rosebery	Terrace group	467–473 Gardeners Road	Lot 1, DP 221797; Lot 2, DP 221797; Lot 3, DP 221797; Lot 4, DP 221797	Local	I105		Brighton- Le-Sands	Row of Araucaria trees	The Grand Parade (in Cook Park)		Local	I227
	Kogarah	Peach Chambers (Federation style commercial building)	17, 18 and 19 Station Street	Lots 370 and 371, DP 869155	Local	I197									Brighton-Le-Sands	Brighton Baths	The Grand Parade		Local	I228
	Kogarah	Taylor Street Group	16, 18, 20, 22, 24, 26, 28 and 30 Taylor Street	Lots B, C, D, E, F, G, H, J, DP 435790	Local	I198		Rosebery	House	485 Gardeners Road	Lot B, DP 442890	Local	I106		Brighton-Le-Sands	Row of terraces	64–68 The Grand Parade	Lots 1–2, DP 564103; Lot 700, DP 1059734; Lot 25, DP 11976; Lot B, DP 328063; Lot 54, DP 11976; Lot 53, DP 11976; Lot 45, DP 11976	Local	I229
	Kogarah	Toomevara Lane Chinese Market Garden	29A Toomevara Street	Lot 5, DP 568192; Lot 1, DP 723897	State	I199		Rosebery	Terrace group	523–537 Gardeners Road	Lot A, DP 442415; Lot B, DP 442415; Lot 3, DP 29124; Lot 4, DP 29124; Lot 5, DP 29124; Lot 6, DP 29124; Lot 7, DP 29124; Lot 8, DP 29124	Local	I107							
	Kogarah	Frys Reserve (including railway land)	1 and 1A Warialda Street	Lot 31, DP 14224; Lot 1, DP 653416; Lot Z, DP 189440; Lot 2, DP 191678; Lot 1, DP 191678; Lot 12, DP 456694; Lot 13, DP 456694; Lot 14, DP 456694; Lot 15, DP 456694; Lot 16, DP 456694; Lot 17, DP 456694; Lot 18, DP 456694; Lot	Local	I200									Carlton	Carlton School of Arts	13 Argyle Street (corner of Short Street)	Lot 18, Section 1, DP 2122	Local	I230
								Rosebery	Terrace group	539–543 Gardeners Road	Lot 1, DP 75241; Lot 2, DP 29124; Lot 6, DP 215519	Local	I108		Carlton	Carlton House	92 Carlton Parade	Lot 2, DP 958201	Local	I231
															Carlton	Victorian Terrace	12 Ethel Street	Lot 8, Section 20, DP 2122	Local	I232
								Rosebery	House	27 Gordon Street	Lot 11, DP 832654; Lot 12, DP 832654	Local	I111		Carlton	House	52 Fleet Street	Lot 5, DP 533438	Local	I233
								Rosebery	House	45 Gordon Street	Lot 14, Section 2, DP 3986; Lot 15, Section 2, DP 3986	Local	I112		Carlton	Cottage (half of semi-detached dwelling)	4 Grantham Street	Lot 101, DP 740911	Local	I234
															Carlton	Single fronted Victoria cottage	51 Grantham Street	Lot 1, DP 73551	Local	I235

Rockdale LEP 2011							Botany Bay LEP 2013							Proposed Bayside LEP						
				19, DP 456694; Lot 22, Section 23, DP 1680; Lot 21, Section 23, DP 1680; Lot 20, Section 23, DP 1680; Part Lot 1, DP 859131I			Rosebery	House	50 Gordon Street	Lot 15, Section 1, DP 3986	Local	I113		Carlton	Wambrook	26 Grey Street	Lot 38, Section 12, DP 2122	Local	I236	
	Kurnell	Towra Point Nature Reserve and Quibray Bay	Towra Point	Lot 2, DP 856868	State	I238	Rosebery	House	14 Harris Street	Lot 16, DP 12826	Local	I121		Carlton	House	5 High Street	Lot 7, Section 7, DP 2122	Local	I237	
	Kyeemagh	Kyeemagh Market Gardens	2A, 2B, 2D and 2E Occupation Road	Lots 2, 3 and Part Lot 4, DP 17133; Lot 4, DP 529923	State	I201	Rosebery	House	51 Harris Street	Lot 14, Section 13, DP 939789	Local	I122		Carlton	Cottage	56 Hill Street	Lot E, DP 900655	Local	I238	
	Monterey	Patmore Swamp	99 President Avenue (part of North Scarborough Park)	Lot 1, DP 1113262; Lot 3, DP 1113262; Lot 473, DP 752056; Lot 7072, DP 93145; Lot 199, DP 752056; Lot 14, DP 20365; Lot 536, DP 752056	Local	I202	Rosebery	House	23 Henley Street	Lot 28, DP 1037758	Local	I123		Carlton	House	95 Mill Street	Lot 5, Section 16, DP 2122	Local	I239	
	Ramsgate	Hawthorne Street Reserve/Leo Smith Reserve	99 President Avenue (Scarborough Park, off Hawthorne Street)	Lot 1, DP 1113262; Lot 3, DP 1113262; Lot 473, DP 752056; Lot 7072, DP 93145; Lot 199, DP 752056; Lot 14, DP 20365; Lot 536, DP 752056	Local	I203	Rosebery	House	4 Macquarie Street	Lot B, DP 151267	Local	I150		Carlton	House	65 Short Street	Lot 2, DP 221335	Local	I240	
	Ramsgate	Fig trees	99 President Avenue (South Scarborough Park, immediately north of	Lot 1, DP 1113262; Lot 3, DP 1113262; Lot 473, DP 752056; Lot 7072, DP	Local	I204	Rosebery	House group	37–39 Maloney Street	Lot A, DP 398795; Lot B, DP 398795	Local	I151		Carlton	House	67 Short Street	Lot 1, DP 221335	Local	I241	
							Rosebery	St Therese’s Catholic Church building group	37 Sutherland Street and (corner of Coward and Sutherland Streets)	Lot 3, DP 523972; Lot 1, DP 87303	Local	I174		Carlton	Stone Cottage	66 Willison Road	Lot 32, Section 8, DP 3252	Local	I242	
							Sydney Airport	Ruins of the former Botany Pumping Station	Within the boundary of Sydney (Kingsford Smith) Airport	Part Lot 8, DP 1050923	Local	I168		Carlton	Shop	76 Willison Road	Lot 37, Section 9, DP 3252	Local	I243	
							Sydney Airport	Sydney (Kingsford Smith) Airport group	Airport Drive	Part Lot 8, DP 1050923	Local	I170		Daceyville	Dacey Garden Reserve and substation	Corner of Gardeners and Bunnerong Roads	Lot 7003, DP 1027005; Lots 1, 2 and 3, DP 1163798	Local	I244	
														Daceyville	Commercial building group	1–11 General Bridges Crescent	Lot 304, DP 32175; Lot 305, DP 32175; Lot 306, DP 32175; Lot 307, DP 32175; Lot 308, DP 32175; Lot 309, DP 32175	Local	I245	
														Daceyville	Marist Brothers School and presbytery	Haig Avenue	Part Lot 1, DP 186759	Local	I246	
														Daceyville	Former St Michael’s Church (now hall)	Haig Avenue	Lot 1, DP 666538	Local	I247	
														Daceyville	Daceyville Public School	Joffre Crescent	Lot 1, DP 997642; Lot 2, DP 997642; Lot	Local	I248	

Part 2 Heritage conservation areas

Name of heritage conservation area	Identification on heritage map	Significance
Botany Township Heritage Conservation Area	Shown by a red outline with red hatching and labelled “C2”.	Local
Daceyville Garden Suburb Heritage Conservation Area	Shown by a red outline with red hatching and labelled “C1”.	Local

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Rockdale LEP 2011						
				19, Section 3A, DP 2694; Lots 1 and 2, DP 120176; Lot 1, DP 120175; Lot 1, DP 975729; Lot 1, DP 795753		
	Rockdale	Rockdale Town Hall	448 Princes Highway	Lot 1, DP 1109252; Lot 1, DP 1134901; Lot 1, DP 1109285; Lot 2, DP 1109285; Lot 1, DP 933772; Lot 1, DP 664617	Local	I220
	Rockdale	Rockdale School of Arts (Guild Theatre)	87 Railway Street	Lots 2 and 3, DP 3560	Local	I221
	Rockdale	Brick buildings on platforms, signal box and overhead booking office	Rockdale Railway Station and Yard Group	Part Lot 51, DP 1004378	State	I222
	Rockdale	St Joseph’s Convent	3–11 Walz Street	Lot 201, DP 1147226	Local	I223
	Rockdale	Wilson’s Farmhouse	310 West Botany Street	Lot 1, DP 34647; Lot 1, DP 517350	State	I224
	Sans Souci	Tram route relics, tram shelter, island and plantings	Clareville Avenue (corner Russell Avenue)		Local	I225
	Sans Souci	Fontainebleau	7 Napoleon Street	Lot 1, DP 230847	Local	I226
	Sans Souci	Cook Park	Riverside Drive		Local	I227
Botany Bay LEP 2013						
Proposed Bayside LEP						
				189440; Lot 2, DP 191678; Lot 1, DP 191678; Lot 12, DP 456694; Lot 13, DP 456694; Lot 14, DP 456694; Lot 15, DP 456694; Lot 16, DP 456694; Lot 17, DP 456694; Lot 18, DP 456694; Lot 19, DP 456694; Lot 22, Section 23, DP 1680; Lot 21, Section 23, DP 1680; Lot 20, Section 23, DP 1680; Part Lot 1, DP 8591311		
	Kurnell	Towra Point Nature Reserve and Quibray Bay	Towra Point	Lot 2, DP 856868	State	I262
	Kyeemagh	Kyeemagh Market Gardens	2A, 2B, 2D and 2E Occupation Road	Lots 2, 3 and Part Lot 4, DP 17133; Lot 4, DP 529923	State	I263
	Mascot	Alexandra Canal (including sandstone embankment)	Alexandra Canal	Alexandra Canal	State	I264
	Mascot	Ricketty Street bridge	Over Alexandra Canal		Local	I265
	Mascot	Memorial Park	814 Botany Road and 149A Coward Street	Lot 1, DP 72528; Lot 2, DP 611027	Local	I266
	Mascot	Mature Ficus	818 Botany Road	Lot D, DP 49	Local	I267
	Mascot	Commercial building group	891–917 Botany Road	Lot A, DP 103750; Lot B, DP 103750; Lot C, DP 103750; Lot	Local	I268

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Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
		Mascot	House	1075 Botany Road	Lot 1, DP 939651; Lot 1, DP314593	Local	I276
		Mascot	Commercial building group	1133–1135 Botany Road (corner of Botany Road and King Street)	Part Lot 1, DP 932383; Lot 1, DP 930137	Local	I277
		Mascot	Commercial building group	1171–1173 Botany Road	Lot 11, Section 1, DP 1873	Local	I278
		Mascot	Commercial building group	1175–1177 Botany Road	Lot 3, DP 617916; Lot 4, DP 617916	Local	I279
		Mascot	Commercial building group	1183–1185 Botany Road	Lot C, DP 341159	Local	I280
		Mascot	Commercial building group	1187–1189 Botany Road	Lot 1, DP 541076; Lot 2, DP 541076	Local	I281
		Mascot	Commercial building group	1193–1203 Botany Road	Lot 12, DP 832835; Lot 1, DP 1127006; Lot D, DP 402625; Lot E, DP 402625; Lot F, DP 402625; Lot A, DP 339491	Local	I282
		Mascot	Commercial building group	1209–1223 Botany Road	Lot A, DP 445050; Lot B, DP 445050; Lot 1, DP 204954; Lot 2, DP 204954; Lot 1, DP 827779; Lot B, DP 30500; Lot C, DP 30500; Lot D, DP 30500	Local	I283
		Mascot	Single storey terrace group	1239–1245 Botany Road	Lot 1, DP 501790; Lot 2, DP 501790; Lot 1, DP	Local	I284

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
					327594; Lot 1, DP 911127		
		Mascot	Beckenham Memorial Church	1293–1295 Botany Road	Part Lot 6, DP 3280; Part Lot 7, DP 3280; Part Lot 8, DP 3280; Part Lot 9, DP 3280	Local	I285
		Mascot	Mascot Park	Coward Street (corner of O’Riordan Street)	Lot 7073, DP 93716; Lot 1, DP 668903	Local	I286
		Mascot	House	85 Coward Street	Lot 1, DP 501282	Local	I287
		Mascot	Shop	95 Coward Street	Lot A, DP 502775	Local	I288
		Mascot	House	110 Coward Street	Lot 1, DP 999395	Local	I289
		Mascot	Shop	115 Coward Street	Lot 4, DP 115029	Local	I290
		Mascot	House	117 Coward Street	Lot 3, DP 115029	Local	I291
		Mascot	Uniting Church and rectory	118–122 Coward Street	Lot 2, DP 917174; Lot 1, DP 917524; Lot 1, DP 197503; Lot B, DP 155557	Local	I292
		Mascot	House	119 Coward Street	Lot 34, Section 1, DP 4089	Local	I293
		Mascot	House	121 Coward Street	Lot 2, DP 201169	Local	I294
		Mascot	House—“Orara”	123 Coward Street	Lot 1, DP 201169	Local	I295
		Mascot	House—“Highhurstwood”	125 Coward Street	Lot 38, Section 1, DP 4089; Lot 39, Section 1, DP 4089	Local	I296
		Mascot	Fire station	139 Coward Street	Lot C, DP 330647; Lot	Local	I297

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP						
					46, DP 667051			
		Mascot	Botany Family Day Care	149 Coward Street	Lot 1, DP 1136361	Local		I298
		Mascot	Sydney Water Corporation Pumping Station SP0053	153 Coward Street	Lot 1, DP 303674	Local		I399
		Mascot	House group	1–3 Flora Street	Lot 11, DP 15353; Lot 10, DP 15353	Local		I300
		Mascot	House	71 Frogmore Street	Lot 16, Section 8, DP 1873	Local		I301
		Mascot	Commonwealth Water Pumping Station and Sewage Pumping Station No 38	General Holmes Drive (west of Engine Pond, within the boundary of Sydney (Kingsford Smith) Airport)	Part Lot 8, DP 1050923	Local		I302
		Mascot	House	16 Hardie Street	Lot 43, Section 1, DP 1873	State		I303
		Mascot	House	30 Hardie Street	Lot 35, Section 1, DP 1873	Local		I304
		Mascot	Corner store	45 Hardie Street (corner of Hardie and Hollingshed Streets)	Lot 2, DP 318467	Local		I305
		Mascot	House	61 Hardie Street	Lot 9, Section 4, DP 1873; Lot 10, Section 4, DP 1873	Local		I306
		Mascot	House—“Verandale”	87 Hardie Street	Lot 23, Section 4, DP 1873; Lot 24, Section 4, DP 1873	Local		I307
		Mascot	House	3 Hicks Avenue	Lot 29, Section 3, DP 937	Local		I308

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
		Mascot	House	16 Hicks Avenue	Lot 1, DP 135158; Lot 2, DP 135158	Local	I309
		Mascot	House	24 Hicks Avenue	Lot 17, Section 2, DP 937	Local	I310
		Mascot	House	27 Hicks Avenue	Lot B, DP 301997	Local	I311
		Mascot	House	36 Hicks Avenue	Lot 19, Section 1, DP 937	Local	I312
		Mascot	House	96 High Street	Lot 1, DP 615829	Local	I313
		Mascot	Mature Ficus	112 High Street	Lot 2, DP 593694	Local	I314
		Mascot	House— “Daktari”	114 High Street	Lot 21, DP 771708	Local	I315
		Mascot	House group	15–17 Johnson Street	Lot A, DP 409409; Lot B, DP 409409	Local	I316
		Mascot	House	18 Johnson Street	Lot 46, Section 3, DP 1873	Local	I317
		Mascot	House	20 Johnson Street	Lot 45, Section 3, DP 1873	Local	I318
		Mascot	House	38 Johnson Street	Lot 35, Section 3, DP 1873	Local	I319
		Mascot	House	68 Johnson Street	Lot 36, Section 4, DP 1873	Local	I320
		Mascot	House	90 Johnson Street	Lot 25, Section 4, DP 1873	Local	I321
		Mascot	Mascot Public School building group	King Street	Lot 1, DP 813088	Local	I322
		Mascot	Christian Fellowship Centre	40 King Street	Lot 14, Section 8, DP 937	Local	I323
		Mascot	House group	62–64 King Street	Lot A, DP 304230; Lot	Local	I324

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
					B, DP 304230		
		Mascot	House group	144–148 King Street	Lot A, DP 404442; Lot B, DP 404442; Lot C, DP 404442	Local	I325
		Mascot	Terrace group	150–160 King Street	Lot A, DP 436563; Lot B, DP 436563; Lot C, DP 436563; Lot D, DP 436563; Lot E, DP 436563; Lot F, DP 436563	Local	I326
		Mascot	House	151 King Street	Lot 2, DP 576454	Local	I327
		Mascot	House	159 King Street	Lot 1, Section 1, DP 977264	Local	I328
		Mascot	House group	164–164A King Street	Lot A, DP 432492; Lot B, DP 432492	Local	I329
		Mascot	House— “Beverley”	190 King Street	Lot 5, Section 3, DP 1873	Local	I330
		Mascot	House (front dwelling)	191 King Street	Lot 2, DP 285422	Local	I331
		Mascot	Terrace group	192–204 King Street	Lot X, DP 440648; Lot Y, DP 440648; Lot Z, DP 440648; Lot A, DP 440093; Lot B, DP 440093; Lot C, DP 440093; Lot D, DP 440093	Local	I332
		Mascot	Railway bridge over Botany Road	Near McBurney Avenue	Over road	Local	I333

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
		Mascot	House	10 Miles Street	Lot 1, DP 999385	Local	I334
		Mascot	House	174 Sutherland Street	Lot 17, Section 10, DP 1873	Local	I335
		Mascot	House	1 Walker Avenue	Lot 11, DP 18877	Local	I336
		Mascot	House	64-66 Wellington Street	Lot 12, DP 615592; Lot 13, DP 615592	Local	I337
		Monterey	Patmore Swamp	99 President Avenue (part of North Scarborough Park)	Lot 1, DP 1113262; Lot 3, DP 1113262; Lot 473, DP 752056; Lot 7072, DP 93145; Lot 199, DP 752056; Lot 14, DP 20365; Lot 536, DP 752056	Local	I338
		Pagewood	Bonnie Doon Golf Club House	Banks Avenue	Part Lot 2871, DP 752015	Local	I339
		Pagewood	Harris Reserve	Bunnerong Road	Lot 7011, DP 1027015	Local	I340
		Pagewood	Glanville Reserve, including streetscape—verge plantings of Canary Island Date Palm (Phoenix canariensis)	Bounded by Glanville Avenue, White Road and Kerr Crescent	Lot 7013, DP 1027018	Local	I341
		Pagewood	Jellicoe Park	Park Parade	Lot 7067, DP 1059870; Lots 7325, 7326 and 7327, DP 1153726	Local	I342
		Ramsgate	Hawthorne Street Reserve/Leo Smith Reserve	99 President Avenue (Scarborough Park, off Hawthorne Street)	Lot 1, DP 1113262; Lot 3, DP 1113262; Lot 473, DP 752056; Lot 7072, DP	Local	I343

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP						
					93145; Lot 199, DP 752056; Lot 14, DP 20365; Lot 536, DP 752056			
		Ramsgate	Fig trees	99 President Avenue (South Scarborough Park, immediately north of Ramsgate Road)	Lot 1, DP 1113262; Lot 3, DP 1113262; Lot 473, DP 752056; Lot 7072, DP 93145; Lot 199, DP 752056; Lot 14, DP 20365; Lot 536, DP 752056	Local		I344
		Ramsgate	Sans Souci Literary Institute	107 Ramsgate Road	Lots 82 and 83, DP 2032	Local		I345
		Rockdale	Uniting Church and buildings	11 Bay Street	Part Lot 1, DP 798278	Local		I346
		Rockdale	Rock Lynn	58 Bestic Street	Lot 1, Section 11, DP 1677	Local		I347
		Rockdale	Roslyn Hall	85–89 Cameron Street	Lots 1–4, Section 4, DP 1677	Local		I348
		Rockdale	Banbury Cottage	23 Chandler Street	Lot B, DP 343582	Local		I349
		Rockdale	Sandstone Victorian cottage	105 Farr Street	Lot 1, DP 971045	Local		I350
		Rockdale	House	142 Farr Street	Lot 8, Section 1, DP 1677	Local		I351
		Rockdale	Lincluden	73 Frederick Street	Lots 97 and 98, DP 1353	Local		I352
		Rockdale	Palm trees on verge	Gloucester Street (southern side)		Local		I353
		Rockdale	Yamba Worra	11 Heathcote Street	Lot 1, DP 230535	Local		I354

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
		Rockdale	Victorian house	70 King Street	Lot 20, Section 3, DP 1547	Local	I355
		Rockdale	Lydham Hall	18 Lydham Avenue	Lot A, DP 387441	State	I356
		Rockdale	Federation house	18 Oakura Street	Lot 2, DP 500838	Local	I357
		Rockdale	Rockdale Public School	2 Pitt Street	Lots 3 and 6–25, Section 4, DP 1547; Lots 1–5, DP 121406; Lot 19, Section 3A, DP 2694; Lots 1 and 2, DP 120176; Lot 1, DP 120175; Lot 1, DP 975729; Lot 1, DP 795753	Local	I358
		Rockdale	Rockdale Town Hall	448 Princes Highway	Lot 1, DP 1109252; Lot 1, DP 1134901; Lot 1, DP 1109285; Lot 2, DP 1109285; Lot 1, DP 933772; Lot 1, DP 664617	Local	I359
		Rockdale	Rockdale School of Arts (Guild Theatre)	87 Railway Street	Lots 2 and 3, DP 3560	Local	I360
		Rockdale	Brick buildings on platforms, signal box and overhead booking office	Rockdale Railway Station and Yard Group	Part Lot 51, DP 1004378	State	I361
		Rockdale	St Joseph's Convent	3–11 Walz Street	Lot 201, DP 1147226	Local	I362
		Rockdale	Wilson's Farmhouse	310 West Botany Street	Lot 1, DP 34647; Lot 1, DP 517350	State	I363
		Rosebery	Former bank building	686 Botany Road (corner of Botany and	Lot A, DP 411716	Local	I364

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
				Gardeners Roads)			
		Rosebery	Newmarket Hotel	889 Botany Road (corner of Botany and Gardeners Roads)	Lot 2, DP 215517; Lot 3, DP 215517	Local	I365
		Rosebery	The Lakes Hotel	305 Gardeners Road (corner of Macquarie Street and Gardeners Road)	Lot A, DP 187154; Lot 10, DP 1142723	Local	I366
		Rosebery	Former Roxy Theatre	409 Gardeners Road	Lot 1, DP 217097; Lot 5, DP 223717	Local	I367
		Rosebery	Terrace group	467–473 Gardeners Road	Lot 1, DP 221797; Lot 2, DP 221797; Lot 3, DP 221797; Lot 4, DP 221797	Local	I368
		Rosebery	House	485 Gardeners Road	Lot B, DP 442890	Local	I369
		Rosebery	Terrace group	523–537 Gardeners Road	Lot A, DP 442415; Lot B, DP 442415; Lot 3, DP 29124; Lot 4, DP 29124; Lot 5, DP 29124; Lot 6, DP 29124; Lot 7, DP 29124; Lot 8, DP 29124	Local	I370
		Rosebery	Terrace group	539–543 Gardeners Road	Lot 1, DP 75241; Lot 2, DP 29124; Lot 6, DP 215519	Local	I371
		Rosebery	House	27 Gordon Street	Lot 11, DP 832654; Lot 12, DP 832654	Local	I372
		Rosebery	House	45 Gordon Street	Lot 14, Section 2, DP 3986; Lot	Local	I373

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
					15, Section 2, DP 3986		
		Rosebery	House	50 Gordon Street	Lot 15, Section 1, DP 3986	Local	I374
		Rosebery	House	14 Harris Street	Lot 16, DP 12826	Local	I375
		Rosebery	House	51 Harris Street	Lot 14, Section 13, DP 939789	Local	I376
		Rosebery	House	23 Henley Street	Lot 28, DP 1037758	Local	I377
		Rosebery	House	4 Macquarie Street	Lot B, DP 151267	Local	I378
		Rosebery	House group	37–39 Maloney Street	Lot A, DP 398795; Lot B, DP 398795	Local	I379
		Rosebery	St Therese's Catholic Church building group	37 Sutherland Street and (corner of Coward and Sutherland Streets)	Lot 3, DP 523972; Lot 1, DP 87303	Local	I380
		Sans Souci	Tram route relics, tram shelter, island and plantings	Clareville Avenue (corner Russell Avenue)		Local	I381
		Sans Souci	Fontainebleau	7 Napoleon Street	Lot 1, DP 230847	Local	I382
		Sans Souci	Cook Park	Riverside Drive		Local	I383
		Sans Souci	Norfolk Island pine trees	Riverside Drive (between Napoleon and Waldron Streets)		Local	I384
		Sans Souci	Timber cottage	586 Rocky Point Road	Lot 308, DP 2452	Local	I385
		Sydney Airport	Ruins of the former Botany Pumping Station	Within the boundary of Sydney (Kingsford Smith) Airport	Part Lot 8, DP 1050923	Local	I386
		Sydney Airport	Sydney (Kingsford	Airport Drive	Part Lot 8, DP 1050923	Local	I387

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP					
			Smith) Airport group				
		Turrella	Old St David's Church	2 Edward Street	Lot 4, DP 1043010	Local	I388
		Turrella, Wolli Creek	Wolli Creek Wetlands	Part 75 Henderson Street, part Railway lands	Part Lot 1, DP 775302 (MS 16565 3000 SY); Lot 5, DP 431083; Lots 12 and 13, DP 1149053; part bed of Wolli Creek	Local	I399
		Turrella	Cairnsfoot Special School	18 Loftus Street	Lot 1, DP 120192	State	I390
		Turrella	Victorian house	28 Walker Street	Lot B, DP 379190	Local	I391
		Wolli Creek	Tempe House and St Magdalene's Chapel	1 Princes Highway	Lot 13, DP 1062413	State	I392
		Wolli Creek	Wolli Creek Valley	Wolli Creek		Local	I393
		Part 2 Heritage conservation areas					
		Name of heritage conservation area		Identification on heritage map		Significance	
		Botany Township Heritage Conservation Area		Shown by a red outline with red hatching and labelled "C2".		Local	
		Daceyville Garden Suburb Heritage Conservation Area		Shown by a red outline with red hatching and labelled "C1".		Local	

SCHEDULE 6 POND-BASED AND TANK-BASED AQUACULTURE

Development type	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
PART 1 POND BASED AND TANK-BASED AQUACULTURE			
DIVISION 1 SITE LOCATION REQUIREMENTS			
1 Conservation exclusion zones	(1) Must not be carried out on the following land, except to the extent necessary to gain access to water— (a) land declared an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016, (b) vacant Crown land, (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands. (2) Must not be carried out on the following land, except for the purposes of minimal infrastructure to support the extraction of water from, and discharge of water to, the land concerned— (a) land declared as an aquatic reserve under the Marine Estate Management Act 2014, (b) land declared as a marine park under the Marine Estate Management Act 2014. Note. Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.	(1) Must not be carried out on the following land, except to the extent necessary to gain access to water— (a) land declared an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016, (b) vacant Crown land, (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands. (2) Must not be carried out on the following land, except for the purposes of minimal infrastructure to support the extraction of water from, and discharge of water to, the land concerned— (a) land declared as an aquatic reserve under the Marine Estate Management Act 2014, (b) land declared as a marine park under the Marine Estate Management Act 2014. Note. Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.	(1) Must not be carried out on the following land, except to the extent necessary to gain access to water: (a) land declared an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i>, (b) vacant Crown land, (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands. Note. Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.
DIVISION 2 OPERATIONAL REQUIREMENTS			
2 Species selection	Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).	Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).	Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).
3 Pond-based aquaculture that is also intensive aquaculture—pond design	For pond-based aquaculture that is also intensive aquaculture—ponds must be capable of being drained or pumped and then completely dried.	For pond-based aquaculture that is also intensive aquaculture—ponds must be capable of being drained or pumped and then completely dried.	For pond-based aquaculture that is also intensive aquaculture—ponds must be capable of being drained or pumped and then completely dried.
4 Pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—freshwater discharges	For pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—no discharge of freshwater used to intensively cultivate or keep fish to natural waterbodies or wetlands is permitted, except freshwater discharge from open flow through systems.	For pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—no discharge of freshwater used to intensively cultivate or keep fish to natural waterbodies or wetlands is permitted, except freshwater discharge from open flow through systems.	For pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—no discharge of freshwater used to intensively cultivate or keep fish to natural waterbodies or wetlands is permitted, except freshwater discharge from open flow through systems.

Development type	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
5 Outlets from culture ponds etc	All outlets from culture ponds, tanks and other culture facilities must be screened to avoid the escape of fish.	All outlets from culture ponds, tanks and other culture facilities must be screened to avoid the escape of fish.	All outlets from culture ponds, tanks and other culture facilities must be screened to avoid the escape of fish.
6 Definition	In this Division— intensive aquaculture has the same meaning as it has in the <i>Fisheries Management (Aquaculture) Regulation 2017</i> .	In this Division— intensive aquaculture has the same meaning as it has in the <i>Fisheries Management (Aquaculture) Regulation 2017</i> .	In this Division: intensive aquaculture has the same meaning as it has in the <i>Fisheries Management (Aquaculture) Regulation 2017</i> .
PART 2 EXTENSIVE POND-BASED AQUACULTURE			
DIVISION 1 SITE LOCATION REQUIREMENTS			
7 Conservation exclusion zones	(1) Must not be carried out on the following land, except to the extent necessary to gain access to water— (a) land declared an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> , (b) vacant Crown land, (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands. Note. Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.	(1) Must not be carried out on the following land, except to the extent necessary to gain access to water— (a) land declared an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> , (b) vacant Crown land, (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands. Note. Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.	(1) Must not be carried out on the following land, except to the extent necessary to gain access to water: (a) land declared an area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> , (b) vacant Crown land, (c) land within a wetland of international significance declared under the Ramsar Convention on Wetlands. Note. Nothing in this clause affects any requirement under an Act relating to land specified in this clause to obtain a licence or other authority under that Act for development of the land.
8 Flood liability	Must be designed or constructed on land so that it will not be inundated by the discharge of a 1:100 ARI (average recurrent interval) flood event.	Must be designed or constructed on land so that it will not be inundated by the discharge of a 1:100 ARI (average recurrent interval) flood event.	Must be designed or constructed on land so that it will not be inundated by the discharge of a 1:100 ARI (average recurrent interval) flood event.
DIVISION 2 OPERATIONAL REQUIREMENTS			
9 Species selection	Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).	Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).	Species of fish or marine vegetation cultivated or kept must be consistent with the relevant aquaculture industry development plan (within the meaning of clause 5.19).
10 Pond design	(1) Must not require the construction of new ponds, water storages, dams or buildings. (2) Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers. (3) Must be capable of preventing the escape of stock into natural waterbodies or wetlands.	(1) Must not require the construction of new ponds, water storages, dams or buildings. (2) Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers. (3) Must be capable of preventing the escape of stock into natural waterbodies or wetlands.	(1) Must not require the construction of new ponds, water storages, dams or buildings. (2) Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers. (3) Must be capable of preventing the escape of stock into natural waterbodies or wetlands.

Development type	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP
11 Culture water	Must use freshwater.	Must use freshwater.	Must use freshwater.