

MEETING NOTICE

A meeting of the

Bayside Local Planning Panel

will be held in the Committee Room, Botany Town Hall

Corner of Edward Street and Botany Road, Botany

on Monday 25 November 2019 at 6.00 pm

ON-SITE INSPECTIONS

On-site inspection/s will precede the meeting.

AGENDA

1 ACKNOWLEDGEMENT OF COUNTRY

Bayside Council respects the traditional custodians of the land, elders past, present and emerging, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

- 2 APOLOGIES
- 3 DISCLOSURES OF INTEREST
- 4 MINUTES OF PREVIOUS MEETINGS

Nil

- 5 REPORTS PLANNING PROPOSALS
- 6 REPORTS DEVELOPMENT APPLICATIONS

Nil

Members of the public, who have requested to speak at the meeting, will be invited to address the Panel by the Chairperson.

The meeting will be video recorded and live streamed to the community via Council's Facebook page.

Meredith Wallace General Manager



Bayside Local Planning Panel

25/11/2019

Item No 5.1

Subject Draft Planning Proposal Bayside Local Environmental Plan 2020 -

Pre Gateway

Report by Michael Mamo, Director City Performance

File SF19/7893

Summary

This Planning Proposal initiates the preparation of the Draft Bayside Local Environmental Plan 2020 (BLEP 2020), which is the first stage in the implementation of the Bayside Local Strategic Planning Statement. The overriding objective of the Planning Proposal is to harmonise the existing LEPs to create one comprehensive LEP for the Bayside LGA.

It is intended that the Bayside Local Environmental Plan 2020 (the BLEP 2020) will:

- Carry forward most of the provisions contained in the following environmental planning instruments:
 - Botany Local Environmental Plan 1995 (BBLEP 1995);
 - Rockdale Local Environmental Plan 2011 (RLEP 2011); and
 - Botany Bay Local Environmental Plan 2013 (BBLEP 2013).
- Create a common set of objectives, land use tables and clauses for the Bayside LGA;
- Reflect the objectives of the Greater Sydney Region Plan: A Metropolis of Three Cities, and the priorities of the Eastern City District Plan;
- Implement the relevant Priorities and Actions of the draft Bayside Local Strategic Planning Statement: and
- Address anomalies in the written instruments and rectify mapping errors.

Whilst the harmonisation of existing LEPs is not intended to result in extensive changes to planning controls, there are differences between the provisions of the existing LEPs which need to be addressed in the BLEP 2020. As such, this Planning Proposal recommends some changes to the planning controls currently applying in certain areas of the LGA.

Two areas of the LGA that will continue to be excluded from application of the proposed Bayside LEP 2020 are those areas covered by the following environmental planning instruments:

- Sydney Regional Environmental Plan No 33 Cooks Cove; and
- State Environmental Planning Policy (Three Ports) 2013.

Council intends to prepare a number of additional Planning Proposals, commencing in 2020 to give effect to more complex and extended projects which are outlined in the draft Bayside Local Strategic Planning Statement.

A number of Planning Proposals that affect specific sites in the local government area are being progressed concurrently but separate to this LEP harmonisation process. Where these site-specific LEP amendments are made prior to the finalisation of this Bayside LEP 2020, it is intended that they will be incorporated into the new LEP. Where a separate LEP amendment is made after the finalisation of the Bayside LEP 2020, it will be included as an amendment to the new LEP.

Officer Recommendation

That the Bayside Local Planning Panel recommends to Council, or its delegate, that pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979 (EP&A Act), the draft Planning Proposal be submitted to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.

Background

In early 2016 the Greater Sydney Commission (GSC) was established to co-ordinate and align planning for Greater Sydney. The GSC prepared the Eastern City District Plan which applies to the Bayside local government area. The GSC has oversight of the implementation of the District Plan by councils through a process that will lead to updates of Local Environmental Plans. At present the focus is on local strategic planning that addresses district plans as well as council Community Strategic Plans.

The implementation process has three key parts:

- Local strategic planning statements (LSPSs): Councils are developing LSPSs to set the 20-year vision for their local government area, including identifying the special character and values to be preserved and how change will be managed. The LSPS explains how council is implementing the planning priorities and actions in the relevant district plan in conjunction with their Community Strategic Plan.
- Local housing strategies: District plans require councils to prepare local housing strategies to address housing needs. This work informs 6–10 year housing targets for each local government area.
- Updates to local environmental plans (LEPs): LEPs provide the rules that guide local
 development and contain controls such as land use zoning and height. All Councils are
 required to update their LEPs to reflect the district plan and deliver the vision set out in
 their LSPSs.

A new assurance process led by the Commission has meant State agencies are working closely with councils to progress implementation. Assurance milestones have included:

- **LEP reviews:** commenced in October 2018 when councils reported to the Commission on reviews to their LEPs against local circumstances and district plan priorities and actions. These reviews established the groundwork for the draft LSPSs.
- LSPS health checks: in March-April 2019, councils were hosted by their district commissioner to gauge progress of draft LSPSs.

On 9 September 2016, the proclamation of the new Bayside Local Government Area (LGA), amalgamating the former Rockdale and Botany Bay LGAs was declared by the New South Wales Government – Department of Premier and Cabinet under the *Local Government Act* 1993. One of the identified milestones for amalgamated Councils was the preparation of a consolidated Local Environmental Plan. The Bayside local government area has three Local Environmental Plan's (LEP) in effect:

- Botany Bay Local Environmental Plan 2013
- Rockdale Local Environmental Plan 2011
- Botany Local Environmental Plan 1995

Both the Botany Bay Local Environmental Plan 2013 (BBLEP 2013) and Rockdale Local Environmental Plan 2011 (RLEP 2011) were prepared in accordance with the *Standard Instrument (Local Environmental Plans) Order 2006* and provide the provisions for the majority of the lands that constitute eastern and western parts of the Bayside LGA respectively. The Botany LEP 1995 only applies to land deferred from BBLEP 2013, referred to as deferred matters.

In 2017 the *Environmental Planning and Assessment Act 1979* was amended to introduce a new planning framework which places an increased emphasis on strategic planning. The amended Act includes a requirement (s.3.9) for Councils to prepare a 'Local Strategic Planning Statement' which must include or identify:

- the basis for strategic planning in the area, having regard to economic, social and environmental matters,
- the planning priorities for the area that are inconsistent with any strategic plan applying to the area and any applicable community strategic plan
- the actions for achieving those planning priorities, and
- the basis on which Council is to monitor and report on the implementation of those actions

The Act was also amended to introduce a requirement that all Planning Proposals include justification for the objectives, outcomes and provisions including:

• s.3.33 (2)(c) 'whether the proposed instrument will give effect to the local strategic planning statement of the Council of the area'

On 12 September 2018, Bayside Council received a \$2.5 million grant under the State Government's Local Environmental Plan Accelerated Program. The funding has been used to undertake detailed analysis of the various constraints and opportunities that impact future development. These constraints include the Hazardous Transport Route, high pressure gas line buffer and the M6 motorway. The NSW Government grant identifies Bayside as a 'priority' Council and requires Council to submit this Draft Planning Proposal for the Bayside Local Environmental Plan to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination by 31 December 2019. The relevant Planning Proposal documents are attached

In October 2018, Council submitted the Bayside Local Environmental Plan (LEP) Review (Health Check) to the Department of Planning to satisfy legislative requirements pursuant to Section 3.8(4) of the *Environmental Planning & Assessment Act 1979*. The Review provided

an assessment of Councils' LEP's against the planning priorities and actions outlined in the Eastern City District Plan.

Upon receiving confirmation of grant funding Council commissioned background studies and strategies:

- Local Housing
- Transport
- Heritage
- Aboriginal Heritage
- Flooding and stormwater
- Land Use Limitations
- Environmental Issues
- Social Infrastructure (Community facilities, Open space & Recreation)
- Centres and Employment lands.

The strategies will provide evidence and inform strategic planning for Bayside Council for the next 20 years and beyond. These will be reported to Council in 2020.

During 2018 and 2019 Council has also been progressing detailed review, analysis and masterplanning to inform potential strategic changes to the Local Environmental Plan. Given the strict deadlines imposed on Bayside Council by the NSW Department of Planning, Infrastructure and Environment Council has not been able to incorporate strategic changes, as it had previously anticipated. Areas and issues subject to further investigation and potential future change to the Bayside Local Strategic Planning Statement and Bayside Local Environmental Plan include:

- Brighton Le Sands Masterplan Stage 1
- · Rockdale Town Centre
- Area marked as grey, west of Arncliffe Station in Figure 2 of the Bayside West Precincts 2036 Plan
- Low rise medium density housing
- Heritage Conservation Areas
- Biodiversity mapping
- Minimum lot size

It is anticipated that Council will progress amendments to planning controls in relation to some of those areas and issues, commencing in 2020.

Prior to preparing the draft Bayside LEP Council was required to prepare a Local Strategic Planning Statement (LSPS) to inform Bayside's strategic planning framework. The LSPS outlines the direction of Council's economic, social and environmental priorities for the local

area and will act as a linking document between the Eastern City District Plan and the new, consolidated Bayside Local Environmental Plan 2020.

In September 2019 Council placed the draft Bayside Local Strategic Planning Statement on public exhibition and implemented a community engagement plan to reach a wide range of community members. Additionally, to help inform the community about the LSPS, Council hosted eight Information stations at strategic locations across the local government area over a four week period.

Purpose of the Planning Proposal

The purpose of this Planning Proposal is to create a consolidated Bayside Local Environmental Plan. This is largely an administrative process and is not a comprehensive review of provisions that would result in an increase in densities which would require significant additional public infrastructure.

However, it is noted that Council is in the process of preparing new infrastructure strategies in accordance with the Bayside Asset Management Strategy and as outlined in the draft Local Strategic Planning Statement. The strategies will inform provision of additional local infrastructure to meet the needs of the future population. The strategies are:

- Social Infrastructure (Open Space, recreation and community facilities)
- Transport Strategy
- Bike Plan
- Employment and Centres Strategy
- Environment Strategy

Council has also commenced the preparation of key statutory or policy documents which will assist in the implementation of local infrastructure:

- Bayside Development Contributions Plan
- Bayside Plan of Management
- Planning Agreement Policy

The new Draft BLEP comprises a combination of the most appropriate provisions from the RLEP 2011 and BBLEP 2013 – including key controls such as building height, floor space ratios and minimum lot sizes. Where identical provisions exist, they have been carried over without change. In instances of inconsistency between the planning controls (where the clause/objective adversely impacts the overall intention of the subject zone including its application), a review has been undertaken and the most suitable provision has been proposed. Site specific provisions and additional permitted uses have also been retained.

The Draft BLEP does not propose to rezone land except:

- Where Council has completed appropriate background studies; and
- Where an anomaly has been identified and is required to be rectified.

For detailed information and explanation of the Draft Bayside Local Environmental Plan 2020 refer to attachments to this report as follows:

- Attachment 1: Draft Planning Proposal Report
- Attachment 2: Appendix A Bayside Local Environmental Plan 2020 (written instrument)
- **Attachment 3:** Appendix B Maps (to be issued as an Addendum)
- Attachment 4: Appendix C Justification Table
- Attachment 5: Appendix D LEP Comparison Table
- **Attachment 6:** Appendix E Land Use Comparison and Justification Matrix
- Attachment 7: Appendix F DPIE Land Use Matrix
- Attachment 8: Appendix G Explanatory Paper

An addendum to Attachment 3: Appendix B – Maps will be issued to the Bayside Local Planning Panel meeting and Council's website prior to the meeting on 25 November 2019.

Next Steps:

Gateway / submit draft LEP to DPIE	31 December 2019
Consultation and exhibition of draft LEP and DCP	March-April 2020
Assessment of submissions (carried out by Council) 2020	April-May
Council meeting to endorse final draft of LEP	June 2020
Submit final draft to DPIE	June 2020

Community Consultation

The Planning Proposal will be exhibited, subsequent to Gateway Determination, for a period of 28 days in accordance with the provisions of the *EP&A Act 1979*, the *Environmental Planning & Assessment Regulation 2000*, the Bayside Community Participation Plan and any requirements of the Gateway Determination.

Public exhibition of the draft Planning Proposal will include:

- Newspaper advertisement in local newspapers
- Exhibition notice on Council's website
- Community engagement project set up on Council's Have Your Say website
- Notices in Council libraries

- Written notification to all landowners and residents in the LGA, this will include letters to landowners of properties affected by a proposed change in the planning controls
- Written notification to all Talking Bayside Members
- Written notification to anyone who submitted feedback as part of Council's Planning Our Future and Local Strategic Planning Statement consultation projects
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination.

Attachments

- 1 Draft Planning Proposal Report J.
- 2 Appendix A Bayside Local Environmental Plan 2020 Written Instrument J.
- 3 Appendix B Maps (to be issued as an Addendum) (under separate cover)
- 4 Appendix C Justification Table J.
- 5 Appendix D LEP Comparison Table !
- 6 Appendix E Land Use Comparison and Justification Matrix U
- 7 Appendix F DPIE Land Use matrix <u>U</u>
- 8 Appendix G Explanatory Paper J

Planning Proposal

Bayside Local Environmental Plan 2020 (BLEP 2020)



19 November 2019

Contents

Part 1	Objectives or Intended Outcomes		
Part 2	Explanation of Provisions		
Part 3	Justification		
	A. Need for the Planning Proposal		
	B. Relationship to Strategic Planning Framework		
	C. Environmental, Social & Economic Impact		
	D. State and Commonwealth Interests		
Part 4	Mapping		
Part 5	Community Consultation		
Part 6	Project Timeline		

Table of revisions		
1.0	19 November 2019	

Introduction

This Planning Proposal explains the intended effect of, and justification, for the proposed consolidation of the three local environmental plans applying to the Bayside Local Government Area (LGA). The following LEPs will be consolidated to create the Bayside Local Environment Plan 2020 (BLEP2020).

- Rockdale Local Environmental Plan 2011 (RLEP 2011);
- Botany Bay Local Environmental Plan 2013 (BBLEP 2013);
- Botany Local Environmental Plan 1995 (BBLEP 1995); and

.

This Planning Proposal has been prepared in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning, Industry and Environment's guidelines, 'A Guide to Preparing Planning Proposals' (December 2018) and 'A Guide to Preparing Local Environmental Plans' (December 2018).

Background

On 9 September 2016, Bayside Council was proclaimed by the Minister for Local Government, resulting in the amalgamation of the former City of Botany Bay and Rockdale City Councils. The planning instruments (as amended) applicable to each of the former Local Government Areas (LGAs) have continued to apply to the LGA boundaries of the former Councils.

For land within the former Botany Bay LGA, BBLEP 2013 (as amended) has continued to apply, except for:

- Three 'Deferred Matter' sites, identified under Clause 1.3A of the BBLEP 2013, to which the BLEP 1995 (as amended) has continued to apply; and
- Land within the State Environmental Planning Policy (Three Ports) 2013 (SEPP) area, to which the SEPP (as amended) has continued to apply.

For land within the former Rockdale LGA, RLEP 2011 (as amended) has continued to apply, except for:

 Land subject to Sydney Regional Environmental Plan 33 – Cooks Cove (SREP 33), to which SREP 33 (as amended) has continued to apply.

This Planning Proposal has been prepared to harmonise the three existing LEPs identified above, into one LEP that will apply to the equivalent applicable areas covered by the existing LEPs.

Part 1 - Objectives or Intended Outcomes

This Planning Proposal will establish the Bayside LEP 2020, which is the first stage in the implementation of the Bayside Local Strategic Planning Statement. The overriding objective of the Planning Proposal is to harmonise the existing LEPs to create one comprehensive LEP for the Bayside LGA.

It is intended that the Bayside Local Environmental Plan 2020 (the BLEP 2020) will:

- Carry forward most of the provisions contained in the following environmental planning instruments:
 - Botany Local Environmental Plan 1995 (BBLEP 1995);
 - Rockdale Local Environmental Plan 2011 (RLEP 2011); and
 - Botany Bay Local Environmental Plan 2013 (BBLEP 2013).
- · Create a common set of objectives, land use tables and clauses for the Bayside LGA;
- Reflect the objectives of the Greater Sydney Region Plan: A Metropolis of Three Cities, and the priorities of the Eastern City District Plan;
- Implement the relevant Priorities and Actions of the draft Bayside Local Strategic Planning Statement; and
- · Address anomalies in the written instruments and rectify mapping errors.

Whilst the harmonisation of existing LEPs is not intended to result in extensive changes to planning controls, there are differences between the provisions of the existing LEPs which need to be addressed in the BLEP 2020. As such, this Planning Proposal recommends some changes to the planning controls currently applying in certain areas of the LGA.

Two areas of the LGA that will continue to be excluded from application of the proposed Bayside LEP 2020 are those areas covered by the following environmental planning instruments:

- · Sydney Regional Environmental Plan No 33 Cooks Cove; and
- State Environmental Planning Policy (Three Ports) 2013.

Council intends to progress future Planning Proposals to give effect to more complex and extended projects which are outlined in the draft Bayside LSPS.

Part 2 - Explanation of Provisions

This Planning Proposal will achieve the objective of harmonising the existing LEPs by:

- Creating a single written instrument for the Bayside LGA that applies a common set of objectives, land use tables and clauses to the land in the LGA;
- Ensuring consistency with the Standard Instrument (Local Environmental Plans) Order 2006;
- Initiating the repeal of:
 - The Rockdale Local Environmental Plan 2011 (RLEP 2011);
 - The Botany Local Environmental Plan 1995 (BBLEP 1995)
 - The Botany Bay Local Environmental Plan 2013 (BBLEP 2013).

Clauses

The new Bayside Local Environmental Plan 2020 (the BLEP 2020) will incorporate both the 'compulsory' and 'optional' clauses prescribed by the Standard Instrument and make amendments to these, where necessary, to reflect their inclusion in a harmonised LEP. Where existing clauses are consistent across the existing LEPs, the Planning Proposal will incorporate these clauses into the consolidated LEP unchanged. Existing site-specific provisions applying to land in only one of the former LEPs will also be incorporated unchanged.

A comprehensive comparative analysis of each clause has been undertaken, which can be viewed in the Clause Justification Table included in Appendix C - Clause Justification Table:

- Compares the relevant clauses from the BBLEP 2013 and the RLEP 2011;
- Provides a summary of the differences between the clauses; and
- Explains and justifies the retention of each clause and whether they need to be amended or updated.

Land Uses

Some minor changes involving certain uses that are either permitted or prohibited in some zones are proposed. The proposed changes are examined in detail in the:

- Explanatory Paper (see Appendix G);
- Clause Justification Table (see Appendix C); and
- BLEP 2020 Land Use Matrix (see Appendix F).

Example of the types of changes to the land use table are as follows:

Removal of 'residential flat buildings' and 'multi-dwelling housing' from the list of uses permitted in the

R2 Low Density Housing' zone:
These uses were previously listed as 'permitted with consent' in the BBLEP 2013 but were prohibited in the R2 zone in the RLEP 2011. It is considered that these land uses do not meet the objectives of a low density residential zone. It is therefore proposed that residential flat buildings and multi-dwelling housing are listed as prohibited uses in the harmonised R2 Low Density Residential zone in the Bayside LEP 2020.

Removal of 'residential flat buildings' from the list of uses permitted in the R3 Medium Density Residential zone:

Currently, residential flat buildings are permitted in the R3 zone under the BBLEP 2013 but prohibited under the RLEP 2011. In harmonising the permitted/prohibited uses in the R3 zone, it is intended to include residential flat buildings in the list of prohibited uses in the R3 zone throughout the Bayside LGA (with the exception of certain sites detailed below) for the following reasons:

- Residential flat buildings are, in general, considered to be of a scale that is incompatible with the objectives of the R3 zone:
- Parts of the R3 zone in Rhodes Street, Hillsdale are located in the Botany Industrial Park/Denison Street risk area; and

 The permitted uses and development types that are being retained are considered to be consistent with the R3 zone and its objectives.

Six sites in the BBLEP R3 zone are considered suitable to retain residential flat buildings as a permissible use. These are:

- 1. 96A Bay Street, Botany;
- 2. 97 Banksia Street, Botany;
- 3. 70 Macintosh Street, Mascot:
- 4. 10-12 Middlemiss Street, Rosebery (also known as 10-12 Coward Street, Mascot);
- 5. 68-80 Beauchamp Road, Hillsdale:
- 6. 68-80 Banks Avenue, Pagewood.

To allow these sites to retain permissibility for residential flat buildings, an additional subclause is to be inserted into the Additional Permitted Uses schedule. Any future proposals for residential flat buildings would be controlled by clauses 4.3, 4.4 and 4.4B of the BLEP 2020, as well as the Apartment Design Guidelines and the DCP.

Removal of 'dwelling houses' from the 'permitted with consent' list in certain business zones:

Clause 6.12 of the BBLEP permits with consent the use of land for purpose built dwelling houses in certain business zones, for residential purposes, under particular circumstances. The business zones in which this use is permitted are:

- Zone B1 Neighbourhood Centre;
- Zone B2 Local Centre;
- Zone B4 Mixed Use; and
- Zone B7 Business Park.

However, dwelling houses and multi-dwelling housing are currently prohibited in the B1 and B4 zones in the Rockdale LEP 2011. It is considered that these uses are not compatible with the objectives of business zones, such as providing a range of business and commercial uses, encouraging employment opportunities and securing the economic viability of commercial centres.

Removal of 'residential flat buildings' from the 'permitted with consent' list in the 'B2 Local Centre zone':

zone':
Currently, residential flat buildings are permitted with consent under the RLEP 2011 in the B2 Local
Centre Zone, whereas under the BBLEP 2013, they are prohibited. However, where land has been
identified as an 'active street frontage', residential flat buildings are not permitted in either the BBLEP
2013 or the RLEP 2011. To allow greater flexibility for where land can be identified as an active street
frontage, it is intended to prohibit residential flat buildings in the B2 zone.

It is intended that this change will help prevent the poor planning outcomes that have often resulted from locating residential flat buildings in the B2 zone, mainly through loss of activation at ground floor level in key commercial areas, either from ground floor residential apartments and/or other inactive uses at street level.

It is important to note that shoptop housing will continue to be permitted in the B2 zone.

Removal of 'office premises' from the 'permitted with consent' list in certain residential zones:

Clause 6.13 of the BBLEP 2013 allows the adaptive re-use of existing buildings for office premises in the R2 Low Density Residential and R3 Medium Density Residential zones. However, it is considered that office premises are inconsistent with the primary objectives of the R2 and R3 residential zones, which are:

- To provide for the needs of the community within low and medium density residential environments;
- . To provide a variety of housing types within a medium density residential environment; and
- To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.

There is a concern that the retention of this clause and the continued permissibility of office uses in these zones could encourage inappropriately-located, out-of-centre office development which would exacerbate traffic and amenity problems in established residential areas. Furthermore, an appropriate scale of home business or office use would continue to be permitted with consent (and certain restrictions) in these zones.

Introduction of the W2 Recreational Waterways zone on land that was previously unzoned land: As per LEP Practice Note: PN 11-001 (NSW Government) all land in the LGA must be zoned. Currently, a number of Bayside's waterways exist as unzoned land and as such are potentially exposed to development which may not be compatible with, or could impact adversely on, the unzoned waterway.

The Waterways within the LGA which currently exist as unzoned land are:

- · A portion of Georges River adjacent to Sandringham;
- · The lower reaches of the Cooks River where it meets Botany Bay;
- Muddy Creek;
- Wolli Creek; and
- Bardwell Creek.

Inclusion of lands identified as 'Deferred Matters' under BBLEP 2013

The BBLEP currently identifies three areas as 'Deferred Matters' from the Botany LEP 1995. These are:

Deferred Matter 1: MacIntosh Street/Botany Road -

Address	Lot	DP	SP
18B Macintosh St	8	1191439	
18A Macintosh St	7	1191439	1
16 Macintosh St	1	15513	
14 Macintosh St			89104
12B Macintosh St	5	1191439	
12A Macintosh St	4	1191439	
10C Macintosh St	3	1191439	
10B Macintosh St	2	1191439	
10A Macintosh SI	1	1191439	
8 Macintosh St/ 568 Botany Road			4276
2-4 Macintosh St	105 and 106	550420	*
562 Botany Rd			65912
564 Botany Rd			3806
566 Botany Rd			4322

Deferred Matter 2: Dransfield Avenue, Mascot -

Lot 6 DP 776212

Deferred Matter 3: 26 Tupia Street, Mascot -

Lot X DP 32914

<u>Deferred Matter 1: MacIntosh Street/Botany Road</u> — The Botany LEP 1995 controls for this land are:

- Residential 2(b) Zone (considered to be generally consistent to the current R3 Medium Density Zone in the BBLEP 2013);
- FSR 0.5:1, with a bonus FSR of 0.5:1 available for residential development on allotments which exceed 2,500sqm, to enable a maximum FSR of 1:1; and
- No Height of Building limit, but the scale of development, if above 2 storeys in height, to be compatible with the scale of existing residential development in the locality.

During public consultation for the Botany Bay LEP 2013, some residents expressed concern in relation to:

- Parking, traffic and access;
- Form of housing and height transition;
- Height:
- Privacy;
- Rubbish removal; and
- Stormwater.

The majority of sites which are affected by Deferred Matter 1 at MacIntosh Street have been developed for 3-4 storey medium density residential development in recent years, with older four storey walk ups located on the majority of sites fronting Botany Road/corner of MacIntosh Street.

It is proposed to encourage retail and commercial uses at the ground floor and include the sites with a frontage to Botany Road in the Active Street Frontage (ASF) map to allow for suitable transition between the proposed B2 Local Centre zoned land and the existing R2 Low Density Residential zoned land west of the site, it is proposed to zone the western extent of the site to P3 Medium Density Residential.

Further details are provided in the Clause Justification Table (Appendix C).

Deferred Matter 2: Dransfield Avenue, Mascot -

This land was also deferred from the Botany LEP 1995 and was therefore deferred from two consecutive LEPs.

The City of Botany Bay Council recommended that the land be zoned as RE1 Public Recreation zone as part of the Draft Botany Bay LEP 2013, and the then Department of Planning and Environment supported Council's recommendation. An application of the RE1 zone to the land would form a logical extension to the immediately-adjoining RE1 zoned land which is located to the west of the site and which comprises significant contiguous vegetation with evidence of significant regeneration. State Environmental Planning Policy (Infrastructure) 2007 would permit, without consent, a number of uses on the subject site, including:

- Outdoor recreation areas and facilities;
- Landscape structures and features; and
- Amenities such as toilets/change rooms.

Rezoning to RE1 Public Recreation would be consistent with Practice Note PN_10-001: Zoning for Infrastructure in LEPs which advises that surplus public land should be rezoned to be compatible with surrounding land uses having regard to:

- The nature and character of the site (the site contains bushland regrowth);
- Existing adjacent land uses and preferred future uses (existing RE1 land to the west immediately adjoins the land); and
- Regional strategy priorities (the land is mapped in the Sydney Green Grid Central Priority Project - Mill Stream and Botany Wetlands).

Further analysis is provided in the Clause Justification Table (see Appendix C).

<u>Deferred Matter 3: 26 Tupía Street, Mascot</u> – The Botany LEP 1995 controls for this land are:

- Residential 2(b) Zone (considered to be generally consistent with the current R3 Medium Density Zone in the BBLEP 2013);
- FSR 0.5:1, with a bonus FSR of 0.5:1 available for residential development on allotments which exceed 2,500sqm, to enable a maximum FSR of 1:1; and
- No Height of Building limit, but the scale of development, if above 2 storeys in height, to be compatible with the scale of existing residential development in the locality.

The Botany Bay Planning Strategy 2031 identified the site for higher density residential, which is inconsistent with the surrounding zoning and planning controls. However, development of the land for residential purposes is consistent with Local Planning Direction 3.1 - Housing, Infrastructure and Urban Development, which:

- · Encourages housing types;
- · Makes use of, and has access to, existing infrastructure; and
- Does not unreasonably impact on the environment given its current industrial use.

The draft Bayside LEP 2020 will be referred to the NSW Port Authority which previously raised concerns in relation to intensification of residential development in proximity to Port Botany. Council will also prepare site-specific DCP provisions for inclusion in the new Bayside Development Control Plan.

A summary of the proposed controls for the Deferred Matter sites is included in Table 1 – Deferred Matters below:

Table 1 - Deferred Matters

Deferred Matter - BBLEP 2013	Proposed Zones and Development Standards – Bayside LEP 2020
MacIntosh Street/Botany Road	Zone: B2 Local Centre; Height of Building: 14m; Floor Space Ratio: 2:1; and Zone: R3 Medium Density Residential; Height of Building: 12m; Floor Space Ratio: 0.85:1
Dransfield Avenue, Mascot	Zone: RE1 Public Recreation
26 Tupia Street, Mascot	Zone: R3 Medium Density Residential; Height of Building: 10m; Floor Space Ratio: 8.5:1

Minimum Lot Size Controls

The introduction of a minimum lot size control for dual occupancies in the Bayside LGA will replace the minimum lot size control for dual occupancies in the RLEP2011 and introduce new subdivision controls of the eastern part of the Bayside LGA. The proposed changes to the Minimum Lot Size controls are illustrated in Table 2 – Minimum Lot size controls below:

Table 2 - Minimum Lot size Controls

	Rockdale LEP 2011 (sq.m.)	Botany Bay LEP 2013	Bayside LEP 2020 (sq.m.)
Minimum subdivision lot size	230 340 450 840	Not adopted	230 340 450 840
(On existing dual occupancy lot)	350		350

	Rockdale LEP 2011 (sq.m.)	Botany Bay LEP 2013	Bayside LEP 2020 (sq.m.)
Minimum lot size for dual occupancies	Not adopted	Not adopted	400 500 700
Minimum subdivision lot sizes for dual occupancies	Not adopted	Not adopted	200 220 350
For attached and semi-detached dwellings in Zone R2	350	Not adopted	Not adopted

A detailed analysis of the proposed minimum lot size controls and any proposed changes to, or introduction of, minimum lot size clauses, is included in the Clause Justification Table (see Appendix C).

Height of Buildings - Deletion of Bonus Provisions

In general, it is proposed to retain the current Height of Building controls prescribed in the RLEP 2011 and BBLEP 2013. Retaining the current building heights will allow existing height transitions and heights introduced via site specific planning proposals to be maintained.

However, in accordance with a current planning proposal being led by Council, it is proposed to omit Clause 4.3(2A) of BBLEP 2013 from the new Bayside LEP 2020. In 2015, the former City of Botany Bay Council initiated a Planning Proposal to delete clauses 4.3(2A) and 4.4B. This has received a Gateway Determination and therefore has been identified as having strategic merit. The conditions attached to the Gateway Determination required consideration of the Planning Proposal's consistency with Ministerial Direction 3.1 Residential Zones; and to consult with the owners of all R3 and R4 zoned land and to amend the Planning Proposal as necessary.

An independent planning review prepared by SJB Planning determined that the Planning Proposal is consistent with Ministerial Direction 3.1. Council also consulted the owners of R3 and R4 zoned land and modified the Planning Proposal to exclude a number of sites which have demonstrated, through submission of concept designs, their ability to be developed without unreasonably impacting on the owners of adjoining land.

As such, it is proposed that clause 4.3(2A) be deleted from the Botany Bay LEP 2013, with the exception of the following sites:

- 96A Bay Street, Botany;
- 97 Banksia Street, Botany; and the following NSW Land & Housing Corporation owned sites:
- Slattery Place, Eastlakes;
- 1-5 Florence Avenue, Eastlakes;
- 16-18 Maloney Street, Eastlakes;
- 70 Macintosh Street, Mascot;
- 10-12 Middlemiss Street, Rosebery (also known as 10-12 Coward Street, Mascot);
- · 68-80 Beauchamp Road, Hillsdale; and
- · 68-80 Banks Avenue, Pagewood.

Floor Space Ratio - Deletion of Bonus Provisions

The Planning Proposal for the deletion of the Height of Buildings bonus provision also included a provision to delete clause 4.4B of the BBLEP 2013 in conjunction with subclause 4.4(2A) above.

Therefore, clause 4.4B is to be omitted from the Bayside LEP 2020, with the exception of the following sites:

- · 96A Bay Street, Botany;
- 97 Banksia Street, Botany; and the following NSW Land & Housing Corporation owned sites:
- Slattery Place, Eastlakes;
- 1-5 Florence Avenue, Eastlakes;
- 16-18 Maloney Street, Eastlakes;
- 70 Macintosh Street, Mascot;
- 10-12 Middlemiss Street, Rosebery (also known as 10-12 Coward Street, Mascot);
- 68-80 Beauchamp Road, Hillsdale; and
- · 68-80 Banks Avenue, Pagewood.

Further analysis of this can be found in the Clause Justification Table (see Appendix C).

Flood Planning and Flood Plain Risk Management

It is proposed to apply the existing Rockdale LEP flooding clause to the whole of the Bayside LGA. This is to ensure that all development incorporates appropriate measures to manage flood hazards, where there are known potential risks of flooding.

The flood planning level means the level of a 1% AEP flood event plus 0.5 metre freeboard. The flood planning map identifies properties to which flood related planning controls apply. Council has prepared the following flood studies and Flood Risk Management Studies and Plans:

Table 3 - Flood studies and Flood Risk Management Studies and Plans

CATCHMENT	SUBURBS	FLOOD STUDY (date prepared or review)	FLOODPLAIN RISK MGT STUDY AND PLAN (FRMSP) (date prepared)
Sans Souci	Ramsgale, Sans Souci, Monterey, Kogarah (part)	2015	2005 being reviewed 2020/21
Bardwell Creek	Turrella,Bardwell Valley and Bardwell Park, Bexley North, Kingsgrove	2019	1998 being reviewed 2020/21
Bonnie Doon	Arncliffe, Wolli Creek and Bonar St	2017	1998 being reviewed 2020/21
Muddy Creek, Spring St	Banksia, Rockdale, Carlton, Bexley, Kogarah (part), Brighton Le Sands, Kyeemagh	2017	2000 being reviewed 2020/21
Springvale & Floodvale Drain	Banksmeadow and pagewood (Part)	2014	2017
Mascot, Rosebery and Eastlakes	Mascot, Rosebery and Eastlakes, pagewood east	2019	2019
Botany Bay Foreshore	Botany and Port Botany	Reviewed in 2019	Completion in 2020

CATCHMENT	SUBURBS	FLOOD STUDY (date prepared or review)	FLOODPLAIN RISK MGT STUDY AND PLAN (FRMSP) (date prepared)
Birds Gully and Bunnerong Rd	Daceyville, Eastgardens and Hillsdale	2018	By Randwick Council estimated 2021

These are periodically reviewed to maintain currency. The flood study methodology was recently reviewed and this has resulted in changes to flood modelling and flood planning areas.

A Floodplain Risk Management clause is also proposed to be included in the Bayside LEP 2020. This clause is considered necessary to meet the objectives of the NSW Flood Prone Land Policy (2005) and is consistent with the Section 9.1(2) Ministerial Direction. The objectives of this direction are:

- To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005; and
- To ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The Floodplain Risk Management clause provides for consideration of development controls primarily related to risk to life in areas outside the Flood Planning Area. The clause ensures special consideration is given to essential community facilities and critical services including emergency response facilities such as hospitals and critical infrastructure.

Higher flood planning levels are considered necessary for aged care facilities and other types of developments with individual evacuation and emergency response issues. For these facilities the Probable Maximum Flood (PMF) is the applicable flood planning level. This may mean these development types are excluded from a flood affected area where normal residential development would be permitted.

A copy of the draft written instrument is provided at Appendix A. It should be noted that the proposed draft LEP instrument will be subject to legal review by Parliamentary Council before the consolidated LEP is finalised.

It should also be noted that Council is currently considering a number of Planning Proposals that affect specific sites in the LGA (see Table 4 – Existing Planning Proposals below). It is intended to continue to progress these Planning Proposals concurrently with, but separate to, this LEP harmonisation process. Where these site-specific LEP amendments are made prior to the finalisation of this Bayside LEP 2020, it is intended that they will be incorporated into the new LEP. Where a separate LEP amendment is made after the finalisation of the Bayside LEP 2020, it will be included as an amendment to the new LEP.

Table 4 – Existing Planning Proposals

Planning Proposal – Site Address	Proposed LEP Amendment	Current Stage (as at 18.11.19)
BATA (Meriton), 128 & 130-150 Bunnerong Road, Pagewood	Rezone: IN2/R3 to R4 HOB: 11m, 17m, 21m, 28m to 15m, 39m and 70m FSR: 1:1 to 2.35:1 Additional Permitted Uses Clause requiring DCP Minimum 5000sqm non-residential FSR	With DPIE for notification
146-154 O'Riordan St, Mascot	HOB: 22m to 44m	With DPIE for notification

Proposed LEP Amendment	Current Stage (as at 18.11.19)
HOB: 22m to 27m FSR: Remove	With DPIE for notification
HOB: 16.5m FSR: 1.75:1	J.
Removal of Land Reservation Acquisition status from LEP clauses and maps Rezone: RE1 to B4	With DPIE for Gateway Determination decision
	Pre-Gateway
Removing incentive clauses	Pre-Gateway
	Pre-Gateway
Rezone: RE2 to R3 HOB: 8.5m FSR: 0.6:1	Post-Gateway Awaiting Public Exhibition
	HOB: 22m to 27m FSR: Remove HOB: 16.5m FSR: 1.75:1 Removal of Land Reservation Acquisition status from LEP clauses and maps Rezone: RE1 to B4 Removing incentive clauses Rezone: RE2 to R3 HOB: 8.5m

LEP Maps

The LEP harmonisation process will necessitate minor changes to all of the maps due to the 'housekeeping' exercise that forms part of the process. Additional, more detailed, changes include those referred to above e.g. the Deferred Matters sites. A full set of maps is included at Appendix B. These are the:

Acid Sulfate Soils Maps
Active Street Frontages Maps
Additional Permitted Uses Maps
Design Excellence Maps
Flood Planning Maps
Floor Space Ratio Maps
Foreshore Building Line Maps
Heritage Maps
Height of Buildings Maps
Land Application Maps
Land Reservation Acquisition Maps
Land Zoning Maps
Lot Size Maps
Riparian Lands Maps
Terrestrial Biodiversity Maps
Watercourses Maps
Wetlands Maps

Part 3 – Justification

A Need for the Planning Proposal

Q1 Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal has been prepared in response to the September 2016 amalgamation of Rockdale City Council and Botany Bay Council and the need to establish a single, harmonised set of planning controls for the Bayside local government area. Council has progressed the harmonisation of planning controls in accordance with the requirements of the NSW government and as outlined in 'Guidance for merged council on planning functions' (May 2016).

Furthermore, at the December 2019 Council Meeting, Council will consider the endorsement of the Draft Bayside Local Strategic Planning Statement (LSPS). The LSPS outlines the direction of Council's economic, social and environmental priorities for the local area. This will act as a linking document between the Eastern City District Plan and the new consolidated Bayside LEP 2020.

The LSPS also aims to implement the relevant priorities of a Council's Community Strategic Plan: Bayside 2030.A detailed assessment of how the Planning Proposal responds to the priorities in the LSPS is included in Part B2 of this Planning Proposal.

Q2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is the only means of delivering a consolidated Bayside Local Environmental Plan. The provisions outlined in this Planning Proposal are necessary to achieve harmonisation of existing LEPs and greater consistency in Council's planning policy framework. This Planning Proposal will provide a harmonised set of planning controls across the Bayside LGA and will ensure residents and the development industry will have one document that will guide the sustainable development of the LGA.

B Relationship to strategic planning framework

Q3 Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Planning Proposal is consistent with the objectives and actions of the *Greater Sydney Region Plan: A Metropolis of Three Cities* and the *Eastern City District Plan*.

The Planning Proposal either assists in achieving the objectives and actions of the *Eastern City District Plan* or is consistent with the directions of the *Greater Sydney Region Plan (GSRP)*. However it should be noted that this Planning Proposal is primarily a harmonisation process. Where polices or provisions are consistent across the LEPs, changes are not proposed.

Table 5 below provides as assessment of this Planning Proposal against the GSRP:

Table 5 - Consistency with the GSRP

Directions	Objectives	Consistency
Infrastructure and co	I HAVE BUILD AND A STATE OF THE	Conditional
1. A city supported by infrastructure	Objective 1: Infrastructure supports the three cities Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact Objective 3: Infrastructure adapts to meet future needs Objective 4: Infrastructure use is optimised	It is proposed to retain and consolidate existing LEP provisions relating to the acquisition and classification of land for public purposes. It is also proposed to retain and harmonise the Special Purposes and Recreation zones. This will contribute to the future planning for infrastructure in the Bayside LGA. These objectives will also be considered as part of the preparation of a consolidated development contributions plan for the Bayside LGA, which will align forecast growth with infrastructure
2. A collaborative city	Objective 5: Benefits of growth realised by collaboration of governments, community and business	The Kogarah Collaboration Area is being implemented through the development of a Place Strategy in collaboration with the Greater Sydney Commission. This will be publically exhibited in the future.
Liveability		
3. A city for people	Objective 6: Services and infrastructure meet communities' changing needs Objective 7: Communities are healthy, resilient and socially connected Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation	This Planning Proposal seeks to allow home based child care without consent on B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use and all land within the residential zones. This will assist in simplifying the approval process for this land use to ensure services meet community needs. No other changes are being made to the permissibility of community facilities, education establishments and child care centres. This will allow for the continued delivery of social infrastructure within the Bayside LGA. It is proposed to permit with consent 'restaurants or cafes', 'information and education facilities' and 'markets' on RE1 Public Recreation zoned land. These uses can complement recreational activities and enhance the use and enjoyment of open space by the public.
4. Housing the city	Objective 10: Greater housing supply Objective 11: Housing is more diverse and affordable	Bayside Council is currently preparing the Bayside Local Housing Strategy and investigating the introduction of an Affordable Housing Development Contributions Scheme. This Planning Proposal includes several provisions relevant to housing supply and choice. Further commentary is provided in the response to Question 6 of this report in relation to the Planning Proposal's consistency with section 9.1 Ministerial Direction 3.1 – Residential Zones.

Directions	Objectives	Consistency
5. A city of great places	Objective 12: Great places that bring people together Objective 13: Environmental heritage is conserved and enhanced	To assist with the revitalization of key streets, it is proposed to amend the active street frontage provisions. In addition, as referred to above, it is proposed to permit with consent 'restaurants or cafes', 'information and education facilities' and 'markets' on RE1 Public Recreation zoned land. These uses can complement recreational activities and enhance the use and enjoyment of open space by the public. Existing LEP schedules of heritage items and conservation areas will be retained and incorporated in the consolidated LEP with only housekeeping amendments proposed. This will achieve a consistent approach to heritage conservation.
Productivity		
6. A well connected city	Objective 14: A metropolis of three cities — integrated land use and transport creates walkable and 30-minute cities Objective 15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive Objective 16: Freight and logistics network is competitive and efficient Objective 17:	This Planning Proposal also seeks to retain all industrial zoned land. The land use tables for the IN2 Light Industrial zone will be harmonized to achieve a consistent approach to light industrial activities across the LGA. The harmonised LEP will include zone objectives to reinforce the importance of existing industrial land to the operation of the trade gateways. For example, an objective of both industrial zones is to support and protect industrial land for industrial uses. It is proposed to retain and harmonise the
	Regional transport is integrated with land use	SP2 Infrastructure zone. This will contribute to the support of transport infrastructure corridors in the Bayside LGA.

Directions	Objectives	Consistency
7. Jobs and skills for the city	Objective 18: Harbour CBD is stronger and more competitive Objective 19: Greater Parramatta is stronger and better connected Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City Objective 21: Internationally competitive health, education, research and innovation precincts Objective 22: Investment and business activity in centres Objective 23: Industrial and urban services land is planned, protected and managed Objective 24: Economic sectors are targeted for success	It is proposed to include an aim within the consolidated LEP to reinforce the protection and enhancement of the Sydney Airport and Port Botany trade gateways. This Planning Proposal does not seek to rezone any industrial zoned land. Land uses within the IN1 zone will remain unchanged. Similarly, this Planning Proposal seeks to reinforce the importance of existing industrial land to the operation of the trade gateways through zone objectives. An objective of both industrial zones is to support and protect industrial land for industrial uses. The Planning Proposal will protect prescribed airspace operations through harmonising provisions regarding the penetration of the obstacle limitation surface (OLS) of Sydney Airport; and assist in reducing the impacts of aircraft noise by harmonizing the provisions restricting sensitive development within ANEF contours. This Planning Proposal seeks to retain all business zoned land. The land use tables for B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use zones will be harmonized to achieve consistency in centres across the LGA. Medical centres, health consulting rooms, community facilities and educational establishments will continue to be permissible with consent in the business zones. This will allow the co-location of health, education and community facilities

Directions	Objectives	Consistency
Sustainability		
Sustainability 8. A city in landscape	Objective 25: The coast and waterways are protected and healthier Objective 26: A cool and green parkland city in the South Creek corridor Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced Objective 28: Scenic and cultural landscapes are protected Objective 29: Environmental, social and economic values in rural areas are maintained and enhanced Objective 30: Urban tree canopy cover is increased Objective 31: Public open space is accessible, protected and enhanced Objective 32: The Green Grid links parks, open spaces, bushland and walking and	This Planning Proposal seeks to retain the E1 National Parks and Nature Reserve zone. In addition, it will harmonise existing riparian watercourse and wetlands provisions. This will enhance the protection of waterways and ensure a consistent approach is taken to managing development impacts. Additional sites are proposed to be included on the foreshore building line map to ensure that development in the foreshore area will not impact on natural foreshore processors or affect the significance and amenity of these key areas. The Planning Proposal seeks to harmonisation existing biodiversity mapping. The biodiversity provisions will be harmonised and updated to include two additional objectives. The additional objectives will help improve environmental outcomes and assist in the preservation of environmentally sensitive areas. It is proposed to permit with consent restaurants or cafes, information and education facilities and markets on RE1 Public Recreation zoned land. These uses can complement recreational activities and enhance the use and enjoyment of open space by the public.
9. An efficient city	Objective 33: A low-carbon city contributes to netzero emissions by 2050 and mitigates climate change Objective 34: Energy and water flows are captured, used and re-used Objective 35: More waste is re-used and recycled to support the development of a circular economy	These Objectives will be dealt with at a micro level as part of the preparation of a consolidated Development Control Plan for the LGA, which will include controls to address natural hazards and climate change.
10. A resilient city	Objective 36: People and places adapt to climate change and future shocks and stresses Objective 37: Exposure to natural and urban hazards is reduced Objective 38: Heatwaves and extreme heat are managed	These Objectives will be dealt with at a micro level as part of the preparation of a consolidated Development Control Plan for the LGA, which will include controls to address natural hazards and climate change.

Eastern City District Plan (March 2018)

The Eastern City District Plan identifies a range of planning priorities for the District, in line with the four categories identified in the Greater Sydney Region Plan 2056:

- Infrastructure and collaboration;
- Liveability;
- Productivity; and
- Sustainability.

The planning proposal's consistency with the priorities in the draft District Plan are discussed in further detail in 6 below:

Table 6 - Consistency with the Draft District Plan

E1	Planning for a city supported by infrastructure	It is proposed to retain and consolidate existing LEP provisions relating to the acquisition and classification of land for public purposes. It is also proposed to retain and harmonise the Special Purposes and Recreation zones. This will contribute to the future planning for infrastructure in the Bayside LGA.
E2	Working through collaboration	The Kogarah Collaboration Area is being implemented through the development of a Place Strategy in collaboration with Georges River Council and the Greater Sydney Commission.
Live	ability	
E3	Providing services and social infrastructure to meet people's changing needs	The Planning Proposal seeks to allow home based child care without consent on B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use and all land within the residential zones. This will assist in simplifying the approval process for this land use to ensure services meet community needs.
E4	Fostering healthy, creative, culturally rich and socially connected communities	No other changes are being made to the permissibility of community facilities, education establishments and child care centres. This will allow for the continued delivery of social infrastructure within the Bayside LGA. It is proposed to permit with consent 'restaurants or cafes', 'information and education facilities' and 'markets' on RE1 Public Recreation zoned land. These uses can complement recreational activities and enhance the use and enjoyment of open space by the public.
E5	Providing housing supply, choice and affordability, with access to jobs, services and public transport	The Planning Proposal includes several provisions relevant to housing supply and choice. Further detailed commentary on this issue is provided at the response to Question 6, illustrating compliance with Ministerial Direction 3.1 – Residential Zones. It is proposed to prohibit residential flat buildings in the B2 Local Centre zone, while retaining the permissibility of shop top housing in this zone. This will help support the commercial role of centres by encouraging ground floor commercial activity.

E6	Creating and renewing great places and local centres, and respecting the District's heritage	The Planning Proposal seeks to retain all business zoned land. The land use tables for B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use zones will be harmonized to achieve consistency in centres across the LGA. Medical centres, health consulting rooms, community facilities and educational establishments will continue to be permissible with consent in the business zones. This will allow the co-location of health, education and community facilities.
Prod	uctivity	
E7	Growing a stronger and more competitive Harbour CBD	Not applicable
E8	Growing and investing in health and education precincts and the Innovation Corridor	Not applicable
E9	Growing international trade gateways	To reinforce the economic role of the trade gateways, the LEP aims will include a focus on the protection and enhancement of the trade gateways. The Planning Proposal also seeks to reinforce the importance of existing industrial land to the operation of the trade gateways through zone objectives. An objective of both industrial zones is to support and protect industrial land for industrial uses. The land use tables for the IN2 Light Industrial zone will be harmonized to achieve consistency in light industrial activities across the LGA.
E10	Delivering integrated land use and transport planning and a 30-minute city	It is proposed to retain and harmonise the SP2 Infrastructure zone. This will contribute to support transport infrastructure corridors in the Bayside LGA.
E11	Growing investment, business opportunities and jobs in strategic centres	The Planning Proposal seeks to retain all business zoned land. The land use tables for B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use zones will be harmonized to achieve consistency in centres across the LGA.
E12	Retaining and managing industrial and urban services land	The Planning Proposal does not seek to rezone any industrial zoned land. Land uses within the IN1 zone will remain unchanged. Minimal changes are proposed to the IN2 zoned land.
E13	Supporting growth of targeted industry sectors	The Planning Proposal also seeks to reinforce the importance of existing industrial land to the operation of the trade gateways through zone objectives. An objective of both industrial zones is to support and protect industrial land for industrial uses.
Susta	ainability	
E14	Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways	This Planning Proposal seeks to retain E1 National Parks and Nature Reserve zone. In addition, it will harmonise existing riparian watercourse and wetlands provisions. This will enhance the protection of

		waterways and ensure a consistent approach is taken to managing development impacts.
		Additional sites are proposed to be included on the foreshore building line map to ensure that development in the foreshore area will not impact on natural foreshore processors or affect the significance and amenity of these key areas.
E15	Protecting and enhancing bushland and biodiversity	The Planning Proposal seeks to harmonise existing biodiversity mapping. The biodiversity provisions will be harmonised and updated to include two additional objectives. The additional objectives will help improve environmental outcomes and assist in the preservation of environmental sensitive areas.
E16	Protecting and enhancing scenic and cultural landscapes	The Planning Proposal seeks to retain the E1 National Parks and Nature Reserve zone. In addition, it will harmonise existing riparian watercourse and wetlands provisions. This will enhance the protection of waterways and ensure a consistent approach is taken to managing development impacts.
		Additional sites are also proposed for inclusion on the foreshore building line map to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of these key areas.
E17	Increasing urban tree canopy cover and delivering Green Grid connections	This will be considered as part of the preparation of a consolidated development control plan for the LGA, which will include controls to address natural hazards and climate change.
E18	Delivering high quality open space	It is proposed to permit with consent restaurants or cafes, information and education facilities and markets on RE1 Public Recreation zoned land. These uses can complement recreational activities and enhance the use and enjoyment of open space by the public.
E19	Reducing carbon emissions and managing energy, water and waste efficiently	This planning priority will also be considered as part of the preparation of a consolidated development control plan for the LGA, which will include controls to address natural hazards and climate change.
E20	Adapting to the impacts of urban and natural hazards and climate change	This planning priority will also be considered as part of the preparation of a consolidated development control plan for the LGA, which will include controls to address natural hazards and climate change.
Imple	ementation	
E21	Preparing Local Strategic Planning statements informed by local strategic planning	Council has prepared a draft Bayside Local Strategic Planning Statement (LSPS) in accordance with the guidance provided by the NSW Department of Planning, Industry and Environment.
E22	Monitoring and reporting on the delivery of the Plan	Part 6 of the LEP sets out a Project Timeline for the delivery of the LEP. Council will also work closely with the DPIE to ensure that the LEP delivery is progressed as quickly as possible.

Premier's Priorities 2015-2019

The 'Premier's Priorities' set out 12 priorities which reflect a 'whole-of-government' approach to tackling important issues for the people of NSW, from helping vulnerable children and raising the performance of school students, to improving housing affordability and building local infrastructure. The 12 priorities are:

- · Creating jobs;
- Delivering infrastructure;
- · Driving public sector diversity;
- Improving education results;
- Improving government services;
- · Improving service levels in hospitals;
- Keeping our environment clean;
- · Making housing more affordable;
- · Protecting our kids;
- · Reducing domestic violence reoffending;
- · Reducing youth homelessness; and
- Tackling childhood obesity.

The harmonisation of the BBLEP 2013 and the RLEP 2011 will ensure that the respective objectives of these LEPs will continue to reflect the Premiers Priorities where possible by:

- Providing a range of housing types to meet the needs of the community;
- Providing a range of retail, business and community uses that serve the needs of people;
- Ensuring that development does not detract from the economic viability of commercial centres:
- Maximising public transport patronage and encourage walking and cycling;
- Accommodating population growth through high density mixed use development that complements the role of retail, commercial, civic and cultural premises
- Integrating suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling;
- Encouraging employment opportunities to support the viability of centres; and
- Providing a range of recreational settings, activities and compatible land use.

Future Transport Strategy 2056

The Future Transport Strategy 2056 (Strategy) is an update of the 2012 Long Term Transport Master Plan for NSW. It is a 40 year strategy, supported by plans for regional NSW and for Greater Sydney. It outlines a vision, strategic directions and customer outcomes, with infrastructure and services plans underpinning the delivery of these directions across the state.

The vision is built on the following six outcomes:

- 1. Customer Focused;
- Successful Places:
- 3. A Strong Economy;
- 4. Safety and Performance;
- 5. Accessible Services; and
- Sustainability.

The harmonisation of the BBLEP 2013 and the RLEP 2011 will ensure that the respective objectives of these LEPs will, where possible, continue to reflect the outcomes of the Future Transport Strategy by:

- Integrating suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling:
- · Providing for infrastructure and related uses; and
- Preventing development that is not compatible with or that may detract from the provision of infrastructure.

NSW State Infrastructure Strategy 2018-2038

The NSW State Infrastructure Strategy 2018-2038 (SIS) sets out the government's priorities for the next 20 years and combined with the Future Transport Strategy 2056, the Greater Sydney Region Plan and the Regional Development Framework, brings together infrastructure investment and land-use planning for our cities and regions. The SIS looks beyond the current projects and identifies policies and strategies needed to provide the infrastructure that meets the needs of a growing population and a growing economy.

The Strategy sets out six overarching strategic directions to instil best practice approaches across NSW's infrastructure sectors:

- 1. Continuously improve the integration of land and infrastructure planning;
- Plan, prioritise and deliver an infrastructure program that represents the best possible investment and use of public funds;
- 3. Optimise the management, performance and use of the State's assets;
- Ensure NSW's existing and future infrastructure is resilient to natural hazards and humanrelated threats;
- 5. Improve state-wide connectivity and realise the benefits of technology; and
- Drive high quality consumer-centric services and expand innovative service delivery models in infrastructure sectors.

The harmonisation of the BBLEP 2013 and the RLEP 2011 will ensure that the respective objectives of these LEPs will, where possible, continue to reflect the objectives of the NSW State Infrastructure Strategy by:

- · Providing for infrastructure and related uses;
- Preventing development that is not compatible with or that may detract from the provision
 of infrastructure:
- Providing a range of recreational settings and activities and compatible land uses;
- Enabling the efficient movement and operation of commercial shipping, water-based transport and maritime industries; and
- Integrating suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

Q4 Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?

Bayside Local Strategic Planning Statement - A Land Use Vision to 2036

Council has prepared a draft Bayside Local Strategic Planning Statement (LSPS) in accordance with the guidance provided by the NSW Department of Planning, Industry and Environment. Council has aligned the LSPS Priorities to the *Greater Sydney Region Plan – A Metropolis of Three Cities* (the Region Plan), the Planning Priorities in the Eastern City District Plan as well as Councils own Community Strategic Plan.

In 2018 Council commissioned a series of background studies which have:

- Informed the preparation of the Bayside Local Strategic Planning Statement, including engagement with the community and other stakeholders;
- Informed the review of planning controls; and
- Underpinned the preparation of a series of detailed studies and strategies including:
 - Land Use Limitations Study;

- Housing Strategy; Transport Strategy; Employment and Centres Strategy; Social Infrastructure (Recreation, Open Space and Community facilities); Environment Strategy; and
- Heritage.

Table 7 below provides an assessment of this Planning Proposal against Council's LSPS:

Table 7 - Consistency with Bayside Council's LSPS

Planning Priority		Consistency	
B1	Align land use planning and transport infrastructure planning to support the growth of Bayside	It is proposed to retain and consolidate existing LEP provisions relating to the acquisition and classification of land for public purposes.	
B2	Align land use planning with the delivery and management of assets by Bayside Council to support our community	It is proposed to retain and harmonise the Special Purposes and Recreation zones. This will contribute to the future planning for community infrastructure in the Bayside LGA. The Planning Proposal also seeks to allow home based child care without consent on B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use and all residential zoned land. This will assist in simplifying the approval process for this land use to ensure services met community needs.	
В3	Plan for the Kogarah Collaboration Area	Kogarah Collaboration Area is being implemented through the development of a Place Strategy in Collaboration with Georges River Council and the Greater Sydney Commission.	
B4	Provide social infrastructure to meet the needs of the Bayside Community	No other changes are being made to the permissibility of community facilities, education establishments and child care centres. This will allow for the continued delivery of social infrastructure within the Bayside	
B5	Foster healthy, creative, culturally rich and socially connected communities	It is proposed to retain provisions relating to the temporary use of land. The relevant provisions allow development consent to be granted for development on land in any zone for a temporary use for a maximum period of 52 days a year. This will allow for community events for creative and artistic expression to occur in the Bayside LGA.	
B6	Support sustainable housing growth by concentrating high density urban growth close to centres and public transport corridors	This Planning Proposal includes several provisions relevant to housing supply and choice. Further commentary on this issue is provided in the response to Question 6, relating to compliance with Ministerial Direction 3.1 – Residential Zones.	
B7	Provide choice in housing to meet the needs of the community	As above.	
B8	Provide housing that is affordable	As above	

Planr	ing Priority	Consistency	
B9	Manage and enhance the distinctive character of the LGA through good quality urban design, respect for existing character and enhancement of the public realm	It is proposed to prohibit residential flat buildings in the B2 Local Centre zone, while retaining the permissibility of shop top housing in this zone. This will help support the commercial role of centres by encouraging ground floor commercial activity.	
B10	Value, protect and conserve Aboriginal heritage	Existing LEP schedules of heritage items and conservation areas will be retained and incorporated in the consolidated LEP with only housekeeping amendments proposed. This will achieve a consistent approach to heritage conservation.	
B11	Develop clear and appropriate controls for development of heritage items, adjoining sites and within conservation areas	As above	
B12	Delivering an integrated land use and a 30- minute city	It is proposed to retain and harmonise the SP2 Infrastructure zone. This will contribute to support infrastructure transport corridors in the Bayside LGA.	
B13	Contribute to growing a stronger and more competitive Harbour CBD	Not applicable	
B14	Protect and grow the international trade gateways	To reinforce the economic role of the trade gateways, one of the LEP aims will focus on the protection and enhancement of the trade gateways. The Planning Proposal also seeks to reinforce the importance of existing industrial land to the operation of the trade gateways through zone objectives. An objective of both industrial zones is to support and protect industrial land for industrial uses.	
B15	Growing investment, business opportunities and jobs in Bayside's strategic and local centres	It is proposed to prohibit residential flat buildings in the B2 Local Centre zone, while retaining the permissibility of shop top housing in this zone. This will help support the commercial role of centres by encouraging ground floor commercial activity.	
B16	Contribute to growing the health and education precincts of Kogarah, Randwick and Camperdown	Not applicable However, medical centres, health consulting rooms, community facilities and educational establishments will continue to be permissible with consent in the business zones. This will allow the co-location of health, education and community facilities.	
B17	Retain and manage industrial and urban services lands	This Planning Proposal seeks to retain all industrial zoned land. The land use tables for the IN2 Light Industrial zone will be harmonized to achieve consistency in light industrial activities across the LGA.	

Plann	ing Priority	Consistency	
B18	Support the growth of targeted industry sectors	The harmonised Bayside LEP 2020 will retain all business zoned land. The land use tables for B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use zones will be harmonized to achieve consistency in centres across the LGA. The Planning Proposal seeks to reinforce the importance of existing industrial land to the operation of the trade gateways through zone objectives. An objective of both industrial zones is to support and protect industrial land for industrial uses.	
B19	Protect and improve the health of Bayside's waterways and biodiversity	The Planning Proposal seeks to retain the E1 National Parks and Nature Reserve zone. In addition, it will harmonise existing riparian watercourse and wetlands provisions. This will enhance the protection of waterways and ensure a consistent approach is taken to managing development impacts.	
B20	Increase urban tree canopy cover and enhance green grid connections	The Planning Proposal seeks to harmonise existing biodiversity mapping. The biodiversity provisions will be harmonised and updated to include two additional objectives. The additional objectives will provide help improve environmental outcomes and assist in the preservation of environmental sensitive areas. This priority will also be considered as part of the preparation of a consolidated development control plan for the LGA.	
B21	Deliver high quality open space	It is proposed to permit with consent restaurants or cafes, information and education facilities and markets on RE1 Public Recreation zoned land. These uses can complement recreational activities and enhance the use and enjoyment of open space by the public.	
B22	Protect and enhance scenic and cultural landscapes	Additional sites are proposed to be included on the foreshore building line map to ensure that development in the foreshore area will not impact on natural foreshore processors or affect the significance and amenity of these key areas.	
B23	Reduce carbon emissions through improved management of energy, water and waste	Not directly relevant to this Planning Proposal. This action will be addressed through other strategies and policies, e.g. it will be considered as part of the preparation of a consolidated development control plan for the LGA.	

Planning Priority		Consistency	
B24	Reduce community risk to urban and natural hazards and improve community's resilience to social, environmental and economic shocks and stressors	The Planning Proposal seeks to harmonise existing biodiversity mapping. The biodiversity provisions will be harmonised and updated to include two additional objectives. The additional objectives will provide help improve environmental outcomes and assist in the preservation of environmental sensitive areas. The planning priority will also be considered as part of the preparation of a consolidated development control plan for the LGA, which will include controls to address natural hazards and climate change.	

Bayside Community Strategic Plan 2018-2030

The Bayside Community Strategic Plan 2018-2030 (which superseded the Rockdale City Community Strategic Plan) sets the strategic direction for Council's Delivery Program and Operational Plans. The themes and directions outlined in this plan inform Council's Delivery Program and the annual Operational Plans that describe Council's activities towards achieving those outcomes in the Delivery Program.

Table 8 below identifies how the Planning Proposal is consistent with the themes:

Table 8 - Consistency with The Bayside Council Strategic Plan 2018-2030 themes

Theme One – Bayside will be a vibrant place	How We Will Get There	Consistency
Strategic Direction – Our places are people- focussed	Local areas are activated with cafes, restaurants and cultural events Places have their own village atmosphere and sense of	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: Providing a range of small-scale retail, business and community uses that serve
	identity My community and council work in partnership to deliver better local outcomes	the needs of people who live or work in the surrounding neighbourhood; Ensuring that the scale of development does not adversely impact on residential amenity and is compatible with the existing
	The public spaces I use are innovative and put people first	 streetscape; Creating lively town centres with amenable and pedestrian focused public domains activated by building uses that engage with the street; and
	There is an appropriate and community-owned response to threats	 Providing a range of recreational settings and activities and compatible land uses.
Strategic Direction – Our places connect people	Walking and cycling is easy in the City and is located in open space where possible	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: Providing a wide range of retail, business,
	We are one community with shared objectives and desires	office, entertainment, community and other suitable land uses that serve the needs of the local and wider community; and Harmonising the existing Heritage Lists
Our heritage and history is valued and respected	with only housekeeping amendments proposed to achieve a consistent approach to heritage conversation.	

Strategic Direction – Our places are acceptable to all	Open space is accessible and provides a range of active and passive recreation opportunities to match our growing community SMART Cities – making life better through smart use of technologies Assets meet community expectations Bayside provides safe and engaging spaces, places and interactions People who need to can access affordable housing We welcome visitors and tourists to our City	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: • Encouraging uses in the arts, technology, production and design sectors; • Encouraging employment opportunities and supporting the viability of centres; • Providing a range of recreational settings, activities and compatible land uses; • Protecting and enhancing the natural environment for recreational purposes; • Providing a variety of housing types to meet the housing needs of the community; and • Encouraging high-density, mixed-use development that complements the retail, commercial and cultural role of centres.
Strategic Direction – My place will be special to me	Local developments reflect innovative, good design and incorporate open space and consider vertical families Bayside will be a 30 minute City – residents work locally or work off-site – no-one has to travel for more than 30 minutes to work Traffic and parking issues are a thing of the past Road, rates and rubbish are not forgotten Gateway sites are welcoming and attractive	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: Integrating suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling; Reinforcing the economic role of the trade gateways, with a focus on the protection and enhancement of the trade gateways; Reinforcing the importance of existing industrial land to the operation of the trade gateways; and Promoting redevelopment that will improving access and parking and reducing land use conflicts.
Theme Two – In 2030 our people will be connected in a smart City	How We Will Get There	Consistency
Strategic Direction – We benefit from technology	Council engages with us and decision making is transparent and data driven We can access information and services online and through social media We are a digital community Technological change has been harnessed and we are	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: Providing a range of office and light industrial uses; Encouraging uses in the arts, technology, production and design sectors; and Enabling other land uses that provide facilities or services to meet the day to day needs of workers.

Strategic Direction – We are unified and excited about our future	Community leadership is developed and supported	Not applicable to the harmonisation of the LEPs
	We are all included and have a part to play in the City	
	The City is run by, with and for the people	
	We are proud of where we live	
Strategic Direction – The community is valued	Aboriginal culture and history is recognised and celebrated	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by:
	We are a healthy community with access to active recreation and health education	 Retaining and incorporating existing LEP heritage lists in the harmonised LEP to achieve a consistent approach to heritage conversation;
	All segments of our community are catered for – children, families, young people and seniors	 Continuing to allow uses which will complement recreational activities and enhance the use and enjoyment of open space by the public; and Continuing the permissibility of community
	Opportunities for passive and active activities are available to community members, including people with pets	facilities, education establishments and child care centres to ensure the continued delivery of social infrastructure within the Bayside LGA.
	The value of pets in the community is recognised and they are welcomed across the city	
Strategic Direction – We treat each other with dignity and respect	We can participate in cultural and arts events which reflect and involve the community	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by:
	Flexible care/support arrangements for seniors, children and people with disabilities are available across the LGA	 Continuing the permissibility of community facilities, education establishments and child care centres to ensure the continued delivery of social infrastructure within the Bayside LGA; Retaining provisions relating to the
	Cultural diversity is reflected and celebrated in the City's activities	temporary use of land to allow development consent to be granted for development on land in any zone for a temporary use for a maximum period of 52
	Our public buildings are important community hubs and are well maintained and accessible	days a year. This will allow for community events for creative and artistic expression to occur in the Bayside LGA; and Continuing to allow B7 Business Park zoned land for arts and design uses. This will help facilitate opportunities for creative and artistic expression.

Theme Three - In	How We Will Get There	Consistency	
2030 bayside will be green, leafy and sustainable			
Strategic Direction – Our waste is well managed	I can reduce my waste through recycling and community education Illegal dumping is a thing of the past	Not applicable to the harmonisation of the LEPs. However, a consolidated development control plan will be prepared to accompany the consolidated LEP. The DCP will include measures to secure waste recycling measures and facilities.	
Strategic Direction – We are prepared for climate change	We understand climate change and are prepared for the impacts	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: Securing development that contributes to	
	Our City is prepared for/able to cope with severe weather events	increasing urban tree canopy cover and enhancing Green Grid connections. A consolidated development control plan will be	
	Our streetscapes are green and welcoming	prepared to accompany the harmonised LEP. The DCP will include controls to address natural hazards and climate change.	
Strategic Direction – We increase our use of renewable energy	Our City promotes the use of renewable energy through community education	Not applicable to the harmonisation of the LEPs. However, a consolidated development control plan will be prepared to accompany the	
	Our City models use of renewable energy and reports gains benefits to the community	consolidated LEP. The DCP will include measures to secure renewable energy in new developments.	
Strategic Direction – Waterways and green corridors are regenerated and preserved Water is recycled and re- used used		The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: Securing development that contributes to	
	The community is involved in the preservation of our natural areas	increasing urban tree canopy cover and enhancing Green Grid connections; Retaining the E1 National Parks and Nature Reserve zone; and Harmonising existing riparian watercourse	
	We have an enhanced green grid/tree canopy	and wetlands provisions. This will enhance the protection of waterways and ensure a consistent approach is taken to managing development impacts.	
Theme Four – In 2030 we will be a prosperous community	How We Will Get There	Consistency	
Strategic Direction – Opportunities for economic development are recognised	Major employers support/partner with local small business	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by:	
	We are an international hub for transport and logistics- related business	 Retaining and protecting all remaining industrial-zoned land; Harmonising the land use tables for the IN2 Light Industrial zone to achieve 	

	Industrial lands and employment lands are preserved – partnering with major employers to support local jobs	consistency in light industrial activities across the LGA; Reinforcing the economic role of the trade gateways; and Reinforcing the importance of existing industrial land to the operation of the trade gateways through zone objectives.
Strategic Direction – Local housing, employment and business opportunities area generated	Bayside will be a 30 minute City – residents work local or work off-site – no-one has to travel for more than 30 minutes to work Council is a major employer, supports local apprenticeships and cadetships People who need to can access affordable housing	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: • Accommodating population growth through high-density mixed use development that complements the role of retail, commercial and cultural premises; • Encourage employment opportunities in accessible locations; • Integrating suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling; • Providing a range of housing types which responds to the needs of the community.
Strategic Direction – The transport system works	We can easily travel around the LGA – traffic problems/gridlock are a thing of the past We can easily travel to work by accessible, reliable public transport	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: Integrating suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling; Promoting redevelopment that will contribute to the locality, improve access and parking, reduce land use conflicts and increase amenity for nearby residential development; and Encouraging appropriate employment opportunities in accessible locations.
Strategic Direction – We are prepared for a sharing economy	Innovative businesses are supported to locate in Bayside Local Plans and regulations have kept pace with the sharing economy	The harmonised LEP will continue to reflect the strategic aims of the Community Strategic Plan by: Providing a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community; Encouraging uses in the arts, technology, production and design sectors; and Ensuring that development does not detract from the economic viability of commercial centres

Q5 Is the Planning Proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Consistency with the State Environmental Planning Policies is provided in Table 9below:

Table 9 - Consistency with applicable State Environmental Planning Policies (SEPPs)

No.	Title	Consistency with Planning Proposal
1	Development Standards	Not relevant to this Planning Proposal The consolidated LEP will be excluded from the provisions of this SEPP, as per the Standard Instrument LEP mandatory clause 1.9.
19	Bushland in Urban Areas	Consistent This Planning Proposal will retain E1 National Parks and Nature Reserves zoned land. Clause 6.4 Terrestrial biodiversity will harmonise existing biodiversity provisions and include two additional clause objectives. This will enhance the recognition and protection of bushland in the LGA and ensure a consistent approach is taken to managing development impacts.
21	Caravan Parks	Not relevant to this Planning Proposal The SEPP does not contain any provisions required to be addressed as part of this Planning Proposal.
33	Hazardous and Offensive Development	Consistent The SEPP does not contain any provisions required to be addressed as part of this Planning Proposal.
36	Manufactured Home Estates	Not relevant to this Planning Proposal
44	Koala Habitat Protection	Not relevant to this Planning Proposal
47	Moore Park Showground	Not relevant to this Planning Proposal
50	Canal Estate Development	Not relevant to this Planning Proposal
55	Remediation of Land	Consistent This Planning Proposal is not proposing any changes to land use zoning. As such, the Planning Proposal does not contain provisions that contradict or hinder the application of this SEPP.
64	Advertising and Signage	Inconsistency justified: This Planning Proposal seeks to prohibit advertising structures on B2 Local Centre and B4 Mixed Use zoned land as advertising signage that does not relate to the specific use of a site is not considered appropriate due to its negative visual impact. Given the adverse amenity impact trends on surrounding residential zones and the inconsistent nature of advertising structures on local character, this use is to be prohibited. This Planning Proposal seeks to permit business identification signs on R2 and R3 zoned land as they are considered compatible with the zone objectives.

No.	Title	Consistency with Planning Proposal
		In accordance with Clause 31 of the SEPP, Council will consult with RMS as part of the public exhibition of this Planning Proposal.
65	Design Quality of Residential Apartment Development	Consistent The SEPP does not contain any provisions required to be addressed as part of this Planning Proposal.
		Development subject to SEPP 65 will be required to demonstrate detailed compliance with its provisions at the time of making a development application.
70	Affordable Housing (Revised Schemes)	Not relevant to this Planning Proposal The SEPP does not contain any provisions required to be addressed as part of this Planning Proposal.
	(Aboriginal Land) 2019	Not relevant to this Planning Proposal
	(Affordable Rental Housing) 2009	Consistent The SEPP does not contain any provisions required to be addressed as part of this Planning Proposal.
		The provisions of the SEPP will continue to be a consideration in development applications relating to certain residential accommodation as identified in the SEPP.
	(Building Sustainability Index: BASIX) 2004	Not relevant to this Planning Proposal
	(Coastal Management) 2018	Consistent This Planning Proposal includes appropriate planning provisions to protect and enhance identified environmental sensitive land and waterways which is consistent with the objectives of the SEPP.
		Development subject to the SEPP will be required to demonstrate detailed compliance with its provisions at the time of making a development application.
	(Concurrences) 2018	Not relevant to this Planning Proposal
	(Educational Establishments and Child Care Facilities) 2017	Consistent The SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument.
		The provisions of the SEPP will continue to apply to educational establishments and child care facilities, and these provisions will continue to prevail over the LEP to the extent of any inconsistency.
	(Exempt and Complying Development Codes) 2008	Consistent Provisions within the existing LEPs that duplicate those within the SEPP will not be carried over into the consolidated LEP. As such, the Planning Proposal does not contain provisions that contradict or hinder the application of this SEPP.
	(Gosford City Centre) 2018	Not relevant to this Planning Proposal
	(Housing for Seniors or People with a Disability) 2004	Consistent

No.	Title	Consistency with Planning Proposal
		The SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument. The provisions of the SEPP will continue to be a consideration in development applications relating to housing for seniors and people with a disability.
	(Infrastructure) 2007	Not relevant to this Planning Proposal The SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument. The provisions of the SEPP will continue to apply to the types of infrastructure development it covers, and these provisions will continue to prevail over the LEP to the extent of any inconsistency.
	(Kosciuszko National Park – Alpine Resorts) 2007	Not relevant to this Planning Proposal
	(Kurnell Peninsula) 1989	Not relevant to this Planning Proposal
	(Mining, Petroleum Production and Extractive Industries) 2007	Not relevant to this Planning Proposal This Planning Proposal does not contain any provisions required to be addressed in the preparation of an environmental planning instrument.
	(Miscellaneous Consent Provisions) 2007	Not inconsistent with this Planning Proposal The Planning Proposal does not contain provisions that contradict or hinder the application of this SEPP.
	(Penrith Lakes Scheme) 1989	Not relevant to this Planning Proposal
	(Primary Production and Rural Development) 2019	Not relevant to this Planning Proposal
	(State and Regional Development) 2011	Not relevant to this Planning Proposal This Planning Proposal does not contain any provisions required to be addressed in the preparation of an environmental planning instrument.
	(State Significant Precincts) 2005	Not relevant to this Planning Proposal This LEP does not apply to land that is subject to State Environmental Planning Policy (Three Ports) 2013 (SEPP), this policy will continue to apply.
	(Sydney Drinking Water Catchment) 2011	Not relevant to this Planning Proposal
	(Sydney Region Growth Centres) 2006	Not relevant to this Planning Proposal
	(Three Ports) 2013	Not applicable This LEP does not apply to land that is subject to State Environmental Planning Policy (Three Ports) 2013 (SEPP), this policy will continue to apply.
	(Urban Renewal) 2010	Not relevant to this Planning Proposal
	(Vegetation in Non-Rural Areas) 2017	Consistent

No.	Title	Consistency with Planning Proposal
Ī		This SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument.
		A consolidated development control plan will be prepared to accompany the consolidated LEP. The DCP will include tree protection controls to implement the provisions of the SEPP.
I	(Western Sydney Employment Area) 2009	Not relevant to this Planning Proposal.
	(Western Sydney Parklands) 2009	Not relevant to this Planning Proposal.

See Table 10 below which reviews the consistency of the Planning Proposal with the formerly-named State Regional Environmental Plans, now identified as deemed SEPPs.

Table 10 - Consistency with deemed State Environmental Planning Policies (SEPPs)

No.	Title	Consistency with Planning Proposal
8	(Central Coast Plateau Areas)	Not relevant to this Planning Proposal
9	Extractive Industry (No.2 – 1995)	Not relevant to this Planning Proposal
16	Walsh Bay	Not relevant to this Planning Proposal
20	Hawkesbury-Nepean River (No.2 – 1997)	Not relevant to this Planning Proposal
24	Homebush Bay Area	Not relevant to this Planning Proposal
26	City West	Not relevant to this Planning Proposal
30	St Marys	Not relevant to this Planning Proposal
33	Cooks Cove	Not relevant to this Planning Proposal The consolidated LEP will not apply to land to which SREP 33 Cooks Cove applies.
Ī	(Sydney Harbour Catchment) 2005	Not relevant to this Planning Proposal
	Greater Metropolitan Regional Environmental Plan No 2— Georges River Catchment	Consistent This Planning Proposal will not result in changes to the portion of the Bayside local government area located in the Georges River Catchment. The Planning Proposal is consistent with this SEPP.

Q6 Is the Planning Proposal consistent with applicable Ministerial /Local Planning Direction

Table 11 below reviews the consistency of the Planning Proposal with the Ministerial /Local Planning Directions for LEPs under section 9.1 (formerly section 117) of the *Environmental Planning and Assessment Act 1979*.

Table 11 - Consistency with Ministerial/Local Planning Directions

1. En	1. Employment and Resources			
No.	Title	Planning Proposal consistency with terms of direction	Consistent:	

			Yes/ No (if No, is inconsistency adequately justified?)
1.1	Business and Industrial Zones	A Planning Proposal must: - give effect to the objectives of this direction (encourage employment growth in suitable locations; protect employment land in business and industrial zones; and support the viability of identified centres); - retain areas of existing business zones; and - not reduce potential floor space area for employment uses and related public services.	Yes
		Comment: The land use tables applying to the business and industrial zones will be harmonised to achieve consistency in their application across the LGA. This will result in group homes being permissible in the B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use zones. While this land use falls under the residential accommodation group term, it will generate employment and enables community uses within small scale centres. It is proposed to prohibit dwelling houses in the B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use zones and prohibit residential flat buildings in the B2 Local Centre, this will protect and reinforce the role of local centres.	
		Community facilities are currently permitted in the IN2 zone in the Rockdale LEP 2011 and prohibited in the Botany Bay LEP 2013. Community facilities refers to a building or place owned or controlled by a public authority or non-profit community organisation, and used for the physical, social, cultural or intellectual development or welfare of the community. This land use is appropriate and meets the objectives of light industrial zones, therefore it is proposed to include this use as permitted with consent in the consolidated LEP.	
		Artisan food and drink industry is currently permitted in the IN2 zone in the Rockdale LEP 2011 and prohibited in the Botany Bay LEP 2013. This land use refers to a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. This is an appropriate use as it is a type of light industry and therefore is permitted with consent.	
		It is also proposed to include veterinary hospitals, sex service premises, restricted premises, highway service centres and timber yards as permissible with consent in the IN2 Light Industrial zone. Given the lack of available zones for these land uses and their relatively limited occurrence, it is considered appropriate and permit them in the IN2 Light Industrial zone. The permissibility of these land uses will have a minimal impact on the potential floor space for industrial uses. As such it is considered to be of minor significance.	
		Consistency:	

No. Title	Planning Proposal consistency with terms of direction	Consistent:
2. Environment and	Heritage	
1.5 Rural Lands	Not applicable This direction applies to all local government areas in the State except for: (a) Lake Macquarie, (b) Newcastle, (c) Wollongong, and (d) local government areas in the Greater Sydney Region (as defined in the Greater Sydney Commission Act 2015) other than Wollondilly and Hawkesbury.	Not applicable.
Oyster Aquaculture	Not applicable Whilst the Bayside LGA adjoins Georges River, identified on a map within the NSW Oyster Industry Sustainable Aquaculture Strategy (2006), there is no aquaculture activity within Bayside LGA.	Not applicable
Mining, Petroleum Production & Extractive Industries	Not applicable. Former Botany Bay and Rockdale LGAs do not contain land zoned for mining, petroleum and extractive industries.	Not applicable
1.2 Rural Zones	the direction if the provisions that are inconsistent are justified by a strategy, or a study prepared in support of the Planning Proposal, or in accordance with a Regional Strategy, Regional Plan prepared by the Department of Planning and Environment, or is of minor significance. Comment: The draft Planning Proposal is consistent with the terms of the direction as existing business and industrial zoned land, and the relevant development standards, are retained in the consolidated LEP. For further details, justification and explanation, please refer to: Appendix C — Justification Table; Appendix D — LEP Comparison Table; Appendix E — Land Use Comparison and Justification Matrix; and Appendix G — Explanatory Paper A Planning Proposal must: a) Not rezone land from a rural zone to a residential, business, industrial, village or tourist zone b) Not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village) Comment: This Planning Proposal does not seek to rezone RU4 Primary Production Small Lots zoned land or increase the permissible density within this zone. Consistency: No inconsistencies with the terms of the direction were identified.	Yes

			Yes/ No (if No, is inconsistency adequately justified?)
2.1	Environmental Protection Zones	 (4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1,5 "Rural Lands". 	Yes
		Comment: The E1 National Parks and Nature Reserve Zone is currently included in the Rockdale LEP 2011. It is not included in the Botany Bay LEP 2013. This zone is proposed to be applied to land currently zoned E1 National Parks & Nature Reserves under the Rockdale Local Environmental Plan 2011. All uses currently authorised under the National Parks and Wildlife Act 1974 will also continue to be permitted without consent in this zone. No amendments to the provisions relating to the E1 zone are proposed to be made in this Planning Proposal. Consistency: No inconsistencies with the terms of the direction were identified.	
2.2	Coastal Protection	A planning proposal must include provisions that give effect to and are consistent with: a) the objects of the Coastal management Act 2016 and the objectives of the relevant coastal management areas; b) the NSW Coastal Management Manual and Associated Toolkit; c) NSW Coastal Design Guidelines 2003; and d) Any relevant Coastal Management Program that has been certified by the minister, or any Coastal Zone Management Plan under the Coastal Protection Act 2016, that applies to the land. A planning proposal must not rezone land which would enable increased development or more intensive land use on land; a) Within a coastal vulnerability area identified by the SEPP (Coastal Management) 2018; or b) That has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan or a study or assessment by or on behalf of the planning proposal authority.	Yes

		A Planning Proposal for a LEP may propose to amend certain maps under State Environmental Planning Policy (Coastal Management) 2018. Comment: The Bayside LGA includes areas identified in the SEPP (Coastal Management) 2018 as coastal use, coastal environment and coastal wetlands. These mapped areas are proposed to be included in the consolidated Bayside LEP 2020. Consistency: No inconsistencies with the terms of the direction were identified.	
2.3	Heritage Conservation	A planning proposal must contain provisions that facilitate the conservation of: a) Items, places buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of an item, area, object or place, identified in a study of the environmental heritage of the area, b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and c) Aboriginal areas, objects, places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people. Comment: All local heritage items identified in the Rockdale LEP 2011 and the Botany Bay LEP 2013 will be included in the Bayside LEP 2020. Consistency: No inconsistencies with the terms of the direction were identified.	Yes
2.4	Recreation Vehicle Areas	A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983): a) Where the land is within an environmental protection zone, b) where the land comprises a beach or dune adjacent to or adjoining a beach or a dune adjacent to or adjoining a beach c) where the land is not within a) or b). Comment: The Bayside LGA includes land to which this Direction applies as an environmental protection zone (E1 Natural Parks and Nature Reserves) as it is currently included in the Rockdale LEP 2011 and is proposed to be included in the consolidated Bayside LEP 2020.	Yes

		The Planning Proposal does not propose development for the purposes of a recreation vehicle area within the E1 Natural Parks and Nature Reserves zone. Consistency: No inconsistencies with the terms of the direction were identified.	
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable The direction applies to the local government areas of Ballina, Byron, Kyogle, Lismore and Tweed.	No applicable.
3. Ho	using, Infrastructu	ure and Urban Development	
No.	Title	Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
3.1	Residential Zones	 (4) A planning proposal must include provisions that encourage the provision of housing that will: a) broaden the choice of building types and locations available in the housing market, and b) make more efficient use of existing infrastructure and services, and c) reduce the consumption of land for housing and associated urban development on the urban fringe, and d) be of good design. Comment: The harmonisation of the Rockdale LEP 2011 and Botany Bay LEP 2013 resulted in a number of amendments to permitted and prohibited residential accommodation land uses. The proposed amendments are summarised below (for further details, justification and explanation, please refer to: Appendix C — Justification Table; Appendix D — LEP Comparison Table; Appendix E — Land Use Comparison and Justification Matrix; and Appendix G — Explanatory Paper) R2 Low Density Residential: The Planning Proposal proposes to permit dual occupancies on R2 zoned land. This will increase housing diversity by providing more certainty in the development of low rise medium density housing. Secondary dwellings were permitted in the Rockdale LEP 2011 but prohibited in the Botany Bay LEP 2013. It is proposed to include secondary dwellings in the consolidated LEP. Seniors housing is an appropriate use and is consistent with the objectives of the zone, as it promotes the integration of broad demographics into the community within the zone. This is consistent with the Seniors housing in certain 	No – inconsistency justified.

circumstances including where development for the purposes of dwelling houses is permitted

This Planning Proposal includes provisions to prohibit residential flat buildings and multi dwelling housing in the

While this is inconsistent with this direction, residential flat buildings and multi dwelling housing do not align with the objectives of the R2 zone and therefore are not considered an appropriate land use within this zone.

R3 Medium Density Residential:

Dual occupancies and secondary dwellings were permitted only in the Rockdale LEP 2011. The Planning Proposal proposes to include these forms of residential accommodation in the harmonised LEP, which is considered to broaden housing choice across the Bayside

This Planning Proposal includes provisions to prohibit residential flat buildings in the R3 zone.

While this is inconsistent with this direction, residential flat buildings do not align with the objectives of the R3 zone and therefore are not considered an appropriate land use within this zone.

R4 High density residential:
Dual occupancies and secondary dwellings were permitted in the Rockdale LEP 2011 only. It is proposed to include these uses in the consolidated LEP as the R4 zone is the highest order residential zone and therefore appropriate for their inclusion.

(5) A planning proposal must, in relation to land to which this direction applies:

(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it),

and
(b) not contain provisions which will reduce the permissible residential density of land.

Comment:

Land to which this Planning Proposal applies is adequately serviced and therefore, the Planning Proposal is consistent with term 3.1 (5)(a).

In relation to term 3.1(5)(b), this Planning Proposal includes provisions to prohibit residential flat buildings and multi dwelling housing in the R2 zone.

While this is inconsistent with this direction, residential flat buildings and multi dwelling housing do not align with the objectives of the R2 zone and are not considerable appropriate land use within this zone.

Consistency:

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department

		nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance.	
		The Planning Proposal seeks to harmonise the Rockdale LEP 2011 and Botany Bay LEP 2013. Any inconsistencies with the terms of the direction are considered minor and justifiable (please refer to the documents listed earlier under this direction). Further refinement of residential zones will be undertaken when the Bayside Housing Strategy and other studies and strategies are finalized.	
3.2	Caravan Parks and Manufactured Home Estates	Caravan parks are not permitted within the Rockdale LEP 2011 or Botany Bay LEP 2013, and are not proposed to be permitted in the consolidated Bayside LEP 2020. Consistency: No inconsistencies with the terms of the direction were identified.	Yes.
3.3	Home Occupations	Planning Proposals must permit home occupations to be carried out in dwelling houses without the need for development consent. Comment: The Planning Proposal proposes to permit home occupations to be carried out in dwelling houses without the need for development consent in the R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential zones. Consistency: No inconsistencies with the terms of the direction were identified.	Yes
3,4	Integrating Land Use and Transport	A draft Planning Proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). Comment: The Planning Proposal is consistent with the aims, objectives and principles of the abovementioned publications as the location of land zoned for urban	Yes

		purposes and the provisions applying to those zones are not proposed to be significantly amended as part of the harmonisation of the Rockdale LEP 2011 and Botany Bay LEP 2013 into the consolidated Bayside LEP 2020. Comment: No inconsistencies with the terms of the direction were identified.	
3,5	Development near Regulated Airports and Defence Airfields	In the preparation of a Planning Proposal that sets controls for development of land near a regulated airport, the relevant planning authority must: (a) Consult with the lessee/operator of that airport: (b) Take into consideration the operational airspace and any advice from the lessee/operator (c) For land affected by the operational airspace prepare appropriate development standards, such as height controls (d) Not allow development types that are incompatible with the current and future operation of that airport. In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must: (a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome, (b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth, (c) for land affected by the OLS: (i) prepare appropriate development standards, such as height, and (ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome (d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act. A Planning Proposal must include a provision to ensure that development meets Australian Standard 2021-2015, Acoustic Aircraft Noise Intrusion – building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land (a) For residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25; or (b) For hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or (c) For commercial or industrial purposes where the ANEF is above 30.	Yes

	airport operations. Provisions relating to aircraft noise are proposed to be retained in the consolidated Bayside LEP 2020 to ensure:	
	 Aircraft noise mitigation measures meet the relevant Australian Standards Airspace operations are not impacted by development 	
	The intent and operation of the clause in the consolidated Bayside LEP 2020 is not to change from its current application to land near Sydney Airport or land identified within the ANEF contour. Consistency	
	identified.	
Shooting Ranges	A Planning Proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:	Yes
	(a) Permitting more intensive land uses than those which are permitted under the existing zone; or (b) Permitting land uses that are incompatible with the noise emitted by the existing shooting range.	
	Comment: The Planning Proposal does not propose to create, alter or remove a zone or provision relating to an existing or proposed shooting range.	
	Consistency: No inconsistencies with the terms of the direction were identified.	
Reduction in non-hosted short term rental accommodation period	Not applicable The direction applies to land within the Byron Shire Council LGA.	No applicable
zard and Risk		
Title	Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
Acid Sulfate Soils	(4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present. (5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate	Yes
	Reduction in non-hosted short term rental accommodation period	proposed to be retained in the consolidated Bayside LEP 2020 to ensure: Aircraft noise mitigation measures meet the relevant Australian Standards Airspace operations are not impacted by development The intent and operation of the clause in the consolidated Bayside LEP 2020 is not to change from its current application to land near Sydney Airport or land identified within the ANEF contour. Consistency No inconsistencies with the terms of the direction were identified. Shooting Ranges A Planning Proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of: (a) Permitting more intensive land uses than those which are permitted under the existing zone; or (b) Permitting land uses that are incompatible with the noise emitted by the existing shooting range. Comment: The Planning Proposal does not propose to create, alter or remove a zone or provision relating to an existing or proposed shooting range. Consistency: No inconsistencies with the terms of the direction were identified. Reduction in non-hosted accommodation period Not applicable The direction applies to land within the Byron Shire Council LGA. Reduction in direction applies to land within the Byron Shire Council LGA. Planning Proposal consistency with terms of direction direction applies to land within the Byron Shire Council LGA. Acid Sulfate Soils Acid Sulfate Soils Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.

		(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or (b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines. (6) A relevant planning authority must not prepare a	
		planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director General prior to undertaking community consultation in satisfaction of section 57 of the Act.	
		Comment: Both the former Rockdale LEP 2011 and the Botany Bay LEP 2013 included clause 6.1 Acid sulfate soils and accompanying Acid Sulfate Soils map series and are generally consistent, with the exception of the Rockdale LEP 2011, which includes additional wording within subclause 6(a) about examples of works that could involve the disturbance of less than 1 tonne of soil.	
		This Planning Proposal seeks to introduce the Department of Planning, Industry and Environment's model clause and accompanying Acid Sulfate Soil mapping to harmonise the two LEPs into the consolidated Bayside LEP 2020. Consistency:	
		No inconsistencies with the terms of the direction were identified.	
4.2	Mine Subsidence and Unstable Land	Not applicable Bayside LGA does not contain land within a proclaimed Mine Subsidence District, or land that has been identified as unstable.	Not applicable.
4.3	Flood Prone Land	(4) A Planning Proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Risk Flood Areas).	Yes
		Comment: The Planning Proposal proposes to apply Clause 6.6 Flood planning, currently adopted in the Rockdale LEP 2011, to the whole of Bayside LGA.	
		This is a model clause prepared by the Department of Planning, Industry and Environment. This clause is to apply to the whole LGA to ensure flooding is assessed consistently and that all developments incorporate appropriate measures to:	
		minimise the flood risk to life and property; ensure compatibility with the flood hazard of the land; and	

avoid significant adverse impacts on flood behaviour and the environment.

The Planning Proposal also seeks to introduce a clause 6.6 Flood Plain Risk Management. The clause provides for the management of lands that are at primary risk to life in areas outside the Flood Planning Area. This clause ensures the management of proposed development will not adversely impact the operational capacity of emergency response facilities and critical community infrastructure. This is consistent with the NSW Flood Prone Land Policy (2005).

(5) A Planning Proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.

Comment:

The Planning Proposal does not propose to rezone Special Use, Special Purpose, recreation, Rural or Environmental Protection zones.

- (6) A Planning Proposal must not contain provisions that apply to the flood planning areas which;
- (a) Permit development in floodway areas, (b) Permit development that will result in significant flood impacts to other properties,
- (c) Permit a significant increase in the development of that land,
- (d) Are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or
- (e) Permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, building or structures in floodways or high hazard areas), roads or exempt development.

Comment:

The Planning Proposal does not propose to alter provisions that apply to flood planning areas that would result in an inconsistency with this part of the direction.

(7) A Planning Proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Directorgeneral (or an officer of the Department nominated by the Director General).

(8) For the purposes of a Planning Proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk areas) unless a relevant planning authority provides adequate justification for the proposed departure form that Manual to the satisfaction of the Director General.

The flood planning level means the level of a 1% AEP flood event plus 0.5 metre freeboard. The flood planning

		map identifies properties to which flood related planning controls apply. Council has prepared the following flood studies and Flood Risk Management Studies and Plans to inform the flood planning levels: Bayside West Bardwell Creek Flood Study Review WMA Water	
		Spring Street Drain, Muddy Creek and Scarborough Ponds Catchments 2D Flood Study Review, BMT WBM, 2017 Bonnie Doon, Eve Street, Cahill Park Pipe and Overland 2D Flood Study by WMA Water, 2017 Sans Souci (2D) Flood Study Review Cardno 2015	
		Bayside East Mascot, Rosebery & Eastlakes Flood Study, WMA Water Ltd, 2018 Birds Gully and Bunnerong Road Flood Study,	
		WMA Water Ltd, 2018 Springvale Drain and Floodvale Drain Flood Study, BMT WBM Pty Ltd, 2014 Botany Bay Foreshore Beach Flood Study, BMT WBM, 2015 (currently being reviewed in accordance with ARR 2016 methodology).	
		These studies and strategies are periodically reviewed to maintain currency. The flood study methodology was recently reviewed and this has resulted in changes to flood modelling and flood planning areas. Higher flood planning levels are considered necessary for aged care facilities and other types of developments with individual evacuation and emergency response issues. For these facilities the Probable Maximum Flood (PMF) is the applicable flood planning level. This may mean these development types are excluded from a flood affected area where normal residential development would be permitted.	
		Consistency: No inconsistencies with the terms of the direction were identified.	
4.4	Planning for Bushfire Protection	Not applicable. Bayside LGA does not contain land mapped as bushfire prone land under section 146 of the Environmental Planning and Assessment Act 1979.	Not applicable
5. Re	gional Planning		
No.	Title	Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
5.1	Implementation of Regional Strategies	Not applicable The South Coast Regional Strategy and the Sydney-Canberra Corridor Regional Strategy do not apply to Bayside LGA.	Not applicable,
5.2	Sydney Drinking Water Catchments	Not applicable Bayside LGA is not identified as an LGA within the Sydney drinking water catchment.	Not applicable

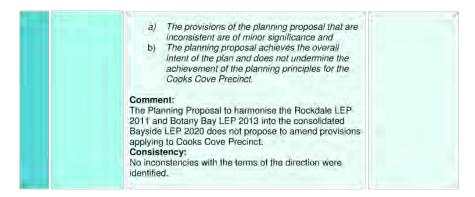
5.3	Farmland of	Not applicable	Not applicable
	State and Regional Significance on the NSW Far North Coast	The direction applies to: (a) Ballina Shire Council, (b) Byron Shire Council, (c) Kyogle Shire Council, (d) Lismore City Council, (e) Richmond Valley Council, and (f) Tweed Shire Council.	
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable This direction applies to council areas between Port Stephens Shire Council and Tweed Shire Council.	Not applicable
5.5	Development in the vicinity of Ellalong, Paxton and Millfield	Revoked 18 June 2010	Revoked
5.6	Sydney to Canberra Corridor	Revoked 10 July 2008	Revoked
5.7	Central Coast	Revoked 10 July 2008	Revoked
5.8	Second Sydney Airport: Badgerys Creek	Revoked 20 August 2018	Revoked
5.9	North West Rail Link Corridor Strategy	Not applicable The direction applies to land within Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.	Not applicable.
5.10	Implementation of Regional Plans	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning Comment: The Planning Proposal's consistency with the Greater Sydney Regional Plan – A Metropolis of Three Cities is provided at the response to Question 3 of this Planning Proposal. Consistency: The response at Question 3 of this Planning Proposal identified no inconsistencies with the terms of the direction.	Yes
5.11	Development of Aboriginal Land Council Land	Not applicable Bayside LGA is not identified on the Land Application Map contained within State Environmental Planning Policy (Aboriginal Land) 2019.	Not applicable.
6. Loc	cal Plan Making	H-	
No.	Title	Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency

			adequately justified?)
6.1	Approval and	(4) A planning proposal must:	Yes
	Referral Requirements	 (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: the appropriate Minister or public authority, and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: can satisfy the Director-General of the Department of Planning (or an officer of the Department of Planning (or an officer of the Department of Planning to the Director-General) that the class of development is likely to have a significant impact on the environment, and has obtained the approval of the Director-General of the Department nominated by the Director-General of the Department nominated by the Director-General of the Department nominated by the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act. Comment: The Planning Proposal does not propose to include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. Consistency: No inconsistencies with the terms of the direction were identified. 	
6.2	Reserving Land for Public Purposes	(4) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). Comment: The Planning Proposal seeks to rezone deferred matter located at 6 Dransfield Avenue, Mascot (Lot 6 DP 776212) from Special Uses 5(d) Proposed Road to RE1 Public Recreation. Approval has not been granted by the owner Roads and Maritime Services NSW, a public authority. Consistency: (8) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:	No – inconsistency justified, however, consultation with RMS required.

6.3	Site Specific Provisions	 (a) with respect to a request referred to in paragraph (7), that further information is required before appropriate planning controls for the land can be determined, or (b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance. Comment: Part (8)(a) is not relevant to this Planning Proposal. In relation to part (8)(b), whilst approval has not been granted by the owner, Roads and Maritime Services NSW, adequate justification for the proposed RE1 Public Recreation zoning is provided in Attachment XYZ – Draft Clause Justification Table, which also includes a brief planning history to the site. A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: a) Allow that land use to be carried out in the zone the land is situated on, or b) Rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without 	Yes
		imposing any development standards or requirements in addition to those already contained din that zone; or c) Allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. Comment: Site specific provisions have been retained in the consolidated LEP. Consistency: No inconsistencies with the terms of the direction were identified.	
7. Me	tropolitan Plannin	ug	
No.	Title	Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
7.1	Implementation of A Plan for Growing Sydney	Planning proposals shall be consistent with: (a) the NSW Government's A Plan for Growing Sydney published in December 2014.	Yes

		Consistency:	
		No inconsistencies with the terms of the direction were identified in the response to Question 3 of this Planning Proposal.	
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable The direction applies to Campbelltown City Council and Wollondilly Shire Council.	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable The direction does not apply to Bayside LGA	Not applicable
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable The direction applies to Blacktown City Council, The Hills Shire Council and Hawkesbury City Council.	Not applicable
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable The direction applies to land contained within Greater Parramatta Priority Growth Area.	Not applicable
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable The direction applies to Wollondilly Shire Council.	Not applicable
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable The direction applies to Campbelltown City Council.	Not applicable
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable The direction applies to Liverpool City Council, Penrith City Council, Blue Mountains City Council, Blacktown City Council, Camden Council, Campbelltown City Council, Fairfield City Council and Wollondilly Shire Council.	Not applicable
7.9	Implementation of Bayside	A planning proposal authority must ensure that a planning proposal is consistent with the Bayside West	Yes

West F 2036 F	Plan	Precincts 2036 Plan, approved by the Minister for Planning and published on the Department of Planning and Environment website in September 2018. Comment: Existing clause 6.15 of the Rockdale LEP 2011 is proposed to be included in the consolidated Bayside LEP 2020. This clause states that when applying a floor space ratio under clause 4.5, the site area for the proposed development on land within the Arncliffe and Banksia Precincts is to include land that is dedicated to Council or a public authority for a public purpose and would have been part of the site area if it had not been dedicated. This local clause aligns with the Bayside West Precincts 2036 Plan which is identified for urban renewal to provide more open space, infrastructure, homes and jobs. Consistency: No inconsistencies with the terms of the direction were identified.	
of Plar Princip the Co	nning ples for poks Precinct	A planning proposal authority must ensure that a planning proposal is consistent with the following principles: a) Enable the environmental repair of the site and provide for new recreation opportunities; b) Not compromise future transport links (such as the South East Mass Transit link identified in Future Transport 2056 and the Greater Sydney Region Plan) that will include the consideration of the preserved surface infrastructure corridor, noting constraints, including the Cooks River, geology, Sydney airport and existing infrastructure will likely necessitate consideration of future sub-surface solutions and potential surface support uses; c) Create a highly liveable community that provides choice for the needs of residents, workers and visitors to Cooks Cove; d) Ensure best practice design and a high quality amenity with reference to the NSW design policy Better Placed; e) Deliver an enhanced, altractive, connected and publicly accessible foreshore and public open space network and protect and enhance the existing market garden; f) Safeguard the ongoing operation of Sydney Airport; g) Enhance walking and cycling connectivity and the use of public transport to encourage and support a healthy and diverse community and help deliver a 30 minute city; h) Deliver a safe road network that balances movement and places, provides connections to the immediate and surrounding areas and is cognisant of the traffic conditions in this area; and i) Enhance the environmental attributes of the site, including protected flora and fauna, riparian areas and wellands and heritage. A Planning Proposal may be inconsistent with the terms of this Direction only of the planning proposal authority can satisfy the Secretary of the Department of Planning, Industry and Environment that:	Yes



C Environmental, social and economic impact

Q7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

This Planning Proposal is not anticipated to create any adverse impacts on critical habitat or threatened specifics, populations or ecological communities or their habitat.

The harmonisation of the Rockdale LEP 2011 and the Botany Bay LEP 2013 will transfer existing mapping and provisions relating to critical habitat or threatened species, populations or ecological communities, or their habitats into the consolidated Bayside LEP 2020.

Q8 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The primary focus of this LEP is to consolidate and harmonise existing planning controls, as such the Planning Proposal is not anticipated to give rise to other environmental impacts. It is intended that the consolidated LEP will carry over provisions from existing LEPs that aim to manage other likely environmental impacts such as flooding. Provisions in relation to flood prone land are addressed at the response to Question 6 of this Planning Proposal, which considers the Planning Proposal consistent with the terms of ministerial direction 4.3 Flood Prone Land.

Q9 How has the Planning Proposal adequately addressed any social and economic effects?

This question contained in the Department of Planning and Environment's publication 'Planning Proposals – A guide to preparing planning proposals' requires consideration of the Planning Proposals effects on items or places of European or Aboriginal cultural heritage not addressed elsewhere in the Planning Proposal; and consideration of jobs created or home growth and their impacts on social infrastructure such as schools, hospitals and existing retail centres.

The primary focus of this LEP is to consolidate and harmonise existing planning controls. The proposed changes will not result in an increase in development densities and the associated social and economic effects that accompany densification.

This Planning Proposal seeks to provide greater certainty to landowners by aligning controls across the LGA creating positive social and economic effects.

D State and Commonwealth interests

Q10 Is there adequate public infrastructure for the Planning Proposal?

The purpose of this Planning Proposal is to create a consolidated Bayside Local Environmental Plan. This is a largely an administrative process and is not a comprehensive review of provisions that would result in an increase in densities which would require significant additional public infrastructure.

However, it is noted that Council is in the process of preparing new infrastructure strategies in accordance with the Bayside Asset Management Strategy and as outlined in the draft LSPS. The strategies will inform provision of additional local infrastructure to meet the needs of the future population. The strategies are:

- Social Infrastructure (Open Space, recreation and community facilities);
- Transport Strategy;
- Bike Plan:
- · Employment and Centres Strategy;
- Social Infrastructure (Recreation, Open Space and Community facilities); and
- Environment Strategy.

Council has also commenced the preparation of key statutory or policy documents which will assist in the implementation of local infrastructure:

- · Bayside Development Contributions Plan; and
- Bayside Plan of Management.

Q11 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

This Planning Proposal has not yet been forwarded to the Minister for Planning and Public Spaces for a Gateway Determination, the appropriate State and Commonwealth public authorities have not yet been consulted. However, State and Commonwealth public authorities will be consulted in accordance with a Gateway Determination and will be given at least 28 days to comment on this Planning Proposal.

Part 4 - Mapping

The LEP harmonisation process will necessitate minor changes to all of the maps due to the 'housekeeping' exercise that forms part of the process. Additional, more detailed, changes include those referred to above e.g. the Deferred Matters sites. A full set of maps is included at Appendix B. These are the:

Acid Sulfate Soils Maps
Active Street Frontages Maps
Additional Permitted Uses Maps
Design Excellence Maps
Flood Planning Maps
Floor Space Ratio Maps
Foreshore Building Line Maps
Heritage Maps
Height of Buildings Maps
Land Application Maps
Land Reservation Acquisition Maps
Land Zoning Maps
Lot Size Maps
Riparian Lands Maps

Terrestrial Biodiversity Maps Watercourses Maps Wetlands Maps

Part 5 - Community Consultation

The Planning Proposal will be exhibited for a period of 28 days in accordance with the provisions of the *EP&A Act 1979* and the *Environmental Planning & Assessment Regulation 2000* and any requirements of the Gateway Determination.

Public exhibition of this Planning Proposal will include:

- · Newspaper advertisement in local newspapers;
- Exhibition notice on Council's website;
- Community engagement project set up on Council's Have Your Say website;
- Notices in Council libraries;
- Written notification to all landowners and residents in the LGA. This will include letters to landowners of properties affected by a proposed change in the planning controls;
- Notification to all Talking Bayside Members;
- Notification to anyone who submitted feedback as part of Council's 'Planning Our Future' and 'Local Strategic Planning Statement' consultation projects; and
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination.

Part 6 - Project Timeline

The table below provides a proposed, approximate timeline for the project:

Table 12 - Approximate Project Timeline

Task	Timing
Anticipated commencement date (date of Gateway determination)	January/February 2020
Anticipated timeframe for the completion of required technical information	February to March 2020
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	March to April 2020
Commencement and completion dates for public exhibition period	April to May 2020
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	May/June 2020
Timeframe for the consideration of a Planning Proposal post-exhibition	June to July 2020
Date of submission to the Department to finalise the LEP	August 2020
Anticipated date Planning Proposal Authority (PPA) will make the plan (if delegated)	September 2020
Anticipated date PPA will forward to the Department for notification	September 2020

Appendix A – Bayside Local Environmental Plan 2020 (draft written instrument)

Appendix B - Maps

Appendix C - Justification Table

Appendix D - LEP Comparison Table

Appendix E – Land Use Comparison and Justification Matrix

Appendix F - DPIE Land Use Matrix

Appendix G – Explanatory Paper

DRAFT BAYSIDE LOCAL ENVIRONMENTAL PLAN 2020 WRITTEN INSTRUMENT

Part 1 Preliminary

1.1 Name of Plan

This Plan is Bayside Local Environmental Plan 2020.

1.1AA Commencement

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 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) Protect, conserve and enhance the environmental, scenic and cultural heritage, and landscapes, of Bayside:
 - (b) Provide high quality open space areas and recreational facilities;
 - (c) Reduce community risk and improve resilience to, and from, urban and natural hazards;
 - (d) Encourage sustainable economic growth and development in Bayside;
 - (e) Create a liveable urban place through the application of design excellence in all elements of the built environment and public domain;
 - (f) Encourage diversity in housing, to meet the needs of, and enhance amenity for, Bayside residents;
 - (g) Encourage walking, cycling and use of public transport through appropriate intensification of development densities surrounding transport nodes;
 - (h) Encourage development that demonstrates efficient and sustainable use of energy and resources in accordance with ecologically sustainable development principles;
 - (i) Enhance and protect the functions and roles of the international trade gateways of Sydney Airport and Port Botany;
 - (j) Increase urban tree canopy cover and enable the protection and enhancement of green corridor connections; and
 - (k) Promote and enhance the amenity of Botany Bay's foreshores and Bayside's waterways.

1.3 Land to which Plan applies

(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.

1.5 Notes

Notes in this Plan are provided for guidance and do not form part of this Plan.

1.6 Consent authority

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 planmaking 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 *Standard technical requirements for LEP maps* and *Standard requirements for LEP GIS data* 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:

Rockdale Local Environmental Plan 2011

Botany Bay Local Environmental Plan 2013

Botany Bay Local Environmental Plan 1995

(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.

1.8A 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.

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 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.
- (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

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
- **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
- 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.

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.
- 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

- 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.

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.

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 Codes)* 2008, 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).

Land Use Table

Note. A type of development referred to in the Land Use Table is a reference to that type of development only to the extent it is not regulated by an applicable State environmental planning policy. The following State environmental planning policies in particular may be relevant to development on land to which this Plan applies:

State Environmental Planning Policy (Affordable Rental Housing) 2009 (including provision for secondary dwellings)

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Infrastructure) 2007—relating to infrastructure facilities such as those that comprise, or are for, air transport, correction, education, electricity generating works and solar energy systems, health services, ports, railways, roads, waste management and water supply systems

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy No 33—Hazardous and Offensive Development

State Environmental Planning Policy No 50-Canal Estate Development

State Environmental Planning Policy No 64—Advertising and Signage

State Environmental Planning Policy (Primary Production and Rural Development) 2019

Zone 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 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

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.
- 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; Pondbased 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

Zone 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.
- 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

Zone 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.
- 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 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

Zone 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

 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 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.

Zone 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 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 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

Zone B3 Commercial Core

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: Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone 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 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; Freight transport facilities; 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

Zone B5 Business Development

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 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

Zone 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; 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 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

Zone B7 Business Park

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; 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; Ecotourist 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

Zone IN1 General Industrial

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.

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; Ecotourist 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

Zone 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 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

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.

Zone SP1 Special Activities

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.

Zone 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

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 SP3 Tourist

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

Zone 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

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; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Signage; Take-away food & drink premises; Water supply systems.

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private 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

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

Zone E1 National Parks and Nature Reserves

1 Objectives of zone

- To enable the management and appropriate use of land that is reserved under the ational 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

Zone W1 Natural Waterways

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

Zone W2 Recreational Waterways

1 Objectives of zone

- To protect the ecological, scenic and recreation values of recreational waterways.
- 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

Zone W3 Working Waterways

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 and complying development

3.1 Exempt development

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 *Building Code* of *Australia* 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 *Building Code of Australia*, 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 *Building Code of Australia* 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.

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,

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 *Building Code of Australia*, 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.

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:

environmentally sensitive area for exempt or complying development 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

4.1 Minimum subdivision lot size

- The objectives of this clause are as follows—
- (a) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area,
- (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

- (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, RU3 Forestry 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).

4.3 Height of buildings

- (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.
- (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.
- (1) 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 to or greater than 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.

4.4 Floor space ratio

- The objectives of this clause are as follows:
 - (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) 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 A" on the <u>Floor Space Ratio Map</u>, and that land has an area of less than 460 square metres, is not to exceed 0.55:1.
- (4) Despite subclause (2), if a building is permissible under clause 10 of Schedule 1 on land identified as "Area 3" on the <u>Floor Space Ratio Map</u>, 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 <u>Floor Space Ratio Map</u> 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 <u>Floor Space Ratio Map</u> 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 <u>Floor Space Ratio Map</u> 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 10identified 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), in the area of land identified as Area 14 on the <u>Floor Space</u> <u>Ratio Map</u>, the floor space ratio of all buildings (or parts of buildings) that are residential accommodation to the site area is not to exceed 2.25:1.
- (7) Despite subclause (2), the maximum floor space ratio for a building on land identified as Area 9 on the <u>Floor Space Ratio Map</u> 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)).

- (8) 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.
- (9) 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 <u>Floor Space Ratio Map</u> 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.

4.4A Exceptions to floor space ratio for residential accommodation

- (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, semi-detached dwellings, attached dwellings and dual occupancies are not to exceed the floor space ratio applicable to the site area of the land on which each dwelling is situated:

		~
-	Site Area < 200 sqm	Maximum Floor Space Ratio 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

4.5 Calculation of floor space ratio and site area

(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 *floor space ratio* 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 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 (affected land), 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, *public place* 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 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.
- (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.
 - (d) clause 4.3 (3), (4), (5) or (6), 4.4 (3), (4), (5), (6) or (7), unless it is for a demonstrable public benefit, such as the provision of pedestrian links,
 - (e) clause 7.1 or 7.2.

Part 5 Miscellaneous Provisions

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 Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions).

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 Land Acquisition (Just Terms Compensation) Act 1991 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).

Type of land shown on Map	Authority of the State
Zone RE1 Public recreation and Marked "Local open space"	Council
Zone RE1 Public Recreation and marked "Local Open space (Arncliffe)"	Planning Ministerial Corporation
Zone RE1 Public recreation and Marked "Regional open space"	The corporation constituted under section 8 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the National Parks and Wildlife Act 1974
Zone R2 Low Density Residential and marked "Carparks", "Local road" or "Local road widening"	Council
Zone R2 Low Density Residential and marked "School"	Department of Education
Zone R3 Medium Density Residential and marked "Local road widening"	Council
Zone R3 Medium Density Residential and marked "Local road" or "Local road widening"	Council
Zone B2 Local Centre and marked "Local road widening"	Council
Zone B2 Local Centre and marked "Local road" or "Local road widening"	Council
Zone B4 Mixed Use and marked "Local road widening"	Council
Zone B4 Mixed Use and marked "Car parks", "Local road" or "Local road widening"	Council
Zone SP2 Infrastructure and marked "Local road widening"	Council
Zone SP2 Infrastructure and marked "Stormwater"	Sydney Water Corporation

Zone SP2 Infrastructure and marked "School" Department of Education and Communities

(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.

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.

Column 1	Column 2
Land	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 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

5.2 Classification and reclassification of public land

(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*.

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:
 - (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
 - (b) 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:
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and
 - (c) 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.

5.4 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 *Building Code of Australia*.

(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,

whichever is the lesser.

5.5 (Repealed)

5.6 Architectural Roof Features

- (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).

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
 - (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 $450 \text{mm} \times 100 \text{mm} \times 100 \text{mm}$.
- (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, 5.9AA (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.

The location and nature of Aboriginal objects and Aboriginal places of heritage significance may be described in Schedule 5 and shown on the *Heritage Map* (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,

- (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

(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

concerned.

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.

(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.

5.12 Infrastructure development and use of existing buildings of the Crown

- (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 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]

5.14 Sliding Spring Observatory – maintain dark sky

[Not adopted]

5.15 Defence communications facility

[Not adopted]

5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones

[Not applicable]

5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations

[Not applicable]

5.18 Intensive livestock agriculture

[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 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 NSW Oyster Industry Sustainable Aquaculture Strategy.

(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).

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 NSW Oyster Industry Sustainable Aquaculture Strategy, 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 Additional Local Provisions

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.

Class of land	Works
1	Any works.
2	Works below the natural ground surface.
	Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface.
	Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface.
	Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1,2,3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1,2,3, or 4 land.

(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the

proposed works in accordance with the *Acid Sulfate Soils Manual* and has been provided to the consent authority.

- (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 I 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.

6.2 Earthworks

- (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,
 - (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 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 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
 - (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.
 - (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 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.
- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0), published in 2005 by the NSW Government, unless it is otherwise defined in this clause.
- (5) In this clause:

Flood planning level means the level of a 1% AEP flood event plus 0.5 metre freeboard.

6.6 Flood Plain Risk Management

- (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 *Floodplain Development Manual* (ISBN 0 7 347 54760) published in 2005 by the NSW Government

6.7 Riparian land, wetlands and waterways

- (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 'Riparian Land' on the Riparian Lands Map,
 - (b) Land identified as 'Waterway' on the Waterways Map.
 - (c) Land identified as 'Wetlands' on the Wetlands 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).

6.8 Limited development in the 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 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:
 - (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.

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 Obstacle Limitation Surface Map or the Procedures for Air Navigation Services Operations Surface Map 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.

6.10 Development in areas subject to aircraft noise

- (1) The objectives of this clause are as follows:
 - (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, Acoustics-Aircraft noise intrusion- Building siting and construction, and
- (c) must be satisfied that the development will meet AS 2021-2015, Acoustics -Aircraft noise intrusion - Building siting and construction 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 Australian Noise Exposure Forecast Contour Map 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.
- (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.

- (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 2020 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,
 - (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 (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,
 - (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)—
- 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 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.

6.13 Location of sex services 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 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 building

- (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).

6.15 Vehicular Access to Certain Land at Hillsdale fronting Denison Street

- (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:

- (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.

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.

Part 7 Intensive Urban Development Areas

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.

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.

7.3 Relationship between Part and remainder of Plan

A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.

Schedule 1 Additional permitted uses

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, selfstorage 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, Eastgardens, being Lot 182, DP 752015 and Lot 3, DP 79069 and identified as "4" on the Additional Permitted Use 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

- 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 Committee 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 202093, 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.
- (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*.
- (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 Purmitted 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.

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 Auditional 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

- 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.

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

- 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 Primited 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 Aditional 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

(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

 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

 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 in R3 Medium Density Residential zone for residential flat buildings

- (1) This clause applies to the following land, identified as "33" on the Additional Permitted Uses Map—
 - (a) 96A Bay Street, Botany, being Lot 3 DP 629040;
 - (b) 97 Banksia Street, Botany, being Lot 1 DP 200187;
 - (c) 70 Macintosh Street, Mascot, being Part Lot 1 DP 668902;
 - (d) 10-12 Middlemiss Street, Rosebery (also known as 10-12 Coward Street, Mascot), being Lot 2 DP 771111;
 - (e) 68-80 Beauchamp Road, Hillsdale, being Lot 12 DP 736905; and
 - (f) 68-80 Banks Avenue, Pagewood, being Lots 5-13, 16 & 17 and Part Lots 14 & 15 DP 35180, and Lot 1 DP 527564
- (2) Development for the purposes of a residential flat building is permitted with development consent.

Schedule 2 Exempt development

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.

Schedule 3 Complying development

Note. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 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 to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Schedule 4 Classification and reclassification of public land

Part 1 Land classified, or reclassified, as operational land—no interests changed

Column 1	Column 2
Locality	Description

Part 2 Land classified, or reclassified, as operational land—interests changed

Column 1	Column 2	1000	Column 3
Locality	Description		Any trusts etc not discharged

Part 3 Land classified, or reclassified, as community land

Column 1	The second	~	Colu	mn 2
Locality	The same		Descr	ription

Schedule 5 Environmental heritage

Part 1 Heritage items

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, Local	n
Arncliffe	Federation cottage	9 Brennans Road	Lot 3, DP 10357	Local	12
Arncliffe	"Newstead"	1 Carlton Street	Lot 6, DP 1850	Local	13
Arncliffe	Victorian cottage	5 Dowling Street	Lot 3, DP 853549	Local	14
Arncliffe	Victorian cottage	9 Dowling Street	Lot 1, DP 853549	Local	15

Arncliffe	House	19 Dowling Street	Lot 100, DP 859517	Local	I6
Arncliffe	Paired house	21 Duncan Street	Lot A, DP 186303	Local	I7
Amcliffe	Paired house	23 Duncan Street	Lot 1, DP 875396	Local	18
Arncliffe	Stone cottage	25 Duncan Street	Lot 11, DP 875397	Local	19
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	111
Arncliffe	Californian bungalow	7 Fairview Street	Lot 20, DP 9096	Local	I12
Amcliffe	Californian bungalow	21 Fairview Street	Lot 25, DP 9096	Local	I13
Arncliffe	Street plantings	Firth Street		Local	I14
Arncliffe	Arncliffe Post Office	35 Firth Street	Lot 1, DP 1000369	Local	115
Arncliffe	Glenevie Lane	Firth Street (laneway between Nos 43 and 44 through to Stanley Street)	DP 1793	Local	116
				_ per	
Arncliffe	Victorian shop and dwelling	45 Firth Street	Lot B, DP 365141	Local	117
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	118
Arncliffe	St Francis Xavier Catholic Presbytery	26 Forest Road	Lol 12, DP 580363	Local	I19
Arncliffe	Rosslyn Hospital	30 Porest Road	Lots 1-10, SP 47963	Local	120
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	House	137 Forest Road	Lot 50, DP 1919	Local	I22
Arncliffe	Arncliffe preschool and kindergarten	139 Porest Road	Lot 49, DP 1919	Local	I23
Arncliffe	"Coburra"	184 Forest Road	Lot A, DP 343038	Local	124
Arncliffe	"Wilga"	220 Forest Road	Lots 3 and 8, DP 13853	Local	125
Arncliffe	Californian bungalow	224 Forest Road	Lot 2, DP 13853	Local	I26
Arncliffe	Federation house	39 Hirst Street	Lot 2, DP 556457	Local	I27
Arncliffe	Federation house	79 Hirst Street	Lot 13, Section C, DP 2996	Local	I28
Arncliffe	House	8 Kembla Street	Lot 21, DP 865131	Local	129
Arncliffe	House	31 Kyle Street	Lot 7, Section 4, DP 1633	Local	I30

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	,		I32
Arncliffe	Palm trees	Mawson Street		Local	I33
Arncliffe	Victorian terrace	3 and 4 Mitchell Street	Lots 35 and 36, DP 2069	Local	I34
Arncliffe	Californian bungalow	12 Mitchell Street	Lot A, DP 439701	Local	135
Arncliffe	Timber Victorian house	16 Mitchell Street	Lot 24, DP 2069	Local	136
Arncliffe	Arncliffe Public School and "Teluba"	168–170 Princes Highway	Lot 1, DP 124274; Lot 10, DP 1966280; Lot 11, DP 1066280	Local	137
Arncliffe	Walz quarry	Roach Street (between Gore Street and Forest Road)		Local	138
Arncliffe	"Meryton"	58 Roach Street	Lot 3. DP 22180	Local	139
Arncliffe	Victorian house	22 Cambridge Count			
Arncliffe		23 Segennoe Sueer	Lot A, DP 339374	Local	I40
	Victorian house	25 Segenhoe Street			I40 I41
Arncliffe	Victorian house Californian Bungalow	100 A A A A A A A A A A A A A A A A A A	Lot 16, Section E, DP 2271	Local Local	
Arncliffe Arncliffe	Californian	25 Segenhoe Street	Lot 16, Section E, DP 2271 Lots 17–18,	Local Local	I41
	Californian Bungalow	25 Segenhoe Street 27 Segenhoe Street	Lot 16, Section E, DP 2271 Lots 17–18, Section E, DP 2271	Local Local	I41 I42
Arncliffe	Californian Bungalow Victorian house	25 Segenhoe Street27 Segenhoe Street16 Stanley Street	Lot 16, Section E, DP 2271 Lots 17–18, Section E, DP 2271 Lot 1, DP 569361	Local Local Local	I41 I42 I43
Arncliffe Arncliffe	Californian Bungalow Victorian house Victorian house	25 Segenhoe Street 27 Segenhoe Street 16 Stanley Street 20 Stanley Street	Lot 16, Section E, DP 2271 Lots 17–18, Section E, DP 2271 Lot 1, DP 569361 Lot 2, DP 421335	Local Local Local Local	I41 I42 I43 I44
Arncliffe Arncliffe Arncliffe	Californian Bungalow Victorian house Victorian house Victorian house Victorian semi-	25 Segenhoe Street 27 Segenhoe Street 16 Stanley Street 20 Stanley Street 22 Stanley Street	Lot 16, Section E, DP 2271 Lots 17–18, Section E, DP 2271 Lot 1, DP 569361 Lot 2, DP 421335 Lot B, DP 449610	Local Local Local Local Local Local	I41 I42 I43 I44 I45
Arncliffe Arncliffe Arncliffe	Californian Bungalow Victorian house Victorian house Victorian semi- detached dwelling	25 Segenhoe Street 27 Segenhoe Street 16 Stanley Street 20 Stanley Street 22 Stanley Street 26 Stanley Street	Lot 16, Section E, DP 2271 Lots 17–18, Section E, DP 2271 Lot 1, DP 569361 Lot 2, DP 421335 Lot B, DP 449610 Lot 2, DP 592250 Lot 21, DP 1673	Local Local Local Local Local Local Local	I41 I42 I43 I44 I45 I46
Arncliffe Arncliffe Arncliffe Arncliffe	Californian Bungalow Victorian house Victorian house Victorian semi- detached dwelling Victorian cottage	25 Segenhoe Street 27 Segenhoe Street 16 Stanley Street 20 Stanley Street 22 Stanley Street 26 Stanley Street 39 Station Street	Lot 16, Section E, DP 2271 Lots 17–18, Section E, DP 2271 Lot 1, DP 569361 Lot 2, DP 421335 Lot B, DP 449610 Lot 2, DP 592250 Lot 21, DP 1673	Local Local Local Local Local Local Local Local	I41 I42 I43 I44 I45 I46
Arncliffe Arncliffe Arncliffe Arncliffe Arncliffe Arncliffe	Californian Bungalow Victorian house Victorian house Victorian semi- detached dwelling Victorian cottage Federation house	25 Segenhoe Street 27 Segenhoe Street 26 Stanley Street 20 Stanley Street 22 Stanley Street 26 Stanley Street 39 Station Street 22 Walters Street	Lot 16, Section E, DP 2271 Lots 17–18, Section E, DP 2271 Lot 1, DP 569361 Lot 2, DP 421335 Lot B, DP 449610 Lot 2, DP 592250 Lot 21, DP 1673 Lot A, DP 301582	Local	I41 I42 I43 I44 I45 I46 I47 I48
Arncliffe Arncliffe Arncliffe Arncliffe Arncliffe Arncliffe Arncliffe	Californian Bungalow Victorian house Victorian house Victorian semi- detached dwelling Victorian cottage Federation house Victorian cottage	25 Segenhoe Street 27 Segenhoe Street 26 Stanley Street 20 Stanley Street 22 Stanley Street 26 Stanley Street 39 Station Street 22 Walters Street 23 Walters Street 73 West Botany Street	Lot 16, Section E, DP 2271 Lots 17–18, Section E, DP 2271 Lot 1, DP 569361 Lot 2, DP 421335 Lot B, DP 449610 Lot 2, DP 592250 Lot 21, DP 1673 Lot A, DP 301582 Lot 2, DP 913129 Lot 25, Section 3,	Local	I41 I42 I43 I44 I45 I46 I47 I48 I49

Arncliffe	House	78 Wollongong Road	Lot 2, DP 1434	Local	153
Arncliffe	House	117 Wollongong Road	Lot 9, DP 1387	Local	154
Amcliffe	House	148 Wollongong Road	Lot 12, DP 6460	Local	I55
Arncliffe	"Dappeto"	171 Wollongong Road	Comer Lots 54–59, DP 8954; Lots 33– 36, DP 9096	State	156
Arncliffe	Federation house	191 Wollongong Road	Lot 1, DP 972108	Local	I57
Arncliffe	Federation house	193 Wollongong Road	Lot 3, DP 5343	Local	158
Arncliffe	"Fairview"	197 Wollongong Road	Lot A, DP 317797	Local	159
Arncliffe	House	215 Wollongong Road	Lot A, DP 442621	Local	I60
Arncliffe	Federation house	258 Wollongong Road	Lot 1, DP 950168	Local	I61
Banksia	Sandstone Victorian cottage	15 Bowmer Street	Lot 30, Section D, DP 1771	Local	I62
Banksia	House	15 Cameron Street	Lot 11, Section 12. DP 2248	Local	163
Banksia	Sandstone Victorian cottage	1 Curtis Street	Lot A, DP 165784	Local	I64
Banksia	Sandstone Victorian cottage	5 Curtis Street	Lot 1, DP 666244	Local	I65
Banksia	Sandstone Victorian cottage	7 Curtis Street	Lot B, DP 165784	Local	I66
Banksia	Part of single- storey terraced cottages known as Jackson's Row	11 Gibbes Street	Lot 1 DP 900433	Local	I67
Banksia	Part of single- storey terraced cottages known as Jackson's Row	18 Gibbes Street	Lot 2 OP 984067	Local	I68
Banksia	Stone house	7 Godfrey Street	Lot 53, Section E, DP 1771; Lot 54, DP 455079	Local	169
Banksia	Stone Victorian house	29 Godfrey Street,	Lot 41, Section E, DP 1771	Local.	170
Banksia	Stone house	19 Monahan Avenue	Lot 46, DP 6679	Local	I71
Banksia	Arncliffe Market Garden	212 West Botany Street	Lot 1, DP 514811	State	172
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	173
Banksmeadow	Main Administration	16-20A Beauchamp Road	Lot 1105 DP1227173	Local	I74

	building—"Orica" and Mature Ficus				
Banksmeadow	Sir Joseph Banks Hotel (circa 1920)	1354 Botany Road (corner of Botany Road and Waratah Street)	Part Lot 1, DP 73950	Local	I75
Banksmeadow	Commercial building	1619 Botany Road	Lot 1, DP 913863	Local	176
Banksmeadow	Pier Hotel	1751 Botany Road	Lot 1, DP 1031248	Local	177
Banksmeadow	Botany Bay Hotel	1807 Botany Road	Lot A, DP 333268	Local	178
Banksmeadow	Banksmeadow Public School	Brighton Street through to Wiggins Street	Lot 12, DP 859010	Local	179
Banksmeadow	Streetscape—verge plantings of Canary Island Date Palm (Phoenix canariensis)	Brighton Street		Local	180
Banksmeadow	Former headmaster's residence to Banksmeadow Public School	60 Brighton Street	Lot 11, DP 859010	Local	181
Bardwell Park	Hillsdon's Nursery Cottage	112 Slade Road	SP 68708	Local	182
Bardwell Valley	Stone Federation house	15 East Street	Lot 4, DP 10685	Local	I83
Bardwell Valley	Californian bungalow cottage (part of a street precinct)	2 Hamilton Street	Lot 65, DP 9171	Local	I84
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	187
Bardwell Valley	Quarry (includes rock faces and public reserve above)	40 John Street	Lots 1–3, DP 1088303	Local	188
Bardwell Valley	Californian bungalow	13 Lansdowne Street	Lot 10, DP 9171	Local	I89
Bardwell Valley	Brick Californian bungalow cottage	17 Lansdowne Street	Lot 12, DP 9171	Local	I90
Bardwell Valley	Stone cottage	28 The Glen Road	Lot 2, DP 10685	Local	I 91
Bardwell Valley	Stone cottage	30 The Glen Road	Lot 1, DP 10685	Local	I92
Bexley	Stone cottage	17A Abercorn Street	Lot 701, DP 1054480	Local	193
Bexley	Federation house	68A Abercorn Street	Lot A, DP 378177	Local	I94
Bexley	Federation house	78 Abercorn Street	Lot 3, DP 984963	Local	I95
Bexley	"Dunvegan"	10 Albyn Street	Lot 1, DP 1018116	Local	196

Bexley	Bayview Lodge	2 Beaconsfield Street	Lot C, DP 400028	Local	I97
Bexley	House	6 Beaconsfield Street	Lot 5B, DP 329521	Local	198
Bexley	Seaforth Park	16A Beaconsfield Street	Lot 50, DP 1680	Local	199
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 14, DP 211151; Lot 7, DP 21406; Lot B, DP 327603; Lot B, DP 327603; Lot A and B, DP 328325; Lot 3, DP 328325; Lot 3, DP 328325; Lot 3, DP 328325; Lot 7008, DP 1034070; Lot 2, DP 605883		1100
Bexley	Former quarry	369E Bexley Road	Lots 12–20, Section B, DP 4580	Local	I101
Bexley	Donnans Reserve	389 Bexley Road	Lots 1 and 2, DP 119398; Lots 1 and 2, DP 559733	Local	I102
Bexley	Montrose (main house only)	80 Broadford Street	Lot 6, DP 651338	Local	I103
Bexley	Victorian terrace	42 Bruce Street	Lot A, DP 410796	Local	I104
Bexley	Barwell Park and Botanical Gardens	56 Bruce Street	Lots 8–11 and 25– 29, Section 9, DP 1763	Local	I105
Bexley	Street plantings	Caledonian Street		Local	I106
Bexley	Federation house	4 Carrington Street	Lot 1, DP 944994	Local	I107
Bexley	Sewer vents	Connemarra Street (opposite Nos 1 and 28)	.,	Local	1108
Bexley	Sandstone and brick Federation cottage	12 Connemarra Street	Lot 1, DP 902728	Local	I109
Bexley	Semi-detached dwelling	49 Connemarra Street	Lot 282, DP 811807	Local	I110

Bexley	Victorian house	50 Connemarra Street	Lot B, DP 33681	Local	I111
Bexley	Semi-detached dwelling	51 Connemarra Street	Lot 281, DP 811807	Local	I112
Bexley	Stone house	71 Connemarra Street	Lot 1, SP 70789	Local	I113
Bexley	Californian bungalow	8 Donnan Street	Lots 4 and 5, Section B, DP 6266	Local	I114
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
Bexley	Federation house	12 Dunmore Street North	Lot 3, DP 412732	Local	I118
Bexley	Federation house	14 Dunmore Street North	Lot 2, DP 412732	Local	I119
Bexley	Federation house	16 Dunmore Street North	Lot 1, DP 412732	Local	1120
Bexley	Ercildoune	18 Dunmore Street North	1050077	Local	I121
Bexley	Fairmont	20 Dunmore Street North		Local	1122
Bexley	House	North	Lot B, DP 900366		I123
Bexley	Inter-war house	North	Lòt B, DP 324948	Local	I124
Bexley	Federation house	38 Dimmore Street North		Local	I125
Bexley	Federation house	North	Lot D. DP 414121		I126
Bexley	Street plantings	Forest Road (between St Georges Road and Waratah Street)		Local	I127
Bexley	St Andrew's Church	267 Forest Road	Lots 26 and 27, Section 3, DP 1114; Lot 4, DP 951021	Local	I128
Bexley	Ercildoune	274 Forest Road	Lot B, DP 384921	Local	I129
Bexley	Bexley Primary School	330 Forest Road	Part Lot 131, DP 1053602	Local	I130
Bexley	Original Bexley School buildings	339–377 Forest Road	Lot 11, DP 857373	Local	I131
Bexley	Bexley School of Arts	476–476A Forest Road	Lots 81 and 82, DP 748688	Local	I132
Bexley	Victorian house	496 Forest Road	Lot 1, DP 660880; Lot A, DP 314295;	Local	I133

			Lots A and B, DP 325598		
Bexley	Milk Depot Group (Art Deco style commercial buildings)	623 Forest Road	Lot 704, DP 1056168	Local	I134
Bexley	Bexley Congregation Church	626–628 Forest Road and 3 Wood Street	Lots 700-701, DP 1146232	Local	I135
Bexley	Original church building and convent only	20–26 Croydon Road, Bexley	Lot 21, DP 1162915	Local	I136
Bexley	Street plantings	Gladstone Street R 854 Gladstone Street BEXLEY NSW 2207	A	Local	I137
Bexley	Californian bungalow	12 Gladstone Street	Lot 2, DP 880870	Local	I138
Bexley	Bexley Uniting Church— (Federation style (1926)	29 Gladstone Street	Lot 34, DP 1061827; Lot 1, DP 913135	Local	1139
Bexley	House	31 Gladstone Street	Lot 32, Section 7 DP 1680	Local	1140
Bexley	Tonbridge	33 Gladstone Street	Lot 31, Section 7. DP 1680	Local	I141
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	St Elmo	50 Harrow Road	Lot 1, DP 21617	Local	I143
Bexley	Italia	77 Harrow Road	Lot 1, DP 219456	Local	I144
Bexley	Esperanza	83 Harrow Road	Lot 1, DP 585490	Local	I145
Bexley	Federation house	87 Harrow Road	Lot 2, DP 902392	Local	I146
Bexley	Bardwell Creek Flora Reserve (north of Bexley Road)	2A Hillcrest Avenue (part of Bardwell Valley Golf Course)		Local	I147
Bexley	House	30 Kingsland Road South	Lot 1, DP 953135	Local	I148
Bexley	House	1 Park Avenue	Lot 1, DP 960924	Local	I149
Bexley	Street plantings	Queen Victoria Street (both sides) R 71 Queen Victoria Street BEXLEY NSW 2207		Local	I150
Bexley	Service station	74 Queen Victoria Street	Lot B, DP 326518	Local	I151
Bexley	Former Bexley Council Chambers	131 Queen Victoria Street	Lot C, DP 417935	Local	1152

	(Jack & Jill Kindergarten)				
Bexley	Bexley Fire Station	163 Queen Victoria Street	SP 60800	Local	I153
Bexley	Stone dwelling	26 Stoney Creek Road	Lot 71, DP 1594	Local	I154
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	Bexley Park	95 Stoney Creek Road	Lot 1, DP 964567; Lot 98, DP 8760	Local	1156
Bexley	Stone house	22 Verdun Street	Lot A, DP 373398	Local	I157
Bexley	"Dundry"	44 Verdun Street	Lot A, DP 335234	Local	I158
Bexley	"Cardeeri" (cottage)	48 Waratah Street	Lot 40, DP 4690	Local	I159
Bexley	Marist College	52 Wolseley Street	Lots 10, -17, 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		1160
Bexley North	Glendalough McIlveen Museum and Research Centre	120 Kingsland Road North	Lot B. DP 347347; Lot 52, DP 524952	Local	I161
Bexley North	Stotts Reserve	167 Slude Road		Local	I162
Botany/Daceyville Eastlakes/Mascot/ Pagewood		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 Engine Ponds	Lots J 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	1163
Botany	Booralee Park	Bounded by Sydenham Railway Line and Daniel, Bay, Lord, Myrtle and Jasmine Streets	Lot 7078, DP	Local	I164
Botany	Sir Joseph Banks Hotel (former, circa 1840)	23 Anniversary Street	Lots 1–19, SP 62214	State	I165

Botany	Fire station (circa 1906)	1-3 Banksia Street	Lot A, DP 328019	Local	I166
Botany	Post office (circa 1923)	2 Banksia Street	Lot 1, DP 208627	Local	I167
Botany	House	6 Banksia Street	Lot A, DP 332049	Local	I168
Botany	House	7 Banksia Street	Lot 7, DP 5177	Local	I169
Botany	House	8 Banksia Street	Lot B, DP 332049	Local	I170
Botany	House	47 Banksia Street	Lot B, DP 331090	Local	I171
Botany	Streetscape—verge plantings of Canary Island Date Palm (<i>Phoenix</i> canariensis)	(western side of		Local	I172
Botany	House group	10-14 Bay Street	Lots 1, 2 and 3, DP 748509	Local	I173
Botany	House	16 Bay Street	Lot 1, DP 998741	Local	I174
Botany	House	19 Bay Street	Lot 1, DP 904269	Local	I175
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	1176
Botany	Corner store— "Alto"	50-52 Bay Street	Lot 2, DP 11383	Local	1177
Botany	House	135 Bay Street	Lot 1, DP 335932	Local	I178
Botany	House	145 Bay Street	Lot 101, DP 732151	Local	I179
Botany	House	147 Bay Street	Lot A. DP 389313	Local	I180
Botany	House—"The White House"	151 Bay Street	Lots 9 and 10, Section G, DP 1787	Local	I181
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	I182
Botany	Botany Public School (circa 1869)	1076 Botany Road	Lot 1, DP 433364; Lot 1, DP 194311	Local	I183
Botany	Hippo's Friends Child Care Centre	1082 Botany Road	Lot 1, DP 112970	Local	I184
Botany	Finnies buildings	1094–1098 Botany Road	Lots 43-45, DP 856900	Local	I185
Botany	Captain Cook Hotel	1114 Botany Road	Lot 1, DP 1112025	Local	I186
Botany	House group	1158–1168 Botany Road	Lots A and B, DP 438725; Lots C- E, DP 353030; Lot A, DP 310296		1187
Botany	Commercial/ residential building	1226 Botany Road	Part Lot 8, Section 2, DP 773	Local	I188
Botany	House group	1268–1270 Botany Road	Lot 7, DP 657544; Lot A, DP 352054	Local	I189

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
Botany	Botany Uniting Church	1355 Botany Road	Part Lot 4, Section B, DP 1787; Part Lot 1, DP 566495	Local	I191
Botany	John Brotchie Kindergarten (formerly Botany School of Arts hall)	1361 Botany Road	Lot 14, DP 660975	Local	I192
Botany	House	1365 Botany Road	Lot 1, DP 217275	Local	I193
Botany	Botany Town Hall (circa 1898)	1423 Botany Road (corner of Botany Road and Edward Street)	Part Lot 5, DP	Local	I194
Botany	House—"Helena"	1424 Botany Road	Lot 49, DP 4747	Local	I 195
Botany	Police station (circa 1871)	1441 Botany Road	Lot 100, DP 1052312	Local	I196
Botany	Boarding house (front building)	1443 Botany Road	Lot 15, Section 8, DP 773	Local	I197
Botany	House	1447 Botany Road	Lot 1, DP 1082257	Local	1198
Botany	Presbyterian Church of Australia and manse	1561–1563 Botany Road	Part Lot 111, DP 904964 and Part Lot 112, DP 918728	Local	1199
Botany	Streetscape—verge plantings of Canary Island Date Palm (<i>Phoenix</i> canariensis)	Brown Avenue		Local	I200
Botany	Electricity Substation No 153	14 Byrnes-Street	Lot 1, DP 310135	Local	I201
Botany	Canary Island Date Palms (Phoenix canariensis)	23 Byrnes Street	Lot 1 DP169307	Local	1202
Botany	House	31 Cranbrook Street	Lot 7, Section 9, DP 773; Lot 8, Section 9, DP 773	Local	I203
Botany	House	35 Crambrook Street	Lot 10, Section 9, DP 773	Local	1204
Botany	House	37 Cranbrook Street	Lot 11, Section 9, DP 773	Local	1205
Botany	Terrace group	42–54 Daphne Street	Lot 100, DP 1010340; Lots 1– 15, SP 62387	Local	I206
Botany	House group	18-20 Erith Street	Lot 7, Section 2, DP 889; Lot 8, DP 318902	Local	I207
Botany	Sir Joseph Banks Park	Fremlin Street	Lot 1, DP 668135	Local	I208

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	I209
Botany	House group	21–23 Salisbury Street	Lot 1, Section 15, DP 773; Lot 2, Section 15, DP 773		I210
Botany	Streetscape—verge plantings of Canary Island Date Palm (<i>Phoenix</i> canariensis)	(William to Queen		Local	I211
Botany	Sydney Water Corporation sewer vent	Tenterden Road	Į.	Local	I212
Botany	House	16 Tenterden Road	Lot 1, DP 723591	Local	I213
Botany	House	50 Tenterden Road	Lot 11 and 12, DP 455886	Local	I214
Botany	House	54 Tenterden Road	Lot 13, DP 935631	Local	1215
Botany	House group	63–65 Tenterden Road	Lot A, DP 387770; Lot B, DP 387770	Local	I216
Botany	House	84 Tenterden Road	Lot B, DP 338192	Local	1217
Botany	Residential building	16 The Esplanade	Lot B, DP 323638	Local	1218
Botany	Electricity Substation No 340	3 William Street (corner of Swinbourne and William Streets)	Lot 1, DP 669129	Local	I219
Botany	House	2 Woodstock Street	Lot 14, Section 13, DP 773	Local	1220
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
Brighton-Le-Sands	School building— Brighton-Le- Sands Public School (1916)	35 Crawford Road	Lots 1 and 2, DP 194470	Local	I222
Brighton-Le- Sands, Dolls Point, Kyeemagh, Monterey, Ramsgate Beach, Sans Souci, Sandringham	Cook Park	Géneral Holmes Drive, The Grand Parade		Local	I223
Brighton- Le- Sands	Kings Wetland	Kings Road	Lot 1, DP 229723; Part Lot 1, DP 214047	Local	I224
Brighton- Le- Sands	Street Trees	Princess Street		Local	I225

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
Brighton- Le- Sands	Row of Araucaria trees	The Grand Parade (in Cook Park)		Local	1227
Brighton-Le-Sands	Brighton Baths	The Grand Parade		Local	1228
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		1229
Carlton	Carlton School of Arts	13 Argyle Street (corner of Short Street)	Lot 18. Section 1, DP 2122	Local	I230
Carlton	Carlton House	92 Carlton Parade	Lot 2, DP 958201	Local	1231
Carlton	Victorian Terrace	12 Ethel Street	Lot 8, Section 20, DP 2122	Local	1232
Carlton	House	52 Fleet Street	Lot 5. DP 533438	Local	I233
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	1235
Carlton	Wambrook	26 Grey Street	Lot 38, Section 12, DP 2122	Local	I236
Carlton	House	5 High Street	Lot 7, Section 7, DP 2122	Local	1237
Carlton	Cottage	56 Hill Street	Lot E, DP 900655	Local	1238
Carlton	House	95 Mill Street	Lot 5, Section 16, DP 2122	Local	I239
Carlton	House	65 Short Street	Lot 2, DP 221335	Local	I240
Carlton	House	67 Short Street	Lot 1, DP 221335	Local	I241
Carlton	Stone Cottage	66 Willison Road	Lot 32, Section 8, DP 3252	Local	1242
Carlton	Shop	76 Willison Road	Lot 37, Section 9, DP 3252	Local	I243

Daceyville	Dacey Garden Reserve and substation	Corner of Gardeners and Bunnerong Roads	Lot 7003, DP 1027005; Lots 1, 2 and 3, DP 1163798		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	7 1 2 2 4 7	1245
Daceyville	Marist Brothers School and presbytery	Haig Avenue	Part Lot 1, DP 186759	Local	1246
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 5248, DP 820566	Docal	I248
Daceyville	Former community centre	3 Wills Crescent (corner of Wills Crescent and Haig Avenue)	Lot 310, DP 32173	Local	1249
Dolls Point	Primrose House	190 Russell Avenue	Lot 2, DP 530790; Lot 449, DP 752056	Local	1250
Eastlakes	House	70 Florence Avenue	Corner Lot 127, DI 17209	Local	I251
Hillsdale	Matraville Public School	310 Bunnerong Road (corner of Bunnerong and Beauchamp Roads)	Lot 238, DP 752015; Lot 239, DP 752015	Local	1252
Kingsgrove	Pembroke Cottage	9 Bennett Street	Lot D, DP 382653	Local	I253
Kogarah	House	34 Kitchener Street	Lot 12, Section F, DP 1562; Lot 1, DP 315194	Local	I254
Kogarah	Sandstone Victorian cottage	38 Kitchener Street	Lot 1, DP 310720	Local	1255
Kogarah	Queens Avenue landscaping	Victoria Way		Local	I256
Kogarah	Stone cottage only	7 Robertson Street	SP 41680	Local	1257
Kogarah	Peach Chambers (Federation style commercial building)	17, 18 and 19 Station Street	Lots 370 and 371, DP 869155	Local	I258
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		I259

Kogarah	Toomevara Lane Chinese Market Garden	29A Toomevara Street	Lot 5, DP 568192; Lot 1, DP 723897	State	1260
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 12, DP 456694 Lot 13, DP 456694 Lot 15, DP 456694 Lot 16, 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; Lot 20, Section 23, DP 1680; Lot 20, Section 23, DP		1261
Kurnell	Towra Point Nature Reserve and Quibray Bay	Towra Point	Lot 2, DP 856868	State	1262
Kyeemagh	Kyeemagh Market Gardens	2A, 2B, 2D and 2F 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 420209	Local	1267
Mascot	Commercial building group	891–917 Botany Road	Lot A, DP 103750; Lot B, DP 103750; Lot C, DP 103750; Lot D, DP 103750; Lot 1, DP 504610; Lot 2, DP 504610; Lot A, DP 87517; Lot B, DP 87517; Lot 1, DP 784041; Lot 1, DP 80274; Lot 2, DP 598272;		1268

			Lot 3, DP 598272; Lot 4, DP 598272		
Mascot	Former Tennyson Hotel, now Mascot Inn	952 Botany Road (corner of High Street and Botany Road)	Lot 1, DP 657249	Local	I269
Mascot	House group	999 Botany Road	Part Lot 1, DP 918245	Local	I270
Mascot	Electricity Substation No 147	1001 Botany Road	Lot 1, DP 232836	Local	1271
Mascot	Former National Bank of Australasia	1005 Botany Road, corner of Botany Road and Coward Street	Lot A, DP 319304	Local	I272
Mascot	Coronation Hall	1007 Botany Road (corner of Coward and Botany Roads)	Lot 1, DP 202492	Local	I273
Mascot	Commercial building group	1009–1021 Botany Road	Lot I, DP 213130; Lot A, DP 349471; Lot B, DP 349471; Lot A, DP 440204,	Local	1274
			Lot B, DP 440204; Lot C, DP 440204;		
			Corner Lot D, DP 440204		
Mascot	Mature Hoop Pine	1055 Botany Road	Lot 13, DP1035450	Local	1275
Mascot	House	1075 Botany Road	Lot 1, DP 939651; Lot 1, DP314593	Local	1276
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	1277
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	1280
Mascot	Commercial building group	1187–1189 Botany Road	Lot 1, DP 541076; Lot 2, DP 541076	Local	1281
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		1282

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 327594; Lot 1, DP 911127	Local	1284
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	1 ocal	1285
Mascot	Mascot Park	Coward Street (corner of O'Riordan Street)	Lot 7073, DP 93716; Lot 1, DP 668903	Local	1286
Mascot	House	85 Coward Street	Lot 1, DP 501282	Local	1287
Mascot	Shop	95 Coward Street	Lot A. DP 502775	Local	I288
Mascot	House	110 Coward Street	Lot 1, DP 099395	Local	1289
Mascot	Shop	115 Coward Street	Lot 4, DP 115029	Local	1290
Mascot	House	117 Coward Street	Lot 3, DP 115029	Local	1291
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	1292
Mascot	House	119 Coward Street	Lot 34, Section 1, DP 4089	Local	1293
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	1296
Mascot	Fire station	139 Coward Street	Lot C, DP 330647; Lot 46, DP 667051	Local	I297
Mascot	Botany Family Day Care	149 Coward Street	Lot 1, DP 1136361	Local	I298
Mascot	Sydney Water Corporation	153 Coward Street	Lot 1, DP 303674	Local	1399

	Pumping Station SP0053				
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	1301
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	1302
Mascot	House	16 Hardie Street	Lot 43, Section 1, DP 1873	State	1303
Mascot	House	30 Hardie Street	Lot 35, Section 1, DP 1873	Local	1304
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		1307
Mascot	House	3 Hicks Avenue	Lot 29, Section 3, DP 937	Local	1308
Mascot	House	16 Hicks Avenue	Lot 1, DP 135158; Lot 2, DP 135158	Local	1309
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	I 314
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 B, DP 304230		I324
Mascot	House group	144–148 King Street	Lot A, DP 404442; Lot B, DP 404442; Lot C, DP 404442		1325
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		1326
Mascot	House	151 King Street	Lot 2. DP 576454	Local	1327
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	1329
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	1331
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		I332

Mascot	Railway bridge over Botany Road	Near McBurney Avenue	Over road	Local	I333
Mascot	House	10 Miles Street	Lot 1, DP 999385	Local	I334
Mascot	House	174 Sutherland Street	Lot 17, Section 10, DP 1873	Local	1335
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		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		1338
Pagewood	Bonnie Doon Golf Club House	Banks Avenue	Part Lot 2871, DP 752015	Local	1339
Pagewood	Harris Reserve	Bunnerong Road	Lot 7011, DP 1027015	Local	1340
Pagewood	Glanville Reserve, including streetscape—verge plantings of Canary Island Date Palm (Phoenix canariensis)	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	1342
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),),	I343
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), , ,	1344

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	1346
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	1350
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	1354
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	1356
Rockdale	Federation house	18 Oakura Street	Lot 2, DP 500838	Local	I357
Rockdale	Rockdale Public School	2.Pitf Street	Lots 3 and 6–25, Section 4, DP 1547; Lots 1–5, DF 121406; Lot 19, Section 3A, DP 2694; Lots 1 and 2, DP 120176; Lot 1, DP 975729; Lot 1, DP 795753		1358
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	7 2 2	1359
Rockdale	Rockdale School of Arts (Guild Theatre)	87 Railway Street	Lots 2 and 3, DP 3560	Local	1360
Rockdale		Rockdale Railway Station and Yard Group	Part Lot 51, DP 1004378	State	I361

Rockdale	box and overhead booking office St Joseph's	3–11 Walz Street	Lot 201, DP	Local	I362
Rockdasc	Convent	5-11 Waz Silect	1147226	Live	1502
Rockdale	Wilson's Farmhouse	310 West Botany Street	Lot 1, DP 34647; Lot 1, DP 517350	State	1363
Rosebery	Former bank building	686 Botany Road (corner of Botany and Gardeners Roads)	Lot A, DP 411716	Local	I364
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	1366
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	1368
Rosebery	House	485 Gardeners Road	Lot B, DP 442890	Local	1369
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		1370
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		1372
Rosebery	House	45 Gordon Street	Lot 14, Section 2, DP 3986; Lot 15, Section 2, DP 3986		I373
Rosebery	House	50 Gordon Street	Lot 15, Section 1, DP 3986	Local	1374
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	Avenue)		Local	I381
Sans Souci	Fontainebleau	7 Napoleon Street	Lot 1, DP 230847	Local	1382
Sans Souci	Cook Park	Riverside Drive		Local	1383
Sans Souci	Norfolk Island pine trees	Riverside Drive (between Napoleon and Waldron Streets)		Local	1384
Sans Souci	Timber cottage	586 Rocky Point Road	Lot 308, DP 2452	Local	1385
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 Smith) Airport group	Airport Drive	Part Lot 8, DP 1050923	Local	I387
Turrella	Old St David's Church	2 Edward Street	Lot 4, DP 1043010	Local	1388
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	1390
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".

Daceyville Garden Suburb Heritage
Conservation Area

Shown by a red outline with red hatching and labelled "C1".

Schedule 6 Pond-based and tank-based aquaculture

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.

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).

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.

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.

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.

6 Definition

In this Division:

intensive aquaculture has the same meaning as it has in the Fisheries Management (Aquaculture) Regulation 2017.

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 *Biodiversity Conservation Act* 2016,
 - (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.

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).

10 Pond design

- 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.

11 Culture water

Must use freshwater.

Dictionary

Aboriginal object means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

Aboriginal place of heritage significance means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is:

- (a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

Note. The term may include (but is not limited to) places that are declared under section 84 of the National Parks and Wildlife Act 1974 to be Aboriginal places for the purposes of that Act.

acid sulfate soils means naturally occurring sediments and soils containing iron sulfides (principally pyrite) or their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation).

Acid Sulfate Soils Manual means the manual by that name published by the Acid Sulfate Soils Management Advisory Committee and made publicly available.

Acid Sulfate Soils Map means the Bayside Local Environmental Plan 2020 Acid Sulfate Soils Map.

Active Street Frontage Map means the Bayside Local Environmental Plan 2020 Active Street Frontages Map.

Additional Permitted Uses Map means the Bayside Local Environmental Plan 2020 Additional Permitted Uses Map.

advertisement has the same meaning as in the Act.

Note. The term is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

advertising structure has the same meaning as in the Act.

Note. The term is defined as a structure used or to be used principally for the display of an advertisement.

Advertising structures are a type of signage—see the definition of that term in this Dictionary.

affordable housing has the same meaning as in the Act.

Note. The term is defined as housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

agricultural produce industry means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

Note

Agricultural produce industries are a type of *rural industry*—see the definition of that term in this Dictionary.

agriculture means any of the following:

- (a) aquaculture,
- (b) extensive agriculture.
- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

Note. Part 6 of the Plantations and Reafforestation Act 1999 provides that exempt farm forestry within the meaning of that Act is not subject to the Environmental Planning and Assessment Act 1979.

air transport facility means an airport or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures.

airport means a place that is used for the landing, taking off, parking, maintenance or repair of aeroplanes, and includes associated buildings, installations, facilities and movement areas and any heliport that is part of the airport.

Note:

Airports are a type of air transport facility—see the definition of that term in this Dictionary.

airstrip means a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad.

amusement centre means a building or place (not being part of a pub or registered club) used principally for playing:

- (a) billiards, pool or other like games, or
- (b) electronic or mechanical amusement devices, such as pinball machines, computer or video games and the like.

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

aquaculture has the same meaning as in the Fisheries Management Act 1994. It includes oyster aquaculture, pond-based aquaculture and tank-based aquaculture.

Note:

Aquaculture is a type of agriculture—see the definition of that term in this Dictionary.

archaeological site means a place that contains one or more relics.

Arncliffe Precinct means the land identified as "Arncliffe Precinct" on the Design Excellence Map.

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following:

- (a) a retail area for the sale of the products,
- (b) a restaurant or cafe,
- (c) facilities for holding tastings, tours or workshops.

Note. See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.

Artisan food and drink industries are a type of light industry—see the definition of that term in this Dictionary.

attached dwelling means a building containing 3 or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

Note

Attached dwellings are a type of *residential accommodation*—see the definition of that term in this Dictionary.

attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

backpackers' accommodation means a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room).

Note:

Backpackers' accommodation is a type of *tourist and visitor accommodation*—see the definition of that term in this Dictionary.

Banksia Precinct means the land identified as "Banksia Precinct" on the Design Excellence Map.

basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

bed and breakfast accommodation means an existing dwelling in which temporary or shortterm accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

Note. See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Bed and breakfast accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

bee keeping means a building or place used for the keeping and breeding of bees for commercial purposes.

Note

Bee keeping is a type of extensive agriculture—see the definition of that term in this Dictionary.

biodiversity or biological diversity means the variety of living animal and plant life from all sources, and includes diversity within and between species and diversity of ecosystems.

biosolids treatment facility means a building or place used as a facility for the treatment of biosolids from a sewage treatment plant or from a water recycling facility.

Note.

Biosolids treatment facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

boarding house means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and

- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Note.

Boarding houses are a type of *residential accommodation*—see the definition of that term in this Dictionary.

boat building and repair facility means any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed.

boat launching ramp means a structure designed primarily for the launching of trailer borne recreational vessels, and includes associated car parking facilities.

boat shed means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

brothel has the same meaning as in the Act.

Note.

This definition is relevant to the definitions of home occupation (sex services) and sex services premises in this Dictionary.

building has the same meaning as in the Act.

Note. The term is defined to include part of a building and any structure or part of a structure, but not including a manufactured home, a moveable dwelling or associated structure (or part of a manufactured home, moveable dwelling or associated structure).

building height (or height of building) means:

- (a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or
- (b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

Note.

Building identification signs are a type of *signage*—see the definition of that term in this Dictionary.

building line or setback means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:

- (a) a building wall, or
- (b) the outside face of any balcony, deck or the like, or
- (c) the supporting posts of a carport or verandah roof,

whichever distance is the shortest.

bush fire hazard reduction work has the same meaning as in the Rural Fires Act 1997.

Note.

The term is defined as follows:

bush fire hazard reduction work means:

- (a) the establishment or maintenance of fire breaks on land, and
- (b) the controlled application of appropriate fire regimes or other means for the reduction or modification of available fuels within a predetermined area to mitigate against the spread of a bush fire,

but does not include construction of a track, trail or road.

bush fire prone land has the same meaning as in the Act.

Note. The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 146 (2) of the Act.

bush fire risk management plan means a plan prepared under Division 4 of Part 3 of the Rural Fire Act 1997 for the purpose referred to in section 54 of that Act.

business identification sign means a sign:

- (a) that indicates:
- (i) the name of the person or business, and
- (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note.

Business identification signs are a type of **signage**—see the definition of that term in this Dictionary.

business premises means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis,

and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

Note.

Business premises are a type of *commercial premises*—see the definition of that term in this Dictionary.

camping ground means an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

canal estate development means development that incorporates wholly or in part a constructed canal, or other waterway or waterbody, that is inundated by or drains to a natural waterway or natural waterbody by surface water or groundwater movement (not being works of drainage, or for the supply or treatment of water, that are constructed by or with the authority of a person or body responsible for those functions and that are limited to the minimal reasonable size and capacity to meet a demonstrated need for the works), and that either:

- (a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to:
 - (i) dwellings that are permitted on rural land, and
 - (ii) dwellings that are used for caretaker or staff purposes, or
- (b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

car park means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

catchment action plan has the same meaning as in the Catchment Management Authorities Act 2003.

Note. The term is defined as a catchment action plan of an authority that has been approved by the Minister under Part 4 of the Catchment Management Authorities Act 2003.

cellar door premises means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

Note.

Cellar door premises are a type of retail premises—see the definition of that term in this Dictionary.

cemetery means a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services.

centre-based child care facility means:

- (a) a building or place used for the education and care of children that provides any one or more of the following:
 - (i) long day care,
 - (ii) occasional child care,
 - (iii) out-of-school-hours care (including vacation care),
 - (iv) preschool care, or
- (b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

Note. An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the *Children (Education and Care Services) National Law (NSW)*) is provided.

but does not include:

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

charter and tourism boating facility means any facility (including a building or other structure) used for charter boating or tourism boating purposes, being a facility that is used only by the operators of the facility and that has a direct structural connection between the foreshore and the waterway, but does not include a marina.

classified road has the same meaning as in the Roads Act 1993.

Note.

The term is defined as follows: classified road means any of the following:

- (a) a main road,
- (b) a highway,
- (c) a freeway,
- (d) a controlled access road,
- (e) a secondary road,
- (f) a tourist road,
- (g) a tollway,
- (h) a transitway,
- (i) a State work.

(See Roads Act 1993 for meanings of these terms.)

clearing native vegetation has the same meaning as in Part 5A of the Local Land Services Act 2013.

clearing vegetation has the same meaning as in State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.

coastal hazard has the same meaning as in the Coastal Management Act 2016.

coastal lake means a body of water identified in Schedule 1 to State Environmental Planning Policy (Coastal Management) 2018.

coastal protection works has the same meaning as in the Coastal Management Act 2016.

coastal waters of the State—see section 58 of the Interpretation Act 1987.

coastal zone has the same meaning as in the Coastal Management Act 2016.

commercial premises means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.

community facility means a building or place:

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

community land has the same meaning as in the Local Government Act 1993.

correctional centre means:

- (a) any premises declared to be a correctional centre by a proclamation in force under section 225 of the Crimes (Administration of Sentences) Act 1999, including any juvenile correctional centre or periodic detention centre, and
- (b) any premises declared to be a detention centre by an order in force under section 5 (1) of the *Children (Detention Centres) Act 1987*,

but does not include any police station or court cell complex in which a person is held in custody in accordance with any Act.

Council means the Council of Bayside.

crematorium means a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services.

Crown reserve means:

- (a) a reserve within the meaning of Part 5 of the Crown Lands Act 1989, or
- (b) a common within the meaning of the Commons Management Act 1989, or
- (c) lands within the meaning of the Trustees of Schools of Arts Enabling Act 1902, but does not include land that forms any part of a reserve under Part 5 of the Crown Lands Act 1989 provided for accommodation.

curtilage in relation to a heritage item or conservation area, means the area of land (including land covered by water) surrounding a heritage item, a heritage conservation area, or building, work or place within a heritage conservation area, that contributes to its heritage significance.

dairy (pasture-based) means a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle generally feed by grazing on living grasses and other plants on the land and are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

Note.

Dairies (pasture-based) are a type of *extensive agriculture*—see the definition of that term in this Dictionary.

dairy (restricted) means a dairy that is conducted on a commercial basis where restriction facilities (in addition to milking sheds and holding yards) are present and where cattle have access to grazing for less than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief). It may comprise the whole or part of a restriction facility.

Note.

Dairies (restricted) are a type of *intensive livestock agriculture*—see the definition of that term in this Dictionary.

demolish, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.

Design Excellence Map means the Bayside Local Environmental Plan 2020 Design Excellence Map.

depot means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

drainage means any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the construction, deepening, extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

dual occupancy means a dual occupancy (attached) or a dual occupancy (detached). Note.

Dual occupancies are a type of *residential accommodation*—see the definition of that term in this Dictionary.

dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Note.

Dual occupancies (attached) are a type of *dual occupancy*—see the definition of that term in this Dictionary

dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

Note.

Dual occupancies (detached) are a type of *dual occupancy*—see the definition of that term in this Dictionary.

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing only one dwelling.

Note.

Dwelling houses are a type of *residential accommodation*—see the definition of that term in this Dictionary.

early education and care facility means a building or place used for the education and care of children, and includes any of the following:

- (a) a centre-based child care facility,
- (b) home-based child care,

(c) school-based child care.

earthworks means excavation or filling.

ecologically sustainable development has the same meaning as in the Act.

eco-tourist facility means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information of education to visitors and to exhibit or display items.

Note.

See clause 5.13 for requirements in relation to the granting of development consent for ecotourist facilities.

Eco-tourist facilities are not a type of *tourist and visitor accommodation*—see the definition of that term in this Dictionary.

educational establishment means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

electricity generating works means a building or place used for the purpose of making or generating electricity.

emergency services facility means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

emergency services organisation means any of the following:

- (a) Ambulance Service of New South Wales,
- (b) Fire and Rescue NSW,
- (c) NSW Rural Fire Service,
- (d) NSW Police Force,
- (e) State Emergency Service,
- (f) New South Wales Volunteer Rescue Association Incorporated,
- (g) New South Wales Mines Rescue Brigade established under the Coal Industry Act 2001,
- (h) an accredited rescue unit within the meaning of the State Emergency and Rescue Management Act 1989.

entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

environmental protection works means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.

estuary has the same meaning as in the Water Management Act 2000. Note.

The term is defined as follows:

estuary means:

- (a) any part of a river whose level is periodically or intermittently affected by coastal tides, or
- (b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or
- (c) anything declared by the regulations (under the Water Management Act 2000) to be an estuary,

but does not include anything declared by the regulations (under the *Water Management Act 2000*) not to be an estuary.

excavation means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

exhibition home means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

exhibition village means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

extensive agriculture means any of the following:

- (a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,
- (b) the grazing of livestock (other than pigs and poultry) for commercial purposes on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the livestock,
- (c) bee keeping,
- (d) a dairy (pasture-based) where the animals generally feed by grazing on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the animals.

Note.

Extensive agriculture is a type of *agriculture*—see the definition of that term in this Dictionary.

extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

Note.

Extractive industries are not a type of *industry*—see the definition of that term in this Dictionary.

extractive material means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the *Mining Act 1992*.

farm building means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

farm stay accommodation means a building of place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

Note.

See clause 5.4 for controls relating to the number of bedrooms.

Farm stay accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

feedlot means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, but does not include a poultry farm, dairy or pig farm.

Note.

Feedlots are a type of *intensive livestock agriculture*. Intensive livestock agriculture does not include *extensive agriculture*. See the definitions of those terms in this Dictionary.

fill means the depositing of soil, rock or other similar extractive material obtained from the same or another site, but does not include:

- (a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly after the shape, natural form or drainage of the land, or
- (b) the use of land as a waste disposal facility.

filming means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include:

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- (c) recording images as a visitor or tourist for non-commercial purposes, or

(d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

fish has the same meaning as in the Fisheries Management Act 1994.

Note.

The term is defined as follows:

Definition of "fish"

(1)

Fish means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).

(2)

Fish includes:

- (a) oysters and other aquatic molluscs, and
- (b) crustaceans, and
- (c) echinoderms, and
- (d) beachworms and other aquatic polychaetes.

(3)

Fish also includes any part of a fish.

(4)

However, *fish* does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the *Fisheries Management Act* 1994.

flood mitigation work means work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the Bayside Local Environmental Plan 2020 Floor Space Ratio Map.

food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

Note.

Food and drink premises are a type of *retail premises*—see the definition of that term in this Dictionary.

Foreshore area means the land between the foreshore building line and the mean high water mark of the nearest bay or river.

Foreshore building line means the line shown as the foreshore building line on the Foreshore Building Line Map.

Foreshore building line map means the Bayside Local Environmental Plan 2020 Foreshore Building Line Map.

forestry means forestry operations within the meaning of the Forestry Act 2012 or Part 5B of the Local Land Services Act 2013.

freight transport facility means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

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

funeral home means premises that are used to arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons.

Note.

Funeral homes are a type of *business premises*—see the definition of that term in this Dictionary.

garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may include a restaurant or cafe and the sale of any of the following:

- (a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,
- (b) pets and pet supplies,
- (c) fresh produce.

Note.

Garden centres are a type of *retail premises*—see the definition of that term in this Dictionary

general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

Note.

General industries are a type of *industry*—see the definition of that term in this Dictionary.

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes:
- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:
- (i) storage, and
- (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

ground level (existing) means the existing level of a site at any point.

ground level (finished) means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.

ground level (mean) means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building.

group home means a permanent group home or a transitional group home.

Note

Group homes are a type of *residential accommodation*—see the definition of that term in this Dictionary.

group home (permanent) or permanent group home means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

Note

Permanent group homes are a type of *group home*—see the definition of that term in this Dictionary.

group home (transitional) or transitional group home means a dwelling:

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people.

but does not include development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

Note.

Transitional group homes are a type of *group home*—see the definition of that term in this Dictionary.

hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

Note

Hardware and building supplies are a type of *retail premises*—see the definition of that term in this Dictionary.

hazardous industry means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), pose a significant risk in the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

Note.

Hazardous industries are a type of *heavy industry*—see the definition of that term in this Dictionary.

hazardous storage establishment means a building or place that is used for the storage of goods, materials or products and that would, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), pose a significant risk in the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

Note.

Hazardous storage establishments are a type of *heavy industrial storage establishment*—see the definition of that term in this Dictionary.

headland includes a promontory extending from the general line of the coastline into a large body of water, such as a sea, coastal lake or bay.

health care professional means any person registered under an Act for the purpose of providing health care.

health consulting rooms means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.

Note.

Health consulting rooms are a type of *health services facility*—see the definition of that term in this Dictionary.

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

heavy industrial storage establishment means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and that requires separation from other development because of the nature of the processes involved, or the goods, materials, plant or machinery stored, and includes any of the following:

- (a) a hazardous storage establishment.
- (b) a liquid fuel depot,
- (c) an offensive storage establishment.

heavy industry means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes:

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

Note.

Heavy industries are a type of industry—see the definition of that term in this Dictionary.

Height of Buildings Map means the Bayside Local Environmental Plan 2020 Height of Buildings Map.

helipad means a place not open to the public used for the taking off and landing of helicopters.

heliport means a place open to the public that is used for the taking off and landing of helicopters, whether or not it includes:

- (a) a terminal building, or
- (b) facilities for the parking, storage or repair of helicopters.

Note

Heliports are a type of *air transport facility*—see the definition of that term in this Dictionary.

heritage conservation area means an area of land of heritage significance:

- (a) shown on the Heritage Map as a heritage conservation area, and
- (b) the location and nature of which is described in Schedule 5,

and includes any heritage items situated on or within that area.

heritage conservation management plan means a document prepared in accordance with guidelines prepared by the Public Service agency responsible to the Minister administering the Heritage Act 1977 that documents the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

heritage impact statement means a document consisting of:

- (a) a statement demonstrating the heritage significance of a heritage item or heritage conservation area, and
- (b) an assessment of the impact that proposed development will have on that significance, and
- (c) proposals for measures to minimise that impact.

heritage item means a building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5.

Note.

An inventory of heritage items is also available at the office of the Council.

heritage management document means:

- (a) a heritage conservation management plan, or
- (b) a heritage impact statement, or
- (c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

Heritage Map means the Bayside Local Environmental Plan 2020 Heritage Map.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

high technology industry means a building or place predominantly used to carry out an industrial activity that involves any of the following:

- (a) electronic or micro-electronic systems, goods or components,
- (b) information technology (such as computer software or hardware),

- (c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,
- (d) biological, pharmaceutical, medical or paramedical systems, goods or components,
- (e) film, television or multi-media technologies, including any post production systems, goods or components,
- (f) telecommunications systems, goods or components,
- (g) sustainable energy technologies,
- (h) any other goods, systems or components intended for use in a science or technology related field,

but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

Note

High technology industries are a type of *light industry*—see the definition of that term in this Dictionary.

highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) service stations and facilities for emergency vehicle towing and repairs,
- (d) parking for vehicles,
- (e) rest areas and public amenities.

home-based child care means:

(a) a family day care residence (within the meaning of the Children (Education and Care Services) National Law (NSW)), or

Note.

- A family day care residence is a residence at which a family day care educator educates and cares for children as part of a family day care service—see the *Children (Education and Care Services) National Law (NSW)*).
- (b) a dwelling used for the purposes of a home based education and care service (within the meaning of the Children (Education and Care Services) Supplementary Provisions Act 2011),

at which the education and care service is provided at any one time to no more than 7 children (including any child of the person providing the service) all of whom are under the age of 13 years and no more than 4 of whom are children who do not ordinarily attend school.

home business means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

(a) the employment of more than 2 persons other than those residents, or

- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Note.

See clause 5.4 for controls relating to the floor area used for a home business.

home industry means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following:

- (a) the employment of more than 2 persons other than those residents,
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,
- (d) the exhibition of any signage (other than a business identification sign),
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation or sex services premises.

Note

See clause 5.4 for controls relating to the floor area used for a home industry. Home industries are a type of *light industry*—see the definition of that term in this Dictionary.

home occupation means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

home occupation (sex services) means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any signage, or
- (d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.

horticulture means the cultivation of fruits, vegetables, mushrooms, nuts, cut flowers and foliage and nursery products for commercial purposes, but does not include a plant nursery, turf farming or viticulture.

Note.

Horticulture is a type of *intensive plant agriculture*—see the definition of that term in this Dictionary.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

Note.

Hospitals are a type of *health services facility*—see the definition of that term in this Dictionary.

hostel means premises that are generally staffed by social workers or support providers and at which:

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

Note.

Hostels are a type of *residential accommodation*—see the definition of that term in this Dictionary.

hotel or motel accommodation means a building or place (whether or not licensed premises under the *Liquor Act 2007*) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note.

Hotel or motel accommodation is a type of *tourist and visitor accommodation*—see the definition of that term in this Dictionary.

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

industrial retail outlet means a building or place that:

- (a) is used in conjunction with an industry (other than an artisan food and drink industry) or rural industry, and
- (b) is situated on the land on which the industry or rural industry is located, and
- (c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located,

but does not include a warehouse or distribution centre.

Note.

See clause 5.4 for controls relating to the retail floor area of an industrial retail outlet.

industrial training facility means a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises.

industry means any of the following:

- (a) general industry,
- (b) heavy industry,

- (c) light industry,
- but does not include:
- (d) rural industry, or
- (e) extractive industry, or
- (f) mining.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following: (a) dairies (restricted),

- (b) feedlots,
- (c) pig farms,
- (d) poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief

Note.

Intensive livestock agriculture is a type of *agriculture*—see the definition of that term in this Dictionary.

intensive plant agriculture means any of the following:

- (a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),
- (b) horticulture.
- (c) turf farming,
- (d) viticulture.

Note.

Intensive plant agriculture is a type of *agriculture*—see the definition of that term in this Dictionary.

jetty means a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a piered or piled foundation.

Key Sites Map means the Bayside Local Environmental Plan 2020 Key Sites Map.

kiosk means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

Note.

See clause 5.4 for controls relating to the gross floor area of a kiosk. Kiosks are a type of *retail premises*—see the definition of that term in this Dictionary.

Land Application Map means the Bayside Local Environmental Plan 2020 Land Application Map.

Land Reservation Acquisition Map means the Bayside Local Environmental Plan 2020 Land Reservation Acquisition Map.

Land Zoning Map means the Bayside Local Environmental Plan 2020 Land Zoning Map.

landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

landscaping material supplies means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

Note.

Landscaping material supplies are a type of *retail premises*—see the definition of that term in this Dictionary.

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry.

Note

Light industries are a type of industry—see the definition of that term in this Dictionary.

liquid fuel depot means premises used for the bulk storage of petrol, oil, petroleum or other inflammable liquid for wholesale distribution and at which no retail trade is conducted.

Note.

Liquid fuel depots are a type of heavy industrial storage establishment—see the definition of that term in this Dictionary.

livestock processing industry means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals and includes abattoirs, knackeries, tanneries, woolscours and rendering plants.

Note.

Livestock processing industries are a type of *rural industry*—see the definition of that term in this Dictionary.

local distribution premises means a building or place used for the storage or handling of items (whether goods or materials) pending their delivery to people and businesses in the local area, but from which no retail sales are made.

Note.

Local distribution premises are a type of *warehouse or distribution centre*—see the definition of that term in this Dictionary.

Lot Size Map means the Bayside Local Environmental Plan 2020 Lot Size Map.

maintenance, in relation to a heritage item, Aboriginal object or Aboriginal place of heritage significance, or a building, work, archaeological site, tree or place within a heritage conservation area, means ongoing protective care, but does not include the removal or disturbance of existing fabric, alterations (such as carrying out extensions or additions) or the introduction of new materials or technology.

marina means a permanent boat storage facility (whether located wholly on land, wholly on a waterway or partly on land and partly on a waterway), and includes any of the following associated facilities:

- (a) any facility for the construction, repair, maintenance, storage, sale or hire of boats,
- (b) any facility for providing fuelling, sewage pump-out or other services for boats,
- (c) any facility for launching or landing boats, such as slipways or hoists,
- (d) any car parking or commercial, tourist or recreational or club facility that is ancillary to the boat storage facility,
- (e) any berthing or mooring facilities.

market means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

Note.

Markets are a type of retail premises—see the definition of that term in this Dictionary.

mean high water mark means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above the zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

Note.

Medical centres are a type of *health services facility*—see the definition of that term in this Dictionary.

mezzanine means an intermediate floor within a room,

mine means any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.

mine subsidence district means a mine subsidence district proclaimed under section 15 of the Mine Subsidence Compensation Act 1961.

mining means mining carried out under the Mining Act 1992 or the recovery of minerals under the Offshore Minerals Act 1999, and includes:

- (a) the construction, operation and decommissioning of associated works, and
- (b) the rehabilitation of land affected by mining.

Note.

Mining is not a type of *industry*—see the definition of that term in this Dictionary.

mixed use development means a building or place comprising 2 or more different land uses.

mooring means a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel, but does not include a mooring pen.

mooring pen means an arrangement of freestanding piles or other restraining devices designed or used for the purpose of berthing a vessel.

mortuary means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation.

moveable dwelling has the same meaning as in the Local Government Act 1993.

Note.

The term is defined as follows:

moveable dwelling means:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the *Local Government Act* 1993) for the purposes of this definition.

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Note.

Multi dwelling housing is a type of *residential accommodation*—see the definition of that term in this Dictionary.

native fauna means any animal-life that is indigenous to New South Wales or is known to periodically or occasionally migrate to New South Wales, whether vertebrate (including fish) or invertebrate and in any stage of biological development, but does not include humans.

native flora means any plant-life that is indigenous to New South Wales, whether vascular or non-vascular and in any stage of biological development, and includes fungi and lichens, and marine vegetation within the meaning of Part 7A of the Fisheries Management Act 1994.

native vegetation has the same meaning as in Part 5A of the Local Land Services Act 2013.

navigable waterway means any waterway that is from time to time capable of navigation and is open to or used by the public for navigation, but does not include flood waters that have temporarily flowed over the established bank of a watercourse.

neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-today needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include neighbourhood supermarkets or restricted premises.

Note.

See clause 5.4 for controls relating to the retail floor area of neighbourhood shops.

Neighbourhood shops are a type of *shop*—see the definition of that term in this Dictionary.

neighbourhood supermarket means premises the principal purpose of which is the sale of groceries and foodstuffs to provide for the needs of people who live or work in the local area.

Note.

See clause 5.4 for controls relating to the gross floor area of neighbourhood supermarkets. Neighbourhood supermarkets are a type of *shop*—see the definition of that term in this Dictionary.

nominated State heritage item means a heritage item that:

- (a) has been identified as an item of State significance in a publicly exhibited heritage study adopted by the Council, and
- (b) the Council has, by notice in writing to the Heritage Council, nominated as an item of potential State significance.

non-potable water means water that does not meet the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

offensive industry means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

Note.

Offensive industries are a type of *heavy industry*—see the definition of that term in this Dictionary.

offensive storage establishment means a building or place that is used for the storage of goods, materials or products and that would, when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

Note.

Offensive storage establishments are a type of *heavy industrial storage establishment*—see the definition of that term in this Dictionary.

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

Note.

Office premises are a type of *commercial premises*—see the definition of that term in this Dictionary.

open cut mining means mining carried out on, and by excavating, the earth's surface, but does not include underground mining.

operational land has the same meaning as in the Local Government Act 1993.

oyster aquaculture means the cultivation of any species of edible oyster for a commercial purpose.

Note.

Oyster aquaculture is a type of *aquaculture*—see the definition of that term in this Dictionary.

parking space means a space dedicated for the parking of a motor vehicle, including any manoeuvring space and access to it, but does not include a car park.

passenger transport facility means a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place.

people who are socially disadvantaged means:

- (a) people who are disadvantaged because of their alcohol or drug dependence, extreme poverty, psychological disorder or other similar disadvantage, or
- (b) people who require protection because of domestic violence or upheaval.

people with a disability means people of any age who, as a result of having an intellectual, psychiatric, sensory, physical or similar impairment, or a combination of such impairments, either permanently or for an extended period, have substantially limited opportunities to enjoy full and active lives.

pig farm means land that is used to keep or breed pigs for animal production, whether an indoor, outdoor, free-range or other type of operation.

Note.

Pig farms are a type of *intensive livestock agriculture*—see the definition of that term in this Dictionary.

place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

plant nursery means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

Note.

Plant nurseries are a type of *retail premises*—see the definition of that term in this Dictionary.

pond-based aquaculture means aquaculture undertaken predominantly in ponds, raceways or dams (including any part of the aquaculture undertaken in tanks such as during the hatchery or depuration phases), but not including natural water-based aquaculture.

Note.

Pond-based aquaculture is a type of *aquaculture*—see the definition of that term in this Dictionary. Typical pond-based aquaculture is the pond culture of prawns, yabbies or silver perch.

port facilities means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the Ports and Maritime Administration Act 1995:

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receival, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

potable water means water that meets the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

poultry farm means land that is used to keep or breed poultry for animal production, whether for meat or egg production (or both) and whether an indoor, outdoor, free-range or other type of operation.

Note.

Poultry farms are a type of *intensive livestock agriculture*—see the definition of that term in this Dictionary.

private open space means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.

property vegetation plan mean a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 before the repeal of that Act (as continued in force by the regulations under the Biodiversity Conservation Act 2016).

pub means licensed premises under the *Liquor Act* 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

Note.

Pubs are a type of *food and drink premises*—see the definition of that term in this Dictionary.

public administration building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

public authority has the same meaning as in the Act.

public land has the same meaning as in the Local Government Act 1993.

Note.

The term is defined as follows:

public land means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the Crown Lands Act 1989 applies, or
- (c) a common, or
- (d) land subject to the Trustees of Schools of Arts Enabling Act 1902, or
- (e) a regional park under the National Parks and Wildlife Act 1974.

public reserve has the same meaning as in the Local Government Act 1993.

public utility undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Public Service agency or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) railway, road transport, water transport, air transport, wharf or river undertakings,
- (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a council, electricity supply authority, Public Service agency, corporation, firm or authority carrying on the undertaking.

rainwater tank means a tank designed for the storage of rainwater gathered on the land on which the tank is situated.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre,

lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

Reduced Level (RL) means height above the Australian Height Datum, being the datum surface approximating mean sea level that was adopted by the National Mapping Council of Australia in May 1971.

registered club means a club that holds a club licence under the Liquor Act 2007.

relic has the same meaning as in the Heritage Act 1977.

Note.

The term is defined as follows:

relic means any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance

research station means a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation.

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

residential care facility means accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility.

Note.

Residential care facilities are a type of *seniors housing*—see the definition of that term in this Dictionary.

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Note.

Residential flat buildings are a type of *residential accommodation*—see the definition of that term in this Dictionary.

resource recovery facility means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

Note.

Resource recovery facilities are a type of waste or resource management facility—see the definition of that term in this Dictionary.

respite day care centre means a building or place that is used for the care of seniors or people who have a disability and that does not provide overnight accommodation for people other than those related to the owner or operator of the centre.

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Note.

Restaurants or cafes are a type of *food and drink premises*—see the definition of that term in this Dictionary.

restricted premises means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

restriction facilities means facilities where animals are constrained for management purposes, including milking sheds, pads, feed stalls, holding yards and paddocks where the number of livestock exceeds the ability of vegetation to recover from the effects of grazing in a normal growing season, but does not include facilities for drought or similar emergency relief.

retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:

- (a) (Repealed)
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (la) specialised retail premises,
- (m) timber yards,
- (n) vehicle sales or hire premises.

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Note.

Retail premises are a type of *commercial premises*—see the definition of that term in this Dictionary.

road means a public road or a private road within the meaning of the Roads Act 1993, and includes a classified road.

roadside stall means a place or temporary structure used for the retail sale of agricultural produce or hand crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property.

Note.

See clause 5.4 for controls relating to the gross floor area of roadside stalls. Roadside stalls are a type of *retail premises*—see the definition of that term in this Dictionary.

rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

(a) agricultural produce industries,

- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Note.

Rural industries are not a type of industry—see the definition of that term in this Dictionary.

rural supplies means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

Note.

Rural supplies are a type of retail premises—see the definition of that term in this Dictionary.

rural worker's dwelling means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

Note.

Rural workers' dwellings are a type of *residential accommodation*—see the definition of that term in this Dictionary.

sawmill or log processing works means a building or place used for handling, cutting, chipping, pulping or otherwise processing logs, baulks, branches or stumps, principally derived from surrounding districts, into timber or other products derived from wood.

Note.

Sawmill or log processing works are a type of *rural industry*—see the definition of that term in this Dictionary.

school means a government school or non-government school within the meaning of the Education Act 1990.

Note.

Schools are a type of *educational establishment*—see the definition of that term in this Dictionary.

school-based child care means a building or place within a school that is used to provide outof-school-hours care (including vacation care) for school children only.

Note.

Accordingly, a building or place within a school that is used to provide out-of-school-hours care for both school children and pre-school children is not school-based child care.

secondary dwelling means a self-contained dwelling that:

(a) is established in conjunction with another dwelling (the principal dwelling), and

- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Note.

See clause 5.4 for controls relating to the total floor area of secondary dwellings. Secondary dwellings are a type of *residential accommodation*—see the definition of that term in this Dictionary.

self-storage units means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).

Note.

Self-storage units are a type of *storage premises*—see the definition of that term in this Dictionary.

semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.

Note.

Semi-detached dwellings are a type of *residential accommodation*—see the definition of that term in this Dictionary.

seniors housing means a building or place that is:

- (a) a residential care facility, or
- (b) a hostel within the meaning of clause 12 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or
- (c) a group of self-contained dwellings, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for:
- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

Note.

Seniors housing is a type of *residential accommodation*—see the definition of that term in this Dictionary.

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,

- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Note.

Serviced apartments are a type of *tourist and visitor accommodation*—see the definition of that term in this Dictionary.

sewage reticulation system means a building or place used for the collection and transfer of sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated:

- (a) pipelines and tunnels, and
- (b) pumping stations, and
- (c) dosing facilities, and
- (d) odour control works, and
- (e) sewage overflow structures, and
- (f) vent stacks.

Note.

Sewage reticulation systems are a type of sewerage system—see the definition of that term in this Dictionary.

sewage treatment plant means a building or place used for the treatment and disposal of sewage, whether or not the facility supplies recycled water for use as an alternative water supply.

Note.

Sewage treatment plants are a type of *sewerage system*—see the definition of that term in this Dictionary.

sewerage system means any of the following:

- (a) biosolids treatment facility,
- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place that is a combination of any of the things referred to in paragraphs (a)-(d).

sex services means sexual acts or sexual services in exchange for payment.

sex services premises means a brothel, but does not include home occupation (sex services).

shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

Note.

Shops are a type of *retail premises*—see the definition of that term in this Dictionary.

shop top housing means one or more dwellings located above ground floor retail premises or business premises.

Note.

Shop top housing is a type of *residential accommodation*—see the definition of that term in this Dictionary.

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

(a) an advertising structure,

- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

site area means the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does not include the area of any land on which development is not permitted to be carried out under this Plan.

Note.

The effect of this definition is varied by clause 4.5 for the purpose of the determination of permitted floor space area for proposed development.

site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

- (a) any basement.
- (b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
- (c) any eaves,
- (d) unenclosed balconies, decks, pergolas and the like.

small bar means a small bar within the meaning of the Liquor Act 2007.

Note.

Small bars are a type of **food and drink premises**—see the definition of that term in this Dictionary.

spa pool has the same meaning as in the Swimming Pools Act 1992.

Note.

The term is defined to include any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires:

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire.

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note

Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

Specialised retail premises are a type of *retail premises*—see the definition of that term in this Dictionary.

stock and sale yard means a building or place that is used on a commercial basis for the purpose of offering livestock or poultry for sale and that may be used for the short-term storage and watering of stock.

Note.

Stock and sale yards are a type of *rural industry*—see the definition of that term in this Dictionary.

storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or

- (b) a mezzanine, or
- (c) an attic.

swimming pool has the same meaning as in the Swimming Pools Act 1992.

Note.

The term is defined as follows:

swimming pool means an excavation, structure or vessel:

- (a) that is capable of being filled with water to a depth of 300 millimetres or more, and
- (b) that is solely or principally used, or that is designed, manufactured or adapted to be solely
 or principally used, for the purpose of swimming, wading, paddling or any other human
 aquatic activity,

and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the *Swimming Pools Act* 1992 not to be a swimming pool for the purposes of that Act.

take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

Note.

Take away food and drink premises are a type of *food and drink premises*—see the definition of that term in this Dictionary.

tank-based aquaculture means aquaculture undertaken exclusively in tanks, but not including natural water-based aquaculture.

Note.

Tank-based aquaculture is a type of *aquaculture*—see the definition of that term in this Dictionary. Typical tank-based aquaculture is the tank culture of barramundi or abalone.

telecommunications facility means:

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duet, hole, pit, pole or other structure in connection with a telecommunications network, or
- (c) any other thing used in or in connection with a telecommunications network.

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

temporary structure has the same meaning as in the Act.

Note.

The term is defined as follows:

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

Terrestrial Biodiversity Map means the Bayside Local Environmental Plan 2020 Terrestrial Biodiversity Map.

the Act means the Environmental Planning and Assessment Act 1979.

timber yard means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.

Note.

Timber yards are a type of retail premises—see the definition of that term in this Dictionary.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

(a) backpackers' accommodation,

- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,
 - but does not include:
- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

turf farming means the commercial cultivation of turf for sale and the removal of turf for that purpose.

Note

Turf farming is a type of *intensive plant agriculture*—see the definition of that term in this Dictionary.

underground mining means:

- (a) mining carried out beneath the earth's surface, including bord and pillar mining, longwall mining, top-level caving, sub-level caving and auger mining, and
- (b) shafts, drill holes, gas and water drainage works, surface rehabilitation works and access pits associated with that mining (whether carried out on or beneath the earth's surface),

but does not include open cut mining.

vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

vehicle repair station means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

Note.

Vehicle sales or hire premises are a type of *retail premises*—see the definition of that term in this Dictionary.

veterinary hospital means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

viticulture means the cultivation of grapes for use in the commercial production of fresh or dried fruit or wine.

Note.

Viticulture is a type of *intensive plant agriculture*—see the definition of that term in this Dictionary.

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises.

waste disposal facility means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.

Note.

Waste disposal facilities are a type of waste or resource management facility—see the definition of that term in this Dictionary.

waste or resource management facility means any of the following:

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs(a)-(c).

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note.

Waste or resource transfer stations are a type of waste or resource management facility—see the definition of that term in this Dictionary.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated:

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

Note.

Water recycling facilities are a type of *sewerage system*—see the definition of that term in this Dictionary.

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure and dosing facilities.

Note.

Water reticulation systems are a type of water supply system—see the definition of that term in this Dictionary.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

Note.

Water storage facilities are a type of *water supply system*—see the definition of that term in this Dictionary.

water supply system means any of the following

- (a) a water reticulation system,
- (b) a water storage facility,
- (c) a water treatment facility,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)-(c).

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

Note.

Water treatment facilities are a type of water supply system—see the definition of that term in this Dictionary.

waterbody means a waterbody (artificial) or waterbody (natural).

waterbody (artificial) or artificial waterbody means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

waterbody (natural) or natural waterbody means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

wetland means:

- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or
- (b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

Wetlands Map means the Bayside Local Environmental Plan 2020 Wetlands Map.

wharf or boating facilities means a wharf or any of the following facilities associated with a wharf or boating that are not port facilities:

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receival, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

wholesale supplies means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the A New Tax System (Australian Business Number) Act 1999 of the Commonwealth.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cll	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Clause/ Issue	Coverage across LEPs		Summary of differences	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013				
			PART 1 - PRELIN	AINARY		
Name of Plan	Cl 1.1	Cl 1.1	LGA name differs. Previously Rockdale Local Environmental Plan 2011 (RLEP 2011) and Botany Bay Local Environmental Plan 2013 (BBLEP 2013).	Updated LGA references throughout the LEP. Proposed to be Bayside Local Environmental Plan 2020.		
Commencement	Cl 1.1AA	Cl 1.1AA	Different LEP commencement dates as two different LEPs.	Updated with relevant commencement date of new LEP to be inserted when Bayside LEP 2020 published.		
Aims of Plan	Cl 1.2	Cl1.2	(1) Both LEP's have objectives to encourage Vibrancy/liveable LGA Conservation of cultural and environmental heritage Encourages economic growth/activity Conservation of the natural landscapes Residential Amenity The RLEP 2011 aims make specific reference to Transit Oriented Design, protecting foreshores, promoting open space for recreation and minimisation of impacts of environmental hazards (flooding). In contrast, the BLEP makes specific reference to its role as a gateway into Sydney and using design excellence to promote liveability.	Compulsory, as per the Standard Instrument. Updated to reflect key objectives of the draft Bayside Local Strategic Planning Statement and Eastern City District Plan priorities, including need to increase urban tree canopy cover, protect and enhance green corridor connections, and ensure that land use zones minimise conflict with adjoining land uses (for example key trade gateways).		

Item 5.1 – Attachment 4

Coverage across LEPs		Summary of differences	Justification for consolidated LEF
RLEP 2011	BBLEP 2013		
Cl 1.3	Cl 1.3	The RLEP 2011 and BBLEP 2013 include Land Application Maps relevant to the former Rockdale and Botany LGAs.	
Cl 1.3 (1A)	CI 1.3 (1A)	This clause only applies to three sites subject to the current BBLEP 2013, identified as "Deferred Matters" under this clause. The Botany LEP 1995 (BLEP 1995) currently applies to two of these sites, while the <i>Botany Interim Development Order 19</i> applies to one of the sites.	The Land Application Map Bayside LEP 2020 will identify all land subject to BLEP 2020 planning controls, apart from the areas to which the Sydney Regional Environmental Plan No. 33 — Cooks Cove and the State Environmental Planning Policy (Three Ports) 2013 apply. Botany Interim Development Order 19 identifies one location as a Deferred Matter and the BBLEP 2013 identifies two locations as Deferred Matters: • Deferred Matter 1: known as MacIntosh Street/Botany Road, Mascot • Deferred Matter 2: known as Dransfield Avenue, Mascot • Deferred Matter 3: known as 26 Tupia Street, Mascot A review of the three Deferred Matters has resulted in a proposal to include them in the Bayside LEP 2020. This will mean the Land Application map will not exclude those parcels for the following reasons: Referred to as Deferred Matter 1 - MacIntosh Street/Botany Road:
	CI 1.3	LEPs BBLEP 2013 Cl 1.3 Cl 1.3 Cl 1.3 Cl 1.3	RLEPS RLEP BBLEP 2011 2013 Cl 1.3 Cl 1.3 The RLEP 2011 and BBLEP 2013 include Land Application Maps relevant to the former Rockdale and Botany LGAs. Cl 1.3 (1A) This clause only applies to three sites subject to the current BBLEP 2013, identified as "Deferred Matters" under this clause. The Botany LEP 1995 (BLEP 1995) currently applies to two of these sites, while the Botany Interim Development Order 19 applies to one of the

Clause/ Issue	ALC STATE OF THE PARTY OF THE P	ge across Ps	Summary of differences	Justification fo	ustification for consolidated LEP				
	RLEP 2011	BBLEP 2013							
				Address	Lot	DP	SP	Proposed Zone	
				188 Macintosh St	8	1191439		R3 Medium Density Residential	
				18A Macintosh St	7	1191439		R3	
				16 Macintosh St	1	15513		R3	
				14 Macintosh St	-		89104	R3	
				12B Macintosh St 12A Macintosh St	5	1191439	-	R3 R3	
				10C Macintosh St	3	1191439	+	R3	
				10B Macintosh St	2	1191439		R3	
				10A Macintosh St	1	1191439	+	R3	
				8 Macintosh St/ 568 Botany Road*			4276	B2 Local Centre	
				2-4 Macintosh St	105 and 106	550420		B2	
				562 Botany Rd			65912	B2	
				564 Botany Rd			3806	82	
				566 Botany Rd			4322	B2.	
				* L Shaped Lot					
				The BBLEP 199	5 contr	ols are:			
								(which is considered to be	
				consistent	with th	e R3 Med	lium De	nsity Zone in the BBLEP 20)13)
							0.5:1 FS	R available for sites >2,500	sqm, to enable a
				maximum	FSR of 1	l:1			
				No Height	of Build	ling limit			
				During conside	eration o	of the Dra	ft BBLE	P 2013 2011 some residen	ts expressed
				concern in rela					
						affic and	access		
								t transition	
					eight	ousing ai	id Heigh	ic duisicion	
					_				
					ivacy				
				o Ru	ıbbish re	emoval			
				o Ste	ormwat	er			
				Botany Co	uncil de	ferred th	e prope	rties from the BBLEP 2013	

Clause/ Issue	100 March 2010 Per 20	ge across Ps	Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
				 The majority of sites which are affected by the Deferred Matter 1 at MacIntosh Street have been developed for 3-4 storey medium density development in recent years, with older four storey walk ups located on the majority of sites fronting Botany Road / Corner MacIntosh Street. It is noted that the FSR bonus provisions (Clause 4.4A – Sliding Scale FSR) of the BBLEP 2013 do not currently apply to R3 Medium Density zoned land within the locality. It is proposed to encourage retail and commercial uses at the ground floor and to minimise impacts from road noise at ground floor (in line with best practice planning, including the NSW Road Noise Policy), by zoning the lots fronting Botany Road as B2 Local Centre zone and including the sites with frontage to Botany Road in the Active Street Frontage (ASF) map. It is proposed to apply Active Street Frontage across the Botany Road frontage, consistent with application of the Active Street Frontage along Botany Road where the B2 Local Centre zone currently applies. To allow for suitable transition between the proposed B2 Local Centre zoned land and the existing R2 Low Density Residential zoned land west of the site, it is proposed to zone the western extent of the site to R3 Medium Density Residential. Proposed controls will allow for greater FSR to be achieved, control uses at ground floor and help mitigate against road noise (in an area already impacted by aircraft noise), and allow for greater height than has currently been achieved within the site. The controls for the western extent of the site are consistent with recently approved development immediately to the east (within the extent of the Deferred Matter). A minor reduction in residential floor space is potentiated by application of

Clause/ Issue	Coverage across LEPs	Summary of differences J	Justification for consolidated LEP
	RLEP BBLEP 2011 2013		
			inconsistency that can be justified and which will result in an active street frontage and increased capacity for employment. **Recommendation:** That each of the Deferred Matter sites at Macintosh Street & Botany Road Mascot, be included in the Land Application Map. The sites being: 18B Macintosh Street (Lot 8 DP 1191439) 18A Macintosh Street (Lot 7 DP 1191439) 16 Macintosh Street (Lot 1 DP 155113) 14 Macintosh Street (Lot 1 DP 155113) 12B Macintosh Street (Lot 5 DP 1191439) 12B Macintosh Street (Lot 4 DP 1191439) 10C Macintosh Street (Lot 3 DP 1191439) 10B Macintosh Street (Lot 2 DP 1191439) 10A Macintosh Street (Lot 1 DP 1191439) 8 Macintosh Street (Lot 1 DP 1191439) 2 Macintosh Street (Lot 106 DP 550420) 562 Botany Road (DP 65912) 564 Botany Road (DP 65912) 564 Botany Road (DP 4322) • the lots with frontage to Botany Road be zoned B2 Local Centre, with a height of building limit of 14 metres; an FSR of 2:1; and an Active Street Frontage layer. • the remaining lots be zoned R3 Medium Density Residential with a height of building limit of 12 metres, and a FSR of 0.85:1

Clause/ Issue	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	e across Ps	Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
				 Deferred Matter 2: Lot 6 DP 776212 Dransfield Avenue, Mascot Planning Ordinance (Botany IDO 19) applies to the site, as the site was also deferred from the BLEP 1995. That is, it has been deferred from two consecutive LEPs. Botany Council recommended RE1 Public Recreation Zone as part of the Draft BBLEP 2013. The Department of Planning, Industry and Environment supported Council's recommendation for the RE1 zone at the time. However, RMS requested that the land be zoned B5 Business Development. Application of the RE1 Public Recreation Zone would be consistent with the strategic direction of the Eastern City District Plan, particularly Planning Priorities 17 and 18, as the site forms part of the 'Botany Wetlands' BioMap Regional corridor identified in the Government Architect's Office publication 'Sydney Green Grid — Spatial Framework and Project Opportunities: Central District". Application of the RE1 zone to the subject properties is a logical extension to the adjoining RE1 zoned land which is located to the west of the site, and which is a State-owned site (Department Planning, Industry and Environment) comprising significant, contiguous vegetation with evidence of significant regeneration. It is noted that State Environmental Planning Policy (Infrastructure) 2007 would permit, without consent, a number of uses on the subject site if it were to be zoned RE1 Public Recreation, including: outdoor recreation areas and facilities landscape structures and features amenities such as toilets/ change rooms food preparation and related facilities for people using the reserve maintenance depots cycleways and pathways

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN COLUMN	Coverage across LEPs		Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013			
				 Rezoning to RE1 Public Recreation would be consistent with Practice Note PN_10-007: Zoning for Infrastructure in LEPs, which provides that surplus public land should be rezoned to be compatible with surrounding land uses having regard to: nature and character of the site (the site contains bushland regrowth) Existing adjacent land uses and preferred future uses (RE1 zoned bushland directly adjoins to the west) regional strategy priorities (mapped in the Sydney Green Grid — Central Priority Project - Mill Stream and Botany Wetlands) availability of services and infrastructure environmental impacts and risks. Recommendation: Amend planning controls for Lot 6 DP 776212 Dransfield Avenue, Mascot include Lot 6 DP 776212 Dransfield Avenue, Mascot in the Land Application Map zone the subject site to RE1 Public Recreation Zone. Deferred Matter 3: Lot X DP 32914, 26 Tupia Street, Mascot The site is zoned Residential 2(b) under the Botany LEP 1995. The equivalent zone under the BBLEP 2013 is the R3 Medium Density Residential Zone Proposed controls need to be considered in the context of the Botany LEP 1995 controls (FSR: 1:1 and Height: to be compatible with the scale of existing residential development in the locality) and the controls under the BBLEP 2013 (FSR: 0.85:1 and Height: 10 metres). The Botany Bay Planning Strategy 2031 identified the site for higher density residential, which is inconsistent with the surrounding zoning and planning 	

Clause/ Issue	Coverage across LEPs		The state of the s	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
				controls, for low and medium density residential zoned land, and public recreation land. However, development of the land for residential purposes is consistent with Local Planning Direction 3.1 - Housing, Infrastructure and Urban Development, as it encourages housing types; makes use of, and has access to, existing infrastructure; and does not unreasonably impact on the environment given its current industrial use. The draft Bayside LEP 2020 will be referred to the NSW Port Authority, which previously raised concerns in relation to intensification of residential development in proximity to Port Botany. Bayside Council will prepare site-specific DCP provisions for inclusion in the new Bayside Development Control Plan. Recommendation: Amend the following controls for Lot X DP 32914, 26 Tupia Street, Mascot Zone the subject site to R3 Medium Density Residential Zone Include the site in the Height of Building Map - with a height of 10 metres Include the site in the FSR Map as 0.85:1
Definitions	Cl 1.4	Cl 1.4	Clause is consistent across both LEPs. However there are some differences in the terms and definitions included in the Dictionary.	Updated Dictionary to reflect LEP provisions. Definitions will be consistent with the Standard Instrument.
Notes	Cl 1.5	Cl 1.5	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Consent authority	Cl 1.6	Cl 1.6	Consistent across both LEPs,	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Maps	Cl 1.7	Cl.17	Wording of clause is consistent across both LEPs. Individual maps reviewed separately.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged. Refer to justification below relating to specific maps.

Clause/ Issue	THE RESERVE AND ADDRESS OF	ge across EPs	Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
Repeal of planning instruments applying to land	Cl 1.8	Cl 1.8	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Saving provision relating to the development application	Cl 1.8A	Cl 1.8A	Marginal difference between the LEPs.	This clause has been retained and updated to reflect appropriate controls to the Bayside LGA.
Application of SEPPs	Cl 1.9	Cl 1.9	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Suspension of covenants agreements and instruments	Cl 1.9A	Cl 1.9A	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
			PART 2 - PERMITTED OR PROF	HIBITED DEVELOPMENT
Land use zones	CL 2.1	Cl 2.1	This is an introductory clause listing land use zones included under the LEP. There are some differences between LEPs in the zones listed.	The clause has been updated to reflect zones included in the Bayside LEP 2020.
Zoning of land to which plan applies	Cl 2.2	Cl 2.2	Consistent across both LEPs.	Land zoning map reflects new LGA boundary and zones.
Zone objectives & Land Use Table	Cl 2.3	Cl 2.3	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Unzoned land	Cl 2.4	Cl 2.4	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Additional permitted uses for particular land	Cl 2.5	Cl 2.5 & map	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.

Clause/ Issue	Coverage across LEPs		Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
Subdivision – consent requirements	Cl 2.6	Cl 2.6	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Demolition requires consent	Cl 2.7	Cl 2.7	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Temporary use of land	Cl 2.8	Cl 2.8	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
			LAND USE TA	ABLE
Zone RU4 Primary productions small lots	Applies	N/A	This zone applies to two sites in the RLEP 2011. The sites are both local heritage items and are used as market gardens.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone R2 Low Density residential	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the R2 Low Density Residential Zone. However, there are differences in the land use table.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone R3 Medium Density Residential	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the R3 Medium Density Residential Zone. However, there are differences in the land use table.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone R4 High Density	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the R4 High Density Residential Zone. However, there are differences in the land use table.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone B1 Neighbourhood Centre	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the B1 Neighbourhood Centre Zone. However, there are differences in the land use table.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.

Clause/ Issue	Coverage across LEPs		Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
Zone B2 Local Centre	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the B2 Local Centre Zone. However, there are differences in the land use table.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone B3 Commercial Centre	N/A	Applies	This zone only applies to land in the BBLEP 2013.	This zone is to be retained and the objectives from the BBLEP 2013 are to be carried over. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone B4 Mixed Use	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the B4 Mixed Use Zone. However, there are differences in the land use table.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone B5 Business Development	N/A	Applies	This zone applies to some sites subject to the current BBLEP 2013 applies.	This zone is to be retained and the objectives from the BBLEP 2013 are to be carried over. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone B6 Enterprise Corridor	Applies	N/A	This zone only applies to land in the RLEP 2011.	This zone is to be retained, and the objectives from the RLEP 2011 are to be carried over. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone B7 Business Park	N/A	Applies	This zone only applies to land in the BBLEP 2013.	This zone is to be retained and the objectives from the BBLEP 2013 are to be carried over. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone IN1 General Industrial	N/A	Applies	This zone only applies to some sites subject to the current BBLEP 2013 applies.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone IN2 Light Industrial	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the IN2 Light Industrial Zone. However, there are differences in the land use table.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone SP1 Special Activities	N/A	Applies	This zone only applies to land in the BBLEP 2013.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone SP2 Infrastructure	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the SP2 Infrastructure Zone. This zone is generally applied consistently, with the exception of environmental protection works	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.

The second secon	Coverage across LEPs		Summary of differences	Justification for consolidated LEP
	BBLEP 2013			
			which are permitted without consent in the BBLEP 2013.	
Zone SP3 Tourist	Applies	N/A	This zone only applies to land in the RLEP 2011.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone RE1 Public Recreation	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the RE1 Public Recreation Zone. However, there are differences in the land use table.	This zone is to be retained. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
				The Standard instrument sets out the objectives for the zone, namely 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 and to protect and enhance the natural environment for recreational purposes.
Zone RE2 Private Recreation	Applies	Applies	Both the RLEP 2011 and the BBLEP 2013 include the RE2 Private Recreation Zone. However, there are differences in the land use table.	It is proposed to retain this zone, with amendments. Refer to the Explanatory Paper for any proposed changes to the land use table for this zone.
Zone E1 National Parks & Nature Reserves	Applies	N/A	This zone only applies to land in the RLEP 2011.	It is proposed to retain this zone, with the current objectives of the zone from the RLEP 2011 to be carried over. No changes are proposed to this land use table. This land is part of the National Parks and Wildlife Service's Towra Point Nature Reserve.
W1 Natural Waterways	N/A	N/A	This zone will be introduced in the Bayside Consolidated LEP.	This zoning is being introduced in the BLEP 2020 as one of Bayside's natural waterways that support wetlands and natural ecosystem processes is currently unzoned, being Wolli Creek. The objectives of this zone under the SI LEP include protecting ecological values of natural waterways, and preventing development that could have adverse impacts on the natural values of waterways. The entire length of Wolli Creek is proposed to be zoned W1 Natural Waterways, given the function that Wolli Creek provides to the adjoining wetlands and riparian corridor. Wolli Creek is proposed to be zoned W1 Natural Waterways, in order to limit inappropriate development that could occur if the land was to be zoned W2 Recreational Waterways. The zoning will also reflect the importance of the

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	ge across EPs	Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
				adjoining Wolli Creek Parklands, North of Wolli Creek, within the Canterbury- Bankstown LGA, which is zoned E1 National Parks and Nature Reserves.
				Refer to the Explanatory Paper to view the objectives and land use table for this zone.
W2 Recreational N/A Waterways	N/A	N/A	This zone will be introduced in the Bayside Consolidated LEP.	As per Practice Note: PN 11-001 All land must be zoned; however, it is identified that a number of Bayside's waterways currently remain unzoned. Subsequently, Bayside's waterways are potentially exposed to development which may not be compatible with, or impact adversely on, the unzoned waterway.
				Waterways within the Bayside LGA which are currently unzoned are:
				 Portion of Georges River adjacent to Sandringham
				Lower reaches of the Cooks River where it meets Botany Bay
				Muddy Creek
				Wolli Creek
				Bardwell Creek
				Refer to the Explanatory Paper to view the objectives and land use table for this zone.
W3 Working Waterways	N/A	Applies	This zone only applies to land in the BBLEP 2013.	This zone is to be retained to allow for working waterways adjacent to Port Botany and Sydney Airport (outside of the Three Ports SEPP) to support their important trade gateway role. Objectives of this zone are consistent with the Standard Instrument. No changes are proposed to this land use table.
				It is proposed to retain this zone, with the current objectives of the zone from the RLEP 2013 to be carried over. No changes are proposed to this land use table.

Clause/ Issue	Coverage across LEPs		Summary of differences	Justification for consolidated LEP
	RLEP	BBLEP		
	2011	2013		
			PART 3 - EXEMPT AND COMP	Control Control
Exempt Development	Cl 3.1	Cl 3.1	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Complying Development	Cl 3.1	Cl 3.2	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
Environmentally sensitive areas excluded	Cl 3.3	Cl 3.3	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. Retain clause in the consolidated LEP unchanged.
	200		PART 4 - PRINCIPAL DEVELO	PMENT STANDARDS
Minimum subdivision lot size	Cl 4.1 & map	N/A	This clause was only included in the RLEP 2011.	RLEP 2011 requires a minimum lot size for subdivision in the R2, R3 and R4 zones of 450sqm (generally) and with particular precincts in Xenia Street (340sqm) and Caledonian Street (230sqm). In the IN2 zone, minimum subdivision lot size is 840sqm with no minimum subdivision lot size applying on R4 land. It is proposed to retain the existing provisions for each existing lot size under the current RLEP 2011, by retaining clause 4.1 and applying it to Bayside West only, and not map any of Bayside East with minimum lot sizes. Minimum lot sizes for subdivision will be the subject of detailed review Bayside-wide once the Housing Strategy is finalised.
				One area zoned R4 High Density Residential in the Arncliffe and Banksia Precinct is mapped with a minimum subdivision lot size of 450sqm. This area is the only R4 zone in RLEP 2011 mapped with a minimum lot size. This Precinct was under the SEPP (Arncliffe and Banksia Precincts) 2018, from R2 Low Density Residential to R4 High Density Residential. It is proposed to delete the 450sqm minimum lot

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	ge across Ps	Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
				size from the map. This results in minimal implications as amalgamation of lots would be encouraged and desired to achieve the available height and FSR rather than Torrens Title subdivision.
				Part 3E of Botany Bay DCP states provides numerical minimum lot sizes and dimensions for industrial zoned land. The relevant controls are given in italics below:
				C6 The minimum allotment size permitted for industrial Torrens title subdivision or amalgamation of land is 1,500sqm with a: (i) Minimum allotment width of 30 metres; and (ii) Minimum allotment depth of 50 metres. Note: All dimensions of the subdivision or amalgamation must be shown on detailed subdivision plans.
				It is proposed to incorporate the minimum 1500 square metre lot size for industrial zoned land (IN1 General Industrial /IN2 Light Industrial zones) into the LEP minimum lot size requirements, and mapped as such on the LSZ map. It is recommended that minimum lot sizes for industrial land across the Bayside LGA be subject to a detailed review in a future LEP amendment.
				Minimum subdivision Lot size Map (LSZ_map) to have the following areas:
				 230 sqm - R2 zoned street block bounded by Caledonian Street Watkin Street, Park Road, Harrow Road
				 340 sqm - R2 zoned street block bounded by Xenia Avenue, Fleet Street, Ethel St, Carlton Pde
				■ 450sqm - All R2 and R3 zones in Bayside West only

Clause/ Issue	Coverage across LEPs		Summary of differences	Justification for consolidated LEP	
	RLEP 2011	BBLEP 2013			
				 840sqm - All IN2 zones in Bayside West only 1500sqm - All IN1 and IN2 zones in Bayside East only The clause is to be retained and only subclause (3B) amended as follows: (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. 	
Rural subdivisions	Cl 4.2	N/A	This clause was only included in the RLEP 2011.	There are no rural zoned lots under BBLEP 2013. The RU4 zoned land is to be retained as per RLEP 2011. No change is proposed and this clause will be retained unaltered.	
Minimum lot size for attached and semi-detached dwellings in Zone R2	CI 4.2A	N/A	This clause was only included in the RLEP 2011.	Adoption of the above clause Bayside- wide would preclude the construction of attached and semi-detached dwellings on existing small lots under 350sqm. As the above clause does not permit subdivision, only to erect the building(s), there is no potential erosion of lot sizes in any given subdivision pattern. On smaller existing lots, a semi-detached or attached typology would be preferable in many cases. Accordingly, it is proposed that clause 4.2A be deleted.	
Height of Buildings	Cl 4.3 & map	Cl 4.3 & map	Clause objectives differ across the LEPs, however the general intent of the clause is consistent – setting appropriate maximum	The proposed objectives for this clause have been harmonised, utilising existing objectives from both the RLEP 2011 and BBLEP 2013.	

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	e across Ps	Summary of differences	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013				
			heights for land identified on the Height of Buildings Map. Exceptions to building heights differ across LEPs.	It is proposed to maintain current building heights within RLEP 2011 and Botany LEP. Retaining the current building heights will allow existing height transitions and heights introduced via site specific planning proposals to be maintained. Clause 4.3(2A) of the Botany LEP is proposed to be removed, in accordance with a current planning proposal being led by Council. In 2015 the former Botany Council initiated a Planning Proposal to delete clauses 4.3(2A) and 4.4B. A Gateway Determination was issued indicating that the Proposal was considered to have strategic merit. The conditions attached to the Gateway Determination required consideration of the Planning Proposal's consistency with Local Planning Direction 3.1 Residential Zones; and to consult with the owners of all R3 and R4 zoned land and to amend the Planning Proposal as necessary. An independent planning review prepared by SJB Planning determined that the Planning Proposal is consistent with Ministerial Direction 3.1. Council conducted consultation with the owners of R3 and R4 zoned land and modified the Planning Proposal to exclude a number of sites which have demonstrated, through submission of concept designs, their ability to be developed without unreasonably impacting on the owners of adjoining land. As such, it is proposed that clause 4.3(2A) be deleted from the BBLEP 2013, with the exception of the following privately-owned sites: 96A Bay Street, Botany; 97Banksia Street, Botany; and The following NSW Land & Housing Corporation-owned sites: Slattery Place, Eastlakes 1-5 Florence Avenue, Eastlakes		

Clause/ Issue	THE RESERVE OF THE PARTY OF THE	ge across Ps	Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
	2011	2013		 16-18 Maloney Street, Eastlakes 70 Macintosh Street, Mascot 10-12 Middlemiss Street, Rosebery (also known as 10-12 Coward Street, Mascot) 68-80 Beauchamp Road, Hillsdale 68-80 Banks Avenue, Pagewood Clause 4.3(2A) will also be amended to apply to development for the purposes of multi-dwelling housing and residential flat buildings (rather than Zone R3 and R4), to be consistent with the wording within Clause 4.4(B) of Botany LEP. It is proposed to include the amended Clauses 4.3(2A) of Botany LEP as a subclause (5) of Clause 4.3 Height of Buildings of the consolidated LEP by identifying the above sites on the Height of Buildings map as 'Area 14'. Clause 4.3(2C) of Botany LEP is to be maintained in the consolidated LEP, as subclause 4.3(3)(I). Clause 4.3 (2A) of RLEP 2011 is a bonus incentive clause, which allows additional height in certain areas if specified minimum areas are achieved. For areas within the Rockdale Town Centre (current Area A, Area G, Area H, Area I, Area J and Area M — all proposed to be converted to numeric references in the BLEP 2020) it is proposed to retain the current bonus incentives clauses. These may be amended via a planning proposal in the future. Clause 4.3(2A) of RLEP 2011 also identified bonus height provisions in areas
				outside of Rockdale Town Centre. The following remaining areas will be maintained in the consolidated LEP, with existing 'Area' lettering to be converted to numeric references:

Clause/ Issue	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ge across EPs	Summary of differences	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013				
				Brighton Le Sands (Area B) Bexley North (Area C) Kogarah (Area D) Bexley (Area E) Bexley (Areas K) Bexley (Areas L) Clause 4.3(2B) of the RLEP 2011 identifies maximum building heights for certain areas. This clause will be maintained in the consolidated LEP with no change.		
Exceptions to height of Buildings	Cl 4.3A	N/A	This clause was only included in the RLEP 2011.	The clause was introduced in 2016 as part of Amendment 16 to the RLEP 2011 to ensure the increase in heights at 152–206 Rocky Point Road, Kogarah provided an appropriate transition to surrounding lower density development. This clause is proposed to remain as it has location-specific relevance, however will be incorporated into the 'height of buildings' clause as a subclause.		
Floor Space ratio	CI 4.4 & map	Cl 4.4 & map	Clause objectives differ across LEPs, however the general intent of this clause is consistent between the RLEP and BBLEP – regulating bulk and scale of development by setting appropriate maximum floor space ratio (FSR) controls identified on the Floor Space Ratio Map. The different LEPs have different bonuses for different areas approached in different ways.	It is proposed that the FSR controls as established by the RLEP 2011 be applied in all zones where the current RLEP 2011 2011 applies. It is proposed that the FSR as established by the BBLEP 2013 be maintained, except for current Area 3, in the R2 zone. Instead of 1:1, these areas are proposed to have an FSR of 0.55:1, which is commensurate with a low density residential context. This is the lowest permissible FSR for a dwelling house under current clause 4.4A of BBLEP 2013. The rationale is that, instead of mapping at the maximum, the map should show the minimum, with clause 4.4A providing a 'bonus' for smaller lots in a sliding FSR scale. RLEP 2011 Clause (2A) states that "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." To ensure a harmonisation in a way that does not		

Clause/ Issue	Coverage across LEPs		Summary of differences	Justification for consolidated LEP	
	RLEP 2011	BBLEP 2013			
				prejudice small lots of a 0.05:1 bonus, it is recommended that current RLEP 2011 R2 zoned land be mapped to allow a 0.55:1 FSR on sites smaller than 460sqm. This is proposed to also apply on R3 or R4 land, as these areas should be encouraged to amalgamate in accordance with the zone objectives.	
				In the IN1 and IN2 zones contained in the BBLEP 2013, FSR is either 1:1 or 1.2:1. In the RLEP 2011 the FSR for IN2 zoned land is 1:1. The current floor space ratios are proposed to be maintained.	
				BBLEP 2013 Clause 4.4 (2A), (2B), (2C) and (2D) are exceptions to floorspace controls, and have been retained.	
				Due to the proposed deletion of Bonus Provisions currently applicable under Clauses 4.3(2A), and 4.4B of the BBLEP 2013, and the proposed deletion of clause 4.4(2A), it is proposed to include subclauses in Clause 4.4 for bonus FSR applicable to certain sites. This is discussed in detail under Clause 4.4B below.	
Exceptions to floor space ratio for residential accommodation	N/A	Cl 4.4A	This clause was only included in the BBLEP 2013.	Clause 4.4A of the BBLEP 2013 relates to R2 Low Density zoned land nominated as 'Area 3'. It is proposed that the Bayside LEP 2020 will include an amended clause 4.4A to add semi-detached dwellings, attached dwellings and dual occupancies, as they are all low density residential development and should be of similar scale and form. Currently these types of dwellings are subject to an FSR of 0.5:1, which has resulted in a large number of applications to amend the planning controls via a clause 4.6 variation.	
				Analysis of the Clause 4.6 Register for 2016-19 reveals that only two semi- detached developments in key areas are approved at around 0.85:1 and these create lots as small as 183sqm. This creates design issues with bulk, scale, overshadowing, parking, setbacks and landscaping, and were approved as infill	

Clause/ Issue			Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
				(for example, in George St) to an existing contextual situation. For the majority of semi-detached approvals, lots created range between 200-269 sqm with FSRs being 0.56:1 up to 0.75:1 (excluding the George St examples). Accordingly, it is recommended that the sliding scale be modified to start with 0.55:1 for lots over 400sqm, with bonus FSR applied, on a sliding scale as lots reduce, increasing up to 0.8:1. The FSRs have been tested using a sample set of Development approvals (using those in the Clause 4.6 Register). The amended clause is included below: (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, semi-detached
				dwellings, attached dwellings and dual occupancies are not to exceed the floor space ratio applicable to the site area of the land on which each dwelling is situated:
				Site Area Maximum FSR
				<200 sqm 0.80:1
				200-250 sqm 0.75:1
				251-300 sqm 0.70:1

Clause/ Issue	Coverage across LEPs		Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
Exception to floor space ratio in zone R3 and zone R4	0.00000	20000000	This clause was only included in the BBLEP 2013.	301-350 sqm 0.65:1 351-449 sqm 0.60:1 >400 sqm 0.55:1 It is recommended that the floor space ratio area labels be converted to harmonise the RLEP 2011 and BBLEP 2013. It is also proposed that subclause 4.4A(3)(d) be deleted to allow low density development (dwelling house, semi-detached dwellings, attached dwellings and dual occupancies) to develop at a comparable density. Subclause (3)(c) relates to residential flat buildings, which are proposed to be prohibited in the R2 zone, and it is proposed that the subclause be deleted accordingly. In 2015, the former Botany Bay Council initiated a Planning Proposal to delete clause 4.4B in conjunction with subclause 4.4(2A) above, and received Gateway Determination, confirming the proposed change had strategic merit. The conditions attached to the Gateway Determination required consideration of the Planning Proposal's consistency with the relevant Local Planning Directions, to consult with the owners of all R3 and R4 zoned land and to amend the Planning
				Proposal as necessary. A subsequent independent planning review determined that the Planning Proposal was consistent with the Local Planning Directions. Council then consulted with the owners of R3 and R4 zoned land and modified the Planning Proposal to exclude a number of sites which demonstrated, through

Clause/ Issue	Coverage across LEPs		Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
				submission of concept designs, the ability for development to occur without unreasonably impacting the owners of adjoining land. Therefore, Clause 4.4B is to be deleted from the BBLEP 2013, with the exception of the following privately- owned sites: 96A Bay Street, Botany; 97 Banksia Street, Botany; and the following NSW Land & Housing Corporation-owned sites: Slattery Place, Eastlakes 1-5 Florence Avenue, Eastlakes 16-18 Maloney Street, Eastlakes 70 Macintosh Street, Mascot 10-12 Middlemiss Street, Rosebery (also known as 10-12 Coward Street, Mascot) 68-80 Beauchamp Road, Hillsdale 68-80 Banks Avenue, Pagewood It is proposed to include the amended Clauses 4.4(B) of Botany LEP within Clause 4.4 Floor Space Ratio of the consolidated LEP by identifying the above sites on the FSR map as 'Area 14'. This will result in Clause 4.4B (1) and (2) of Botany LEP being removed, as this wording will no longer be required.
Consent to development in zone R3	N/A	Cl 4.4C	This clause was only included in the BBLEP 2013.	This is proposed to be deleted The considerations set out in Clause 4.4C can be covered in a Clause 4.15 assessment under the heads of consideration, including the zoning objectives, SEPP 65/ADG and the DCP.
Calculation of floor space ratio and site area	Cl 4.5	Cl 4.5	Consistent across both LEPs.	This is a mandated clause in the Standard Instrument. It is proposed to retain the clause in the consolidated LEP.

Clause/ Issue	100 May 2 W 100 May 200 May 20	ge across EPs	Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
Exceptions to development standards	Cl 4.6	Cl 4.6	This clause is generally consistent across both LEPs.	Clause 4.6 is a mandated/compulsory clause in the Standard Instrument LEP. This clause should be retained in the consolidated LEP with only minor changes required to subclause (8).
				The Direction at the end of clause 4.6 of the Standard Instrument LEP states that 'additional exclusions may be added'. LEP Practice Note PN 11-001 (10.03.11) identifies provisions relating to clause 4.6.
				All additional subclauses under subclause (8)(c) have been amended to include new cross references to the respective HOB and FSR exceptions and incentive areas already included in the BBLEP 2013 and the RLEP 2011. With regard to the 'Notes' applicable to Clause 4.6, Clause 1.5 of both the RLEP 2011 and BLEP 2013 is relevant. This is a compulsory/mandated clause in the Standard Instrument LEP which states the following:
				'1.5 Notes Notes in this Plan are provided for guidance and do not form part of this Plan.' LEP Practice Note PN 11-001 (10.03.11) sets out a clause-by-clause outline which states the following in respect of 'Notes':
				'The notes are non-statutory guidance to aid in the understanding of a clause and do not form part of the legal instrument. Notes will remain in councils' LEPs. Councils are not to insert notes.'
				Therefore, not only are the notes not required, it is not within Council's remit to insert these notes for guidance purposes.
				Clauses 4.6(8)(b1) and (b2) of the BBLEP 2013 relate to 4.3(2A) and 4.4(3B), which are both proposed to be reconfigured in the Bayside LEP 2020 under

Clause/ Issue	Coverage across LEPs			Sumn	nary of differences Justification for consol	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013						
	2011	2013			subclauses will therefo Clauses 4.6(8)(ca), (cb) (2A), (2B), (2C) or (2D); proposed to be reconfi 4.3A, 4.4, 7.1 and 7.2, I	spectively. The new cross-references to these introduced re be updated in Clause 4.6 to reflect these changes. and (cc) of the RLEP 2011 relate to Clauses 4.3 (2A), 4.4 4.3(A); and 7.1 & 7.2, respectively. These subclauses are gured/retained in the Bayside LEP 2020 under Clauses 4.3, respectively. The new cross-references to these introduced re be updated in Clause 4.6 to reflect these changes.		
					PART 5 MISCELLANEOUS PROVISIONS			
Clause	e/Issue		The Annual Control	e across Ps	Summary of differences	Justification for consolidated LEP		
			RLEP 2011	BBLEP 2013		Strategic Merit – Planning Framework Site Specific Merit – Technical and Environmental		
Relevant acquisition authority		CI 5.1 & map	Cl 5.1 & map	This clause is generally consistent across both LEPs wit some minor differences of additional land reservation identified in the former RLEP 2011. The particular zone referenced in this clause also vary across the LEPs, how this is determined by what land reservations are identi in each LEP and where they are located, and does not reflect a difference in policy intent.	types Instrument and will be retained in the consolidated LEP. Consistent terminology will be used to refer to each type of land reservation. The list of land reservation types (and their relevant zone), and the land reservation, has been reviewed to include all reservations that are located within the Bayside LGA boundary. Any land reservations that have been acquired, or that are no longer needed, are not be retained in the consolidated LEP.			
Development on lar acquired for public		d to be	CI 5.1A & map	N/A	This clause was only included in the RLEP 2011.	This clause is to be directly transferred from the Rockdale Bay LEP.		

Clause/ Issue	100000	ge across Ps		Sum	mary of differences	Justification for consolidate	d LEP
	RLEP 2011	BBLEP 2013					
Classification and I public land	reclassificat	ion of	CI 5.2	Cl 5.2	Consistent across both LEPs.		This is a mandated clause in the Standard Instrument, and will be retained in the consolidated LEP unchanged.
Development near	zone boun	daries	CI 5.3	Cl 5.3	This clause was only included	in the BBLEP 2013.	This clause is optional and allows each Council to nominate a certain distance and zones that the clause applies. The clause contained within BBLEP 2013 applies a relevant distance of 25m between two zones, and excludes the application of the clause to RE1, E1, E2, E3 and W1 zones. The drafting of the clause in the BBLEP 2013 is generous when compared with other surrounding LEPs, which either do not include the clause, or generally limit the application of the clause to SP zones only. It is proposed to remove this clause in its entirety, as this is consistent with the approach of many surrounding Councils, and ensures that zoning boundaries and transitions are maintained. It also helps to ensure that only the land uses permissible within the relevant zone will be allowed.
Controls relating to miscellaneous permissible uses		CI 5.4	Cl 5.4	There are differences across t maximum size of home busin- industrial retail outlets, kiosks secondary dwellings.	esses, home industries,	This is a mandated clause in the Standard Instrument and will be retained in the consolidated LEP. The gross floor area requirements for miscellaneous permissible uses will be harmonised, with existing controls being retained where they are consistent in both the BBLEP 2013 and RLEP 2011.	

Clause/ Issue	Issue LEPs		Summary of differences	Justification for consolidated LEP
	RLEP 2011	BBLEP 2013		
				The controls for the following miscellaneous permissible uses under the existing LEPs require harmonisation: Home businesses Home industries Industrial retail outlets Kiosks Neighbourhood shops Secondary dwellings Artisan food and drink industry exclusion In order to ensure no net loss in development potential for controls to be included in the consolidated LEP, the more generous of the two existing controls has been adopted, with the exception of secondary dwellings, a maximum of 20% of the total floor area of the principle dwelling has been adopted, as per the existing control contained within BBLEP 2013. This control is considered to be consistent with the State Environmental Planning Policy (Affordable Rental Housing) 2009 (AHSEPP), which specifies a maximum GFA of 60sqm. The proposed provision, being 20%, would allow a slightly more generous GFA for secondary dwellings when compared with the AHSEPP, depending on the size of the principle

Clause/ Issue	THE RESERVE OF THE PERSON NAMED OF THE PERSON	e across Ps		Sumi	nary of differences	Justification for consolidate	d LEP
	RLEP 2011	BBLEP 2013					
	Development within the coastal zone						dwelling on site. This will provide slightly more flexibility than GFA controls specified by the AHSEPP, however will also ensure that secondary dwellings within the Bayside LGA are of an appropriate size and scale.
·			Cl 5.5	Cl 5.5	This clause was repealed fro LEPs as part of the gazettal of SEPP in March 2018.		LEP provisions have been replaced by the Coastal Management SEPP, which will apply to development within coastal management areas located in the LGA.
Architectural roof	Architectural roof features		CI 5.6	Cl 5.6	design of buildings is encour built form and urban design urban design makes a valuab	bclause (1) is to ensure quality aged and also, to integrate the throughout the LGA — quality ble contribution to our natural to the liveability of our LGAs.	To retain the existing RLEP 2011 clause 5.6 (2) and (3) which are consistent with controls and various councils in Sydney. RLEP 2011 clause permits variations to building height for decorative roof features whereas BBLEP 2013 doesn't allow the same. Suggested changes to include additional subclause (1) as part of RLEP 2011 clause 5.6 (1): (1) The objectives of this clause are as follows— (a) to encourage the creation of a varied and aesthetically pleasing skyline, (b) to encourage quality roof designs that contribute to the aesthetic and environmental design and performance of buildings and allow for individuality of architecture,

Clause/ Issue	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ge across Ps		Sumn	nary of differences Ju	stification for consolidated	LEP
	RLEP 2011	BBLEP 2013					
							(c) to encourage the integration of the design of the roof into the overall facade, building composition and desired contextual response, (d) to minimise the external impact of roof features, in particular with respect to solar access and views.
Development below mean high water mark		h water	Cl 5.7	Cl 5.7	Consistent across both LEPs.		This is a mandated clause in the Standard Instrument and will be retained in the consolidated LEP unchanged.
Conversion of fire alarms			Cl 5.8	Cl 5.8	Consistent across both LEPs.		This is a mandated clause in the Standard Instrument and will be retained in the consolidated LEP unchanged.
Preservation of tre	ees or veget	ation	Cl 5.9	Cl 5.9	Repealed by Vegetation SEPP which now applies.		No changes required
Trees or vegetatio DCP	n not prescr	ribed by	Cl 5.9AA	Cl 5.9AA	Repealed by Vegetation SEPP which	ch now applies.	No changes required
Heritage conserva	tion		Cl 5.10 & map	Cl 5.10 & map	Consistent across both LEPs.		This is a mandated clause in the Standard Instrument and will be retained in the consolidated LEP unchanged.
Bush fire hazard reduction			Cl 5.11	Cl 5.11	Consistent across both LEPs.		This is a mandated clause in the Standard Instrument and will be retained in the consolidated LEP unchanged.
	Infrastructure development and use of existing buildings of the crown		Cl 5.12	Cl 5.12	Consistent across both LEPs.		This is a mandated clause in the Standard Instrument and will be retained in the consolidated LEP unchanged.
Eco-tourist facilities		N/A	N/A	This clause is not adopted in any o the LGA.	of the LEPs applying within	It is not proposed to adopt this clause in the consolidated LEP, consistent with the current approach in both the BBLEP 2013 and RLEP 2011.	

Clause/ Issue	THE REAL PROPERTY.	ge across Ps		Sumr	nary of differences Jus	stification for consolidated	LEP		
	RLEP 2011	BBLEP 2013							
Sliding Spring Obse	Sliding Spring Observatory		N/A	N/A N/A This clause is not adopted in any of the LEPs applying within the LGA.		It is not proposed to adopt this clause in the consolidated LEP, consistent with the current approach in both the BBLEP 2013 and RLEP 2011.			
Defence communications facility		N/A	N/A	This clause is not adopted in any of the LGA.	f the LEPs applying within	It is not proposed to adopt this clause in the consolidated LEP, consistent with the current approach in both the BBLEP 2013 and RLEP 2011.			
Subdivision of, or dwellings on, land in certain rural, residential or environmen protection zones			N/A	N/A	This clause is not adopted in any o the LGA.	f the LEPs applying within	It is not proposed to adopt this clause in the consolidated LEP, consistent with the current approach in both the BBLEP 2013 and RLEP 2011.		
Artificial waterbodies in environmentally sensitive areas of operation of irrigation corporation			N/A	N/A	This clause is not adopted in any of the LEPs applying within the LGA.		the LGA. consolidated LEP, consistent with t		It is not proposed to adopt this clause in the consolidated LEP, consistent with the current approach in both the BBLEP 2013 and RLEP 2011.
Intensive livestock	agriculture		N/A	N/A	This clause is not adopted in any of the LEPs applying within the LGA.		It is not proposed to adopt this clause in the consolidated LEP, consistent with the current approach in both the BBLEP 2013 and RLEP 2011.		
Pond-based, tank-t aquaculture	ased, oyst	er	Cl 5.19	Cl 5.19	Consistent across both LEPs.		This is a mandated clause in the Standard Instrument and will be retained in the consolidated LEP unchanged.		
					PART 6 - LOCAL PROVI	SIONS			
Acid sulfate soils			Cl 6.1 & maps	Cl 6.1 & maps	Both the current BBLEP 2013 and F a clause for acid sulfate soil manag map. This clause is generally consis with the exception of the RLEP 201 additional wording in subclause 6(works that could involve the distur tonne of soil.	gement and a supporting stent across both LEPs, 11, which includes a) providing examples of	It is proposed to adopt the wording of the DPIE's model local clause, in line with the current BB LEP 2013 wording. This will ensure a consistent approach across the whole LGA. The Acid Sulfate Map from each LEP has been combined into a new map, applying to the whole LGA, based on the latest data available to Council. Development applications within areas identified		

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	e across Ps	Summary of differences			Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013						
Earthworks	2011	2013	Cl 6.2	Cl 6.2	The intent of this clause is gener	rally consistent across both	on the Acid Sulfate Soils Map will need to address the impact of development on acid sulfate soils and prepare an acid sulfate soils management plan, if an initial assessment indicates a management plan is required. An examination of the Marrickville LEP 2011, and	
Earthworks			616.2	6.62	LEPs, with some minor wording wording of 6.2 (1). The RLEP clat two subclauses (a) and (b). Subc following additional wording: (b) to allow earthworks of a min separate development consent. There are some additional differ	differences being the use 6.2 (1) is separated into clause (b) includes the cornature without requiring	Kiama LEP 2011, shows that the same wording of the clause as the RLEP 2011 is used. Later LEPs such as the Kogarah LEP 2012, Fairfield LEP 2013, Ku-ring-gai LEP 2015 and the Sutherland Shire LEP 2015 all use the same wording as the BBLEP 2013 clause. This would suggest that this is the latest wording to be used in the clause.	
					respective clauses, most of whic can be altered without any chan clause. The other differences of (2)(b), BBLEP (2)(b) and BBLEP (ch are of a minor nature and ages to the objectives of the greater note are at RLEP 3)(h).	In addition, DPIE has confirmed that, in the absence of a mandated or model clause, it is acceptable to adopt the existing provisions in either the BBLEP 2013 or the RLEP 2011 as an acceptable clause for Earthworks. It is therefore	
					The BBLEP 2013 has additional s consideration of appropriate me or mitigate the impacts of the ea other matters listed in the LEPs.	easures to avoid, minimise arthworks in addition to the	recommended that the existing clause in the existing BBLEP 2013 be used.	
Airspace operation	is		Cl 6.4	Cl 6.8	Consistent across both LEPs.		It is noted that, whilst the latest Sutherland and Hurstville LEPs include a much shorter clause, the latest Marrickville LEP uses the same clause as the BBLEP 2013 and the RLEP 2011. This would suggest that the LGAs most affected by airspace operations are required to include the more	

Clause/ Issue	200	e across Ps		Sumi	nary of differences	Justification for consolidated	d LEP			
	RLEP 2011	BBLEP 2013								
							detailed cla	iuse. DPIE h	as been co	ntacted to
Development in ar noise	eas subject	to aircraft	CI 6.3	Cl 6.9	Consistent across both LEPs.		subject to a Practice No Instrument local provis the model of table, but of included in include the that the rel copyrighter relevant inc standard. Building Type Disagn, Incompell, Ref. and	te PN 11-00 LEP, but is it ion' for Star clause does only a refere the current whole table evant stand d by either Statustry body Less than DEARCH LESS CONTROL TO ANGE TO AN	e' is not included as not incl	cluded in either candard s a 'settled mod ument LEPs. As e the whole table as alread nere is no need nore, it seems AS 2021:2015) i Australia or the

Clause/ Issue	Issue LEPs			Sumr	nary of differences	Justification for consolidated	LEP
	RLEP 2011	BBLEP 2013					
							include a reference to the updated Australian Standard AS 2021:2015).
Limited development on foreshore area/foreshore building line		Cl. 6.5	Cl 6.7 & map	The objectives and operation consistent across both LEPS a subclause (c) are consistent ir differs.	nd the detailed matters of	The proposed clause consolidates the Foreshore Building Line clause of the RLEP and the Limited development on foreshore area clause of the BLEP.	
					The key difference is the inclure referring to sea level rise as a	result of climate change and	Updated mapping:
					considerations of public acces		» Existing Foreshore Building Line in Turrella (adjacent to Wolli Creek) continue along Wolli Creek to the extent of the IN2 Light Industrial zone interface with the waterway. This is the only change to the Foreshore Building Line mapping as there are no other areas not mapped as FBL where there is private land, which provides direct interface with the waterway in the LGA (exception is Cooks Cove regulated by SREP 33).
Flood planning		6.6	N/A	This clause was only adopted related development controls within the Botany Bay DCP (2) including modelling of flood a by the former City of Botany laffected land is to be included DCP.	for Botany were contained 013). The first flood study ffected land was completed Bay in 2015. Mapping of flood	It is proposed to apply substantially the same wording included in the existing RLEP 2011 flooding clause, to the whole of the Bayside LGA. This is to ensure that where there are known potential risks of flooding, all developments incorporate appropriate measures to manage flood hazards. The reference to a Flood Planning Map will be removed from the clause, as it is proposed that the flood planning maps will be	

Clause/ Issue	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	e across Ps	Summary of differences	Justification for consolidated LEP				
	RLEP 2011	BBLEP 2013						
				Control The floc AEP floc flood pl flood re Council Flood Ri in the ta reviewe method resulted planning the fort Plan.	Plan. od planning level od event plus 0.5 lanning map iden elated planning of has prepared se isk management able below). The ed to maintain cu dology was recen d in changes to fl g areas. These ch	means the level of a 1% metre freeboard. The ntifies properties to which ontrols apply. veral flood studies and Studies and Plans (listed se are periodically urrency. The flood study thy reviewed and this has cood modelling and flood nanges will be reflected in a Development Control Suburbs Ramsgate, Sans Souci, Monterey, Kogarah (part)		

Clause/ Issue	Coverag LE			Sum	mary of differences	Justification for consolida	ted LEP	
	RLEP 2011	BBLEP 2013						
							Bardwell Creek	Turrella, Bardwell Valley and Bardwell Park, Bexley North, Kingsgrove
							Bonnie Doon	Arncliffe, Wolli Creek and Bonar St
							Muddy Creek, Spring St	Banksia, Rockdale, Carlton, Bexley, Kogarah (part), Brighton Le Sands, Kyeemagh
							Springvale & Floodvale Drain	Banksmeadow and pagewood (Part)
							Mascot, Rosebery and Eastlakes	Mascot, Rosebery and Eastlakes, pagewood east
							Botany Bay Foreshore	Botany and Port
							Birds Gully and Bunnerong Rd	Daceyville, Eastgardens and Hillsdale
							Bunnerong Rd	
lood Plain Risk Ma	nagement		N/A	N/A	Not adopted in either the	e RLEP 2011 or the BBLEP 2013.	A Floodplain Risk Manag to be included in the Bay	

Clause/ Issue	Coverag	e across Ps		Sumr	nary of differences	Justification for consolidated	d LEP
	RLEP 2011	BBLEP 2013					
							Floodplain Risk Management. The clause is deemed necessary to meet the objectives of the NSW Flood Prone Land Policy (2005) and is consistent with the applicable Section 9.1(2) Direction. The Floodplain Risk Management clause provides for consideration of development controls primarily related to risk to life in areas outside the Flood Planning Area. This clause ensures special consideration is given to essential community facilities and critical services including emergency response facilities such as hospitals and critical infrastructure. Higher flood planning levels are considered necessary for aged care facilities and other types of developments with individual evacuation and emergency response issues. For these facilities, the Probable Maximum Flood (PMF) is the applicable flood planning level. This may mean these development types are excluded from a flood affected area where normal residential development would be permitted.
Stormwater mana	gement/stor	mwater	CI 6.7	Cl 6.3	both LEPs, with the except	are generally consistent across ion of subclause (2) where the pecific zones that the clause	Both the RLEP 2011 and BBBLEP 2013 include Stormwater Management Clauses (6.7 of RLEP and 6.3 of BLEP), and the proposed clause provides an update to ensure principles of water sensitive

Clause/ Issue	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	e across Ps		Sumr	nary of differences	Justification for consolidated	I LEP		
	RLEP 2011	BBLEP 2013							
	,						urban design are incorporated into the design of development. This inclusion will help meet environmental and water quality objectives with the Bayside LSPS and Eastern City District Plan.		
Terrestrial Biodive	Terrestrial Biodiversity			& map & map consistent across LEPs subclause (3) are consistent wording differs. Accordingly, the BBLEP to the potential to frag biodiversity structure, 1		n intent, even though the has additional clauses relating disturb or diminish the on and composition of land as measures to avoid, minimise	Both the RLEP 2011 and BBBLEP 2013 include Terrestrial Biodiversity Clauses (6.8 of RLEP and 6.4 of BLEP), and the changes to this clause are an update to ensure consistency and amendments to the Clause. The clause has also been updated to improve environmental outcomes and meet LSPS and Eastern City District Plan environmental practice, including the addition of objectives of: maintain and enhance terrestrial biodiversity by protecting, restoring and enhancing biodiversity corridors; and including an opportunity for offsetting		
	Riparian land, watercourses and artificial waterbodies		Cl 6.9	Cl 6.5	LEPs, with some minor wordi	al subclause 3(c) requiring the measures to avoid, minimise roposed development in	biodiversity impacts. The Riparian Lands Clause identifies land where development implications exist to reduce impacts in riparian lands and waterways. The Wetlands Clause seeks to achieve similar objectives to the Riparian Lands Clause, therefore they have been consolidated to reduce complexity of the LEP. Mapping however has not been merged but remain independent.		

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED	Coverage across LEPs		Sumn	nary of differences	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013						
							Waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural) under the Standard Instrument, thus the Clause and associated mapping has been renamed to encapsulate all forms of waterways. Council has adopted the Strahler system for the riparian corridor (RC) buffers as this is considered best practise for mapping RC widths (Water NSW Guidelines) and adopted by former Bankstown Council, Ku-Ring-Gai Council and former Manly Council	
Wetlands			CI 6.10 & map	Cl 6.6	The intent of this clause is ge LEPs, with some minor wordi The BBLEP 2013 has an addit requires the proposed develor mitigate adverse impact on v other matters listed in the LE	ional subclause, 4(c) which opment to manage and vetlands in addition to the	The proposed Riparian Land, Waterways and Wetlands Clause identifies land where development needs to be managed to reduce, and mitigate, impacts on riparian lands, waterways and wetlands. The clause seeks to achieve similar objectives to the existing Riparian Lands clauses and the Wetland clauses in the RLEP 2011 and BB 2013 (6.5&6.6), therefore clauses have been consolidated to reduce complexity of the LEP. Mapping, however, has not been merged, but remains independent. Waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or	

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	e across Ps		Sumn	nary of differences	Justification for consol	idated LEP		
	RLEP 2011	BBLEP 2013							
	3						waterbody (natural) under the Standard Instrument, thus the Clause and associated mapping has been renamed to encapsulate all forms of waterways.		
_	Converting serviced apartments to esidential flat buildings			Cl 6.10	This clause was only adopte	ed in the BBLEP 2013.	It is proposed to include this clause in the Bayside LEP 2020.		
							The purpose of this clause is to ensure that serviced apartments that are converted to residential flat buildings comply with State Environmental Planning Policy No. 65 — Design Quality of Residential Apartment Development and the Apartment Design Guide (ADG). The clause provides the mechanism to ensure that serviced apartments that are converted to residential flat buildings will provide the same level of amenity, in order to prevent substandard accommodation occurring through conversion.		
Residential flat buildings and multi dwelling houses in zone R2		N/A	Cl 6.11	This clause was only adopte	ed in the BBLEP 2013.	RFBs and Multi Dwelling Houses are to be prohibited in the harmonised R2 Low Density Residential zone in the Bayside LEP 2020, meaning that this clause will no longer be required under the proposed Bayside LEP 2020. These land use types are not considered to meet the objectives of the zone, which is for low density residential uses.			
Land at Hillsdale fi and Smith Street	ronting Deni	son Street	N/A	Cl 6.14	This clause was only adopte	ed in the BBLEP 2013.	This clause is to be included in the Bayside LEP 2020. It will ensure that vehicular access to any		

Clause/ Issue	THE RESERVE OF THE PERSON OF T	ge across Ps		Sumn	nary of differences	Justification for consolidat	ted LEP			
	RLEP 2011	BBLEP 2013								
	ite area of proposed development in									development for land in Hillsdale is only provided from Denison Street. It is proposed to retain the location-specific clause which will have the same application is currently in place. However, a map is not required as the property description now only relates to a single allotment.
Site area of proposed development in Arncliffe and Banksia Precincts includes dedicated land		CI 6.15	N/A	This clause was only adopted in the RLEP 2011.		2020, as it was adop (Arncliffe and Banks location-specific clau		This clause is to be included in the Bayside LEP 2020, as it was adopted in the RLEP 2011 via SEPP (Arncliffe and Banksia Precincts) 2018. This is a location-specific clause which will have the same application as is currently in place in the RLEP 2011.		
Dwellings houses in certain business zones		N/A	Cl 6.12	This clause was only adopted	in the BBLEP 2013.	This clause allows for the use of dwelling houses in certain business zones, if the dwelling house was designed and constructed as a dwelling house before the commencement of the BBLEP 2013. It is considered that this clause is contrary to the proposed objectives of the business zones. This clause is proposed to be removed. Dwelling Houses are not currently permitted with consent in the B1, B2, B4 or B7 zones under the RLEP 2011, as the use does not meet the objectives of those zones (primarily, commercial activities).				

Clause/ Coverage acro		PRODUCTION AND ADDRESS OF		Sumn	nary of differences	Justification for consol	Justification for consolidated LEP		
	RLEP BBLEP 2011 2013								
Office premises in zones			N/A	Cl 6.13	This clause was only adopt	ted in the BBLEP 2013.	Dwelling houses that exist within business zones can continue to use existing use rights provisions contained in the Environmental Planning & Assessment Act 1979 (EP&A Act), if necessary. This approach allows the objectives and desired future character of business zones in the consolidated LEP to be achieved. The current clause is intended to provide for the adaptive reuse of existing buildings in the R2 and R3 zones, for office premises. Office Premises are inconsistent with the objectives of the R2 and R3 residential zones, and retention of the clause will allow for inappropriately located, out-of-centre office development. In any case, Home Business (with consent) and Home Occupation (without consent) are proposed to be permitted in the R2 and R3 zones, and are considered to be far more consistent with the scale of office type premises that could be reasonably considered in the R2 and R3 zones.		
							Furthermore, after conducting a review, it is considered that the existing building stock that this clause applies to is generally not suitable for adaptive reuse, due to retaining only minimal		

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAME	e across Ps		Sumn	nary of differences	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013						
Active street front	2011	0000000	Cl 6.11	Cl 6.15 & map	The intent of these clauses is both LEPs, with the exception 2011 only applying to land zo	of the ASF clause in the RLEP	architectural merit. Therefore this clause is proposed to be removed. Active Street Frontage (ASF) clauses currently apply to (i) certain land currently zoned B1, B2 & B4 in the BBLEP 2013, and (ii) certain land zoned B4 in the RLEP 2011. The reference to specific business zones has been removed from the proposed clause (consistent with the current BBLEP 2013 approach), to allow for the most suitable application of the ASF clause in certain locations zoned for business purposes, rather than application via a zoning hierarchy. Where there is an ASF defined by the LEP Map, Residential Flat Buildings (RFBs) are not to be permitted, which is consistent with the existing provisions of the ASF clauses under the BBLEP 2013 and RLEP 2011. Shoptop Housing is permitted with consent in these locations – as a mandated permissible use in the B1, B2 and B4 zones under the SI LEP. Currently, RFBs are permitted with consent in the B2 and B4 zone in the BBLEP 2013, and the B4	
							zone in the RLEP 2011. It is proposed that the land use table be changed to prohibit RFBs in the B2 zone, consistent with the current B2 zone under the RLEP 2011. However, it is not proposed to prohibit RFBs in the B4 zone, as some sites are	

Clause/ Issue			Summary of differences	Justification for consolidated LEP			
	RLEP	BBLEP					
	2011	2013		appropriate for RFBs, particularly when considering the zone objectives that promote a mix of land uses. It is proposed to make minor changes to wording of the existing ASF clauses, to better inform the appropriate locations of RFBs in the B4 zone. This is to prevent the poor planning outcomes that have resulted — mainly being loss of activation at ground floor in key commercial areas, through resulting residential apartments and/or other inactive uses at street level. Shoptop Housing is permitted with consent in these locations — as a mandated permissible use in the B1, B2 and B4 zones under the SI LEP — and is considered the most appropriate use to enable suitably scaled mixed use development (incorporating residential apartments) in the B2 and B4 zones. The following clause has been drafted based on DPIE's Settled Model Local Provision Clause 7.X — Active Street Frontages, to reflect the uses that Council would consider where an ASF applies. The clause is substantially consistent with the Model Provisions, however, also incorporates some minor wording from Clause 6.7 - Mixed use development in business zones of the Canterbury LEP 2012, regarding the appropriateness of Medical Centres within areas that an ASF applies.			

Clause/ Issue	BIRTH A STATE OF	e across Ps		Sum	mary of differences	Justification for consolidated	LEP
	RLEP 2011	BBLEP 2013					
							The inclusion of this wording would prevent the need for another clause and cross-referencing (and thereby complicating interpretation).
Essential services Cl		Cl 6.12	N/A	This clause was only adopted	in the RLEP 2011.	This clause is to be included in Bayside LEP 2020, as it will ensure that availability of essential services is considered at the development application stage.	
Design Excellence			6.14 & map	6.16	in that it requires developme excellence can be achieved. The RLEP 2011 has a greater I whereby the clause requires set threshold to undertake a	tent of the clause is consistent nt to demonstrate that design	It is recommended that Clause 6.14 as currently included in the RLEP 2011 be adopted, rather than clause 6.16 of the BBLEP 2013. From the perspective of harmonisation of the two LEPs, BBLEP 2013 does not contain clauses (5), (6) or (7) and only includes four subclauses under clause (4). It is recommended that the <i>Key Sites Map</i> areas in the BBLEP 2013 be harmonised into the Rockdale DEX Map. Clause 6.14 of the RLEP 2011 was amended in October 2018, by the Minister, via notification of <i>State Environmental Planning Policy Amendment (Arncliffe and Banksia Precincts) 2018</i> . The clause is just over 12 months old, and is therefore considered current. Each Bayside Design Review Panel (DRP) meeting where a design excellence matter is to be assessed now requires a sitting member with demonstrated experience in determining Design Excellence.

Clause/ Issue	Issue LEPs	Committee of the Commit	Summary of differences	Justification for consolidated LEP				
	RLEP 2011	BBLEP 2013						
				This DRP requirement is a result of the amendments the SEPP introduced to the clause in October 2018, predominantly around buildings between 12m (or greater than 3 storeys) and 40m (or greater than 12 storeys), where the former version of the DEX clause (and supporting map) captured some sites for individual Design Excellence Competitions. The DRP must consider the Bayside Design Excellence Guidelines in determining design excellence on any given proposal. This is particularly important in the Arncliffe and Banksia Precincts, specific key sites (such as BATA and Mascot Station Town Centre), and sites within Rockdale Town Centre. The adoption of cl 6.14 is not more or less onerous than cl6.16, only the level of detail in the considerations. This aspect of the clause has been amended so that there will be a single Panel reviewing all proposal's subject to Design Excellence.				
				The RLEP 2011 clause objective includes not only reference to architectural design, but also urban				

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAME	Coverage across LEPs		Sumn	nary of differences	Justification for consolidated	LEP
	RLEP 2011	BBLEP 2013					
							and landscape design and is therefore the preferred clause objective. The proposed wording changes are highlighted below: 6.14 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 or external alterations to an existing 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).
Location of sex sen	rices premi:	ses	Cl 6.17	Cl 6.13	limit the provision of sex se	LEP 2013 included this clause to rvice premises near sensitive re centres or places of public	This clause seeks 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.

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	Coverage across LEPs		Sum	mary of differences	Justification for consolidated	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013							
						generally consistent between the are differences in the identified	The intent of this clause is generally consistent across the LEPs, however there are differences in the identified permissible zones. The clause is consistent with the model clause, however as there is no R1 zone proposed for the consolidated LEP, this wording is not required. As such, it is proposed to retain the wording of the clause, consistent with the current BBLEP 2013 wording, which will mean that development consent will not be granted for sex service premises on land which is separated only by a road from land within the R2, R3 or RE1 one or on land adjoining or across the road from land used for places of public worship, community or school uses and centre based child care. The local provision also sets out the matters for Council to consider when determining whether to grant consent for a sex service premises.		
					Part 7 - INTENSIVE URBA	N DEVELOPMENT AREAS			
Arrangements for o	-	state	7.1	N/A	This clause was only adopt	ted in the RLEP 2011.	This clause is to be included in the Bayside LEP 2020, as it was adopted in the RLEP 2011 via SEPP (Arncliffe and Banksia Precincts) 2018. The clause relates to satisfactory arrangements for the provision of state public infrastructure. Retention of this clause is crucial to ensuring that		

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	e across Ps		Sum	mary of differences	Justification for conso	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013							
							development within the Precincts is appropriately supported by state public infrastructure.		
Public utility infrastructure		7.2	N/A	This clause was only adopted in the RLEP 2011.		This clause is to be included in the Bayside LEP 2020, as it was adopted in the RLEP 2011 via SEPP (Arncliffe and Banksia Precincts) 2018. The clause relates to satisfactory arrangements for the provision of infrastructure. Retention of this clause is crucial to ensuring that (i) development within the Precincts is appropriately supported by public utility infrastructure; and (ii) adequate arrangements have been made to ensure adequate infrastructure is available when required.			
Relationship between part and remainder of Plan		7.3	N/A	This clause was only adopt	ed in the RLEP 2011.	This clause is to be included in the Bayside LEP 2020, as it was adopted in the RLEP 2011 via SEPP (Arncliffe and Banksia Precincts) 2018. The clause outlines that in the event of an inconsistency, a provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.			
					SCHEDUL	ES 1 - 6			
Additional Permitt	ted Uses		Sch 1	Sch 1			The effect of harmonising the permitted/prohibited uses in the R3 Medium Density Residential zone will have the effect of prohibiting residential flat buildings, where the BBLEP 2013 currently permits them in the R3 zone. To allow certain sites to retain permissibility,		

Clause/ Issue	Issue LEPs		Summary of differences	Justification for consolidated LEP			
	RLEP	BBLEP					
	2011	2013		an additional subclause is to be inserted into the Additional Permitted Uses schedule (Schedule 1) identifying existing sites where RFBs may be permitted, with associated maps and property descriptions identified for those limited number of sites. The reasons for prohibiting residential flat buildings in the R3 Medium Density Residential zone (with the exception of certain sites given below), where the BBLEP 2013 currently permits the use are as follows: Residential flat buildings are a type and scale that is incompatible with the objectives of the R3 zone Parts of the R3 zone in Rhodes St, Hillsdale are in the Denison Street Land Use Risk Study area A number of key sites have already been approved/developed as RFBs to their full potential in recent years There are no changes to the height or FSR controls, and therefore no loss in development potential. Uses and development types that are retained are consistent with the R3 zoning and objectives.			

Clause/ Issue	TO SECURE A SECURITION OF THE		Summary of differences	Justification for consolidated LEP
0.00	RLEP	BBLEP 2013		
	2011	2013		Certain key sites remain as identified for bonus FSR of 1.65:1, and therefore would be more appropriately contained within a residential flat building form than other medium density housing typologies. Six sites in the BBLEP 2013 R3 Medium Density Residential zone are considered suitable for RFBs, and the assessment of their planning merit (as part of any future DA) can be managed through the applicable LEP clauses, SEPP 65 (and the supporting ADG), and the DCP. The following subclause is to be added: 33 Use of certain land in R3 zone for residential flat buildings (1) This clause applies to the following land, identified as "33" on the Additional Permitted Uses Map— (a) 96A Bay Street, Botany; (b) 97 Banksia Street, Botany; and (c) 70 Macintosh Street, Mascot (d) 10-12 Middlemiss Street, Rosebery (also known as 10-12 Coward Street, Mascot)
				(e) 68-80 Beauchamp Ro

Clause/ Issue	The state of the s	ge across EPs	Summary of differences	Justification for consolidated LEP					
	RLEP 2011	BBLEP 2013							
					(2) Develop	ment f	building i	rposes o	of a
					LEP	Current	New clause	Current	New label
					Botany Bay LEP 2013	1	1	1	1
					Botany Bay LEP 2013	2	XXXX	2	Deleted – use permissible
					Botany Bay LEP 2013	3	2	3	2
					Botany Bay LEP 2013	4	3	4	3
						5	4	5	4
					Botany Bay LEP 2013	6	5	6	5
					Botany Bay LEP 2013 Botany Bay LEP 2013	8	7	8	7
					Botany Bay LEP 2013	9	8	9	18
					Botany Bay LEP 2013	9AA	9	9AA	9
					Botany Bay LEP 2013	9A	10	9A 9B	10
					Botany Bay LEP 2013	98	11	9B	11
					Botany Bay LEP 2013	10	12	10	12
					Botany Bay LEP 2013	10A	13	10A	13
					Botany Bay LEP 2013 Botany Bay LEP 2013	111	14	11	14
					Botany Bay LEP 2013	13	xxxx	12 43	Deleted – us permissible
					Botany Bay LEP 2013 Botany Bay LEP 2013	14	16	14	16
					Botany Bay LEP 2013	15	17	15	17
					Botany Bay LEP 2013 Botany Bay LEP 2013	16	18	16	18
					Botany Bay LEP 2013	17	19	17	19
					Betany Bay LEP 2013 Rockdale LEP 2011	18	21	18	21
					Rockdale LEP 2011	12	Repealed		Repealed
					Rockdale LEP 2011	3	22	-	22
					Rockdale LEP 2011	4	23	-	23
					Rockdale LEP 2011	5	24 25	-	24 25
					Rockdale LEP 2011	6	25	-	25
					Rockdale LEP 2011	6AA	26	-	26
					Rockdale LEP 2011 Rockdale LEP 2011	6A	27 28	-	27
					Rockdale LEP 2011	7A	29		29
					Rockdale LEP 2011	8	30	-	30
					Rockdale LEP 2011	9	31	-	31
					Rockdale LEP 2011	10	32	-	32
					NEW clause for R3	-	-	-	33
					bonus provision sites				

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	Coverage across LEPs		Sumi	nary of differences	Justification for consolidated LEP		
	RLEP 2011	BBLEP 2013						
							Clauses 2 and 13 from Schedule 1 of the BBLEP 2013 are proposed to be deleted, as pubs are proposed to be permitted with consent within the zone applying to each of these two sites. Clause 2 from RLEP 2011 has been removed, as this clause has been repealed during the life of the RLEP 2011. Clauses 9 and 10 (applying to 50 Park Road, Sans Souci and 55 Sanoni Ave, Sandringham, respectively) of the RLEP 2011 include café/restaurant as permissible additional permitted uses for these sites. These sites are proposed to be removed from the Schedule, as the use is proposed to be permissible in the RE1 zone of the Bayside LEP 2020.	
Exempt Developme	ent		Sch 2	Sch 2		•	At the time that both LEPs were made, the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 had limited exempt provisions in relation to signage. However, the current version of the Codes SEPP contains a number of exempt development provisions in relation to signage. As such, the current exempt development controls contained in the RLEP 2011 and BBLEP 2013 have been superseded by the Codes SEPP.	

Clause/ Issue	THE RESERVE OF THE PERSON NAMED IN	e across Ps		Sumi	mary of differences	Justification for consolidate	d LEP
	RLEP 2011	BBLEP 2013					
							The draft Bayside LEP 2020 proposes removal of exempt development provisions, and will rely on the existing provisions of the Codes SEPP, which will override any provisions in the Bayside LEP 2020. This schedule will appear blank for the consolidated LEP.
Complying Develo	pment		Sch 3	Sch 3			The consolidated LEP will not introduce complying development provisions and will rely on the existing provisions of the Codes SEPP (which overrides any provisions in the Bayside LEP 2020). No changes will be made to this schedule. This schedule will appear blank for the consolidated LEP.
Classification and I public land	reclassificati	ion of	Sch 4	Sch 4	This clause provides a locat information on the classific public land.	ion for Council to capture ation and reclassification of	This schedule will appear blank at the commencement of the Bayside LEP 2020, however it may be amended in the future, should changes to public land classification be adopted by Council.
Environmental He	ritage		Sch 5	Sch 5			All local heritage items identified in the RLEP 2011 and the BBLEP 2013 will be included in the Bayside LEP 2020.
Pond-based and ta aquaculture	ank-based		Sch 6	Sch 6	Standard Schedule. Consist	ent in both LEPs.	This is a mandated schedule in the Standard Instrument. Retain clause in the consolidated LEP unchanged.

ROCKDALE LEP 2011, BOTANY BAY LEP 2013 AND PROPOSED BAYSIDE LEP 2020 COMPARISON

PART 1 - PRELIMINARY

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
1.1 Name of	This Plan is Rockdale Local Environmental Plan 2011.	This Plan is Botany Bay Local Environmental Plan 2013.	This Plan is Bayside Local Environmental Plan 2020.
Plan			
1.1AA	This Plan commences on the day on which it is published on the NSW	This Plan commences on the day on which it is published on the NSW	This Plan commences on the day on which it is published on the NSW
Commencement	legislation website.	legislation website.	legislation website.
1.2 Aims of	(1) This Plan aims to make local environmental planning provisions for	(1) This Plan aims to make local environmental planning provisions for	(1) This Plan aims to make local environmental planning provisions for
Plan	land in that part of the Bayside local government area to which this Plan applies (in this Plan referred to as <i>Rockdale</i>) in accordance with the relevant standard environmental planning instrument under section 33A of	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—	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) Protect, conserve and enhance the environmental, scenic and
	the Act. (2) The particular aims of this Plan are as follows— (a) to provide a vibrant area in which Rockdale residents can live,	(a) to recognise the importance of Botany Bay as a gateway to Sydney, given its proximity to Sydney (Kingsford Smith) Airport and Port Botany,	cultural heritage, and landscapes, of Bayside; (b) Provide high quality open space areas and recreational facilities; (c) Reduce community risk and improve resilience to, and from, urban and natural hazards;
	work and play, (b) to conserve the environmental heritage of Rockdale,	(b) to encourage sustainable economic growth and development,	 (d) Encourage sustainable economic growth and development in Bayside;
	(c) to maintain and improve residential amenity and encourage a diversity of housing to meet the needs of Rockdale residents,	(c) to provide direction concerning growth and change in Botany Bay, (d) to identify and conserve those items and localities that contribute	 (e) Create a liveable urban place through the application of design excellence in all elements of the built environment and public domain;
	(d) to promote economic activity within Rockdale through the facilitation of commercial, employment-generating and tourism opportunities,	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) Encourage diversity in housing, to meet the needs of, and enh amenity for, Bayside residents; (g) Encourage walking, cycling and use of public transport throug appropriate intensification of development densities surround transport nodes;
	(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,	 (f) to create a highly liveable urban place through the promotion of design excellence in all elements of the built environment and public domain, 	(h) Encourage development that demonstrates efficient and sustainable use of energy and resources in accordance with ecologically sustainable development principles; (i) Enhance and protect the functions and roles of the international
	 (g) to encourage residential and employment densities around transport nodes in order to provide sustainable transport options, 	(g) to protect residential amenity.	trade gateways of Sydney Airport and Port Botany; (j) Increase urban tree canopy cover and enable the protection and enhancement of green corridor connections; and
	 (h) to minimise impacts on land subject to environmental hazards, particularly flooding. 		(k) Promote and enhance the amenity of Botany Bay's foreshores and Bayside's waterways.
1.3 Land to	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.	(1) This Plan applies to the land identified on the Land Application Map.
which Plan applies		(1A) Despite subclause (1), this Plan does not apply to the land identified as "Deferred matter" on the <u>Land Application Map</u> .	
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.
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

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
1.7 Maps	(1) A reference in this Plan to a named map adopted by this Plan is a	(1) A reference in this Plan to a named map adopted by this Plan is a	(1) A reference in this Plan to a named map adopted by this Plan is a
	reference to a map by that name—	reference to a map by that name—	reference to a map by that name -
	(a) approved by the local plan-making authority when the map is adopted, and	(a) approved by the local plan-making authority when the map is adopted, and	(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.	(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.	(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)	(1AA) (Repealed)	(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.	(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.	(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
	(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.	(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.	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.
	(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.	(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
	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 Standard technical requirements for LEP maps and Standard requirements for LEP GIS data which are available on the website of the Department of Planning and Environment.	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 Standard technical requirements for LEP maps and Standard requirements for LEP GIS data which are available on the website of the Department of Planning and Environment.	the maps are set out in the documents entitled Standard technical requirements for LEP maps and Standard requirements for LEP GIS data which are available on the website of the Department of Planning, Industry and Environment.
1.8 Repeal of planning instruments	(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.	(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.	(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.
applying to land	Note. The following local environmental plans are repealed under this provision—	Note. The following local environmental plans are repealed under this provision—	Note. The following local environmental plans are repealed under this provision: Rockdale Local Environmental Plan 2011
	Rockdale Local Environmental Plan 2000	County of Cumberland Planning Scheme Ordinance	Botany Bay Local Environmental Plan 2013 Botany Bay Local Environmental Plan 1995
	Rockdale Planning Scheme Ordinance	Municipality of Botany Interim Development Order 19	(2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other
	(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.	(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.	land cease to apply to the land to which this Plan applies.
		Note. While <u>Botany Local Environmental Plan 1995</u> 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).	
1.8A Savings	(1) If a development application has been made before the	If a development application has been made before the commencement of	(1) If a development application has been made before the commencement
provision	commencement of this Plan in relation to land to which this Plan applies	this Plan in relation to land to which this Plan applies and the application	of this Plan in relation to land to which this Plan applies and the
relating to	and the application has not been finally determined before that	and a real me result of some to sense and approve and the approvement	application has not been finally determined before that
g +0	The state of the s		<u> </u>

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
development	commencement, the application must be determined as if this Plan had not	has not been finally determined before that commencement, the	commencement, the application must be determined as if this Plan had
applications	commenced.	application must be determined as if this Plan had not commenced.	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*	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.	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
	(Amendment No 12) applies to the determination of a development application made (but not finally determined) before the commencement		
	of that Plan.		
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.	(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.	(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—	(2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies—	(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	State Environmental Planning Policy No 1—Development Standards	State Environmental Planning Policy No 1—Development Standards
1.9A	(1) For the purpose of enabling development on land in any zone to be	(1) For the purpose of enabling development on land in any zone to be	(1) For the purpose of enabling development on land in any zone to be
Suspension of	carried out in accordance with this Plan or with a consent granted under	carried out in accordance with this Plan or with a consent granted under	carried out in accordance with this Plan or with a consent granted under
covenants,	the Act, any agreement, covenant or other similar instrument that restricts	the Act, any agreement, covenant or other similar instrument that restricts	the Act, any agreement, covenant or other similar instrument that restricts
agreements and	the carrying out of that development does not apply to the extent	the carrying out of that development does not apply to the extent	the carrying out of that development does not apply to the extent
instruments	necessary to serve that purpose.	necessary to serve that purpose.	necessary to serve that purpose.
	(2) This clause does not apply—	(2) This clause does not apply—	(2) This clause does not apply:
	(a) to a covenant imposed by the Council or that the Council requires	 (a) to a covenant imposed by the Council or that the Council requires 	(a) to a covenant imposed by the Council or that the Council requires
	to be imposed, or	to be imposed, or	to be imposed, or (b) to any prescribed instrument within the meaning of section 183A
	(b) to any prescribed instrument within the meaning of section 183A	(b) to any prescribed instrument within the meaning of section 183A	of the Crown Lands Act 1989, or
	of the Crown Lands Act 1989, or	of the Crown Lands Act 1989, or	(c) to any conservation agreement within the meaning of the National
	(c) to any conservation agreement within the meaning of the <u>National</u>	(c) to any conservation agreement within the meaning of the <u>National</u>	Parks and Wildlife Act 1974, or
	Parks and Wildlife Act 1974, or (d) to any Trust agreement within the meaning of the Nature	Parks and Wildlife Act 1974, or (d) to any Trust agreement within the meaning of the Nature	(d) to any Trust agreement within the meaning of the Nature
	Conservation Trust Act 2001, or	Conservation Trust Act 2001, or	Conservation Trust Act 2001, or (e) to any property vegetation plan within the meaning of the Native
	(e) to any property vegetation plan within the meaning of the Native	(e) to any property vegetation plan within the meaning of the <i>Native</i>	Vegetation Act 2003, or
	Vegetation Act 2003, or	Vegetation Act 2003, or	(f) to any biobanking agreement within the meaning of Part 7A of the
	(f) to any biobanking agreement within the meaning of Part 7A of	(f) to any biobanking agreement within the meaning of Part 7A of	Threatened Species Conservation Act 1995, or
	the Threatened Species Conservation Act 1995, or	the Threatened Species Conservation Act 1995, or	(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.
	(g) to any planning agreement within the meaning of Division 6 of	(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
	Part 4 of the Act. (3) This clause does not affect the rights or interests of any public	(3) This clause does not affect the rights or interests of any public	authority under any registered instrument.
	authority under any registered instrument.	authority under any registered instrument.	(4) Under section 28 of the Act, the Governor, before the making of this
	(4) Under section 28 of the Act, the Governor, before the making of	(4) Under section 28 of the Act, the Governor, before the making of this	clause, approved of subclauses (1)–(3).
	this clause, approved of subclauses (1)–(3).	clause, approved of subclauses (1)–(3).	

Item 5.1 – Attachment 5

PART 2 - PERMITTED OR PROHBITIED DEVELOPMENT

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
2.1 Land Use	The land use zones under this Plan are as follows—	The land use zones under this Plan are as follows—	The land use zones under this Plan are as follows:
Zones	Rural Zones	Residential Zones	Rural Zones
	RU4 Primary Production Small Lots	R2 Low Density Residential	RU4 Primary Production Small Lots
	Residential Zones	R3 Medium Density Residential	Residential Zones
	R2 Low Density Residential	R4 High Density Residential	
	R3 Medium Density Residential	Business Zones	R2 Low Density Residential
	R4 High Density Residential	B1 Neighbourhood Centre	R3 Medium Density Residential
	Business Zones	B2 Local Centre	R4 High Density Residential
	B1 Neighbourhood Centre	B3 Commercial Core	Business Zones
	B2 Local Centre	B4 Mixed Use	B1 Neighbourhood Centre
	B4 Mixed Use	B5 Business Development	B2 Local Centre
	B6 Enterprise Corridor	B7 Business Park	
	Industrial Zones	Industrial Zones	B3 Commercial Core
	IN2 Light Industrial	IN1 General Industrial	B4 Mixed Use
	Special Purpose Zones	IN2 Light Industrial	B5 Business Development
	SP2 Infrastructure	Special Purpose Zones	B6 Enterprise Corridor
	SP3 Tourist	SP1 Special Activities	B7 Business Park
	Recreation Zones	SP2 Infrastructure	Industrial Zones
	RE1 Public Recreation	Recreation Zones	
	RE2 Private Recreation	RE1 Public Recreation	IN1 General Industrial
	Environment Protection Zones	RE2 Private Recreation	IN2 Light Industrial
	E1 National Parks and Nature Reserves	Waterway Zones	Special Purpose Zones
		W3 Working Waterways	SP1 Special Activities
			SP2 Infrastructure
			SP3 Tourist

ļ.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
			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 <u>Land</u> <u>Zoning Map</u> .	For the purposes of this Plan, land is within the zones shown on the <u>Land</u> <u>Zoning Map</u> .	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. 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. 	 (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. 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. 	 (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 is prohibited. (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. Schedule 1 sets out additional permitted uses for particular land. 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. Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). Clause 2.6 requires consent for subdivision of land. Part 5 contains other provisions which require consent for particular development.

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	5 Part 5 contains other provisions which require consent for particular	5 Part 5 contains other provisions which require consent for particular	
	development.	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. Output Development 1 Part 6 of State Environmental Planning Policy (Exempt and Complying Development and Complying Development Codes) 2008 1 Part 6 of State Environmental Planning Policy (Exempt and Complying Development and Complying Development Codes) 2008 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 2 Part 6 of State Environmental Planning Policy (Exempt	(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.
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 Codes) 2008, as exempt development, the Act enables it to be carried out without 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 Codes">Environmental Planning Policy (Exempt and Complying Development Codes">Environmental Planning Policy (Exempt and Complying Development Codes">Environmental Planning Policy (Exempt and Complying Development Codes") as exempt development, the Act enables it to be carried out without 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 Codes) 2008, 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	(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	(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

CLAU	SE Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	detrimental economic, social, amenity or environmental effects on the land.	detrimental economic, social, amenity or environmental effects on the land.	have detrimental economic, social, amenity or environmental effects on the land.
	(2) Despite any other provision of this Plan, development consent may be	(2) Despite any other provision of this Plan, development consent may be	(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.	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.	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—	(3) Development consent must not be granted unless the consent authority is satisfied that—	(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	(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	(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	(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, 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	(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	(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
	land, and (d) at the end of the temporary use period the land will, as far as is	land, and (d) at the end of the temporary use period the land will, as far as is	(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
	practicable, be restored to the condition in which it was before the commencement of the use.	practicable, be restored to the condition in which it was before the commencement of the use.	commencement of the use. (4) Despite subclause (2), the temporary use of a dwelling as a sales
	(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	(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	office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.
	maximum number of days specified in that subclause. (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as	maximum number of days specified in that subclause. (5) Subclause (3) (d) does not apply to the temporary use of a dwelling as	(5) Subclause (3) (d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).
	a sales office mentioned in subclause (4).	a sales office mentioned in subclause (4).	a sales office mendoned in subclause (4).

LAND USE TABLE

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
RU4 Primary Production Small Lots	1 Objectives of zone 1 To enable sustainable primary industry and other compatible land uses. 2 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. 2 To minimise conflict between land uses within this zone and land uses within adjoining zones. 3 To protect the agricultural production value of Rockdale's heritage listed market gardens. 4 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	Zone not included in Botany Bay LEP 2013.	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. Permitted without consent Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture 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 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; Semidetached 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 	 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. Permitted without consent Home-based child care, Home occupations 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 Prohibited Any development not specified in item 2 or 3
R3 Medium Density Residential	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.	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.	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.

8

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	To enable other land uses that provide facilities or services to meet the	To enable other land uses that provide facilities or services to meet the	To enable other land uses that provide facilities or services to meet
	day to day needs of residents.	day to day needs of residents.	the day to day needs of residents.
	To ensure that land uses are carried out in a context and setting that	To encourage development that promotes walking and cycling.	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	minimise any impact on the character and amenity of the area
	2 Permitted without consent	Home occupations	To enable residential development in accessible locations so as to
	Home-based child care; Home businesses; Home industries; Home	3 Permitted with consent	maximise public transport patronage and to encourage walking and
	occupations; Roads	Attached dwellings; Bed and breakfast accommodation; Boarding houses;	cycling
	3 Permitted with consent	Centre-based child care facilities; Community facilities; Dwelling houses;	2 Permitted without consent
	Attached dwellings; Boarding houses; Building identification signs;	Group homes; Multi dwelling housing; Neighbourhood shops; Office	Home-based childcare, Home occupations
	Centre-based child care facilities; Community facilities; Environmental	premises; Oyster aquaculture; Places of public worship; Residential flat	3 Permitted with consent
	protection works; Group homes; Multi dwelling housing; Neighbourhood	buildings; Respite day care centres; Roads; Semi-detached dwellings;	Attached dwellings; Bed and Breakfast accommodation; Boarding houses;
	shops; Oyster aquaculture; Places of public worship; Respite day care	Seniors housing; Tank-based aquaculture; Any other development not	Building identification signs; Business identification signs; Centre-based
	centres; Seniors housing; Tank-based aquaculture; Water supply systems;	specified in item 2 or 4	child care facilities; Community facilities; Dual Occupancies; Dwelling
	Any other development not specified in item 2 or 4	4 Prohibited	houses; Educational establishments; Environmental protection works;
	4 Prohibited	Advertising structures; Agriculture; Air transport facilities; Airstrips;	Exhibition homes; Flood Mitigation works; Group homes; Health service
	Agriculture; Air transport facilities; Airstrips; Amusement centres;	Amusement centres; Animal boarding or training establishments;	facilities; Home business, Home industries; Hostels; Multi dwelling
	Animal boarding or training establishments; Boat building and repair	Biosolids treatment facilities; Boat building and repair facilities; Boat	housing; Neighbourhood shops; Neighbourhood supermarket; Oyster
	facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities;	launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial	aquaculture; Places of public worship; Recreation areas; Respite day care
			centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors
	Commercial premises; Correctional centres; Crematoria; Depots; Eco-	premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities;	housing; Shop top housing; Tank-based aquaculture; water supply
	tourist facilities; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Extractive	Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages;	systems 4 Prohibited
	industries; Farm buildings; Forestry; Freight transport facilities; Function	Extractive industries; Farm buildings; Forestry; Freight transport	l
	centres; Heavy industrial storage establishments; Helipads; Highway	facilities; Function centres; Heavy industrial storage establishments;	Any development not specified in item 2 or 3
	service centres; Home occupations (sex services); Industrial retail outlets;	Helipads; Highway service centres; Home businesses; Home occupations	
	Industrial training facilities; Industries; Information and education	(sex services); Industrial retail outlets; Industrial training facilities;	
	facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open	Industries; Information and education facilities; Jetties; Marinas; Mooring	
	cut mining; Passenger transport facilities; Pond-based aquaculture Port	pens; Moorings; Mortuaries; Open cut mining; Passenger transport	
	facilities; Public administration buildings; Recreation facilities (indoor);	facilities; Pond-based aquaculture; Port facilities; Public administration	
	Recreation facilities (major); Recreation facilities (outdoor); Registered	buildings; Recreation facilities (indoor); Recreation facilities (major);	
	clubs; Research stations; Residential flat buildings; Restricted premises;	Recreation facilities (outdoor); Registered clubs; Research stations;	
	Rural industries; Rural workers' dwellings; Service stations; Sewerage	Residential accommodation; Restricted premises; Rural industries;	
	systems; Sex services premises; Signage; Storage premises; Tourist and	Service stations; Sewage treatment plants; Sex services premises; Storage	
	visitor accommodation; Transport depots; Truck depots; Vehicle body	premises; Tourist and visitor accommodation; Transport depots; Truck	
	repair workshops; Vehicle repair stations; Veterinary hospitals;	depots; Vehicle body repair workshops; Vehicle repair stations;	
	Warehouse or distribution centres; Waste or resource management	Veterinary hospitals; Warehouse or distribution centres; Waste or	
	facilities; Water recreation structures; Wharf or boating facilities;	resource management facilities; Water recreation structures; Water	
	Wholesale supplies	recycling facilities; Water supply systems; Wharf or boating facilities;	
		Wholesale supplies	
71.771.7.7			
R4 High Density	1 Objectives of zone	1 Objectives of zone	1 Objectives of zone
Residential	To provide for the housing needs of the community within a high	To provide for the housing needs of the community within a high	To provide for the housing needs of the community within a high
	density residential environment.	density residential environment.	density residential environment.
	To provide a variety of housing types within a high density residential	To provide a variety of housing types within a high density residential	To provide a variety of housing types within a high density residential
	environment.	environment.	environment.
	To enable other land uses that provide facilities or services to meet the day to day needs of residents.	To enable other land uses that provide facilities or services to meet the day to day needs of recidents.	To enable other land uses that provide facilities or services to meet the day to day needs of residents.
	day to day needs of residents.	day to day needs of residents. • To encourage development that promotes walking and cycling.	the day to day needs of residents.
	2 Permitted without consent Home-based child care; Home businesses; Home occupations; Recreation	2 Permitted without consent	To enable residential development in accessible locations so as to maximise public resources patterness and to encourage walking and
	areas; Roads	Home occupations	maximise public transport patronage and to encourage walking and
	3 Permitted with consent	3 Permitted with consent	cycling 2 Permitted without consent
	Boarding houses; Building identification signs; Business identification	Attached dwellings; Bed and breakfast accommodation; Boarding houses;	Home-based child care, Home occupations
	signs; Centre-based child care facilities; Community facilities;	Centre-based child care facilities; Community facilities; Dwelling houses;	3 Permitted with consent
	organ, weath prove suite our invitates, community members,	Country and only includes, Community Invitation, 17 would includes,	V I CLIMACO WITH COMPCHE

Item 5.1 – Attachment 5

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	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	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; Tankbased 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; 	 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. Permitted without consent Home-based child care; Home business; Home occupations 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 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

Item 5.1 – Attachment 5

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
B2 Local Centre	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 1 Objectives of zone	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	 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. Permitted without consent Home-based child care; Home businesses; Home occupations; Roads 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 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 	 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 Permitted without consent Home-based childcare; Home business; Home occupations 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 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; Home occupations (sex

Item 5.1 – Attachment 5

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	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	Zone not included in Rockdale LEP 2011.	1 Objectives of zone 1 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. 1 To encourage appropriate employment opportunities in accessible locations. 1 To encourage appropriate employment opportunities in accessible locations. 2 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 (coutdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services p	 * 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 plant

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
		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 1 To provide a mixture of compatible land uses. 1 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; Ecotourist 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; Semidetached 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; management facilities; w	1 Objectives of zone 1 To provide a mixture of compatible land uses. 1 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;	 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. Permitted without consent Home-based childcare, Home business, Home occupations 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 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
B5 Business Development	Zone not included in Rockdale LEP 2011,	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. Permitted without consent Nil 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	*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. Permitted without consent Nil 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 2020
		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	 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. Permitted without consent Roads 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 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Camping grounds; Caravan parks; Centre-based child care facilities; Exhibition homes; Exhibition villages; Extractive industries; 	Zone not included in Botany Bay LEP 2013.	 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. Permitted without consent Roads 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 Prohibited Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Camping grounds; Caravan parks; Centre-based child care 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 2020
B7 Business Park	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	Objectives of zone To provide a range of office and light industrial uses.	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 1 Objectives of zone • To provide a range of office and light industrial uses.
	Zone not included in Rockdale LEP 2011.	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. Permitted without consent Home occupations 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 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 suppl	 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. Permitted without consent Home occupations Permitted with consent Centre-based child care facilities; Dwelling houses; 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; Tankbased aquaculture; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 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 r
IN1 General Industrial	Zone not included in Rockdale LEP 2011.	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.	Objectives of zone To provide a wide range of industrial and warehouse land uses. To encourage employment opportunities.

15

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
		2 Permitted with 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. Permitted without consent Nil 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 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; 	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. Permitted without consent Nil 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. Prohibited

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	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	Zone not included in Rockdale LEP 2011.	1 Objectives of zone 1 To provide for special land uses that are not provided for in other zones. 2 To provide for sites with special natural characteristics that are not provided for in other zones. 3 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. 3 Permitted without consent 4 Environmental protection works 3 Permitted with consent 5 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 6 Any development not specified in item 2 or 3	1 Objectives of zone
SP2 Infrastructure	To provide for infrastructure and related uses. To prevent development that is not compatible with or that may detract from the provision of infrastructure. Permitted without consent Roads 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 Prohibited Any development not specified in item 2 or 3	1 Objectives of zone 1 To provide for infrastructure and related uses. 1 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 1 To provide for infrastructure and related uses. 1 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.

Item 5.1 – Attachment 5

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
SP3 Tourism	1 Objectives of zone 1 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	Zone not included in Botany Bay LEP 2013.	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 	 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. Permitted without consent Environmental protection works; Flood mitigation works 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); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Signage; Take-away food & drink premises; Water supply systems. Prohibited Any development not specified in item 2 or 3
RE2 Private Recreation	Objectives of zone To enable land to be used for private open space or recreational purposes.	Objectives of zone To enable land to be used for private open space or recreational purposes.	Objectives of zone To enable land use to be used for private open space or recreational purposes.

Item 5.1 – Attachment 5

 To provide a range of recreational settings and activities and compatible land uses. To protect and enhance the natural environment for recreational purposes. Permitted without consent Roads Permitted with consent Aquaculture; Boat launching ramps; Building identification signs; Community facilities; Environmental facilities; Environmental protection works; Jetties; Kiosks; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Water supply systems To provide a range of recreational settings and activities and compatible land uses. To provide a range of recreational settings and activities and compatible land uses. To provide a range of recreational settings and activities and compatible land uses. To provide a range of recreational settings and activities and compatible land uses. To provide a range of recreational settings and activities and compatible land uses. To protect and enhance the natural environment for recreational purposes. Permitted without consent Permitted without consent Nil Permitted with consent Aquaculture; Boat launching ramps; Building Identification signs; Community facilities; Environmental facilitie	
• 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 facilities (indoor); Recreation facilities (major); Recreation facilities (indoor); Recreation facilities	ecreational
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 facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Water supply systems 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; Environmental facilities; Env	ecreational
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 facilities (indoor); Registered clubs; Water supply systems 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; Environmental facilities; Environ	
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 facilities (indoor); Registered clubs; Water supply systems 4 Prohibited Environmental protection works 3 Permitted with consent Aquaculture; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental facilities; Environmental facilities; Flood mitigation works; Food and drink premises; Information and education facilities (indoor); Recreation facilities; Environmental	
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); Registered clubs; Water supply systems 4 Prohibited 3 Permitted with consent Aquaculture; Building identification signs; Business identification signs; Business identification signs; Business identification signs; Community facilities; Community facilities; Environmental facilities; Environmen	
Aquaculture; Boat launching ramps; Building identification signs; Business identification signs; Community facilities; Environmental facilities; Environmental protection works; Jetties; Kiosks; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Water supply systems Aquaculture; Building identification signs; Business identification signs; Community facilities; Community facilities; Environmental facilities; Environment	
Business identification signs; Community facilities; Environmental facilities; Environmental protection works; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Registered clubs; Water supply systems Business identification signs; Community facilities; Environmental facilities; Environ	
facilities; Environmental protection works; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Water supply systems 4 Prohibited Entertainment facilities; Environmental facilities; Flood mitigation works; Food and drink premises; Information and education facilities; Environmental	
areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Water supply systems 4 Prohibited Food and drink premises; Information and education facilities; Kiosks; Markets; Places of public worship; Recreation facilities (outdoor); Markets; Places of public worship; Recreation facilities (outdoor); Recreation facilities (indoor); Recreation facilit	
Recreation facilities (outdoor); Registered clubs; Water supply systems 4 Prohibited Markets; Places of public worship; Recreation areas; Recreation facilities (outdoor); (indoor); Recreation facilities (major); Recreation facilities (outdoor); Recreation areas; Recreation facilities (outdoor); Recreation areas; Recreation facilities (outdoor);	
4 Prohibited (indoor); Recreation facilities (major); Recreation facilities (outdoor); Recreation facilities (indoor); Recreat	
Any development not specified in item 2 or 3 Registered clubs; Respite day care centres; Roads; Water storage facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Water storage facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Water storage facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Water storage facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Water storage facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Water storage facilities (major); Recreation facilities (m	
4 Prohibited care centres; Roads; Water supply systems;	- <u>F</u> J
Any development not specified in item 2 or 3 4 Prohibited	
Any development not specified in item 2 or 3	
E1 National 1 Objectives of zone 1 Objectives of zone	
parks and • To enable the management and appropriate use of land that is reserved • To enable the management and appropriate use of land that is reserved	
nature reserves under the National Parks and Wildlife Act 1974 or that is acquired under under the National Parks and Wildlife Act 1974 or that is	acquired
Part 11 of that Act.	
To enable uses authorised under the <u>National Parks and Wildlife Act</u> To enable uses authorised under the <u>National Parks and Wildlife Act</u> To enable uses authorised under the <u>National Parks and Wildlife Act</u>	vuattje Act
 1974. To identify land that is to be reserved under the National Parks and To identify land that is to be reserved under the National 	Damba and
Wildlife Act 1974 and to protect the environmental significance of that Zone not included in Botany Bay LEP 2013. Wildlife Act 1974 and to protect the environmental significance of that	
land.	cance of that
2 Permitted without consent	
Uses authorised under the National Parks and Wildlife Act 1974 Uses authorised under the National Parks and Wildlife Act 1974	774
3 Permitted with consent	
Nil Nil	
4 Prohibited	
Any development not specified in item 2 or 3	
W2 Recreational 1 Objectives of zone	
W2 Recreational Waterways To protect the ecological, scenic and recreation value	e of
recreational waterways.	3 01
To allow for water-based recreation and related uses	
To provide for sustainable fishing industries and rec	eational
fishing.	
Zone not included in Rockdale LEP 2011. Zone not included in Botany Bay LEP 2013. 2 Permitted without consent	
Environmental protection works	
3 Permitted with consent	
Aquaculture, Boat launching ramps; Boat building and repair	
Boat sheds, Building identification signs; Business identification states and the state of the s	
Environmental facilities, Flood mitigation works; Jetties, Ki	sks;
Marinas, Moorings, Water recreation structures 4 Prohibited	
Any other development not specified in item 2 or 3	
Any other development not specified in heir 2 or 5	
W3 Working 1 Objectives of zone 1 Objectives of zone	
Waterways Zone not included in Rockdale LEP 2011. • To enable the efficient movement and operation of commercial To enable the efficient movement and operation of commercial	al shipping,
shipping, water-based transport and maritime industries. water-based transport and maritime industries,	

19

ZONE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
		To promote the equitable use of waterways, including appropriate	 To promote the equitable use of waterways, including appropriate
		recreational uses.	recreational uses.
		To minimise impacts on ecological values arising from the active use of	 To minimise impacts on ecological values arising from the active use of
		waterways.	waterways.
		To provide for sustainable fishing industries.	 To provide for sustainable fishing industries.
		2 Permitted without consent	2 Permitted without consent
		Environmental protection works	Environmental protection works
		3 Permitted with consent	3 Permitted with consent
		Aquaculture; Boat building and repair facilities; Boat sheds; Building	Aquaculture; Boat building and repair facilities; Boat sheds; Building
		identification signs; Business identification signs; Environmental	identification signs; Business identification signs; Environmental
		facilities; Flood mitigation works; Port facilities; Water recreation	facilities; Flood mitigation works; Port facilities; Water recreation
		structures; Wharf or boating facilities	structures; Wharf or boating facilities
		4 Prohibited	4 Prohibited
		Any development not specified in item 2 or 3	Any development not specified in item 2 or 3

PART 3 - EXEMPT & COMPLYING

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
3.1 Exempt	Note. Under section 76 of the Act, exempt development may be carried	Note. Under section 76 of the Act, exempt development may be carried	Note. Under section 4.1 of the Act, exempt development may be carried out
development	out without the need for development consent under Part 4 of the Act or	out without the need for development consent under Part 4 of the Act or	without the need for development consent under Part 4 of the Act or for
	for assessment under Part 5 of the Act.	for assessment under Part 5 of the Act.	assessment under Part 5 of the Act. The section states that exempt development -
	The section states that exempt development—	The section states that exempt development—	(a) must be of minimal environmental impact, and
	(a) must be of minimal environmental impact, and	(a) must be of minimal environmental impact, and	(b) cannot be carried out in a declared area of outstanding biodiversity value
	(b) cannot be carried out in a declared area of outstanding	(b) cannot be carried out in a declared area of outstanding	under the Biodiversity Conservation Act 2016 or declared critical habitat under
	biodiversity value under the Biodiversity Conservation Act 2016 or	biodiversity value under the Biodiversity Conservation Act 2016 or	Part 7A of the Fisheries Management Act 1994, and
	declared critical habitat under Part 7A of the Fisheries Management	declared critical habitat under Part 7A of the Fisheries Management	(c) cannot be carried out in a wilderness area (identified under the
	<u>Act 1994</u> , and	Act 1994, and	Wilderness Act 1987). (1) The objective of this clause is to identify development of minimal
	(c) cannot be carried out in a wilderness area (identified under	(c) cannot be carried out in a wilderness area (identified under	environmental impact as exempt development.
	the Wilderness Act 1987).	the Wilderness Act 1987).	(2) Development specified in Schedule 2 that meets the standards for the
	(1) The objective of this clause is to identify development of minimal	(1) The objective of this clause is to identify development of minimal	development contained in that Schedule and that complies with the
	environmental impact as exempt development.	environmental impact as exempt development.	requirements of this Part is exempt development.
	(2) Development specified in Schedule 2 that meets the standards for the	(2) Development specified in Schedule 2 that meets the standards for the	(3) To be exempt development, the development:
	development contained in that Schedule and that complies with the	development contained in that Schedule and that complies with the	(a) must meet the relevant deemed-to-satisfy provisions of the
	requirements of this Part is exempt development.	requirements of this Part is exempt development.	Building Code of Australia or, if there are no such relevant
	(3) To be exempt development, the development—	(3) To be exempt development, the development—	provisions, must be structurally adequate, and
	(a) must meet the relevant deemed-to-satisfy provisions of	(a) must meet the relevant deemed-to-satisfy provisions of	(b) must not, if it relates to an existing building, cause the
	the Building Code of Australia or, if there are no such relevant	the Building Code of Australia or, if there are no such relevant	building to contravene the Building Code of Australia, and
	provisions, must be structurally adequate, and	provisions, must be structurally adequate, and	(c) must not be designated development, and
	(b) must not, if it relates to an existing building, cause the building to	(b) must not, if it relates to an existing building, cause the building to	(d) must not be carried out on land that comprises, or on which
	contravene the Building Code of Australia, and	contravene the Building Code of Australia, and	there is, an item that is listed on the State Heritage Register under
	(c) must not be designated development, and	(c) must not be designated development, and	the Heritage Act 1977 or that is subject to an interim heritage
	(d) must not be carried out on land that comprises, or on which there	(d) must not be carried out on land that comprises, or on which there	order under the Heritage Act 1977.
	is, an item that is listed on the State Heritage Register under	is, an item that is listed on the State Heritage Register under	(e) (Repealed)
	the <u>Heritage Act 1977</u> or that is subject to an interim heritage order	the <u>Heritage Act 1977</u> or that is subject to an interim heritage order	(4) Development that relates to an existing building that is classified
	under the <u>Heritage Act 1977</u> .	under the <u>Heritage Act 1977</u> .	under the Building Code of Australia as class 1b or class 2-9 is exempt
	(4) Development that relates to an existing building that is classified	(4) Development that relates to an existing building that is classified	development only if -
	under the Building Code of Australia as class 1b or class 2–9 is exempt	under the Building Code of Australia as class 1b or class 2–9 is exempt	(a) the building has a current fire safety certificate or fire safety
	development only if— (a) the building has a current fire safety certificate or fire safety	development only if— (a) the building has a current fire safety certificate or fire safety	statement, or
		statement, or	(b) no fire safety measures are currently implemented, required
	statement, or (b) no fire safety measures are currently implemented, required or	(b) no fire safety measures are currently implemented, required or	or proposed for the building.
	proposed for the building.	proposed for the building.	(5) To be exempt development, the development must:
	(5) To be exempt development, the development must—	(5) To be exempt development, the development must—	(a) be installed in accordance with the manufacturer's
	(a) be installed in accordance with the manufacturer's specifications,	(a) be installed in accordance with the manufacturer's specifications,	specifications, if applicable, and
	if applicable, and	if applicable, and	(b) not involve the removal, pruning or other clearing of
	(b) not involve the removal, pruning or other clearing of vegetation	(b) not involve the removal, pruning or other clearing of vegetation	vegetation that requires a permit, development consent or other
	that requires a permit, development consent or other approval unless it	that requires a permit, development consent or other approval unless	approval unless it is undertaken in accordance with a permit,
	is undertaken in accordance with a permit, development consent or	it is undertaken in accordance with a permit, development consent or	development consent or other approval.
	other approval.	other approval.	Note. See State Environmental Planning Policy (Vegetation in Non-Rural
	Note. See State Environmental Planning Policy (Vegetation in Non-Rural		Areas) 2017 and Part 5A of the Local Land Services Act 2013.
	Areas) 2017 and Part 5A of the Local Land Services Act 2013,	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.
	(6) A heading to an item in Schedule 2 is part of that Schedule.	(6) A heading to an item in Schedule 2 is part of that Schedule.	
	(b) A heading to an item in Schedule 2 is part of that Schedule.	(b) A heading to an item in Schedule 2 is part of that Schedule.	
3.2 Complying	(1) The objective of this clause is to identify development as complying	(1) The objective of this clause is to identify development as complying	(1) The objective of this clause is to identify development as complying
development	development.	development.	development.
	(2) Development specified in Part 1 of Schedule 3 that is carried out in	(2) Development specified in Part 1 of Schedule 3 that is carried out in	(2) Development specified in Part 1 of Schedule 3 that is carried out in
	compliance with—	compliance with—	compliance with -
	(a) the development standards specified in relation to that	(a) the development standards specified in relation to that	(a) the development standards specified in relation to that development,
	development, and	development, and	and
	(b) the requirements of this Part,	(b) the requirements of this Part,	(b) the requirements of this Part,

21

Bayside Local Planning Panel

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	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 Building Code of Australia, 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 Building Code of Australia, 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 Building Code of Australia, 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.
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— environmentally sensitive area for exempt or complying development 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— environmentally sensitive area for exempt or complying development 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: **environmentally sensitive area for exempt or complying development** (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 2020
4.1 Minimum	(1) The objectives of this clause are as follows—	[Not adopted]	(1) The objectives of this clause are as follows—
subdivision lot	 (a) to ensure that subdivision reflects and reinforces the 		(a) to ensure that subdivision reflects and reinforces the predominant
size	predominant subdivision pattern of the area,		subdivision pattern of the area,

22

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (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), 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).

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
4.2A Minimum lot size for attached and semi-detached dwellings in Zone R2	 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. 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. A reference in this clause to a lot does not include a reference to any lot comprising common property (within the meaning of the <u>Strata</u> <u>Schemes (Freehold Development) Act 1973</u>) or association property (within the meaning of the <u>Community Land Development Act 1989</u>). The objectives of this clause are as follows— 	Clause not included in Botany Bay LEP 2013. (1) The objectives of this clause are as follows—	Clause not included in Bayside LEP 2020. (1) The objectives of this clause are as follows:
4.3 Height of buildings	 (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 1,000 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 2,000 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 2,000 square metres, 	(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.	 (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 1,000 square metres, (g) 12 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 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 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 2,000 square metres, (h) 3 metres—if the building is in Area 9 identified on the Height of Buildings

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (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. 	Botatty Bay LET 2013	(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.
to height of buildings	 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. 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. Clause 5.6 does not apply to a building on land to which this clause applies. 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. 	Clause not included in Botany Bay LEP 2013.	Clause not included in Bayside LEP 2020.
	(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:

25

Bayside Local Planning Panel

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (a) to establish the maximum development density and intensity of 	(a) to establish standards for the maximum development density and	(a) to establish standards for the maximum development density and
	land use, accounting for the availability of infrastructure and	intensity of land use,	intensity of land use,
	generation of vehicular and pedestrian traffic, in order to achieve	(b) to ensure that buildings are compatible with the bulk and scale of	(b) to ensure that buildings are compatible with the bulk and scale of the
	the desired future character of Rockdale,	the existing and desired future character of the locality,	existing and desired future character of the locality,
	(b) to minimise adverse environmental effects on the use or	(c) to maintain an appropriate visual relationship between new	(c) to minimise adverse environmental effects on the use or enjoyment of
	enjoyment of adjoining properties,	development and the existing character of areas or locations that are	adjoining properties and the public domain,
	(c) to maintain an appropriate visual relationship between new	not undergoing, and are not likely to undergo, a substantial	(d) to maintain an appropriate visual relationship between new
	development and the existing character of areas or locations that are	transformation,	development and the existing character of areas or locations that are not
	not undergoing or likely to undergo a substantial transformation.	(d) to ensure that buildings do not adversely affect the streetscape,	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	skyline or landscape when viewed from adjoining roads and other	(e) to ensure that buildings do not adversely affect the streetscape, skyline
		public places such as parks, and community facilities, (e) to minimise adverse environmental effects on the use or enjoyment	or landscape when viewed from adjoining roads and other public places
	Map. (2A) The floor space ratio for a building on land that is in Zone R2 Low	of adjoining properties and the public domain,	such as parks, and community facilities, (2) The maximum floor space ratio for a building on any land is not to
	Density Residential, Zone R3 Medium Density Residential or Zone R4	(f) to provide an appropriate correlation between the size of a site and	exceed the floor space ratio shown for the land on the Floor Space Ratio
	High Density Residential and that has an area of less than 460 square	the extent of any development on that site,	Map,
	metres is not to exceed 0.55:1.	(g) to facilitate development that contributes to the economic growth	(3) The floor space ratio for a building on land that is in Zone R2 Low
	(2B) Without limiting subclause (2), the ratio of the gross floor area of	of Botany Bay.	Density Residential, R3 Medium Density Residential or R4 High Density
	all buildings (or parts of buildings) that are residential accommodation	(2) The maximum floor space ratio for a building on any land is not to	Residential in Area A (Bayside West) on the Floor Space Ratio Map, and
	to the site area is not to exceed—	exceed the floor space ratio shown for the land on the Floor Space Ratio	that land has an area of less than 460 square metres, is not to exceed
	(a) (Repealed)	Map.	0.55:1.
	(b) 2.25:1 if the site is at 213 Princes Highway and 4 Wardell	(2A) Despite subclause (2), if an area of land in Zone R3 Medium Density	(4) Despite subclause (2), if a building is permissible under clause 10 of
	Street, Arncliffe.	Residential or Zone R4 High Density Residential exceeds 2,000 square	Schedule 1 on land identified as "Area 3" on the Floor Space Ratio Map,
	(2C) Despite subclause (2), the floor space ratio for a building may	metres, the floor space ratio of a building on that land may exceed the	the maximum floor space ratio for the building must not exceed 1.5:1.
	exceed the maximum floor space ratio allowed under that subclause by	maximum floor space ratio shown for the land on the Floor Space Ratio	(5) Despite subclause (2), the floor space ratio for a building may exceed
	up to—	Map but must not exceed 1.5:1.	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	(2B) Subclause (2A) does not apply to land identified as "Area 1" on	(a) 1:1—if the building is in Area 5 identified on the Floor Space Ratio
	Ratio Map and on a lot having an area of at least 1,500 square	the Floor Space Ratio Map.	Map and on a lot having an area of at least 1,500 square metres,
	metres,	(2C) Despite subclause (2), if an area of land identified as "Area 2" on	(b) 1:1—if the building is in Area 6 identified on the Floor Space Ratio
	(b) 1:1—if the building is in Area B identified on the Floor Space	the Floor Space Ratio Map has a site area exceeding 1,900 square metres,	Map and on a lot having an area of at least 2,000 square metres,
	Ratio Map and on a lot having an area of at least 2,000 square	the maximum floor space ratio for a building on that land may exceed the	(c) 0.5:1—if the building is in Area 7 identified on the Floor Space Ratio
	metres, (a) 0.5-1 if the building is in Area Cidentified on the Floor	maximum floor space ratio shown for the land on the Floor Space Ratio Map by no more than 0.65:1.	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
	(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	(2D) Despite subclause (2), if a building is permissible under clause 9A of	Map and on a lot having an area of at least 1,000 square metres,
	square metres,	Schedule 1 on land identified as "Area 4" on the Floor Space Ratio Map, the	(e) 0.5:1—if the building is in Area 10identified on the Floor Space Ratio
	(d) 2:1—if the building is in Area D identified on the Floor Space	maximum floor space ratio for the building must not exceed 1.5:1.	Map and on a lot having an area of at least 600 square metres,
	Ratio Map and on a lot having an area of at least 1,000 square	accompanies con or allower control of the control with a control	(f) 0.7:1—if the building is in Area 11 identified on the Floor Space Ratio
	metres,		Map and on a lot having an area of at least 600 square metres and contains
	(e) 0.5:1—if the building is in Area F identified on the Floor Space		one or more pedestrian arcades,
	Ratio Map and on a lot having an area of at least 600 square metres,		(g) 0.5:1—if the building is in Area 13 identified on the Floor Space
	(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 800 square metres.
	Ratio Map and on a lot having an area of at least 600 square metres		(6) Despite subclause (2), in the area of land identified as Area 14 on
	and contains one or more pedestrian arcades,		the Floor Space Ratio Map, the floor space ratio of all buildings (or parts
	(g) 0.5:1—if the building is in Area I identified on the Floor Space		of buildings) that are residential accommodation to the site area is not to
	Ratio Map and on a lot having an area of at least 800 square metres.		exceed 2.25:1.
	(2D) Despite subclause (2), the maximum floor space ratio for a		(7) Despite subclause (2), the maximum floor space ratio for a building
	building on land identified as "Area E" on the Floor Space Ratio Map is		on land identified as Area 9 on the Floor Space Ratio Map is 5:1.
	5:1. However, the ratio of the gross floor area of all buildings, other than		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		commercial premises, to the site area must not exceed 3:1. Note.
	gross floor area of all buildings on the site concerned (clause 4.5 (2)).		Floor space ratios are determined cumulatively by calculating the gross
	(2E) Despite subclause (2), the maximum floor space ratio for a		floor area of all buildings on the site concerned (clause 4.5 (2)).
	building on land identified as Area H on the Floor Space Ratio Map is,		(8) Despite subclause (2), the maximum floor space ratio for a building
	if the building is used only for the purpose of seniors housing, 1.25:1.		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.
		l	I

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013		side LEP 2020
			(9) Despite subclause (2), developmed development for the purposes of multiflat buildings on land identified as Ar that results in a floor space ratio that (a) the site area is equal to or greater (b) the site area is land identified on (c) the consent authority considers the, adversely affected by any of the final contamination, (ii) noise (including aircraft, rail or red) the consent authority is satisfied (i) the development will be compatible in terms of building bulk and scale, a (ii) the development will contribute the locality, and (iii) any consolidation of lots for the to result in adjoining lots that cannot Plan.	ti dwelling housing and residential rea 4 on the Floor Space Ratio Map does not exceed 1.65:1 if: than 2,000 square metres, and the Acid Sulfate Soils Map, and the development is, or is likely to following: the with the desired future character and to the amenity of the surrounding purposes of this clause is not likely
4.4A Exceptions to floor space ratio for residential accommodation	Clause not included in Rockdale LEP 2011.	(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— Site Area <200 square metres 200–250 square metres 251–300 square metres	(1) The objectives of this clause are: (a) to ensure that the bulk and scale of the character of the locality, (b) to promote good residential amer (2) This clause applies to land identification Map. (3) Despite clause 4.4 (2), the follow ratios on land to which this clause applies to the maximum floor space ratio for dwellings, attached dwellings and dufloor space ratio applicable to the site dwelling is situated: Site Area	of development is compatible with nity. fied as "Area 3" on the Floor Space ing provisions relate to floor space plies: r a dwelling house, semi-detached al occupancies are not to exceed the
		301–350 square metres 351–400 square metres 401–450 square metres >450 square metres (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.	<200 sqm 200-250 sqm 251-300 sqm 301-350 sqm 351-449 sqm	0.80:1 0.75:1 0.70:1 0.65:1 0.60:1
			>450sqm	0.55:1

27

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
4.4B Exceptions to floor space ratio in Zone R3 and Zone R4	Clause not included in Rockdale LEP 2011.	(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.	Clause not included in Bayside LEP 2020.
4.4C Consent to development in Zone R3 and Zone R4	Clause not included in Rockdale LEP 2011.	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 (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.	Clause not included in Bayside LEP 2020.
4.5 Calculation of floor space ratio and site area	 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. 	(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.	(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"

28

(2) Definition of "Boor space ratio" The floor space ratio of buildings on a site is the ratio of the grown on a site is the ratio of the grown for care and buildings within the site to 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 mito, the site area is taken to be— (a) if the proposed development is to be carried out on only one lock, the area of that lot, or common is to be carried out on 2 or more lot, so which the development is proposed to be carried out on 2 or more lot, so which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is proposed to be carried out to that has at least one common boundary with another lot on which the development is proposed to be carried out to a 2 or more lot, so the area of any for on which the development is proposed to be carried out to a 2 or more lot, so the area of any for on which the development is proposed to be carried out to a 2 or more lot, so the area of any for on which the development is proposed to be carried out on 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 proposed to be eligible and to be separately considered for for the purposes of applying a floor space ratio to proposed development is proposed to be carried out. (b) Only significant development to be included in the site 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 site area of a proposed development in the lot of the site area of a proposed development in the lot of the site area of a proposed development in the lot of the site area of a proposed development in the lot of the site area of a proposed development in the lot of the site area for proposed development in the lot of the site area for proposed devel	
site area. (3) Site area In determining the site area of proposed development for the purpose of applying a floor space ratio, the after 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 oll 2 or more lots, the area of any lot on which the development is proposed to be carried out that has a least one common boundary with another lot out that has a least one common boundary with another lot of the purposes of applying a floor space ratio to proposed development. (a) Exclusions from site area. (a) land on which the proposed development is proposed to be carried out that has a least one common boundary with another lot of the purposes of applying a floor space ratio to proposed development. (4) Exclusions from site area. (a) land on which the proposed development is proposed to be carried out on a positive state area. (a) land on which the proposed development is proposed the velopment is proposed development. (b) community land or a public place (except as provided by subclauses (4)—(7) apply to the calculation of site area. (a) land on which the proposed development is proposed development. (b) Constrainty land or a public place (except as provided by subclauses (4)—(7) apply to the calculation of site area. (a) land on which the proposed development is proposed development in proposed develop	ss floor
(a) Site area in determining the site area of proposed development for the the purpose of applying a floor space raito, 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 only one lot, 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 proposed to be carried out that has at least one common boundary with another lot on which the development is proposed development. (4) Exclusions from site area The following land must be excluded from the content of the site area only to the value of the site area only to the v	
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 proposed to be carried out to an 2 or more lots, the area of any lot on which the development is proposed to be carried out to an 2 or more lots, the area of any lot on which the development is proposed development is to be carried out to an 3 or more lots, the area of any lot on which the development is being carried out. In addition, subclauses (4)—7) gaply 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 subclauses (7)). (5) Strata subdivisions The area of a lot that is wholly or partly on too of another or others in a strata subdivision is to be included in the calculation of the sit area only in the extent that from the son overlap with another lot. (6) Only significant development to be included in the site area of a lot that is wholly or partly on top of applying a floor space ratio to proposed development is being carried out. (7) 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 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 of a lot that is wholly or partly on top of another or others in a strata subdivisions. (6) Only significant development to be included in the calculation of the site area for the proposed development in the local and to the part of the site area for the part of the site area for the part of the proposed development and the part of the part of the part of the part of t	
(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 only one lot, the area of that lot, or (b) if the proposed 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 artio to proposed development. (a) Exclusions from site area The following land must be excluded from the site area— (b) and on which the area of all that is wholly or partly on top of another or others in a strata subdivision is to be included to the calculation. (c) Our substitute of the site area only by the extra posed development to be included in the calculation. (d) Our significant development to be included in the site area aclaulation. (e) Our significant development to be included in the site area aclaulation. (f) Our significant development to be included in the site area only to the extent that it does not overlap with another lot already included in the site area aclaulation. (f) Certain public land to be expartately considered For the purpose of applying a floor space ratio to any proposed development must not include a lot additional lot. (f) Certain public land to be expartately considered For the purpose of applying a floor space ratio to any proposed development must not include a near that is on, above or below community land or a public place, the site area and public land to the separately considered For the purpose of applying a floor space ratio to any proposed development in the site area and public land to be separately considered for the purpose of applying a floor space ratio, whether or not the proposed development and public land to the proposed development in the proposed development in the proposed development in the site area and public land to the proposed development in the site area and public land to the proposed dev	pose of
in the train 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)—70 paply to the calculation of site area for the purposes of applying a floor space ratio to proposed development. (4) Exclusions from site area in 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 subclauses (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 calculation. (6) Out significant development to be included in the site area calculation. (7) Out significant development to be included in the site area calculation. (6) Out significant development to be included in the site area calculation. (7) Certain public land to be separately considered To the purpose of applying a floor space ratio to proposed development must not include a lot additional to a lot or lots on which the development is being carried out on the site 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 site 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 on a lot of the site area on the calculation of the site area on the calcula	
(b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which met 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 is proposed to be 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 is proposed development in the group of a pull than a set area. (a) land on which the proposed development is probletic, whether under this Plan or any other law, (b) community land or a public place (except as provided by subclauses (7)). (5) Strata subdivisions The area of a lot that is wholly or partly on top of another or others in a strata eaclulation. (6) Only significant development is the include at the development is probletical in the davelopment in the davelopment to the includes of a development in the davelopment in the davel	lot, the
blos, the area of anyl to 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)—70 apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development. (4) Exclusions from 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 subclauses (7)). (5) Strata subdivisions The area of a lot that it does not overlap with mother lot already included in the calculation. (b) Community land or a public place carried out unless the proposed development in the site area calculation. (c) Only significant development is being carried out. (d) 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 subclauses (7)). (d) Strata subdivisions The area of a lot that it does not overlap with mother lot already included in the site area calculation. (e) Only significant development is being carried out. (f) Certain public land to be separately considered For the purposes of applying a floor space ratio to any proposed development must not include a lot at difficient of the site 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 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 for proposed development must not include a lot at or site area for proposed development must not include a lot at difficient law to the proposed development must not include a lot at difficient law to the site area for proposed development in the site area for proposed development must not include a lot at additional to be separately considered For the purposes of applying a floor spac	
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 acclulation. (6) Only significant development to be included in the site area calculation. (6) Only significant development to be included in the development on a being carried out. (7) Certain public land to be separately considered for the purpose of development is to be carried out unless the proposed development in clude as load development to be included in the proposed development in the development is to be carried out unless the proposed development in clude as load additional to a lot or lots on which the development in the development in the site area for proposed development must not include a lot and additional value that has at least one common boundary with another lot on which the evolved proment. (4) Exclusions from site area for the law of the site area. (a) land on which the proposed development is prohibited, whether of the area of a lot that is wholly or partly on top of another or others in a strata subdivisions to the included in the calculation of the site area acclualation. (5) Only significant development in clude as under a calculation of the or lots on which the development in the development in the development in the account of the site area for proposed development in the account of the site area for proposed development in the site area for proposed development in clude as giral fined additio	
development is being carried out. In addition, subclauses (-1)-(-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 subclauses (7)). (5) Strata subdivisions The area of a lot that is wholly or partly on top of mother or others in a strata subdivision is to be included in the calculation of the site area calculation. (6) Only significant development is being carried out. (7) Only significant development is being carried out. (8) Exclusions from site area for proposed development is being carried out. (9) Corvenants to prevent "double dipping" When development is being carried out. (10) Corvenants to prevent "double dipping" When development is being carried out. (11) addition, subclauses (4)-(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development is being carried out. (12) Exclusions from site area for the purpose of or applying a floor space and that it is does not overlap with another lot already included in the site area calculation. (12) Strata subdivision is to be included in the calculation of the site area calculation. (13) Conditional for the site area calculation. (14) Exclusions from site area for proposed development in the proposed development in the proposed development in the proposed development in the site area calculation. (15) Contain public land to be separately considered for the purposes of applying a floor space ratio to any proposed development in the site area and the site area of a proposed development in the site area of a public land to be separately considered for the purposed development in the proposed development in a site or the site area of a public land to be separately considered for the purposes of ap	
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 subclauses (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 the development nust not include a lot additional to a lot or lots on which the development on the beseparately considered For the purpose of applying a floor space ratio to any proposed development must not include an area that is on, above or below with an other lot already included in the site area for proposed development must not include a near that is on, above or below that community land or a public place, and is occupied or physically affected by the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing polyment on a five to the boundaries of a site is to be included in the calculation of the carculation of site area for the under this plane area for applying a floor space ratio to 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 to be included The site area for proposed development to a lot or lots on which the development is being carried out unless the proposed development on above or below communit	n the
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 subclauses (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 is being carried out unless the proposed development must not include a lot additional to 1 to (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development must not include a lot additional to 1 to (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development is being carried out unless the proposed development in the calculation of the site area and proposed development in the calculation of the site area only to the extent that it does not overlap with another lot already included and the site area and proposed development in the development is being carried out unless the proposed development in the site area and proposed development in the calculation of the site area only include an area that is on, above or below with an other proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development is to be carried out. (9) Covenants to prevent "double dipping" When development consent is consent is granted to development on a site comprised of 2 or more lots, consent is granted to development and as its comprised of 2 or more lots, a condition or the total floor space ratio to any proposed development on a site or below community land or a public place of the proposed development	an for the
(4) Exclusions from site area — (a) land on which the proposed development is prohibited, whether under this Pan or any other law, (b) community land or a public place (except as provided by subclauses (7)). (5) Strata subdivisions The area of a lot that is wholly or partly on top of another or others in a strata a 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 must not include a lot additional to a lot or lots on which the development is being carried out unless the 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 must not include a lot additional to a lot or lots on which the development is being carried out unless the 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 must not include a lot additional to a lot or lots on which the development is being carried out unless the 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 must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development must not include a lot additional lot. (7) Certain public land to a public place, the sit area must only include an area that is on, above or below that community land or a public place, the sit area must only include an area that is on, above or below that community land or a public place, the sit area must only 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 sit is to be included in the calculation of the total floor	
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 subclauss (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 and to the site area calculation. (6) Only significant development to be included The site area for proposed development to be included and to a tot of tols on which the development of the development of the development of a public place, the site area must only include any other area on which the development is being carried out unless the proposed development must not include a lot additional lot. (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development must not include a lot additional or a public place, the site area must only include any other area on which the development is being carried out unless the proposed development must not include a lot additional lot. (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development must not include a lot additional lot. (6) Only significant development is being carried out unless the proposed development in such does not overlap with mother lot already included in the calculation of the site area and to a public place, the site area and so coupied or physically affected by the proposed development in so be carried out. (8) Existing buildings The gross floor area of any existing or proposed buildings within the vertical projection dobove or below community land or a public place, and is occupied or physically affected by 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 community land or a public place) in the vertical projection (above or belo	
(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 must not include a lot additional to a lot or lots on which the development includes significant development to the included The site area for proposed development includes significant development on, above or below community land or a public place, the site area for proposed development and any not include an area that is on, above or below what community land or a public place, and is occupied or physically affected by 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 weard of the boundaries of a site is to be included in the calculation of the site area for proposed development in so the carried out. (8) Existing buildings The gross floor area of any existing or proposed development is to be carried out which the proposed development on, above or below whether or not the proposed development is to be carried out of the development on a bow or below that community land or a public place, and is occupied or physically affected by the proposed development is to be carried out unless the proposed development is to be carried out of physically affected by the proposed development in the site area of a lot that is wholly or partly on top of the site area for proposed development to be included in the calculation of the site area for proposed development to the children of the site area for proposed development in the development on, above or below that community land or a public place, and is occupied or p	
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 is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development relates to all of the buildings. (9) Covenants to prevent "double dipping" When development to a site comprised of 2 or more lots, consent is granted to development as a site comprised of 2 or more lots, except as provided by subclause (17). (5) Strata subdivisions The area of a lot that is wholly or partly on top of another or other site area only to the extent that it does not overlap with another lot already included in the calculation. (6) Only significant development must not include a lot additional to a lot or lots on which the development is to be carried out unless the proposed development must not include a lot 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 public place, and is occupied or physically affected by 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	ther under
(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 to the development in clude an area that is on, above or below teamonmunity land or a public place, the site area must only include an area that is on, above or below that community land or a public place, the site area must only include an area that is on, above or below that community land or a public place, and is occupied or physically affected by the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development relates to all of the buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already include an other to the extent that it does not overlap with another lot area only to the extent that it does not overlap with another lot area of a lot that is wholly or partly on top of another or othe site area only to the extent that it does not overlap with another lot already included in the site area of or proposed development includes significant development to the that is wholly or partly on top of another or othe site area only to the extent that it does not overlap with another lot afready include an other area on the calculation. (6) Chertain public land to be separately considered For the purpose of evelopment includes significant development on that additional to. (7) Certain public land t	
(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 afterday included in the site area calculation. (6) Only significant development to be included The site area only to the extent that it does not overlap with another lot afterday included in the calculation. (6) Only significant development to be included The site area only to the extent that it does not overlap with another lot afterday included in the calculation. (6) Only significant development to be included The site area only to the extent that it does not overlap with another lot after a constant of the site area only to the extent that it does not overlap with another lot after a constant it development is being carried out unless the proposed development includes significant development to be included in the calculation of the site area only to the extent that it does not overlap with another lot after a constant it development to be included in the calculation. (6) Only significant development to be included The site area only to the extent that it does not overlap with another lot after a constant it does not overlap with another lot after a constant it development to be included The site area only to the extent that it does not overlap with another lot after a constant it does not overlap with another lot after a constant it does not overlap with another lot afterday included in the calculation. (6) Only significant development to be included The site area of a lot that is wholly or partly on top of the site area only to the extent that it does not overlap with another lot afterday included in the calculation. (6) Only significant development includes and proposed development in a public place, and is occupied or physically affected	bclause
(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 must not include a lot additional lot. (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed 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 include an area that is on, above or below that community land or public place, the site area must only include an area that is on, above or below that community land or a public place, the site area must only include an area that is on, above or below that community land or a public place, the site area must only include an area that is on, above or below that community land or a public place, the site area must only include an area that is on, above or below that community land or a public place, the site area must only include an area that is on, above or below that community land or a public place, the site area must only include an area that is on, above or below that community land or a public place, the site area must only include an area that is on, above or below that community land or a public place, the site area must only include an area that is to not above or below that community land or a public place, the site area must only include an area that is to not above or below that community land or a public place, and is occupied or physically affected by the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development is to be carried out. (9) Covenants to prevent "double dipping"	
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 must not include a lot and additional lot. (7) Certain public land to be separately considered For the purpose of applying a floor space ratio to any proposed development is being carried out unless the proposed development include a lot and to be separately considered For the purpose of applying a floor space ratio to any proposed development on an	
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 must not include a lot 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 a 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 boundaries of a site is to be included in the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of the boundaries of a site is to be included in the calculation of	ers in a
(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 is being carried out unless the proposed 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 community land or a public place, the site area must only include an area that is on, above or below community land or a public place, the site area on which the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development is to be included any other area on which the proposed development is to be included any other area on the 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 community land or a public place, and is occupied or physically affected by 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 to any 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 to any prop	
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 must not include a significant development must not include a significant development must not include a significant development must not include a lot 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, and is occupied or physically affected by the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed development relates to all of the buildings. (9) Covenants to prevent "double dipping" When development on a site comprised of 2 or more lots, a condition of the total floor space ratio, whether or not the gronsent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space ratio, whether or not the granted to development and 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 development is to be carried out unless the proposed development on, above or below community land or a public place, and is occupied or physically affected by 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 on a site comprised of 2 or more lots, a condition of the total floor space for the purposed development on a site comprised of 2 or more lots, a condition of the total floor space ratio, whether or not the proposed development on	luded in
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. (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 on that additional lot. (7) Certain public land to be separately considered For the purpose of development on, above or below that community land or a public place, the site area must only include an area that is on, above or below community land or a public place, the site area must only include an area that is on, above or below community land or public place, the site area must only include an area that is on, above or below community land or public place, the site area must only include an area that is on, above or below community land or public place, the site area must only include an area that is on, above or below community land or public place, the site area must only include an area that is on, above or below 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 being carried out. (8) Existing buildings The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground)	
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 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. (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 on a site comprised of 2 or more lots, granted to development on a site comprised of 2 or more lots, a condition 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 community land or a public place, and is occupied or physically affected by 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 on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed buildings. (9) Covenants to prevent "double dipping" When development o	* ***
(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, 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 on a site comprised of 2 or more lots, a condition of a public place, and is on, above or below that community land or a public place, and is on, above or below that community land or public place, and is occupied or physically affected by 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 to any 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 to any proposed development on, above or below community land or public place, and is occupied or physically affected by 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	
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 a public place, the site area must only include an area that is on, above or below that community land or a 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 development relates to all of the buildings. (9) Covenants to prevent "double dipping" When development on a site comprised of 2 or more lots, a condition of the total floor space ratio to any proposed development on, above or below that 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. (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 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 total floor space for the purposed development on a site comprised of 2 or more lots, a condition of the total floor space for the purposed development on a site comprised of 2 or more lots, a condition of the total floor space for the purposed development on a site comprised of 2 or more lots, a condition of the total floor space for th	
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. (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 on a site comprised of 2 or more lots, a condition of the proposed development on a site comprised of 2 or more lots, and is occupied or physically affected by the proposed development, and may not 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. (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 to any 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 to any proposed development on, above or below community land or public place, and is occupied or physically affected by the proposed development is to be carried out. (8) Existing buildings The gross floor area of a	auditional
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. (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 on a site comprised of 2 or more lots, 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 to any 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 consent is granted to development on a site comprised of 2 or more lots, and is occupied or physically affected by the proposed development is to be carried out. (8) Existing buildings. (8) Existing buildings. (9) Covenants to prevent "double dipping" When development consent is granted to development on a site comprised of 2 or more lots, and is occupied or physically affected by the proposed development is to be carried out. (8) Existing buildings. (9) Covenants to preven	
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 on a site comprised of 2 or more lots, a condition of the proposed development on a site comprised of 2 or more lots, a condition of 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 ratio, whether or not the proposed development relates to all of the buildings. (9) Covenants to prevent "double dipping" When development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, and is occupied or physically affected by the proposed development is to be carried out. (8) Existing buildings or proposed the proposed development on, above or below ground of the buildings with the vertical projection (above or below ground) of the boundaries of a site is to be carried out. (8) Existing buildings within the vertica	
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 on a site comprised of 2 or more lots, a condition of the proposed development on a site comprised of 2 or more lots, a condition of the proposed development is to be carried out. (8) Existing buildings The gross floor area of any existing or proposed 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 consent is granted to development on a site comprised of 2 or more lots, a condition of 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 consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site com	ace, the
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 total floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the purposes of any existing or proposed the proposed development, and may not include any other area or the purposed 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 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 applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space for the purpose development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space	
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 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 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 total floor space for the purposes of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is to be carried out. (8) Existing buildings (b) Existing buildings (c) Existing buildings (d) Existing buildings (e) Ex	
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 total floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of the total floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, wh	n which
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 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 applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development consent is granted to development consent is granted to develop the following and the calculation of the total floor space ratio.	
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 a splying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio.	_
(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 a splying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development on a site comprised of 2 or more lots, a condition of applying a floor space ratio.	
consent is granted to development on a site comprised of 2 or more lots, granted to development on a site comprised of 2 or more lots, a condition of applying a floor space ratio, whether or not the proposed development	
I A CODUMNO OF THE CONCENT THEY REQUIRE A COVERABLE IN THE CONCENT THEY REQUIRED IN THE SECRETARIA THAT ARRIVANCE THE SECRETARIA I SECRETARIA THE SECRETARIA SECRETAR	pinent
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 prevents the creation of floor area on a lot (the restricted lot) if the consent authority is prevent "double dipping"	
consent authority is satisfied that an equivalent quantity of floor area satisfied that an equivalent quantity of floor area will be created on another when development consent is granted to development on a site c	comprised
will be created on another lot only because the site included the lot only because the site included the restricted lot.	
restricted lot. (10) Covenants affect consolidated sites If— registered that prevents the creation of floor area on a lot (the res	
(10) Covenants affect consolidated sites If— (a) a covenant of the kind referred to in subclause (9) applies to any lot) if the consent authority is satisfied that an equivalent quantity	
(a) a covenant of the kind referred to in subclause (9) applies to any land (affected land), and area will be created on another lot only because the site included	
land (affected land), and (b) proposed development relates to the affected land and other land restricted lot.	
(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development, (10) Covenants affect consolidated sites If:	
that together comprise the site of the proposed development, the maximum amount of floor area allowed on the other land by the (a) a covenant of the kind referred to in subclause (9) applies to	any land
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 (affected land), and	, ,,, ,
floor space ratio fixed for the site by this Plan is reduced by the of floor space area the covenant prevents being created on the affected (b) proposed development relates to the affected land and other land.	land that
land. together comprise the site of the proposed development,	

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	quantity of floor space area the covenant prevents being created on	(11) Definition In this clause, public place has the same meaning as it has	the maximum amount of floor area allowed on the other land by the floor
	the affected land.	in the Local Government Act 1993.	space ratio fixed for the site by this Plan is reduced by the quantity of
	(11) Definition In this clause, public place has the same meaning as it		floor space area the covenant prevents being created on the affected land.
	has in the Local Government Act 1993.		(11) Definition
	nas in the Edites Government and 1990.		In this clause, public place has the same meaning as it has in the Local
			Government Act 1993.
A 6 Transmilana	(1) The chiestines of this clause are as follows	(1) The chiestives of this closes are as follows	
4.6 Exceptions	(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:
to development	(a) to provide an appropriate degree of flexibility in applying	(a) to provide an appropriate degree of flexibility in applying certain	(a) to provide an appropriate degree of flexibility in applying
standards	certain development standards to particular development,	development standards to particular development,	certain development standards to particular development,
	(b) to achieve better outcomes for and from development by	(b) to achieve better outcomes for and from development by allowing	(b) to achieve better outcomes for and from development by
	allowing flexibility in particular circumstances.	flexibility in particular circumstances.	allowing flexibility in particular circumstances.
	(2) Development consent may, subject to this clause, be granted for	(2) Development consent may, subject to this clause, be granted for	(2) Development consent may, subject to this clause, be granted for
	development even though the development would contravene a	development even though the development would contravene a	development even though the development would contravene a
	development standard imposed by this or any other environmental	development standard imposed by this or any other environmental planning	development standard imposed by this or any other environmental
	planning instrument. However, this clause does not apply to a	instrument. However, this clause does not apply to a development standard	planning instrument. However, this clause does not apply to a
	development standard that is expressly excluded from the operation of	that is expressly excluded from the operation of this clause.	development standard that is expressly excluded from the operation of this
	this clause.	(3) Development consent must not be granted for development that	clause.
	(3) Development consent must not be granted for development that	contravenes a development standard unless the consent authority has	(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	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—	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	contravention of the development standard by demonstrating:
	(a) that compliance with the development standard is unreasonable	unnecessary in the circumstances of the case, and	(a) that compliance with the development standard is
	or unnecessary in the circumstances of the case, and	(b) that there are sufficient environmental planning grounds to justify	unreasonable or unnecessary in the circumstances of the case, and
			(b) that there are sufficient environmental planning grounds to
	(b) that there are sufficient environmental planning grounds to	contravening the development standard.	
	justify contravening the development standard.	(4) Development consent must not be granted for development that	justify contravening the development standard.
	(4) Development consent must not be granted for development that	contravenes a development standard unless—	(4) Development consent must not be granted for development that
	contravenes a development standard unless—	(a) the consent authority is satisfied that—	contravenes a development standard unless:
	(a) the consent authority is satisfied that—	(i) the applicant's written request has adequately addressed the	(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	(i) the applicant's written request has adequately
	matters required to be demonstrated by subclause (3), and	(ii) the proposed development will be in the public interest because	addressed the matters required to be demonstrated by
	(ii) the proposed development will be in the public interest	it is consistent with the objectives of the particular standard and the	subclause (3), and
	because it is consistent with the objectives of the particular	objectives for development within the zone in which the	(ii) the proposed development will be in the public
	standard and the objectives for development within the zone in	development is proposed to be carried out, and	interest because it is consistent with the objectives of the
	which the development is proposed to be carried out, and	(b) the concurrence of the Secretary has been obtained.	particular standard and the objectives for development
	(b) the concurrence of the Secretary has been obtained.	(5) In deciding whether to grant concurrence, the Secretary must	within the zone in which the development is proposed to
	(5) In deciding whether to grant concurrence, the Secretary must	consider—	be carried out, and
	consider—	(a) whether contravention of the development standard raises any	(b) the concurrence of the Secretary has been obtained.
	(a) whether contravention of the development standard raises any	matter of significance for State or regional environmental planning, and	(5) In deciding whether to grant concurrence, the Secretary must
	matter of significance for State or regional environmental planning,	(b) the public benefit of maintaining the development standard, and	consider:
	and	(c) any other matters required to be taken into consideration by the	(a) whether contravention of the development standard raises any
	(b) the public benefit of maintaining the development standard, and	Secretary before granting concurrence.	matter of significance for State or regional environmental
	(c) any other matters required to be taken into consideration by the	(6) Development consent must not be granted under this clause for a	planning, and
	Secretary before granting concurrence.	subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural	(b) the public benefit of maintaining the development standard,
	(6) Development consent must not be granted under this clause for a	Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots,	and
	subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural	Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2	(c) any other matters required to be taken into consideration by
	Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small	Environmental Conservation, Zone E3 Environmental Management or Zone	the Secretary before granting concurrence.
	Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2	E4 Environmental Living if—	(6) Development consent must not be granted under this clause for a
	Environmental Conservation, Zone E3 Environmental Management or	(a) the subdivision will result in 2 or more lots of less than the	subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural
	Zone E4 Environmental Living if—	minimum area specified for such lots by a development standard, or	Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small
	(a) the subdivision will result in 2 or more lots of less than the	(b) the subdivision will result in at least one lot that is less than 90% of	Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2
	minimum area specified for such lots by a development standard, or	the minimum area specified for such a lot by a development standard.	Environmental Conservation, Zone E3 Environmental Management or
	(b) the subdivision will result in at least one lot that is less than	Note. When this Plan was made it did not include Zone RU1 Primary	Zone E4 Environmental Living if:
	90% of the minimum area specified for such a lot by a development	Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4	
	standard.	Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large	

Item 5.1 – Attachment 5

CLAUSE Rockdale L		Botany Bay LEP 2013	Proposed Bayside LEP 2020
Note. When this Plan was made it Primary Production, Zone RU2 Ru Forestry, Zone RU6 Transition, Rust Environmental Conservation, Zone or Zone E4 Environmental Living. (7) After determining a development a clause, the consent authority must keep factors required to be addressed in the referred to in subclause (3). (8) This clause does not allow development that would contravene an (a) a development standard for con (b) a development standard for con (b) a development standard that at the Act, in connection with a common certificate for a building to which a policy (Building Sustainability Indicate Indicate S.4, (ca) clause 5.4, (ca) clause 4.3 (2A), 4.4 (2A), (2E) demonstrable public benefit, such links, (cb) clause 4.3A, (cc) clause 7.1 or 7.2.	ral Landscape, Zone RU3 3 Large Lot Residential, Zone E2 2 E3 Environmental Management application made pursuant to this 2 a record of its assessment of the applicant's written request ment consent to be granted for 3 of the following— mplying development, siese, under the regulations under nitment set out in a BASIX State Environmental Planning lex: BASIX) 2004 applies or for its situated, 3, (2C) or (2D), unless it is for a	Lot Residential, 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, (b1) clause 4.3 (2A), (b2) clause 4.4B (3), (c) clause 5.4.	 (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. (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, (d) clause 4.3 (3), (4), (5) or (6), 4.4 (3), (4), (5), (6) or (7), unless it is for a demonstrable public benefit, such as the provision of pedestrian links, (e) clause 7.1 or 7.2.

PART 5 - MISCELLANEOUS PROVISIONS

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
5.1 Relevant	(1) The objective of this clause is to identify, for the purposes of	(1) The objective of this clause is to identify, for the purposes of section 27	5.1 Relevant acquisition authority
acquisition	section 27 of the Act, the authority of the State that will be the relevant	of the Act, the authority of the State that will be the relevant authority to	(1) The objective of this clause is to identify, for the purposes of section 27
authority	authority to acquire land reserved for certain public purposes if the land	acquire land reserved for certain public purposes if the land is required to be	of the Act, the authority of the State that will be the relevant authority to
	is required to be acquired under Division 3 of Part 2 of the Land	acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms	acquire land reserved for certain public purposes if the land is required to be
	Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated	Compensation) Act 1991 (the owner-initiated acquisition provisions).	acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms
	acquisition provisions).	Note.	Compensation) Act 1991 (the owner-initiated acquisition provisions).
	Note. If the landholder will suffer hardship if there is any delay in the	If the landholder will suffer hardship if there is any delay in the land being	Note. If the landholder will suffer hardship if there is any delay in the land
	land being acquired by the relevant authority, section 23 of the Land	acquired by the relevant authority, section 23 of the Land Acquisition (Just	being acquired by the relevant authority, section 23 of the Land Acquisition
	Acquisition (Just Terms Compensation) Act 1991 requires the authority	<u>Terms Compensation</u>) Act 1991 requires the authority to acquire the land.	(Just Terms Compensation) Act 1991 requires the authority to acquire the
	to acquire the land.	(2) The authority of the State that will be the relevant authority to acquire	land.
	(2) The authority of the State that will be the relevant authority to	land, if the land is required to be acquired under the owner-initiated	(2) The authority of the State that will be the relevant authority to acquire
	acquire land, if the land is required to be acquired under the owner-	acquisition provisions, is the authority of the State specified below in	land, if the land is required to be acquired under the owner-initiated
	initiated acquisition provisions, is the authority of the State specified	relation to the land shown on the Land Reservation Acquisition Map (or, if	acquisition provisions, is the authority of the State specified below in relation
	below in relation to the land shown on the Land Reservation	an authority of the State is not specified in relation to land required to be so	to the land shown on the Land Reservation Acquisition Map (or, if an
	Acquisition Map (or, if an authority of the State is not specified in	acquired, the authority designated or determined under those provisions).	authority of the State is not specified in relation to land required to be so
	relation to land required to be so acquired, the authority designated or		acquired, the authority designated or determined under those provisions).
	determined under those provisions).	Type of land shown on Map Authority of the State	
	Type of land shown on Map Authority of the State	Zone RE1 Public Recreation and Council marked "Local open space"	Type of land shown on Map Zone RE1 Public recreation Council
	Zone RE1 Public Recreation Council and marked "Local open space"	Zone RE1 Public Recreation and marked "Regional open space" under section 8 of the Act	and Marked "Local open space" Zone RE1 Public Recreation Planning Ministerial Corporation
		Zone SP2 Infrastructure and Roads and Maritime Services marked "Classified road"	and marked "Local Open space (Arncliffe)"

Item 5.1 – Attachment 5

CLAUSE	Rockdale	e LEP 2011	Botany Bay	LEP 2013		Bayside LEP 2020
	Zone RE1 Public Recreation and marked "Local Open Space (Arncliffe)"	Planning Ministerial Corporation	Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <u>National Parks and</u> Wildlife Act 1974	Zone RE1 Public recreation and Marked "Regional open space"	The corporation constituted under section 8 of the Act
	Zone RE1 Public Recreation and marked "Regional open	The corporation constituted under section 8 of the Act	Zone R3 Medium Density Residential and marked "Local	Council	Zone SP2 Infrastructure and marked "Classified road" Zone E1 National Parks and	Roads and Maritime Services Minister administering the National
	space" Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services	road widening" Zone B2 Local Centre and marked "Local road widening"	1 Council	Nature Reserves and marked "National Park"	Parks and Wildlife Act 1974
	Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <u>National Parks and Wildlife</u> <u>Act 1974</u>	Zone B4 Mixed Use and marked "Local road widening"	Council	Zone R2 Low Density Residential and marked "Car parks", "Local road" or "Local road widening"	Council
	Zone R2 Low Density Residential and marked "Car parks", "Local road" or "Local	Council	Note. When this Plan was made it did and Nature Reserves. (3) Development on land acquired by a	in authority of the State under the	Zone R2 Low Density Residential and marked "School"	Department of Education
	road widening" Zone R2 Low Density Residential and marked "School"	Department of Education	owner-initiated acquisition provisions r for which it is reserved, be carried out, purpose.	nay, before it is used for the purpose	Zone R3 Medium Density Residential and marked "Local road" or "Local road widening"	Council
	Zone R3 Medium Density Residential and marked "Local road" or "Local road widening"	Council			Zone B2 Local Centre and marked "Local road" or "Local road widening" Zone B4 Mixed Use and	Council
	Zone R4 High Density Residential and marked "Local road" or "Local road widening"	Council			marked "Car parks", "Local road" or "Local road widening"	Council
	Zone B2 Local Centre and marked "Local road" or "Local road widening"	Council			Zone SP2 Infrastructure and marked "Local road widening"	Council
	Zone B4 Mixed Use and marked "Car parks", "Local road" or "Local road widening"	d Council			Zone SP2 Infrastructure and marked "Stormwater" Zone SP2 Infrastructure and	Sydney Water Corporation Department of Education and Communities
	Zone SP2 Infrastructure and marked "Local road widening"	Council				d by an authority of the State under the
	Zone SP2 Infrastructure and marked "Stormwater" Zone SP2 Infrastructure and	Sydney Water Corporation Department of Education and				ions may, before it is used for the purpose lout, with development consent, for any
	marked "School"	Communities				
	purpose for which it is reserved, be consent, for any purpose	visions may, before it is used for the carried out, with development				
5.1A Development on land intended to be acquired for public purposes	 The objective of this clause is t intended to be acquired for a public This clause applies to land shows 	wn on the <u>Land Reservation</u> Column 1 of the Table to this clause the relevant authority of the State			intended to be acquired for a publ (2) This clause applies to land sh Map and specified in Column 1 of	to limit development on certain land ic purpose. own on the Land Reservation Acquisition f the Table to this clause and that has not nority of the State specified for the land in

CLAUSE	Rockdale LEP 20	011	Botany Bay LEP 2013	Proposed Bayside LEP	2020
	(3) Development consent must not be grant			(3) Development consent must not be granted to	
	land to which this clause applies other than specified opposite that land in Column 2 of			which this clause applies other than developmen opposite that land in Column 2 of that Table.	t for a purpose specified
	Special Company and Committee of Committee o	Citto Labora		opposite and an obtain 2 of the first	
	Column 1	Column 2		Column 1	Column 2
	Land	Development		Land	Development
	Zone R2 Low Density Residential and marked "Car parks"	Car parks		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	Clause not included in Botany Bay LEP 2013.	Zone R2 Low Density Residential and marked "Local road" or "Local road widening" Zone R3 Medium Density Residential and	Roads
	Zone R3 Medium Density Residential and marked "Local road" or "Local road widening"	Roads		marked "Local road" or "Local road widening" Zone R4 High Density Residential and	Roads
	Zone R4 High Density Residential and marked "Local road" or "Local road	Roads		marked "Local road" or "Local road widening"	Rojeus
	widening" Zone B2 Local Centre and marked "Local	Roads		Zone B2 Local Centre and marked "Local road" or "Local road widening"	Roads
	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 "Local road" or "Local road widening"	Roads		Zone B4 Mixed Use and marked "Car parks"	Car Parks, 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 SP2 Infrastructure and marked "Classified road" or "Local road widening"	Roads		Zone RE1 Public Recreation and marked "Local open space" or "Regional open	Recreation areas
	Zone RE1 Public Recreation and marked "Local open space" or "Regional open space"	Recreation areas		space**	
2.2	(1) The chiestine of this claves is to enable	the Conneil to electify an	(1) The chiestine of this slaves is to each to the Council to slaveith on	(1) The chiestine of this sloves is to each is the	Connaîl to alonaithe on
5.2 Classification	(1) The objective of this clause is to enable reclassify public land as "operational land"		(1) The objective of this clause is to enable the Council to classify or reclassify public land as "operational land" or "community land" in	(1) The objective of this clause is to enable the reclassify public land as "operational land" or "c	
and	accordance with Part 2 of Chapter 6 of the	Local Government Act 1993.	accordance with Part 2 of Chapter 6 of the Local Government Act 1993.	accordance with Part 2 of Chapter 6 of the Local	Government Act 1993.
reclassification	Note. Under the Local Government Act 199		Note. Under the Local Government Act 1993, "public land" is generally	Note. Under the Local Government Act 1993, "	
of public land	land vested in or under the control of a cour reserves and commons). The classification of		land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land	vested in or under the control of a council (other and commons). The classification or reclassifica	
	land may also be made by a resolution of th		may also be made by a resolution of the Council under section 31, 32 or 33	be made by a resolution of the Council under sec	
	32 or 33 of the Local Government Act 1993		of the Local Government Act 1993. Section 30 of that Act enables this Plan	Local Government Act 1993. Section 30 of that A	
	enables this Plan to discharge trusts on which the land is reclassified under this Plan as op		to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.	discharge trusts on which public reserves are hel under this Plan as operational land.	d if the land is reclassified
	(2) The public land described in Part 1 or P	art 2 of Schedule 4 is	(2) The public land described in Part 1 or Part 2 of Schedule 4 is classified,	(2) The public land described in Part 1 or Part 2	of Schedule 4 is classified,
	classified, or reclassified, as operational lan	d for the purposes of	or reclassified, as operational land for the purposes of the <i>Local</i>	or reclassified, as operational land for the purpos	ses of the Local Government
	the <u>Local Government Act 1993</u> . (3) The public land described in Part 3 of S	chedule 4 is classified, or	Government Act 1993. (3) The public land described in Part 3 of Schedule 4 is classified, or	Act 1993. (3) The public land described in Part 3 of Sched	ule 4 is classified, or
	reclassified, as community land for the purp		reclassified, as community land for the purposes of the <u>Local Government</u>	reclassified, as community land for the purposes	
	Government Act 1993.	11-1-1-4	<u>Act 1993.</u>	Act 1993.	12-4
	(4) The public land described in Part 1 of S (a) does not cease to be a public reserved.		(4) The public land described in Part 1 of Schedule 4— (a) does not cease to be a public reserve to the extent (if any) that it is	(4) The public land described in Part 1 of Sched(a) does not cease to be a public reserve to the e	
	is a public reserve, and	outon (a maj) mill it	a public reserve, and	public reserve, and	(or mal) man in in a

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (b) 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— (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and (b) any reservations that except land out of the Crown grant relating to the land, and (c) 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. 	 (b) 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— (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and (b) any reservations that except land out of the Crown grant relating to the land, and (c) 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. 	(b) 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: (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and (b) any reservations that except land out of the Crown grant relating to the land, and (c) 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]	 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. 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. This clause does not apply to— (a) India 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 (b) land within the coastal zone, or (c) 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 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—	Clause not included in Bayside LEP 2020.
5.4 Controls	 Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this 	(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the	Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the
relating to miscellaneous permissible uses	Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.	accommodation that is provided to guests must consist of no more than 3 bedrooms.	accommodation that is provided to guests must consist of no more than 3 bedrooms.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	Note. Any such development that provides for a certain number of	Note. Any such development that provides for a certain number of guests or	Note. Any such development that provides for a certain number of guests or
	guests or rooms may involve a change in the class of building under	rooms may involve a change in the class of building under the Building	rooms may involve a change in the class of building under the Building Code
	the Building Code of Australia.	Code of Australia.	of Australia.
	(2) Home businesses If development for the purposes of a home	(2) Home businesses If development for the purposes of a home business is	(2) Home businesses If development for the purposes of a home business is
	business is permitted under this Plan, the carrying on of the business	permitted under this Plan, the carrying on of the business must not involve	permitted under this Plan, the carrying on of the business must not involve
	must not involve the use of more than 60 square metres of floor area.	the use of more than 50 square metres of floor area.	the use of more than 60 square metres of floor area.
	(3) Home industries If development for the purposes of a home	(3) Home industries If development for the purposes of a home industry is	(3) Home industries If development for the purposes of a home industry is
	industry is permitted under this Plan, the carrying on of the home	permitted under this Plan, the carrying on of the home industry must not	permitted under this Plan, the carrying on of the home industry must not
	industry must not involve the use of more than 60 square metres of floor	involve the use of more than 50 square metres of floor area.	involve the use of more than 60 square metres of floor area.
	area.	(4) Industrial retail outlets If development for the purposes of an	(4) Industrial retail outlets If development for the purposes of an industrial
	(4) Industrial retail outlets If development for the purposes of an	industrial retail outlet is permitted under this Plan, the retail floor area must	retail outlet is permitted under this Plan, the retail floor area must not exceed:
	industrial retail outlet is permitted under this Plan, the retail floor area	not exceed—	(a) 30% of the gross floor area of the industry or rural industry located
	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
	(a) 30% of the gross floor area of the industry or rural industry	on the same land as the retail outlet, or	(b) 400 square metres, whichever is the lesser.
	located on the same land as the retail outlet, or	(b) 400 square metres,	(5) Farm stay accommodation If development for the purposes of farm stay
	(b) 400 square metres,	whichever is the lesser.	accommodation is permitted under this Plan, the accommodation that is
	whichever is the lesser.	(5) Farm stay accommodation If development for the purposes of farm	provided to guests must consist of no more than 3 bedrooms.
	(5) Farm stay accommodation If development for the purposes of farm	stay accommodation is permitted under this Plan, the accommodation that is	(6) Kiosks If development for the purposes of a kiosk is permitted under this
	stay accommodation is permitted under this Plan, the accommodation	provided to guests must consist of no more than 3 bedrooms.	Plan, the gross floor area must not exceed 30 square metres.
	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	(7) Neighbourhood shops If development for the purposes of a
	(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.	neighbourhood shop is permitted under this Plan, the retail floor area must
	this Plan, the gross floor area must not exceed 15 square metres.	(7) Neighbourhood shops If development for the purposes of a	not exceed 100 square metres.
	(7) Neighbourhood shops If development for the purposes of a	neighbourhood shop is permitted under this Plan, the retail floor area must	(7AA) Neighbourhood supermarkets If development for the purposes of a
	neighbourhood shop is permitted under this Plan, the retail floor area	not exceed 100 square metres.	neighbourhood supermarket is permitted under this Plan, the gross floor area
	must not exceed 80 square metres.	(7AA) Neighbourhood supermarkets If development for the purposes of a	must not exceed 1,000 square metres.
	(7AA) Neighbourhood supermarkets If development for the	neighbourhood supermarket is permitted under this Plan, the gross floor	(8) Roadside stalls If development for the purposes of a roadside stall is
	purposes of a neighbourhood supermarket is permitted under this	area must not exceed 1,000 square metres.	permitted under this Plan, the gross floor area must not exceed 8 square
	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	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	(9) Secondary dwellings If development for the purposes of a secondary
	permitted under this Plan, the gross floor area must not exceed 8 square	metres.	dwelling is permitted under this Plan, the total floor area of the dwelling
	metres.	(9) Secondary dwellings If development for the purposes of a secondary	(excluding any area used for parking) must not exceed whichever of the
	(9) Secondary dwellings If development for the purposes of a	dwelling is permitted under this Plan, the total floor area of the dwelling	following is the greater:
	secondary dwelling is permitted under this Plan, the total floor area of	(excluding any area used for parking) must not exceed whichever of the	(a) 60 square metres,
	the dwelling (excluding any area used for parking) must not exceed	following is the greater—	(b) 20% of the total floor area of the principal dwelling.
	whichever of the following is the greater—	(a) 60 square metres,	(10) Artisan food and drink industry exclusion If development for the
	(a) 60 square metres,	(b) 20% of the total floor area of the principal dwelling.	purposes of an artisan food and drink industry is permitted under this Plan in
	(b) 43% of the total floor area of the principal dwelling.	(10) Artisan food and drink industry exclusion If development for the	an industrial or rural zone, the floor area used for retail sales (not including
	(10) Artisan food and drink industry exclusion If development for	purposes of an artisan food and drink industry is permitted under this Plan	any cafe or restaurant area) must not exceed:
	the purposes of an artisan food and drink industry is permitted under	in an industrial or rural zone, the floor area used for retail sales (not	(a) 30% of the gross floor area of the industry, or
	this Plan in an industrial or rural zone, the floor area used for retail sales	including any cafe or restaurant area) must not exceed—	(b) 400 square metres,
	(not including any cafe or restaurant area) must not exceed—	(a) 10% of the gross floor area of the industry, or	whichever is the lesser.
	(a) 30% of the gross floor area of the industry, or	(b) 400 square metres,	11 mandaria (Ar with thirty and date)
	(b) 400 square metres,	whichever is the lesser.	
	whichever is the lesser.	TIME THE AUGUST	
5.5 Repealed	TO AND		
5.6	(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:
Architectural	(a) to permit variations to maximum building height standards for	(a) to ensure that architectural roof features to which this clause applies	(a) To allow minor architectural roof features to exceed height limits
roof features	roof features of visual interest,	are decorative elements only and that the majority of the roof is	(b) To ensure that any architectural roof feature does not cause an
1001 leatures	(b) to ensure that roof features are decorative elements and that the	contained within the maximum building height standard.	adverse visual impact or adversely affect the amenity of neighbouring
	majority of the roof is contained within the maximum building	Development that includes an architectural roof feature that exceeds, or	premises
	height standard.	causes a building to exceed, the height limits set by clause 4.3 may be	(c) To encourage integration of the design of the roof into the overall
	magas sumana,	carried out, but only with development consent.	façade, building composition and desired contextual response, and
		variou out, out only with development consent.	rayado, outroing composition and desired comentual response, and

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	(2) Development that includes an architectural roof feature that	(3) Development consent must not be granted to any such development	(2) Development that includes an architectural roof feature that exceeds, or
	exceeds, or causes a building to exceed, the height limits set by clause	unless the consent authority is satisfied that—	causes a building to exceed, the height limits set by clause 4.3 may be carried
	4.3 may be carried out, but only with development consent.	(a) the architectural roof feature—	out, but only with development consent.
	(3) Development consent must not be granted to any such development	 (i) comprises a decorative element on the uppermost portion of a 	(3) Development consent must not be granted to any such development
	unless the consent authority is satisfied that—	building, and	unless the consent authority is satisfied that:
	(a) the architectural roof feature—	(ii) is not an advertising structure, and	(a) the architectural roof feature:
	 (i) comprises a decorative element on the uppermost portion of 	(iii) does not include floor space area and is not reasonably capable	(i) comprises a decorative element on the uppermost portion of a
	a building, and	of modification to include floor space area, and	building, and
	(ii) is not an advertising structure, and	(iv) will cause minimal overshadowing, and	(ii) is not an advertising structure, and
	(iii) does not include floor space area and is not reasonably	(b) any building identification signage or equipment for servicing the	(iii) does not include floor space area and is not reasonably capable of
	capable of modification to include floor space area, and	building (such as plant, lift motor rooms, fire stairs and the like)	modification to include floor space area, and
	(iv) will cause minimal overshadowing, and	contained in or supported by the roof feature is fully integrated into the	(iv) will cause minimal overshadowing, and
	(b) any building identification signage or equipment for servicing	design of the roof feature.	(b) any building identification signage or equipment for servicing the
	the building (such as plant, lift motor rooms, fire stairs and the like)		building (such as plant, lift motor rooms, fire stairs and the like)
	contained in or supported by the roof feature is fully integrated into		contained in or supported by the roof feature is fully integrated into the
	the design of the roof feature.		design of the roof feature.
5.7	(1) The objective of this clause is to ensure appropriate environmental	(1) The objective of this clause is to ensure appropriate environmental	(1) The objective of this clause is to ensure appropriate environmental
	assessment for development carried out on land covered by tidal waters.	assessment for development carried out on land covered by tidal waters.	assessment for development carried out on land covered by tidal waters.
Development below mean	Development consent is required to carry out development on any	Development consent is required to carry out development on any land	(2) Development consent is required to carry out development on any land
I	land below the mean high water mark of any body of water subject to	below the mean high water mark of any body of water subject to tidal	below the mean high water mark of any body of water subject to tidal
high water	tidal influence (including the bed of any such water).	influence (including the bed of any such water).	influence (including the bed of any such water).
mark	and the same of th	and the same of the same was the same was the same of	and the state of t
5.8 Conversion	(1) This clause applies to a fire alarm system that can be monitored by	(1) This clause applies to a fire alarm system that can be monitored by Fire	(1) This clause applies to a fire alarm system that can be monitored by Fire
of fire alarms	Fire and Rescue NSW or by a private service provider.	and Rescue NSW or by a private service provider.	and Rescue NSW or by a private service provider.
	(2) The following development may be carried out, but only with	(2) The following development may be carried out, but only with	(2) The following development may be carried out, but only with
	development consent—	development consent—	development consent-
	(a) converting a fire alarm system from connection with the alarm	 (a) converting a fire alarm system from connection with the alarm 	(a) converting a fire alarm system from connection with the alarm
	monitoring system of Fire and Rescue NSW to connection with the	monitoring system of Fire and Rescue NSW to connection with the	monitoring system of Fire and Rescue NSW to connection with the alarm
	alarm monitoring system of a private service provider,	alarm monitoring system of a private service provider,	monitoring system of a private service provider,
	(b) converting a fire alarm system from connection with the alarm	(b) converting a fire alarm system from connection with the alarm	(b) converting a fire alarm system from connection with the alarm
	monitoring system of a private service provider to connection with	monitoring system of a private service provider to connection with the	monitoring system of a private service provider to connection with the
	the alarm monitoring system of another private service provider,	alarm monitoring system of another private service provider,	alarm monitoring system of another private service provider,
	(c) converting a fire alarm system from connection with the alarm	(c) converting a fire alarm system from connection with the alarm	(c) converting a fire alarm system from connection with the alarm
	monitoring system of a private service provider to connection with	monitoring system of a private service provider to connection with a	monitoring system of a private service provider to connection with a
	a different alarm monitoring system of the same private service	different alarm monitoring system of the same private service	different alarm monitoring system of the same private service provider.
	provider. (3) Development to which subclause (2) applies is complying	provider. (3) Development to which subclause (2) applies is complying development	(3) Development to which subclause (2) applies is complying development if it consists only of-
	development if it consists only of—	if it consists only of—	(a) internal alterations to a building, or
	(a) internal alterations to a building, or	(a) internal alterations to a building, or	(b) internal alterations to a building together with the mounting of an
	(b) internal alterations to a building together with the mounting of	(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
	an antenna, and any support structure, on an external wall or roof of	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 ×
	a building so as to occupy a space of not more than 450mm ×	building so as to occupy a space of not more than 450mm × 100mm ×	100mm.
	100mm × 100mm.	100mm.	(4) A complying development certificate for any such complying
	(4) A complying development certificate for any such complying	(4) A complying development certificate for any such complying	development is subject to a condition that any building work may only be
	development is subject to a condition that any building work may only	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
	be carried out between 7.00 am and 6.00 pm on Monday to Friday and	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
	between 7.00 am and 5.00 pm on Saturday, and must not be carried out	7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday	or a public holiday.
	on a Sunday or a public holiday.	or a public holiday.	(5) In this clause:
	(5) In this clause—	(5) În this clause—	private service provider means a person or body that has entered into an
	private service provider means a person or body that has entered into an	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
	agreement that is in force with Fire and Rescue NSW to monitor fire	agreement that is in force with Fire and Rescue NSW to monitor fire alarm	systems,
	alarm systems.	systems.	
	· · · · · · · · · · · · · · · · · · ·		

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
5.9 Repealed			
5 10 TT - 21	NT-4- TT '4- '4- '10- '1- 11- 11- 11- 11- 11- 11- 11- 11- 11	No. 17 - 14 - 14 - 16 - 1 - 10 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
5.10 Heritage	Note. Heritage items (if any) are listed and described in Schedule 5.	Note. Heritage items (if any) are listed and described in Schedule 5.	N
conservation	Heritage conservation areas (if any) are shown on the Heritage Map as	Heritage conservation areas (if any) are shown on the Heritage Map as well	Note. Heritage items (if any) are listed and described in Schedule 5. Heritage
	well as being described in Schedule 5.	as being described in Schedule 5.	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—	(1) Objectives The objectives of this clause are as follows—	The location and nature of Aboriginal objects and Aboriginal places of heritage
	(a) to conserve the environmental heritage of Rockdale;	(a) to conserve the environmental heritage of Botany Bay,	significance may be described in Schedule 5 and shown on the Heritage Map
	(b) to conserve the heritage significance of heritage items and	(b) to conserve the heritage significance of heritage items and heritage	(see the direction to Schedule 5).
	heritage conservation areas, including associated fabric, settings	conservation areas, including associated fabric, settings and views,	(1) Objectives
	and views,	(c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of baritage	The objectives of this clause are as follows:
	(c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of	 (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. 	(a) to conserve the environmental heritage of Bayside,
	heritage significance.	(2) Requirement for consent Development consent is required for any of	(b) to conserve the heritage significance of heritage items and
	(2) Requirement for consent Development consent is required for any	the following—	heritage conservation areas, including associated fabric, settings and
	of the following—	(a) demolishing or moving any of the following or altering the exterior	views,
	(a) demolishing or moving any of the following or altering the	of any of the following (including, in the case of a building, making	(c) to conserve archaeological sites,
	exterior of any of the following (including, in the case of a	changes to its detail, fabric, finish or appearance)—	(d) to conserve Aboriginal objects and Aboriginal places of heritage
	building, making changes to its detail, fabric, finish or	(i) a heritage item,	significance.
	appearance)—	(ii) an Aboriginal object,	(2) Requirement for consent
	(i) a heritage item,	(iii) a building, work, relic or tree within a heritage conservation	Development consent is required for any of the following: (a) demolishing or moving any of the following or altering the
	(ii) an Aboriginal object,	area,	exterior of any of the following (including, in the case of a building,
	(iii) a building, work, relic or tree within a heritage	(b) altering a heritage item that is a building by making structural	making changes to its detail, fabric, finish or appearance):
	conservation area,	changes to its interior or by making changes to anything inside the	(i) a heritage item,
	(b) altering a heritage item that is a building by making structural	item that is specified in Schedule 5 in relation to the item,	(ii) an Aboriginal object,
	changes to its interior or by making changes to anything inside the	 (c) disturbing or excavating an archaeological site while knowing, or 	(iii) a building, work, relic or tree within a heritage
	item that is specified in Schedule 5 in relation to the item,	having reasonable cause to suspect, that the disturbance or excavation	conservation area,
	(c) disturbing or excavating an archaeological site while knowing,	will or is likely to result in a relic being discovered, exposed, moved,	(b) altering a heritage item that is a building by making structural
	or having reasonable cause to suspect, that the disturbance or	damaged or destroyed,	changes to its interior or by making changes to anything inside the
	excavation will or is likely to result in a relic being discovered,	 (d) disturbing or excavating an Aboriginal place of heritage 	item that is specified in Schedule 5 in relation to the item,
	exposed, moved, damaged or destroyed,	significance,	 (c) disturbing or excavating an archaeological site while knowing,
	(d) disturbing or excavating an Aboriginal place of heritage	(e) erecting a building on land—	or having reasonable cause to suspect, that the disturbance or
	significance,	(i) on which a heritage item is located or that is within a heritage	excavation will or is likely to result in a relic being discovered,
	(e) erecting a building on land—	conservation area, or	exposed, moved, damaged or destroyed,
	 (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, 	 (d) disturbing or excavating an Aboriginal place of heritage
	(ii) on which an Aboriginal object is located or that is within	(f) subdividing land—	significance,
	an Aboriginal place of heritage significance,	(i) on which a heritage item is located or that is within a heritage	(e) erecting a building on land:
	(f) subdividing land—	conservation area, or	(i) on which a heritage item is located or that is within a
	(i) on which a heritage item is located or that is within a	(ii) on which an Aboriginal object is located or that is within an	heritage conservation area, or
	heritage conservation area, or	Aboriginal place of heritage significance.	(ii) on which an Aboriginal object is located or that is
	(ii) on which an Aboriginal object is located or that is within	(3) When consent not required However, development consent under this	within an Aboriginal place of heritage significance, (f) subdividing land:
	an Aboriginal place of heritage significance.	clause is not required if—	(i) on which a heritage item is located or that is within a
	(3) When consent not required However, development consent under	(a) the applicant has notified the consent authority of the proposed	heritage conservation area, or
	this clause is not required if—	development and the consent authority has advised the applicant in	(ii) on which an Aboriginal object is located or that is
	(a) the applicant has notified the consent authority of the proposed	writing before any work is carried out that it is satisfied that the	within an Aboriginal place of heritage significance.
	development and the consent authority has advised the applicant in	proposed development—	(3) When consent not required
	writing before any work is carried out that it is satisfied that the	(i) is of a minor nature or is for the maintenance of the heritage	However, development consent under this clause is not required if:
	proposed development—	item, Aboriginal object, Aboriginal place of heritage significance or	(a) the applicant has notified the consent authority of the proposed
	(i) is of a minor nature or is for the maintenance of the	archaeological site or a building, work, relic, tree or place within	development and the consent authority has advised the applicant in
	heritage item, Aboriginal object, Aboriginal place of heritage	the heritage conservation area, and	writing before any work is carried out that it is satisfied that the
	significance or archaeological site or a building, work, relic,	(ii) would not adversely affect the heritage significance of the	proposed development-
	tree or place within the heritage conservation area, and	heritage item, Aboriginal object, Aboriginal place, archaeological	
		site or heritage conservation area, or	

37

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	(ii) would not adversely affect the heritage significance of the	(b) the development is in a cemetery or burial ground and the	(i) is of a minor nature or is for the maintenance of the
	heritage item, Aboriginal object, Aboriginal place,	proposed development—	heritage item, Aboriginal object, Aboriginal place of
	archaeological site or heritage conservation area, or	(i) is the creation of a new grave or monument, or excavation or	heritage significance or archaeological site or a building,
	(b) the development is in a cemetery or burial ground and the	disturbance of land for the purpose of conserving or repairing	work, relic, tree or place within the heritage conservation
	proposed development—	monuments or grave markers, and	area, and
	(i) is the creation of a new grave or monument, or excavation	(ii) would not cause disturbance to human remains, relics,	(ii) would not adversely affect the heritage significance of
	or disturbance of land for the purpose of conserving or	Aboriginal objects in the form of grave goods, or to an Aboriginal	the heritage item, Aboriginal object, Aboriginal place,
	repairing monuments or grave markers, and	place of heritage significance, or	archaeological site or heritage conservation area, or
	(ii) would not cause disturbance to human remains, relics,	(c) the development is limited to the removal of a tree or other	(b) the development is in a cemetery or burial ground and the
	Aboriginal objects in the form of grave goods, or to an	vegetation that the Council is satisfied is a risk to human life or	proposed development-
	Aboriginal place of heritage significance, or	property, or	(i) is the creation of a new grave or monument, or
	(c) the development is limited to the removal of a tree or other	(d) the development is exempt development.	excavation or disturbance of land for the purpose of
	vegetation that the Council is satisfied is a risk to human life or	(4) Effect of proposed development on heritage significance The consent	conserving or repairing monuments or grave markers, and
		authority must, before granting consent under this clause in respect of a	(ii) would not cause disturbance to human remains, relics,
	property, or (d) the development is exempt development	heritage item or heritage conservation area, consider the effect of the	Aboriginal objects in the form of grave goods, or to an
	(d) the development is exempt development.		
	(4) Effect of proposed development on heritage significance The	proposed development on the heritage significance of the item or area	Aboriginal place of heritage significance, or
	consent authority must, before granting consent under this clause in	concerned. This subclause applies regardless of whether a heritage	(c) the development is limited to the removal of a tree or other
	respect of a heritage item or heritage conservation area, consider the	management document is prepared under subclause (5) or a heritage	vegetation that the Council is satisfied is a risk to human life or
	effect of the proposed development on the heritage significance of the	conservation management plan is submitted under subclause (6).	property, or
	item or area concerned. This subclause applies regardless of whether a	(5) Heritage assessment The consent authority may, before granting	(d) the development is exempt development.
	heritage management document is prepared under subclause (5) or a	consent to any development—	(4) Effect of proposed development on heritage significance
	heritage conservation management plan is submitted under subclause	(a) on land on which a heritage item is located, or	The consent authority must, before granting consent under this clause in
	(6).	(b) on land that is within a heritage conservation area, or	respect of a heritage item or heritage conservation area, consider the effect of
	(5) Heritage assessment The consent authority may, before granting	(c) on land that is within the vicinity of land referred to in paragraph (a)	the proposed development on the heritage significance of the item or area
	consent to any development—	or (b),	concerned. This subclause applies regardless of whether a heritage
	(a) on land on which a heritage item is located, or	require a heritage management document to be prepared that assesses	management document is prepared under subclause (5) or a heritage
	(b) on land that is within a heritage conservation area, or	the extent to which the carrying out of the proposed development would	conservation management plan is submitted under subclause (6).
	(c) on land that is within the vicinity of land referred to in	affect the heritage significance of the heritage item or heritage	(5) Heritage assessment
	paragraph (a) or (b),	conservation area concerned.	The consent authority may, before granting consent to any development:
	require a heritage management document to be prepared that	(6) Heritage conservation management plans The consent authority may	(a) on land on which a heritage item is located, or
	assesses the extent to which the carrying out of the proposed	require, after considering the heritage significance of a heritage item and the	(b) on land that is within a heritage conservation area, or
	development would affect the heritage significance of the heritage	extent of change proposed to it, the submission of a heritage conservation	(c) on land that is within the vicinity of land referred to in paragraph
	item or heritage conservation area concerned.	management plan before granting consent under this clause.	(a) or (b),
	(6) Heritage conservation management plans The consent authority	(7) Archaeological sites The consent authority must, before granting	require a heritage management document to be prepared that
	may require, after considering the heritage significance of a heritage	consent under this clause to the carrying out of development on an	assesses the extent to which the carrying out of the proposed
	item and the extent of change proposed to it, the submission of a	archaeological site (other than land listed on the State Heritage Register or	development would affect the heritage significance of the heritage
	heritage conservation management plan before granting consent under	to which an interim heritage order under the <u>Heritage Act 1977</u> applies)—	item or heritage conservation area concerned.
	this clause.	(a) notify the Heritage Council of its intention to grant consent, and	(6) Heritage conservation management plans
	(7) Archaeological sites The consent authority must, before granting	(b) take into consideration any response received from the Heritage	The consent authority may require, after considering the heritage
	consent under this clause to the carrying out of development on an	Council within 28 days after the notice is sent.	significance of a heritage item and the extent of change proposed to it, the
	archaeological site (other than land listed on the State Heritage Register	(8) Aboriginal places of heritage significance The consent authority must,	submission of a heritage conservation management plan before granting
	or to which an interim heritage order under the <u>Heritage Act</u>	before granting consent under this clause to the carrying out of development	consent under this clause.
	1977 applies)—	in an Aboriginal place of heritage significance—	(7) Archaeological sites
	(a) notify the Heritage Council of its intention to grant consent,	(a) consider the effect of the proposed development on the heritage	The consent authority must, before granting consent under this clause to the
	and (b) take into consideration only recovered received from the Western	significance of the place and any Aboriginal object known or reasonably	carrying out of development on an archaeological site (other than land listed
	(b) take into consideration any response received from the Heritage	likely to be located at the place by means of an adequate investigation	on the State Heritage Register or to which an interim heritage order under the
	Council within 28 days after the notice is sent.	and assessment (which may involve consideration of a heritage impact	Heritage Act 1977 applies):
	(8) Aboriginal places of heritage significance The consent authority	statement), and	(a) notify the Heritage Council of its intention to grant consent, and
	must, before granting consent under this clause to the carrying out of	(b) notify the local Aboriginal communities, in writing or in such other	(b) take into consideration any response received from the Heritage
	development in an Aboriginal place of heritage significance—	manner as may be appropriate, about the application and take into	Council within 28 days after the notice is sent.
	(a) consider the effect of the proposed development on the heritage	consideration any response received within 28 days after the notice is	(8) Aboriginal places of heritage significance
	significance of the place and any Aboriginal object known or	sent.	The consent authority must, before granting consent under this clause to the
	reasonably likely to be located at the place by means of an adequate		carrying out of development in an Aboriginal place of heritage significance-

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	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 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.	(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.	(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 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 <u>Rural Fires Act</u> 1997 may be carried out on any land without development consent. Note. The <u>Rural Fires Act 1997</u> also makes provision relating to the carrying out of development on bush fire prone land.	Bush fire hazard reduction work authorised by the <u>Rural Fires Act</u> 1997 may be carried out on any land without development consent. Note. The <u>Rural Fires Act 1997</u> also makes provision relating to the carrying out of development on bush fire prone land.	Bush fire hazard reduction work authorised by the <i>Rural Fires Act 1997</i> may be carried out on any land without development consent. Note. The <i>Rural Fires Act 1997</i> also makes provision relating to the carrying out of development on bush fire prone land.
5.12 Infrastructure development and use of existing buildings of the Crown	 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 public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under <u>State</u> <u>Environmental Planning Policy (Infrastructure)</u> 2007. 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. 	 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 public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under <u>State</u>	(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 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]

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
5.14 Siding	[Not adopted]	[Not adopted]	[Not adopted]
Spring			
Observatory -			
maintaining			
dark sky			
5.15 Defence	[Not adopted]	[Not adopted]	[Not adopted]
communications	į. · · · · · · · · · · · · · · · · · · ·	([
facility			
	GV . 41 44 5	D 41 44 9	Gr. 41 44 5
5.16	[Not applicable]	[Not applicable]	[Not applicable]
Subdivision of,			
or dwellings on,			
land in certain rural,			
residential or			
environment			
protection zones			
•			
5.17 Artificial	[Not applicable]	[Not applicable]	[Not applicable]
waterbodies in			
environmentally			
sensitive areas			
in areas of			
operation of irrigation			
corporations			
5.18 Intensive	[Not applicable]	[Not applicable]	[Not applicable]
livestock			
agriculture			
5.19 Pond-	(1) Objectives The objectives of this clause are as follows—	(1) Objectives The objectives of this clause are as follows—	(1) Objectives
based, tank-	(a) to encourage sustainable oyster, pond-based and tank-based	(a) to encourage sustainable oyster, pond-based and tank-based	The objectives of this clause are as follows-
based and	aquaculture in the State, namely, aquaculture development that	aquaculture in the State, namely, aquaculture development that uses,	(a) to encourage sustainable oyster, pond-based and tank-based
oyster	uses, conserves and enhances the community's resources so that the	conserves and enhances the community's resources so that the total	aquaculture in the State, namely, aquaculture development that uses,
aquaculture	total quality of life now and in the future can be preserved and enhanced,	quality of life now and in the future can be preserved and enhanced, (b) to set out the minimum site location and operational requirements	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	for permissible pond-based and tank-based aquaculture development.	(b) to set out the minimum site location and operational
	requirements for permissible pond-based and tank-based	(2) Pond-based or tank-based aquaculture—matters of which consent	requirements for permissible pond-based and tank-based aquaculture
	aquaculture development.	authority must be satisfied before granting consent The consent	development,
	(2) Pond-based or tank-based aquaculture—matters of which	authority must not grant development consent to carry out development for	(2) Pond-based or tank-based aquaculture—matters of which consent
	consent authority must be satisfied before granting consent The	the purpose of pond-based aquaculture or tank-based aquaculture unless the	authority must be satisfied before granting consent
	consent authority must not grant development consent to carry out	consent authority is satisfied of the following—	The consent authority must not grant development consent to carry out
	development for the purpose of pond-based aquaculture or tank-based	(a) that the development complies with the site location and operational	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	requirements set out in Part 1 of Schedule 6 for the development, (b) in the case of—	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	(i) pond-based aquaculture or tank-based aquaculture in Zone R1	operational requirements set out in Part 1 of Schedule 6 for the
	development,	General Residential, Zone R2 Low Density Residential or Zone R5	development,
	(b) in the case of—	Large Lot Residential—that the development is for the purpose of	(b) in the case of:
	 pond-based aquaculture or tank-based aquaculture in Zone 	small scale aquarium fish production, and	(i) pond-based aquaculture or tank-based aquaculture in
	R1 General Residential, Zone R2 Low Density Residential or		Zone R1 General Residential, Zone R2 Low Density
			Residential or Zone R5 Large Lot Residential—that the

40

Bayside Local Planning Panel

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	Zone R5 Large Lot Residential—that the development is for the	(ii) pond-based aquaculture in Zone E3 Environmental	development is for the purpose of small scale aquarium fish
	purpose of small scale aquarium fish production, and	Management or Zone E4 Environmental Living—that the	production, and
	(ii) pond-based aquaculture in Zone E3 Environmental	development is for the purpose of extensive aquaculture, and	(ii) pond-based aquaculture in Zone E3 Environmental
	Management or Zone E4 Environmental Living—that the	(iii) tank-based aquaculture in Zone R3 Medium Density	Management or Zone E4 Environmental Living—that the
	development is for the purpose of extensive aquaculture, and	Residential, Zone E3 Environmental Management or Zone E4	development is for the purpose of extensive aquaculture, and
	(iii) tank-based aquaculture in Zone R3 Medium Density	Environmental Living—that the development is for the purpose of	(iii) tank-based aquaculture in Zone R3 Medium Density
	Residential, Zone E3 Environmental Management or Zone E4	small scale aquarium fish production, and	Residential, Zone E3 Environmental Management or Zone
	Environmental Living—that the development is for the purpose	(iv) pond-based aquaculture or tank-based aquaculture in Zone W1	E4 Environmental Living—that the development is for the
	of small scale aquarium fish production, and	Natural Waterways, Zone W2 Recreational Waterways or Zone W3	purpose of small scale aquarium fish production, and
	(iv) pond-based aquaculture or tank-based aquaculture in Zone	Working Waterways—that the development will use waterways to	(iv) pond-based aquaculture or tank-based aquaculture in
	W1 Natural Waterways, Zone W2 Recreational Waterways or	source water.	Zone W1 Natural Waterways, Zone W2 Recreational
	Zone W3 Working Waterways—that the development will use	(3) The requirements set out in Part 1 of Schedule 6 are minimum	Waterways or Zone W3 Working Waterways—that the
	waterways to source water.	requirements and do not limit the matters a consent authority is required to	development will use waterways to source water.
	(3) The requirements set out in Part 1 of Schedule 6 are minimum	take into consideration under the Act or the conditions that it may impose	(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	on any development consent.	requirements and do not limit the matters a consent authority is required to
	to take into consideration under the Act or the conditions that it may	(4) Extensive pond-based aquaculture permitted without consent in	take into consideration under the Act or the conditions that it may impose on
	impose on any development consent.	certain zones Development for the purpose of pond-based aquaculture, that	any development consent.
	(4) Extensive pond-based aquaculture permitted without consent in	is also extensive aquaculture, may be carried out without development	(4) Extensive pond-based aquaculture permitted without consent in
	certain zones Development for the purpose of pond-based aquaculture,	consent if—	certain zones
	that is also extensive aquaculture, may be carried out without	(a) the development is carried out in Zone RU1 Primary Production,	Development for the purpose of pond-based aquaculture, that is also
	development consent if—	Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary	extensive aquaculture, may be carried out without development consent if-
	(a) the development is carried out in Zone RU1 Primary	Production Small Lots or Zone RU6 Transition, and	(a) the development is carried out in Zone RU1 Primary Production,
	Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone	(b) the development complies with the site location requirements and	Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary
	RU4 Primary Production Small Lots or Zone RU6 Transition, and	operational requirements set out in Part 2 of Schedule 6.	Production Small Lots or Zone RU6 Transition, and
	(b) the development complies with the site location requirements	(5) Oyster aquaculture—additional matters that consent authority	(b) the development complies with the site location requirements
	and operational requirements set out in Part 2 of Schedule 6.	must consider in determining a development application In determining	and operational requirements set out in Part 2 of Schedule 6.
	(5) Oyster aquaculture—additional matters that consent authority	a development application for development for the purpose of oyster	(5) Oyster aquaculture—additional matters that consent authority must
	must consider in determining a development application In	aquaculture, the consent authority must consider—	consider in determining a development application
	determining a development application for development for the purpose	(a) any provisions of any aquaculture industry development plan that	In determining a development application for development for the purpose of
	of oyster aquaculture, the consent authority must consider—	are relevant to the subject of the development application, and	oyster aquaculture, the consent authority must consider-
	(a) any provisions of any aquaculture industry development plan	(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.	(a) any provisions of any aquaculture industry development plan
	that are relevant to the subject of the development application, and	(6) Oyster aquaculture permitted without consent in priority oyster	that are relevant to the subject of the development application, and
	(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.	aquaculture areas Development for the purpose of oyster aquaculture may	(b) the NSW Oyster Industry Sustainable Aquaculture Strategy.
	(6) Oyster aquaculture permitted without consent in priority oyster	be carried out without development consent—	(6) Oyster aquaculture permitted without consent in priority oyster
	aquaculture areas Development for the purpose of oyster aquaculture	 (a) on land that is wholly within a priority oyster aquaculture area, or 	aquaculture areas
	may be carried out without development consent—	 (b) on land that is partly within and partly outside a priority oyster 	Development for the purpose of oyster aquaculture may be carried out
	 (a) on land that is wholly within a priority oyster aquaculture area, 	aquaculture area, but only if the land outside the area is no more than	without development consent:
	or	0.1 hectare in area.	 (a) on land that is wholly within a priority oyster aquaculture area,
	(b) on land that is partly within and partly outside a priority oyster	(7) Definitions In this clause—	or
	aquaculture area, but only if the land outside the area is no more	aquaculture industry development plan means an aquaculture industry	(b) on land that is partly within and partly outside a priority oyster
	than 0.1 hectare in area.	development plan published under Part 6 of the Fisheries Management Act	aquaculture area, but only if the land outside the area is no more than
	(7) Definitions In this clause—	<u>1994</u> ,	0.1 hectare in area.
	aquaculture industry development plan means an aquaculture industry	extensive aquaculture has the same meaning as in the Fisheries	(7) Definitions In this clause:
	development plan published under Part 6 of the Fisheries Management	Management (Aquaculture) Regulation 2017.	aquaculture industry development plan means an aquaculture industry
	Act 1994.	NSW Oyster Industry Sustainable Aquaculture Strategy means the third	development plan published under Part 6 of the Fisheries Management Act
	extensive aquaculture has the same meaning as in the Fisheries	edition of the publication of that title, as published in 2016 by the	1994.
	Management (Aquaculture) Regulation 2017.	Department of Primary Industries (within the Department of Industry).	extensive aquaculture has the same meaning as in the Fisheries
	NSW Oyster Industry Sustainable Aquaculture Strategy means the	priority oyster aquaculture area means an area identified as a priority	Management (Aquaculture) Regulation 2017.
	third edition of the publication of that title, as published in 2016 by the	oyster aquaculture area on a map referred to in Chapter 5.3 of the NSW	NSW Oyster Industry Sustainable Aquaculture Strategy means the third
	Department of Primary Industries (within the Department of Industry).	Oyster Industry Sustainable Aquaculture Strategy, being a map a copy of	edition of the publication of that title, as published in 2016 by the
	priority oyster aquaculture area means an area identified as a priority	which is held in the head office of the Department of Primary Industries	Department of Primary Industries (within the Department of Industry).
	oyster aquaculture area on a map referred to in Chapter 5.3 of the NSW	(within the Department of Industry) and published on that Department's	priority oyster aquaculture area means an area identified as a priority oyster
	Oyster Industry Sustainable Aquaculture Strategy, being a map a copy	website.	aquaculture area on a map referred to in Chapter 5.3 of the NSW Oyster
	of which is held in the head office of the Department of Primary		Industry Sustainable Aquaculture Strategy, being a map a copy of which is

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	Industries (within the Department of Industry) and published on that		held in the head office of the Department of Primary Industries (within the
	Department's website.		Department of Industry) and published on that Department's website.

PART 6 - LOCAL PROVISIONS

CLAUSE		Rockdale LEP 2011	I	Sotany Bay LEP 2013	Pro	posed Bayside LEP 2020
6.1 Acid Sulfate soils	The objective of this of disturb, expose or dra damage. Development consent described in the Table.	clause is to ensure that development does not aim acid sulfate soils and cause environmental is required for the carrying out of works to this subclause on land shown on the Acid being of the class specified for those works.	The objective of this c disturb, expose or drain ac Development consent described in the Table to the consent described in the Cable Table Ta	clause is to ensure that development does not id sulfate soils and cause environmental damage. is required for the carrying out of works his subclause on land shown on the Acid Sulfate class specified for those works. Works	6.1 Acid sulfate soils (1) The objective of this of disturb, expose or drain ac (2) Development consent described in the Table to the soil of the soil	clause is to ensure that development does not cid sulfate soils and cause environmental damage. is required for the carrying out of works his subclause on land shown on the Acid Sulfate class specified for those works.
	Class of land	Works	1	Any works.	Class of land	Works
	1	Any works.	2	Works below the natural ground surface.	1	Any works.
	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	3	Works below the natural ground surface. Works by which the watertable is likely to be lowered. Works more than 1 metre below the	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.
	3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.	4	natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface. Works more than 2 metres below the	3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
	4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.	5	natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface. Works within 500 metres of adjacent	4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
	5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	(3) Development consent	Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. must not be granted under this clause for the	5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.
	carrying out of works unlibeen prepared for the pro- Sulfate Soils Manual and (4) Despite subclause (2) this clause for the carryin (a) a preliminary ass accordance with the sulfate soils manager (b) the preliminary a authority and the con- notice in writing to the (5) Despite subclause (2) this clause for the carryin	essment of the proposed works prepared in Acid Sulfate Soils Manual indicates that an acid nent plan is not required for the works, and assessment has been provided to the consent sent authority has confirmed the assessment by the person proposing to carry out the works. I, development consent is not required under g out of any of the following works by a public lary work such as excavation, construction of	carrying out of works unle prepared for the proposed Manual and has been prov. (4) Despite subclause (2), clause for the carrying out (a) a preliminary asso accordance with the A sulfate soils managen (b) the preliminary a authority and the com- notice in writing to th (5) Despite subclause (2), clause for the carrying out	ss an acid sulfate soils management plan has been works in accordance with the Acid Sulfate Soils ided to the consent authority. development consent is not required under this of works if— essment of the proposed works prepared in Acid Sulfate Soils Manual indicates that an acid ment plan is not required for the works, and ssessment has been provided to the consent sent authority has confirmed the assessment by the person proposing to carry out the works, development consent is not required under this of any of the following works by a public ary work such as excavation, construction of	carrying out of works unle prepared for the proposed Manual and has been prov (4) Despite subclause (2), clause for the carrying out (a) a preliminary assessm with the Acid Sulfate Soils management plan is not re (b) the preliminary assess and the consent authority to to the person proposing to (5) Despite subclause (2), clause for the carrying out	ent of the proposed works prepared in accordance a Manual indicates that an acid sulfate soils equired for the works, and ament has been provided to the consent authority has confirmed the assessment by notice in writing carry out the works. If development consent is not required under this to fany of the following works by a public lary work such as excavation, construction of

42

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (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) 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. 	 (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.
6.2 Earthworks	 (b) the works are not likely to lower the watertable. (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,	 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. 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. 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, (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. 	(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, (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	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,	(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.	(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.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
sensitive urban	(c) native bushland,	(2) This clause applies to all land in residential, business and industrial	(2) Before granting development consent to development on any land to
design	(d) receiving waters.	zones.	which this Plan applies, the consent authority must be satisfied that:
	(2) This clause applies to any land in any of the following zones—	(3) Development consent must not be granted to development on land to	(a) water sensitive urban design principles are incorporated into the
	(a) Zone R2 Low Density Residential, (b) Zone R3 Medium Density Residential,	which this clause applies unless the consent authority is satisfied that the development—	design of the development, where possible and
	(c) Zone R4 High Density Residential,	(a) is designed to maximise the use of water permeable surfaces on the	(b) riparian, stormwater and flooding measures are integrated as part
	(d) Zone B1 Neighbourhood Centre,	land having regard to the soil characteristics affecting on-site	of the development, and
	(e) Zone B2 Local Centre,	infiltration of water, and	(c) the stormwater management system includes all reasonable
	(f) Zone B4 Mixed Use,	(b) includes, if practicable, on-site stormwater retention for use as an	management actions to avoid any adverse impacts on the land to
	(g) Zone B6 Enterprise Corridor,	alternative supply to mains water, groundwater or river water, and	which the development is to be carried out, adjoining properties,
	(h) Zone IN2 Light Industrial,	(c) avoids any significant adverse impacts of stormwater runoff on	native bushland, waterways, receiving waters and groundwater
	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that	adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the	systems, and
	the development—	impact cannot be reasonably avoided, minimises and mitigates the	(d) if a potential adverse environmental impact cannot be feasibly
	(a) is designed to maximise the use of water permeable surfaces on	mpw.	avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, native
	the site having regard to the soil characteristics affecting on-site		bushland, waterways receiving waters and groundwater systems, and
	infiltration of water, and		(e) the development is designed to maximise the use of water
	(b) will include, where practicable, on-site stormwater retention for		permeable surfaces on the site having regard to the soil
	use as an alternative supply to mains water, groundwater or river		characteristics affecting on-site infiltration of water.
	water, and (c) will avoid, or if a disturbance or impact cannot be avoided, will		(3) For the purposes of subclause (2) (a), the water sensitive urban
	minimise and mitigate, any disturbance or impact of stormwater		design principles are—
	runoff on—		(a) protection and enhancement of water quality, by improving the
	(i) properties adjoining the land on which the development is		quality of stormwater runoff from urban catchments,
	proposed to be carried out, and		(b) minimisation of harmful impacts of urban development on water
	(ii) native bushland, and (iii) receiving waters.		balance and on surface and groundwater flow regimes,
	(m) receiving waters.		(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 A Townstate	/// The chiesters of this above is to societable toward in and a continu	(1) The ship street of this shows is to make it to make it his discussion by	(1) The distinct of this shows is to mind it and advantage of the state of the stat
6.4 Terrestrial Biodiversity	 The objective of this clause is to maintain terrestrial and aquatic biodiversity, including the following— 	 The objective of this clause is to maintain terrestrial biodiversity by— protecting native fauna and flora, and 	 The objective of this clause is to maintain and enhance terrestrial biodiversity by:
Diodiversity	(a) protecting native fauna and flora,	(b) protecting the ecological processes necessary for their continued	(a) protecting native fauna and flora and the ecological processes
	(b) protecting the ecological processes necessary for their	existence, and	necessary for their continued existence, and
	continued existence,	(c) encouraging the conservation and recovery of native fauna and flora	(b) encouraging the recovery and conservation of native fauna and
	(c) encouraging the recovery of native fauna and flora and their	and their habitats.	flora and their habitats, and
	habitats.	(2) This clause applies to land identified as "Biodiversity" on	(c) protecting, restoring and enhancing biodiversity corridors
	(2) This clause applies to land identified as "Biodiversity" on the Terrestrial Biodiversity Map.	the <u>Terrestrial Biodiversity Map</u> . (3) Before determining a development application for development on land	(2) This clause applies to land identified as "Biodiversity" on the Terrestrial Biodiversity Map.
	(3) Before determining a development application for development on	to which this clause applies, the consent authority must consider—	(3) In deciding whether to grant development consent for development on
	land to which this clause applies, the consent authority must consider any	(a) whether the development is likely to have—	land to which this clause applies, the consent authority must consider:
	adverse impact of the proposed development on the following-	(i) any adverse impact on the condition, ecological value and	(a) whether the development is likely to have:
	(a) native ecological communities,	significance of the fauna and flora on the land, and	(i) any adverse impact on the condition, ecological value and
	(b) the habitat of any threatened species, populations or ecological	(ii) any adverse impact on the importance of the vegetation on the	significance of the fauna and flora on the land, and
	community,	land to the habitat and survival of native fauna, and	(ii) any adverse impact on the importance of the vegetation on the
	(c) regionally significant species of fauna and flora or habitat,	(iii) any potential to fragment, disturb or diminish the biodiversity	land to the habitat and survival of native fauna, and
	(d) habitat elements providing connectivity. (4) Development consent must not be granted to development on land to	structure, function and composition of the land, and (iv) any adverse impact on the habitat elements providing connectivity	(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
	which this clause applies unless the consent authority is satisfied that—	on the land, and	structure, runction and composition of the land, and
	1 man and visited and of the consent antionity is suitsized that	Via 1114 MANAG MANA	

Item 5.1 – Attachment 5

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (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. 	 (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. 	(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, (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	(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 (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 Floodplain Development Manual (ISBN 0 7347 5476 0), published in 2005 by the NSW Government, unless it is otherwise defined in this clause— flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. Flood Planning Map means the Rockdale Local Environmental Plan 2011 Flood Planning Map.	Clause not included in Botany Bay LEP 2013.	(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. (4) A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published in 2005 by the NSW Government, unless it is otherwise defined in this clause. (5) In this clause: Flood planning level means the level of a 1% AEP flood event plus 0.5 metre freeboard.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
6.6 Flood plain risk management	Clause not included in Rockdale LEP 2011.	Clause not included in Botany Bay LEP 2013.	(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 Floodplain Development Manual (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. (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	(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— (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.	(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 'Riparian Land' on the Riparian Lands Map, (b) Land identified as 'Waterway' on the Waterways Map. (c) Land identified as 'Wetlands' on the Wetlands 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

46

Bayside Local Planning Panel

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (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. 	(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.	(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, (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.	(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. (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.	Clause not included in Bayside LEP 2020.
6.8 Limited	(1) The objective of this clause is to ensure that development in the	(1) The objective of this clause is to ensure that development in the	(1) The objective of this clause is to ensure that development in the
development on foreshore	foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.	foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.	foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.
area/foreshore building line	(2) Development consent must not be granted for development on land in the foreshore area except for the following—	(2) Development consent must not be granted for development on land in the foreshore area except for the following purposes—	(2) Development consent must not be granted for development on land in the foreshore area except for the following purposes:

47

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	(a) the extension, alteration or rebuilding of an existing building	(a) the extension, alteration or rebuilding of an existing building	(a) the extension, alteration or rebuilding of an existing building wholly
	wholly or partly in the foreshore area,	wholly or partly in the foreshore area,	or partly in the foreshore area,
	(b) the erection of a building in the foreshore area, if the levels,	(b) the erection of a building in the foreshore area, if the levels, depth	(b) the erection of a building in the foreshore area, if the levels, depth or
	depth or other exceptional features of the site make it appropriate to	or other exceptional features of the site make it appropriate to do so,	other exceptional features of the site make it appropriate to do so
	do so,	(c) boat sheds, sea retaining walls, wharves, slipways, jetties,	(c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway
	(c) development for the purposes of boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools,	waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).	access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).
	fences, cycleways, yettles, waterway access stars, swimming pools,	(3) Development consent must not be granted under subclause (2) unless	(3) Development consent must not be granted under subclause (2) unless
	facilities (outdoors).	the consent authority is satisfied that—	the consent authority is satisfied that:
	(3) Development consent must not be granted under subclause (2) unless	(a) the development will contribute to achieving the objectives for the	(a) the development will contribute to achieving the objectives for the
	the consent authority is satisfied that—	zone in which the land is located, and	zone in which the land is located, and
	(a) the development will contribute to achieving the objectives for	(b) the appearance of any proposed structure, from both the waterway	(b) the appearance of any proposed structure, from both the waterway
	the zone in which the land is located, and	and adjacent foreshore areas, will be compatible with the surrounding	and adjacent foreshore areas, will be compatible with the surrounding
	(b) the appearance of any proposed structure, from both the	area, and	area, and
	waterway and adjacent foreshore areas, will be compatible with the	(c) the development will not cause environmental harm such as—	(c) the development will not cause environmental harm such as:
	surrounding area, and	(i) pollution or siltation of the waterway, or	(i) pollution or siltation of the waterway, or
	(c) the development will not cause environmental harm such as—	(ii) an adverse effect on surrounding uses, marine habitat,	(ii) an adverse effect on surrounding uses, aquatic habitat, riparian
	(i) pollution or siltation of the waterway, or	wetland areas, fauna and flora habitats, or	corridors, wetland areas, fauna and flora habitats, or
	(ii) an adverse effect on surrounding uses, marine habitat, wetland	(iii) an adverse effect on drainage patterns, and	(iii) an adverse effect on drainage patterns, and
	areas, fauna and flora habitats, or	(d) the development will not cause congestion or generate conflict	(d) the development will not cause congestion or generate conflict
	(iii) an adverse effect on drainage patterns, and	between people using open space areas or the waterway, and	between people using open space areas or the waterway, and
	(d) the development will not cause congestion of, or generate	(e) opportunities to provide continuous public access along the	(e) opportunities to provide continuous public access along the
	conflicts between, people using open space areas or the waterway, and	foreshore and to the waterway will not be compromised, and (f) any historic, scientific, cultural, social, archaeological,	foreshore and to the waterway will not be compromised, and (f) any historic, scientific, cultural, social, archaeological, architectural,
	(e) opportunities to provide continuous public access along the	architectural, natural or aesthetic significance of the land on which the	natural or aesthetic significance of the land on which the development is
	foreshore and to the waterway will not be compromised, and	development is to be carried out and of surrounding land will be	to be carried out and of surrounding land will be maintained, and
	(f) any historic, scientific, cultural, social, archaeological,	maintained, and	(g) in the case of development for the alteration or rebuilding of an
	architectural, natural or aesthetic significance of the land on which	(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
	the development is to be carried out and of surrounding land will be	existing building wholly or partly in the foreshore area, the alteration	rebuilding will not have an adverse impact on the amenity or aesthetic
	maintained, and	or rebuilding will not have an adverse impact on the amenity or	appearance of the foreshore, and
	(g) in the case of development for the alteration or rebuilding of an	aesthetic appearance of the foreshore, and	(i) sea level rise or change of flooding patterns as a result of climate
	existing building wholly or partly in the foreshore area, the alteration	 (h) sea level rise or change of flooding patterns as a result of climate 	change has been considered.
	or rebuilding will not have an adverse impact on the amenity or	change has been considered.	(4) In deciding whether to grant consent for development in the foreshore
	aesthetic appearance of the foreshore.	(4) In deciding whether to grant consent for development in the foreshore	area, the consent authority must consider whether and to what extent the
		area, the consent authority must consider whether and to what extent the	development would encourage the following:
		development would encourage the following—	(a) continuous public access to and along the foreshore through or
		 (a) continuous public access to and along the foreshore through or adjacent to the proposed development, 	adjacent to the proposed development,
		(b) public access to link with existing or proposed open space,	(b) public access to link with existing or proposed open space,
		(c) public access to link with existing or proposed open space, (c) public access to be secured by appropriate covenants, agreements	 (c) public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land,
		or other instruments registered on the title to land,	(d) public access to be located above mean high water mark,
		(d) public access to be located above mean high water mark,	(e) the reinforcing of the foreshore character and respect for existing
		(e) the reinforcing of the foreshore character and respect for existing	(-) and administrating of the restounces entitled in the respect to a constant
		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,	

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
		(b) if no distance is specified, the line shown as the foreshore building line on that map.	
6.9 Airspace operations	(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. (5) In this clause— Limitation or Operations Surface means the Obstacle Limitation Surface and should not be constructed. (6) In this clause— Limitation or Operations Surface means the Obstacle Limitation Surface App or the Procedures for Air Navigation Services Operations Surface Map or the Procedures for Air Navigation Services Operations Surface Map 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.	(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 or the 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 Obstacle Limitation Surface Map or the Procedures for Air Navigation Services Operations Surface as shown on the Obstacle Limitation Surface Map 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 Obstacle Limitation Surface Map or the Procedures for Air Navigation Services Operations Surface as shown on the Obstacle Limitation Surface Map 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.
6.10 Development in areas subject to aircraft noise	 (1) The objectives of this clause are as follows— (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— 	(1) The objectives of this clause are as follows— (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—	 The objectives of this clause are as follows: (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. 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. Before determining a development application for development to which this clause applies, the consent authority:

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (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 Noise Exposure Forecast Contour Map for the Sydney (Kingsford-Smith) Airport prepared by the Department of the Commonwealth responsible for airports. AS 2021—2000 means AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction. 	 (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 Noise Exposure Forecast Contour Map for the Sydney (Kingsford Smith) Airport prepared by the Department of the Commonwealth responsible for airports. AS 2021—2000 means AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction. 	 (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, Acoustics-Aircraft noise intrusion-Building siting and construction, and (c) must be satisfied that the development will meet AS 2021-2015, Acoustics - Aircraft noise intrusion - Building siting and construction 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
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. (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.	 (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. (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. 	on the Australian Noise Exposure Forecast Contour Map for that airport endorsed by the Department of the Commonwealth responsible for airports. (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. (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.
	Pian 2011 Active Sueet Fromages Map,		(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 2020 Active Street Frontages Map

50

Bayside Local Planning Panel

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
Excellence architece (2) This (a) de altera Banks (b) de bounce (c) de relies Note. In consent the request the Act) (3) Deventhis clause develop (4) In centre cons (a) we detail achies (b) we develop doma (c) we detail achies (d) the Counce (e) he (d) (e) he (d) (e) he (e) he (f)	cetural, urban and landscape design. his clause applies to the following development— development involving the erection of a new building or external rations to an existing building within the Arncliffe Precinct or the desia Precinct, development that is the erection of a new building on land nded by a heavy black line on the Design Excellence Map, development that is the subject of a development application that es on clause 4.3 (2A) (a), (f), (g), (h), (i) or (k). In determining an application for a modification of a development at granted under this clause, the consent authority must again take quirements of this clause into consideration (see section 4.55 (3) of et). evelopment consent must not be granted to development to which ause applies unless the consent authority considers that the appendent exhibits design excellence. considering whether the development exhibits design excellence, nsent authority must have regard to the following matters— whether a high standard of architectural design, materials and alling appropriate to the building type and location will be lieved, whether the form, arrangement and external appearance of the elopment will improve the quality and amenity of the public	 The objective of this clause is to deliver the highest standard of sustainable architectural and urban design. 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 Kev Sites Map. 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. 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 (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, (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, (

51

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (a) if the development is in respect of a building that is, or will be, 		(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		higher than 12 metres or 3 storeys (or both) but not higher than 40
	metres or 12 storeys (or both)—		metres or 12 storeys (or both)—
	 (i) a design review panel reviews the development, and 		(i) a design review panel reviews the development, and
	(ii) the consent authority takes into account the findings of the		(ii) the consent authority takes into account the findings of the
	design review panel, or		design review panel, or
	(b) if the development is in respect of a building that is, or will be,		(b) if the development is in respect of a building that is, or will
	higher than 40 metres or 12 storeys (or both)—		be, higher than 40 metres or 12 storeys (or both)—
	 (i) an architectural design competition is held in relation to the development, and 		(i) an architectural design competition is held in relation to the development, and
	(ii) the consent authority takes into account the results of the		(ii) the consent authority takes into account the results of the
	architectural design competition.		architectural design competition.
	(6) Subclause (5) (b) does not apply if—		(6) Subclause (5) (b) does not apply if—
	(a) the NSW Government Architect certifies in writing that an		(a) the NSW Government Architect certifies in writing that an
	architectural design competition need not be held but that a design		architectural design competition need not be held but that a design
	review panel should instead review the development, and		review panel should instead review the development, and
	(b) a design review panel reviews the development, and		(b) a design review panel reviews the development, and
	(c) the consent authority takes into account the findings of the		(c) the consent authority takes into account the findings of the design
	design review panel.		review panel.
	(7) An architectural design competition conducted in accordance with		(7) An architectural design competition conducted in accordance with
	Design Excellence Guidelines that were in force when the competition		Design Excellence Guidelines that were in force when the competition was
	was conducted is taken to have been conducted in accordance with the		conducted is taken to have been conducted in accordance with the Design
	Design Excellence Guidelines.		Excellence Guidelines.
	(8) In this clause—		(8) In this clause—
	architectural design competition means a competitive process conducted		architectural design competition means a competitive process conducted in
	in accordance with the Design Excellence Guidelines.		accordance with the Bayside Design Excellence Guidelines.
	Design Excellence Guidelines means the Design Excellence Guidelines		Bayside Design Excellence Guidelines means the Bayside Design
	adopted by the Council and in force at the commencement of <u>State</u> Environmental Planning Policy Amendment (Arncliffe and Banksia		Excellence Guidelines adopted by the Bayside Council and in force at the commencement of State Environmental Planning Policy Amendment
	Precincts) 2018, or, if none have been adopted, the Design Excellence		(Arncliffe and Banksia Precincts) 2018, or, if none have been adopted, the
	Guidelines issued by the Secretary.		Design Excellence Guidelines issued by the Secretary.
	design review panel means a panel of 3 or more persons established by		design review panel means a panel of 3 or more persons established by the
	the consent authority for the purposes of this clause and approved by the		consent authority for the purposes of this clause and approved by the NSW
	NSW Government Architect.		Government Architect.
6.13 Location	(1) The objective of this clause is to minimise land use conflicts and	(1) The objective of this clause is to minimise land use conflicts and	(1) The objective of this clause is to minimise land use conflicts and
of Sex service	adverse amenity impacts by providing a reasonable level of separation	adverse amenity impacts by providing a reasonable level of separation	adverse amenity impacts by providing a reasonable level of separation
premises	between sex services premises, specified land uses and places regularly	between sex services premises, specified land uses and places regularly	between sex services premises, specified land uses and places regularly
premises	frequented by children.	frequented by children,	frequented by children.
	(2) In deciding whether to grant development consent to development	(2) In deciding whether to grant development consent to development for	(2) In deciding whether to grant development consent to development for
	for the purposes of sex services premises, the consent authority must	the purposes of sex services premises, the consent authority must consider	the purposes of sex services premises, the consent authority must consider
	consider the following—	the following—	the following:
	 (a) whether the premises will be located on land that adjoins, is 	 (a) whether the premises will be located on land that adjoins, is directly 	(a) whether the premises will be located on land that adjoins, is
	directly opposite or is separated only by a local road from land—	opposite or is separated only by a local road from land—	directly opposite or is separated only by a local road from land:
	(i) in Zone R1 General Residential, Zone R2 Low Density	(i) in Zone R2 Low Density Residential, Zone R3 Medium Density	(i) in Zone R2 Low Density Residential, Zone R3 Medium
	Residential, Zone R3 Medium Density Residential or Zone RE1	Residential or Zone RE1 Public Recreation, or	Density Residential or Zone RE1 Public Recreation, or
	Public Recreation, or	(ii) used for the purposes of a centre-based child care facility, a	(ii) used for the purposes of a centre-based child care facility, a
	(ii) used for the purposes of a centre-based child care facility, a	community facility, a school or a place of public worship,	community facility, a school or a place of public worship,
	community facility, a school or a place of public worship,	(b) the impact of the proposed development and its hours of operation	(b) the impact of the proposed development and its hours of operation
	Note. When this Plan was made it did not include Zone R1 General	on any place likely to be regularly frequented by children—	on any place likely to be regularly frequented by children:
	Residential.	(i) that adjoins the proposed development, or (ii) that can be viewed from the proposed development, or	(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.	(iii) from which a person can view the proposed development.
	J.	(m) from which a poison can view the proposed development.	(iii) itoin which a person can view the proposed development.

Item 5.1 – Attachment 5

Bayside Local Planning Panel

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 (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	Clause not included in Rockdale LEP 2011.	 (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 <u>State</u>	(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	Clause not included in Rockdale LEP 2011.	(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.	Clause not included in Bayside LEP 2020.
Dwelling houses in certain business zones	Clause not included in Rockdale LEP 2011.	(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.	Clause not included in Bayside LEP 2020.

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
Office premises in certain residential zones	Clause not included in Rockdale LEP 2011.	 (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—	Clause not included in Bayside LEP 2020.
6.15 Land at Hillsdale fronting Denison Street and Smith Street	Clause not included in Rockdale LEP 2011.	(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— (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 not included in Botany Bay LEP 2013.	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.
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.	Clause not included in Botany Bay LEP 2013.	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.

PART 7 - INTENSIVE URBAN DEVELOPMENT AREAS

TART 7 - INTENSIVE ORDAN DEVELOT MENT AREAS						
CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020			
7.1	(1) The objective of this clause is to require satisfactory arrangements to		(1) The objective of this clause is to require satisfactory arrangements to			
Arrangements	be made for the provision of designated State public infrastructure before		be made for the provision of designated State public infrastructure before			
for designated	the development of land for the purposes of residential accommodation to		the development of land for the purposes of residential accommodation to			

CLAUSE	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
State public	satisfy needs that arise from development on the land, but only if the land	Clause not included in Botany Bay LEP 2013.	satisfy needs that arise from development on the land, but only if the land
infrastructure	is developed intensively for urban purposes.		is developed intensively for urban purposes.
	(2) Despite all other provisions of this Plan, development consent must		(2) Despite all other provisions of this Plan, development consent must
	not be granted for development for the purposes of residential		not be granted for development for the purposes of residential
	accommodation in an intensive urban development area unless the		accommodation in an intensive urban development area unless the
	Secretary has certified in writing to the consent authority that satisfactory		Secretary has certified in writing to the consent authority that satisfactory
	arrangements have been made to contribute to the provision of designated		arrangements have been made to contribute to the provision of designated
	State public infrastructure in relation to the land on which the		State public infrastructure in relation to the land on which the
	development is to be carried out.		development is to be carried out.
	(3) This clause does not apply to a development application to carry out		(3) This clause does not apply to a development application to carry out
	development on land in an intensive urban development area if—		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		(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		special contributions area (as defined by section 7.1 of the Act), or
	(b) the development will not result in an increase in residential		(b) the development will not result in an increase in residential
	accommodation within the intensive urban development area.		accommodation within the intensive urban development area.
	(4) In this Part—		(4) In this Part:
	designated State public infrastructure means public facilities or services		designated State public infrastructure means public facilities or services
	that are provided or financed by the State (or if provided or financed by		that are provided or financed by the State (or if provided or financed by
	that are provided or imanced by the State (or if provided or imanced by		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 private sector, to the extent of any financial or in-kind contribution by
	the State) of the following kinds—		the State) of the following kinds:
	(a) State and regional roads,		(a) State and regional roads,
	(b) bus interchanges and bus lanes,		(b) bus interchanges and bus lanes,
	(c) regional open space,		(c) regional open space,
	(d) social infrastructure and facilities (such as schools, hospitals,		(d) social infrastructure and facilities (such as schools, hospitals,
	emergency services and facilities for justice purposes).		emergency services and facilities for justice purposes).
	intensive urban development area means the Arncliffe Precinct or the		intensive urban development area means the Arncliffe Precinct or the
	Banksia Precinct.		Banksia Precinct.
7.2 Public utility	(1) Development consent must not be granted for development on land in		(1) Development consent must not be granted for development on land in
infrastructure	an intensive urban development area unless the Council is satisfied that		an intensive urban development area unless the Council is satisfied that
mitastructure	any public utility infrastructure that is essential for the proposed		any public utility infrastructure that is essential for the proposed
	development is available or that adequate arrangements have been made		development is available or that adequate arrangements have been made
	to make that infrastructure available when required.		to make that infrastructure available when required.
	(2) This clause does not apply to development for the purpose of		(2) This clause does not apply to development for the purpose of
		Clause not in child in Botana Ben I EB 2012	
	providing, extending, augmenting, maintaining or repairing any public	Clause not included in Botany Bay LEP 2013.	providing, extending, augmenting, maintaining or repairing any public
	utility infrastructure.		utility infrastructure.
	(3) In this clause—		(3) In this clause:
	public utility infrastructure, in relation to an intensive urban development		public utility infrastructure, in relation to an intensive urban
	area, includes infrastructure for any of the following-		development area, includes infrastructure for any of the following:
	(a) the supply of water,		(a) the supply of water,
	(b) the supply of electricity,		(b) the supply of electricity,
	(c) the disposal and management of sewage.		(c) the disposal and management of sewage.
7.3 Relationship	A provision of this Part prevails over any other provision of this Plan to		A provision of this Part prevails over any other provision of this Plan to
between Part	the extent of any inconsistency.	Clause not included in Botany Bay LEP 2013.	the extent of any inconsistency.
and remainder	non-source an soul supersymmetrical a	Common tree to a country and access and access	and assessed on any manageral.
of the Plan			
or the Light			

SCHEDULE 1 ADDITIONAL PERMITTED USES

1 Use of certain land at 10-12 Allen Street and 11-13 Ann Street, Arncliffe | 1 Use of certain land at 1024-1044 Botany Road, Botany (1) This clause applies to land at 10-12 Allen Street and 11-13 Ann Street, Arncliffe being-

Rockdale LEP 2011

- (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,

- (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
- (2) Development for the purposes of a mixed use development incorporating shops and shop top housing is permitted with development
- (3) Development consent must not be granted for a mixed use development unless the application applies to the entire site.

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

Part Lot 1, DP 724135, and

- (1) This clause applies to land at 58 President Avenue, Kogarah being Lot
- (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
 - (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
 - (g) 341 West Botany Street, Rockdale being Part Lot 1, DP 721666, Part Lot 1, DP 724135 and Lot 2, DP 302304.

(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.

Botany Bay LEP 2013

(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

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.
- (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.

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.

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.

Proposed Bayside LEP 2020

(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,

- (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

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, Eastgardens, being Lot 182, DP 752015 and Lot 3, DP 79069 and identified as "4" on the Additional Permitted Uses Mep.
- (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 Mep.
- (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 Man.
- (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.

56

Rockdale LEP 2011 (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

- 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

- 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, Wolli Creek

- (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

- 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
 - (I) Lot 1, DP 733375.
- (2) Development for the purposes of vehicle body repair workshops and vehicle repair stations is permitted with development consent.

Botany Bay LEP 2013

- 8 Use of certain land at King Street, Eastlakes

 This clause applies to land at L'Estrange Park, King Street, Eastlakes, being Lot 7068, DP 1028505 and identified as "8" on the Additional
 - (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

Permitted Uses Map.

- This clause applies to land at 102 Maloney Street, Eastlakes, being Lot 100, DP 740358 and identified as "9" on the <u>Additional Permitted Uses Map.</u>
- (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 <u>Additional Permitted Uses</u> 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

- (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 202093, 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,

Proposed Bayside LEP 2020 8 Use of certain land at 102 Maloney Street, Eastlakes

- This clause applies to land at 102 Maloney Street, Eastlakes, being Lot 100, DP 740358 and identified as "8" on the Additional Permitted Uses Man.
- 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 Man.
- (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 202093, 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 Mass.
- (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:
 - 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,

57

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
 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. 	(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—	(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
	 (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. 	 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. Development for the purposes of a depot and public administration building is permitted with development consent.
	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.	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
	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 for the purposes of business premises and office premises (but not restricted premises) is permitted with development consent.	 This clause applies to land at King Street, Mascot, being Lot 2, DP 510447 and identified as "13" on the Additional Permitted Uses Map. 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,
	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.	 (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.
	(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
	11 Use of certain land along Qantas Drive, Mascot	,

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	 This clause applies to land adjacent to Qantas Drive, Mascot, being Lot 20, DP 747023 and identified as "11" on the <u>Additional Permitted Uses Map</u>. Development for the purposes of signage is permitted with development consent. 	 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 Mag. Development for the purposes of a depot and public administration building 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.	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.
	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.	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.
	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.	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.
	 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 "15" on the <u>Additional Permitted Uses Map</u>. (2) Development for the purposes of a service station and vehicle repair workshop is permitted with development consent. 	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.
	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.	 (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
	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.	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.

Rockdale LEP 2011	Botany Bay LEP 2013 Proposed Bayside LEP 2020	
	18 Use of certain land at Astrolabe Park, Mutch Park and Rhodes Street Reserve	21 Use of certain land at 10–12 Allen Street and 11–13 Ann Street, Arncliffe
	(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.	 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. Development for the purposes of a residential flat building is permitted with development consent.
	(2) Development for the purposes of a recreation area 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.
		 Use of certain land at 58 President Avenue, Kogarah 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. Development for the purposes of a car park at ground level is permitted with development consent.
		 Use of certain land at Bay Street Open Space Precinct, Rockdale This clause applies to land known as Ador Avenue Reserve, McCarthy Reserve, Rockdale Women's Playing Fields and Former Rockdale Bowling Club at— 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 9 Ador Avenue, Rockdale being Lot 27, DP 13109 and Part Lot 1, DP 721666, and 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

60

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
		 (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.
		 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.
		 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.
		 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, 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 437335, and (h) Lot 1, DP 437335, and

61

Bayside Local Planning Panel

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
		 (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 in R3 Medium Density Residential zone for residential flat buildings (1) This clause applies to the following land, identified as "33" on the Additional Permitted Uses Map— (a) 96A Bay Street, Botany, being Lot 3 DP 629040; (b) 97 Banksia Street, Botany, being Lot 1 DP 200187; (c) 70 Macintosh Street, Mascot, being Part Lot 1 DP 668902; (d) 10-12 Middlemiss Street, Rosebery (also known as 10-12 Coward Street, Mascot), being Lot 2 DP 771111; (e) 68-80 Beauchamp Road, Hillsdale, being Lot 12 DP 736905; and (f) 68-80 Banks Avenue, Pagewood, being Lots 5-13, 16 & 17 and Part Lots 14 & 15 DP 35180, and Lot 1 DP 527564 (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 2020
	Planning Policy (Exempt and Complying Development Codes) 2008 spe	ecifies exempt development under that Policy. The Policy has State-wide a	pplication. This Schedule contains additional exempt development not
specified in that Policy.			
Note 2. Exempt developmen	at 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 comp	non law still apply.		

62

Bayside Local Planning Panel

Signage—general	(1) Signage must not be installed on or in, or in relation to, a heritage	(1) Must be associated with the lawful use of the building or a use	
	item or a draft heritage item (within the meaning of State	permitted by a development consent (except for temporary signs).	
	Environmental Planning Policy (Exempt and Complying Development	(2) Must not be flashing, moving or animated.	
	Codes) 2008).	(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.	
	(2) Signage installed behind the glass line of a shop window need not	(5) Maximum—4 signs per premises.	
	comply with subclause (1) or any of the other requirements of this	(6) Must not cover any windows or architectural features of the	
	Schedule so long as the signage does not cover more than 40% of the	building to which the sign is affixed.	
	surface area of the window.	(7) Must have the consent of the owner of the property on which the	
		sign is located.	
	(3) Any advertisement that is not visible from outside the site on	(8) Must not cover mechanical ventilation inlets or outlets.	
	which it is displayed need not comply with subclause (1) or any of the	(9) If the sign is not flush with the wall—must be at least 2.6m above	
	other requirements set out in this Schedule.	any public footpath.	
	(4) A size that and are a size that has been accounted as anthorized	(10) If the sign is over a public road—must be at least 600mm from a	
	(4) A sign that replaces a sign that has been approved, or authorised	kerb or roadway edge.	
	by development consent, under the Act must not be larger than that	Note. A sign erected on or over a public road requires consent under	
	sign.	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.	
Deteleter He for	<u> </u>	(1) Marianna haight 500mm	
Retaining walls for non-		(1) Maximum height—500mm.	
domestic purposes (not		(2) Must not prevent, divert or redirect the natural flow of stormwater	
including sea walls)		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.	
	L	I	

Signage—fascia signs	 Must meet the general requirements for signage. 	
(signs on the fascia or return end of an awning)	(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	(1) Maximum size—0.75m ² .	
signs (signs painted on to a wall of a building)	(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.	

Item 5.1 – Attachment 5

64

(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 (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 on nore 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.
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 (1) Maximum—1 per site. (2) Must not be illuminated. (3) The names of sponsors or their logos must not be the dominant feature. cultural, education, religious event or the like) (4) Must be displayed on more than 28 days before the event. (5) 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.
(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—lejght—8m. (5) Maximum—1 per site. (1) Maximum—1 per site. (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.
(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—light—8m. (5) Maximum—1 per site. Signage—temporary signs (signs displayed on large scale developments under construction or amounting a local, cultural, education, religious event or the (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.
(c) multi dwelling development of 10 or more dwellings—10m². (d) commercial building—5m². (e) maximum height—8m. (5) Maximum—1 per street frontage. signs (signs displayed on large scale developments under construction or amounting a local, cultural, education, religious event or the like) (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 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.
(d) commercial building—5m². (e) maximum height—8m. (5) Maximum—1 per site. (1) Maximum—1 per street frontage. signs (signs displayed on large scale developments under construction or announcing a local, cultural, education, religious event or the like) (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.
(e) maximum height—8m. (5) Maximum—1 per site. (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.
(5) Maximum—1 per site. (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.
Signage—temporary signs (signs displayed on large scale developments under construction or amnouncing 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.
signs (signs displayed on large scale developments under construction or amnouncing a local, cultural, education, religious event or the like) (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.
signs (signs displayed on large scale developments under construction or amnouncing a local, cultural, education, religious event or the like) (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.
large scale developments under construction or announcing a local, cultural, education, religious event or the like) (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.
feature. (4) Must be displayed no more than 28 days before the event. (5) Must be removed within 14 days after the event is to be held. (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.
(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.
(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.
be held. (7) May be attached to an existing boundary fence but must not project more than 100mm from the fence.
project more than 100mm from the fence.
(9) Mariana and 2 find
(8) Maximum area—3.5m ² .
Signage—top hamper (1) Must not be illuminated.
signs (signs attached to the transom of the (2) Maximum area—2.5m ² .
doorway or display window of a building (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.

65

Signage—under awning signs (signs attached to the under side of an awning other than a fascia return end) Signage—window signs (signs attached to or displayed in a shop window)		 (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. (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	 Must be portable and free standing (consisting of two boards joined by one edge or any other means). 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

- 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.

SCHEDULE 3 COMPLYING DEVELOPMENT

Note. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 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

Botany Bay LEP 2013

Note. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 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

Proposed Bayside LEP 2020

Note. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 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 to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

67

Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
Any development specified in Part 1 is subject to the same conditions set out in	Any development specified in Part 1 is subject to the same conditions set out in	
Schedule 6 to State Environmental Planning Policy (Exempt and Complying	Schedule 6 to State Environmental Planning Policy (Exempt and Complying	
Development Codes) 2008.	Development Codes) 2008.	

SCHEDULE 4 CLASSIFICATION AND RECLASSIFICATION OF PUBLIC LAND

Rockdale LE	Rockdale LEP 2011 Botany Bay LEP 2013 Proposed Bayside LEP 2020						
Part 1 Land classified, or reclassified, as changed Column 1 Locality Nil	operational land—no interests Column 2 Description	changed Column 1 Locality Henry Kendall Crescent,	or reclassified, as o	Column 2 Description	Part 1 Land class changed Column 1 Locality Nil	sified, or reclassified, as	operational land—no interests Column 2 Description
Part 2 Land classified, or reclassified, as changed Column 1 Column 2 Locality Description 23–25 Barden Street, Lot 1, DP 594582; L	Column 3 Any trusts etc not discharged	Column 1 Locality	or reclassified, as o Column 2 Description	Column 3 Any trusts etc not discharged	Part 2 Land class changed Column 1 Locality	cified, or reclassified, as Column 2 Description	Column 3 Any trusts etc not discharged
Arncliffe DP 710332 9 Bidjigal Road, Arncliffe 10 Rye Avenue, Bexley Lot 102, DP 104232 B, DP 368323 316 Bexley Road, Bexley Lot 3, DP 31941 36B Princess Street, Lot 2, DP 880794 Brighton Le Sands 35, 37 and 41 Beach Street, Lot 148, DP 455610 Kogarah 149, DP 1110; Lot 1 509948; Lot 1, DP 3 Lot 1, DP 45657 10 Cross Street, Kogarah Lot 9, DP 11451 40–56 Freach Street, Lot 145, DP 455610 Kogarah 146, DP 455610 25A and 25B The Strand, Rockdale DP 875758; Lot 1, D 25A 37729 49 Walker Street, Turrella Lot 2, DP 223324 Part 3 Land classified, or reclassified, as a Column 1 Locality Nil	Nil Lot Nil DP 2964; Nil Lot Nil 147, ot 503, Nil P	Part 3 Land classified, Column 1 Locality Nil	, or reclassified, as o	community land Column 2 Description	Part 3 Land class Column 1 Locality Nil	sified, or reclassified, as	Column 2 Description

SCHEDULE 5 ENVIRONMENTAL HERITAGE

	Ro	ckdale LI	SP 2011				Botar	y Bay Ll	SP 2013					Propose	a Bayside	LEP 2020		
art 1 Heri	itage items					Part 1 Herit	age items					Par	rt 1 Herita	age items				
Suburb	Item name		Property description	Significance	item no	Suburb	Item Name	Address	Property Description	Significance	item No	Sub	ourb It	tem Name	Address	Property Description	Significance	e Ne Ite
Amcliffe	Station Group	Arneliffe Railway station, Station Street and road bridge on Forest Road	DP 1033288	State	in	Banksmeadov	v Sir Joseph Banks Hotel (circa 1920)	Botany Road (corner of Botany Road and	Part Lot 1, DP 73950	Local	172	Amo	R	iroup	Arncliffe Railway station, Station Street and road bridge on Forest Road	Part Lot 1, DP 1033288	State, Local	n
Amcliffe	Federation cottage	9 Brennans Road	Lot 3, DP 10357	Local	13			Waratah Street)					С	ottage	9 Brennans Road	Lot 3, DP 10357	Local	12
Amcliffe		1 Carlton	Lot 6, DP	Local	I 4	Banksmeadov	Commercial building	1619 Botany Road	Lot 1, DP 913863	Local	160				1 Carlton Street 5 Dowling	Lot 6, DP 1850 Lot 3, DP	Local	I3
Amcliffe	Victorian	Street 5 Dowling	1850 Lot 3, DP	Local	IS	Banksmeadov	Banksmeadow	Brighton	Lot 12, DP	Local	162				Street 9 Dowling	853549 Lot 1, DP	Local	I5
Arocliffe	cottage Victorian	Street 9 Dowling	853549 Lot 1, DP	Local	16		Public School	Street through to Wiggins	859010			Amo	cliffe H	Iouse	Street 19 Dowling Street	853549 Lot 100, DP 859517	Local	16
	cottage	Street	853549					Street				Amo	cliffe P	aired house	21 Duncan Street	Lot A, DP 186303	Local	17
Amcliffe	House	19 Dowling Street	Lot 100, DP 859517	Local	17	Banksmeadov	Streetscape— verge plantings of Canary Island	Brighton Street		Local	163	Arno	cliffe P	aired house	23 Duncan Street	Lot 1, DP 875396	Local	18
Arncliffe	Paired house	21 Duncan Street	Lot A, DP 186303	Local	19		Date Palm (Phoenix					Amo	cliffe S	tone cottage	25 Duncan Street	Lot 11, DP 875397	Local	19
Amcliffe	Paired house	23 Duncan Street	Lot 1, DP 875396	Local	[10	Banksmeadov	canariensis)	60 Brighton	Lot 11, DP	Local	164	Arno	cliffe "	Glenwood"	27-29 Eden Street	Lots 1 and 2, SP 61118	Local	n
Amcliffe	Stone cottage	25 Duncan	Lot 11, DP	Local	I11	Danis Mado	headmaster's residence to	Street	859010	Docu.		Arno	cliffe "	Bard of Avon"	39 Eden Street	Lot 1, DP 650148	Local	11
Amcliffe	"Glenwood"	Street 27 Eden	875397 Lots 1 and 2,	Local	[12		Banksmeadow Public School					Arno		Californian ungalow	7 Fairview Street	Lot 20, DP 9096	Local	11
		Street	SP 61118			Botany/	Botany water reserves	About 200ha	Lots 1 and 2, DP 1039418;	State	12	Armo		ungalow	21 Fairview Street	Lot 25, DP 9096	Local	11
Aracliffe		39 Eden Street	Lot 1, DP 650148	Local	113	Daceyville/ Eastlakes/		_	Lot 1, DP 233011; Lot 1, DP						Firth Street		Local	n
Amcliffe	Californian bungalow	7 Fairview Street	Lot 20, DP 9096	Local	115	Mascot/		Botany extending from the	241650; Lots 2473 and			Arno		Arneliffe Post Office	35 Firth Street	Lot 1, DP 1000369	Local	11:
Amcliffe			Lot 25, DP 9096	Local	[16	Pagewood		northern shore of Botany Bay				Amo	cliffe C		(laneway between Nos	DP 1793	Local	11
Arncliffe	plantings	Firth Street		Local	118			to Gardeners Road including	DP 780391; Lot 3, DP 780392; Lot 2, DP						43 and 44 through to Stanley Street)			
Amcliffe	Arncliffe Post Office		Lot 1, DP 1000369	Local	[19			the Lakes and	854374; Lot 13, DP			Arno		ictorian shop	45 Firth		Local	n
Amcliffe	Lane	Firth Street (laneway between Nos		Local	120			Eastlakes Golf Courses and Mill and	Lot 4, DP			Arno	cliffe S	t Francis Xavier	Street 2–4 and 6 Forest Road	365141 Lot A, DP 323842;	Local	n

69

	1	ckdale LI			_		Dinas	y Bay LI	at advant		-	-	_	Tropose	u mayside	LEP 2020		-
Amcliffe		through to Stanley Street) 45 Firth	Lot B, DP	Local	121	Botany	Booralee Park		Lot 7078, DP 1027047	Local	I61					Lot B, DP 323842; Lot A, DP 317958; Lot 1, DP		
z minomito		Street	365141	a.ocai				Railway Line and Daniel.	1027047				Arncliffe	St Francis Xavier Catholic	26 Forest Road	185896 Lot 12, DP 580363	Local	119
Ameliffe			Lot A, DP 323842; Lot	Local	122			Bay, Lord, Myrtle and					Amcliffe	Presbytery Rosslyn Hospital		Lots 1-10,	Local	120
	Church group		B, DP 323842; Lot					Jasmine Streets					Arncliffe		Road 134 and 136	SP 47963	Local	12
Ameliffe	St Francis	26 Forest	A, DP 317958; Lot 1, DP 185896 Lot 12, DP	Local	123	Botany	Sir Joseph Banks Hotel (former, circa 1840)	Anniversary Street		State	14				Forest Road			
	Xavier Catholic		580363				1906)	Banksia Street	328019				Arncliffe		137 Forest Road	Lot 50, DP 1919	Local	12
Amcliffe		30 Forest Road	Lots 1–10, SP 47963	Local	I24	Botany	Post office (circa 1923)	2 Banksia Street	Lot 1, DP 208627	Local	16		Amcliffe	Aracliffe preschool and kindergarten	139 Forest Road	Lot 49, DP 1919	Local	12
Ameliffe		134 and 136		Local	125	Botany	House	6 Banksia Street	Lot A, DP 332049	Local	18		Arncliffe		184 Forest Road	Lot A, DP 343038	Local	12
	and "Wentworth"	Forest Road	372194; Part Lot 49,			Botany	House	7 Banksia	Lot 7, DP	Local	19		Arncliffe	"Wilga"	220 Forest Road	Lots 3 and 8, DP 13853	Local	12
			Section B, DP 933; Lot C, DP			Botany	House		5177 Lot B, DP	Local	I10		Amcliffe	bungalow	224 Forest Road	Lot 2, DP 13853	Local	12
			395258				110000	Street	332049				Arncliffe		39 Hirst Street	Lot 2, DP 556457	Local	12
Amcliffe		137 Forest Road	Lot 50, DP 1919	Local	126	Botany	House		Lot B, DP 331090	Local	111		Arncliffe	Federation house	79 Hirst Street	Lot 13, Section C, DP 2996	Local	12
Amcliffe	preschool and		Lot 49, DP 1919	Local	127	Botany	Streetscape— verge plantings	Bay Street (western		Local	112		Amcliffe		8 Kembla Street	Lot 21, DP 865131	Local	12
Ameliffe	'Coburra'	184 Forest	Lot A, DP	Local	128		of Canary Island Date Palm (Phoenix	side of Botany Road)					Arncliffe	House	31 Kyle Street	Lot 7, Section 4, DP 1633	Local	13
		Road	343038		Ш		canariensis)						Amcliffe		27 and 27A Lusty Street,	Part Lot 1, DP 8682; Lot	State	13
Amcliffe		220 Forest Road	Lots 3 and 8, DP 13853	Local	129	Botany	House group	10–14 Bay Street	Lots 1, 2 and 3, DP 748509	Local	113				Part 74 1 Bonar Street	2, DP 444657; Lot 3, DP 86820		
Amcliffe		224 Forest Road	Lot 2, DP 13853	Local	130	Botany	House	16 Bay Street	Lot 1, DP 998741	Local	I14					(part roadway between		
Amcliffe			Lot 2, DP 556457	Local	131	Botany	House	19 Bay	Lot 1, DP	Local	115					Turrella Street and		
Amcliffe		Street	Lot 13, Section C, DP 2996	Local	132	Botany	House group		904269 Lots A-D, DP 436271;	Local	116					Lusty Street and part bed of Wolli Creek)		
Amcliffe	House	8 Kembla	Lot 21, DP 865131	Local	133				Lots A and B, DP 439683; Lot 1, Section B, DP 3449				Arncliffe, Wolli Creek	Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS)— Western Main			State	13

70

		ckdale LI			les i		-	y Bay LI				_	Propose	d bayside	LEP 2020		_
Amcliffe	House	31 Kyle Street	Lot 7, Section 4,	Local	135	Botany	Corner store— "Alto"	50–52 Bay Street	Lot 2, DP 11383	Local	117				10, DP 1050923		
Amcliffe	Wolli Creek	27 and 27A	DP 1633 Part Lot 1,	State	136	Botany	House	135 Bay Street	Lot 1, DP 335932	Local	I18	Arncliffe	Palm trees	Mawson Street		Local	13
	Aqueduct	Lusty Street, Part 74 1 Bonar Street	Lot 2, DP 444657; Lot			Botany	House	145 Bay Street	Lot 101, DP 732151	Local	119	Arncliffe	Victorian terrace	3 and 4 Mitchell Street	Lots 35 and 36, DP 2069	Local	13
			3, DP 86820 (part			Botany	House	147 Bay Street	Lot A, DP 389313	Local	120	Arncliffe	Californian bungalow	12 Mitchell Street	Lot A, DP 439701	Local	13
			roadway between Turrella			Botany	House—"The	151 Bay		Local	121	Arncliffe		16 Mitchell Street	Lot 24, DP 2069	Local	13
			Street and Lusty Street and part bed of Wolli Creek)			Botany	White House" House group	Street 165–179	10, Section G, DP 1787 Lots 1–4, DP 223896; Lots X and Y, DP		122	Arncliffe	Arncliffe Public School and "Teluba"	168–170 Princes Highway	Lot 1, DP 124274; Lot 10, DP 1066280; Lot 11, DP 1066280	Local	13
Arncliffe	Suburbs Ocean Outfall	Marsh Street	1069479; Part Lot 5, DP 1050923;	State	1238	Botany	Botany Public	1076	100856; Lots A and B, DP 443066	Local	123	Amcliffe	Walz quarry	Roach Street (between Gore Street and Forest Road)	100200	Local	13
	Sewer (SWSOOS)— Western Main Carrier		Lot 9, DP 1050923; Lot 10, DP 1050923				School (circa 1869)	Botany Road	433364; Lot 1, DP 194311			Arncliffe	"Meryton"	58 Roach Street	Lot 3, DP 22180	Local	13
Arncliffe	Palm trees	Mawson	1930343	Local	137	Botany	Hippo's Friends	1082	Lot 1, DP	Local	136	Arncliffe	Victorian house	23 Segenhoe Street		Local	Ī.
Arncliffe	Victorian	Street 3 and 4	Lots 35 and	Local	138		Child Care Centre	Botany Road	112970			Arncliffe	Victorian house	25 Segenhoe Street	Lot 16, Section E,	Local	[4
, and the control of	terrace	Mitchell Street	36, DP 2069			Botany	Finnies buildings	1094–1098 Botany Road	Lots 43–45, DP 856900	Local	137	Arncliffe	Californian Bungalow	27 Segenhoe Street	DP 2271 Lots 17–18, Section E, DP 2271	Local	14
Arncliffe	Californian bungalow	12 Mitchell Street	Lot A, DP 439701	Local	139	Botany	Captain Cook Hotel	1114 Botany	Lot 1, DP 1112025	Local	138	Arncliffe	Victorian house	16 Stanley Street	Lot 1, DP 569361	Local	14
Amcliffe	Timber Victorian	16 Mitchell Street	Lot 24, DP 2069	Local	I41			Road				Arncliffe	Victorian house	20 Stanley Street	Lot 2, DP 421335	Local	T/
	house					Botany	House group	Botany	B, DP	Local	140	Arncliffe	Victorian house	22 Stanley Street	Lot B, DP 449610	Local	Į4
Amcliffe	Arncliffe Public School and "Teluba"		Lot 1, DP 124274; Lot 10, DP	Local	[42			Read	438725; Lots C– E, DP 353030; Lot A, DP			Arncliffe	Victorian semi- detached dwelling	26 Stanley Street	Lot 2, DP 592250	Local	[4
			1066280; Lot 11, DP 1066280						310296			Arncliffe	Victorian cottage	39 Station Street	Lot 21, DP 1673	Local	I4
Amcliffe	Walz quarry	Roach Street		Local	I43	Botany	Commercial/ residential	Botany	Section 2,	Local	147	Arncliffe	Federation house	22 Walters Street	Lot A, DP 301582	Local	I4
		(between Gore Street				Determ	building	Road	DP 773	Local	149	Amcliffe	Victorian cottage	23 Walters Street	Lot 2, DP 913129	Local	14
4 49-22		and Forest Road)				Botany	House group	Botany	Lot 7, DP 657544; Lot A, DP 352054	Local	149	Arncliffe	House	73 West Botany Street	Lot 25, Section 3, DP 1633	Local	ES
Arncliffe	"Meryton"	Street	22180	Local	I44	Botany	St Matthew's	1331	Lot 1, DP	Local	171	Arncliffe	Former hospital for women	112 West Botany Street	Lot 1, DP 229505	Local	15
Amcliffe	L.	23 Segenhoe Street	Lot A, DP 339374	Local	145		Anglican Church (circa 1862)	Road	593463; Lot 3, DP 593463			Arncliffe		71A Wollongong Road	Lot 100, DP 1081168	Local	Ľ

		ockdale LI			400		Botan	y Bay LI	CP 2013					Propose	d Bayside	LEP 2020		
Amcliffe	Victorian house		Lot 16, Section E, DP 2271	Local	I46			Botany Road and Lord Street)				Ar	mcliffe)		78 Wollongong Road	Lot 2, DP 1434	Local	15
Amcliffe	Californian bungalow		Lots 17–18, Section E, DP 2271	Local	147	Botany	Botany Uniting Church	1355 Botany	Part Lot 4, Section B,	Local	153	Ar	mcliffe :	House	Road	1387	Local	15
Amcliffe	Victorian house	16 Stanley	Lot 1, DP 569361	Local	I48			Read	DP 1787; Part Lot 1, DP 566495			Ar	mcliffe]		148 Wollongong Road	Lot 12, DP 6460	Local	I.5
Amcliffe	Victorian house	20 Stanley Street	Lot 2, DP 421335	Local	149	Botany	John Brotchie Kindergarten (formerly Botany School of Arts	1361 Botany Road	Lot 14, DP 660975	Local	154	Ar	mcliffe '	"Dappeto"	171 Wollongong Road		State	15
Amcliffe	Victorian house	Street	Lot B, DP 449610	Local	I50	Botany	hall) House	1365	Lot 1, DP	Local	155	Ar	mcliffe I	Federation house	191 Wollongong Road	Lot 1, DP	Local	Ľ5
Arncliffe	Victorian semi- detached dwelling	26 Stanley Street	Lot 2, DP 592250	Local	151	Botany	Botany Town	Botany Road 1423	217275 Lot 14, DP	Local	169	Ar	mcliffe	Federation house	193 Wollongong Road	Lot 3, DP 5343	Local	15
Amcliffe	Victorian cottage	39 Station Street	Lot 21, DP 1673	Local	152	Botany	,	Botany Road	3592; Part Lot 5, DP 5177	Local		Ar	ncliffe	"Fairview"	197 Wollongong Road	Lot A, DP 317797	Local	E
Amcliffe	Federation house	22 Walters Street	Lot A, DP 301582	Local	153			Botany Road and Edward				Ar	mcliffe :	House	215 Wollongong Road	Lot A, DP 442621	Local	It
Amcliffe	Victorian cottage	23 Walters Street	Lot 2, DP 913129	Local	I54	Botany	House—	Street) 1424	Lot 49, DP	Local	I56	Ar	ncliffe]	Federation house	258 Wollongong Road	Lot 1, DP 950168	Local	Ite
Amcliffe	Sewer vent		Lot 1, DP 667322	Local	155		"Helena"	Botany Road	4747			Ва		Sandstone Victorian cottage	15 Bowmer Street	Lot 30, Section D, DP 1771	Local	I
Amcliffe	House		Lot 25, Section 3,	Local	156	Botany	Police station (circa 1871)	1441 Botany Road	Lot 100, DP 1052312	Local	li24	Ва	mksia	House	15 Cameron Street	Lot 11, Section 12, DP 2248	Local	Ie
		Street	DP 1633			Botany	Boarding house (front building)	1443 Botany	Lot 15, Section 8,	Local	I57	Ва		Sandstone Victorian cottage	1 Curtis Street	Lot A, DP 165784	Local	Ie
Arncliffe	Former hospital for women		Lot 1, DP 229505	Local	157	Datany	House		DP 773	Local	158		1		5 Curtis Street	Lot 1, DP 666244	Local	Ie
Ameliffe	Arncliffe	71A	Lot 100, DP	Local	158	Botany	nouse	1447 Botany Road	Lot 1, DP 1082257	Local	138				7 Curtis Street 11 Gibbes	Lot B, DP 165784 Lot 1, DP	Local	I
Ameliffe	Park and monument House	Wollongong Road 78	1081168 Lot 2, DP	Local	159	Botany	Presbyterian Church of	Botany	Part Lot 111, DP 904964	Local	159	Da		Part of single- storey terraced cottages known as Jackson's Row	Street	900433	Local	ľ
		Wollongong Road	1434				Australia and manse	Road	and Part Lot 112, DP 918728			Ва		Part of single- storey terraced cottages known as Jackson's Row	18 Gibbes Street	Lot 2, DP 984067	Local	I
Arncliffe Arncliffe	House	Wollongong Road	1387 Lot 12, DP	Local	160	Botany	Streetscape— verge plantings of Canary Island Date Palm (Phoenix	Brown Avenue		Local	165	Ва		Stone house	7 Godfrey Street	Lot 53, Section E, DP 1771; Lot 54, DP 455079	Local	Ic
		Wollongong Road	6460			Botany	canariensis) Electricity		Lot 1, DP	Local	167	Ba		Stone Victorian house	29 Godfrey Street,	Lot 41, Section E, DP 1771	Local	r
							Substation No 153	Street	310135			Ba	mksia	Stone house	19 Monahan Avenue		Local	17

72

		ckdale LI					Botai	iy Bay Ll	EP 2013						LEP 2020	,	
Arncliffe	"Dappeto"	171 Wollongong Road	Corner Lots 54–59, DP 8954; Lots 33–36, DP	State	I62	Botany	House	31 Cranbrook Street	Lot 7, Section 9, DP 773; Lot 8, Section 9,	Local	196	Banksia	Arncliffe Market Garden	Botany Street	Lot 1, DP 514811	State	17:
Amelier	Fadowii an	101	9096	Local	163	Pater	Monac	35	DP 773	Local	197	Banksia	Gardiner Park	15A Wolli Creek Road	Lots 1–4, 11 and Part Lot 12, Section I,		17:
Ameliffe	Federation house	191 Wollongong Road		Local		Botany	House	Cranbrook Street	Lot 10, Section 9, DP 773	Local					DP 1771; Lot 661, DP 827186; Lot 1, DP		
Arncliffe	Federation house	193 Wollongong Road	5343	Local	165	Botany	House	37 Cranbrook Street	Lot 11, Section 9, DP 773	Local	198	Banksmeadov	Administration building—"Orica"	16-20A Beauchamp Road	940560 Lot 1105 DP1227173	Local	17-
Ameliffe	"Fairview"	197 Wollongong Road	Lot A, DP 317797	Local	166	Botany	Terrace group	42–54 Daphne Street	Lot 100, DP 1010340; Lots 1–15, SP 62387	Local	199	Banksmeadov	and Mature Ficus v Sir Joseph Banks Hotel (circa 1920)	1354 Botany Road (corner of Botany	Part Lot 1, DP 73950	Local	17:
Arneliffe	House	215 Wollongong Road	Lot A, DP 442621	Local	167	Botany	House group	18–20 Erith Street	Section 2,	Local	1100			Road and Waratah Street)			_
Arncliffe	Federation house	258 Wollongong	Lot 1, DP 950168	Local	168				DP 889; Lot 8, DP 318902				v Commercial building	1619 Botany Road	913863	Local	17
		Road				Botany	Sir Joseph Banks	Fremlin	Lot 1, DP	Local	125	Banksmeadov		1751 Botany Road	1031248	Local	17
Banksia	Sandstone Victorian	15 Bowmer Street	Lot 30, Section D,	Local	169	Determ	Park	Street	668135		179		W Botany Bay Hotel W Banksmeadow	1807 Botany Road Brighton	333268 Lot 12, DP	Local	17
Banksia	House	15 Cameron Street	DP 1771 Lot 11, Section 12, DP 2248	Local	170	Botany	Sydney Water Corporation Sewage Pumping Station SP0060		Lot 12, Section 2, DP 889; Lot 13, Section 2, DP 889	Local	179	Banksmeadov	Public School	Street through to Wiggins Street	859010	Local	
Banksia	Sandstone Victorian cottage	1 Curtis Street	Lot A, DP 165784	Local	171	Botany	House group	21–23 Salisbury Street	Lot 1, Section 15, DP 773; Lot 2, Section 15	Local	1156	Banksmeadov	v Streetscape— verge plantings of Canary Island Date Palm (Phoenix	Brighton Street		Local	18
Banksia	Sandstone Victorian cottage	5 Curtis Street	Lot 1, DP 666244	Local	172	Botany	Streetscape—	Swinbourne	DP 773	Local	I158	Banksmeadov	v Former headmaster's residence to	60 Brighton Street	Lot 11, DP 859010	Local	18
Banksia	Sandstone Victorian	7 Curtis Street	Lot B, DP 165784	Local	173		verge plantings of Canary Island Date Palm	Street (William to Queen					Banksmeadow Public School				
Pontolo	cottage Part of single-	II Cibboo	Last 1 ToD	W a a a a l	174		(Phoenix canariensis)	Streets)				Bardwell Pari	Nursery Cottage	112 Slade Road	SP 68708	Local	18:
Banksia	rart or single- storey terraced	Street	Lot 1, DP 900433	Local	1/4	Botany	Sydney Water Corporation	Tenterden Road		Local	I159	Bardwell Valley	Stone Federation house	15 East Street	Lot 4, DP 10685	Local	18.
	cottages known as Jackson's					Botany	sewer vent	16	Lot 1, DP	Local	I160	Bardwell Valley	Californian bungalow cottage (part of a street precinct)		Lot 65, DP 9171	Local	18
Banksia	Row Part of single- storey	18 Gibbes Street	Lot 2, DP 984067	Local	175	Botany	House	Tenterden Road	723591 Lot 11 and	Local	1161	Bardwell Valley	Californian bungalow cottage (part of a street	3 Hamilton Street	Lot 38, DP 9171	Local	18:
	terraced cottages							Tenterden Road	12, DP 455886			Bardwell Valley	precinct) "Forsythe"	57 Hannam Street	Lot A, DP 325441	Local	18
	known as Jackson's Row									<u> </u>		Bardwell Valley	"Mill Cottage"	29–31 John Street	Lot 2, DP 67720	Local	18

m-t-t-		ckdale Ll		h	lene	la .		ny Bay Ll		k1	hico.	la .			LEP 2020		Iros
Banksia	Stone house		Lot 53, Section E, DP 1771; Lot 54, DP	Local	176	Botany	House	Tenterden Road	Lot 13, DP 935631	Local	1162	Bardwei Valley	Quarry (includes rock faces and public reserve above)	40 John Street	Lots 1-3, DP 1088303	Local	188
Banksia	Stone	29 Godfrey	455079 Lot 41,	Local	177	Botany	House group	63–65 Tenterden Road	Lot A, DP 387770; Lot B, DP	Local	1163	Bardwei Valley	Californian bungalow	13 Lansdowne Street	Lot 10, DP 9171	Local	189
	Victorian house	Street,	Section E, DP 1771			Botany	House	\$4	387770 Lot B, DP	Local	I164	Bardwei Valley	Brick Californian bungalow cottage	17 Lansdowne Street	Lot 12, DP 9171	Local	190
Banksia	Stone house	19 Monahan Avenue	Lot 46, DP 6679	Local	178			Tenterden Road	338192			Bardwei Valley	Stone cottage	28 The Glen Road	Lot 2, DP 10685	Local	191
Banksia			Lot 1, DP 514811	State	193	Botany	Residential building	16 The Esplanade	Lot B, DP 323638	Local	1165	Bardwel Valley	Stone cottage	Road	10685	Local	192
Banksia	Garden Gardiner Park	Street	Lots 1-4, 11	Local	179	Botany	Electricity Substation No	3 William Street	Lot 1, DP 669129	Local	180	Bexley	Stone cottage	17A Abercom Street	Lot 701, DP 1054480	Local	193
Dansia		Creek Road	and Part Lot 12, Section I, DP 1771;		1,5		340	(corner of Swinboume and				Bexley	Federation house	68A Abercom Street	Lot A, DP 378177	Local	194
			Lot 661, DP 827186; Lot					William Streets)				Bexley	Federation house	78 Abercorn Street	Lot 3, DP 984963	Local	195
			1, DP 940560			Botany	House	2 Woodstock	Lot 14, Section 13,	Local	1169	Bexley	"Dunvegan"	10 Albyn Street	Lot 1, DP 1018116	Local	190
Bardwell Park		112 Slade Road	SP 68708	Local	190	Daceyville	e Dacey Garden	Street Corner of	DP 773 Lot 7003, DF	Local	176	Bexley	Bayview Lodge	2 Beaconsfield Street		Local	197
Bardwell	Stone	15 East	Lot 4, DP 10685	Local	I81		Reserve and substation	Gardeners and	1027005; Lots 1, 2 and			Bexley	House	6 Beaconsfield Street	Lot 5B, DP 329521	Local	198
Valley	house	Street			Ш			Bunnerong Roads	3, DP 1163798		Ш	Bexley	Seaforth Park	16A Beaconsfield		Local	199
Bardwell Valley	Californian bungalow cottage (part of a street precinct)		Lot 65, DP 9171	Local	182	Daceyville	building group	1–11 General Bridges Crescent	Lot 304, DP 32175; Lot 305, DP 32175; Lot 306, DP 32175; Lot	Local	1109	Bexley	Bardwell Creek Flora Reserve (south of Bexley Road)	369D and 369F Bexley Road		Local	110
Bardwell Valley	Californian bungalow cottage (part of a street precinct)		Lot 38, DP 9171	Local	183				307, DP 32175; Lot 308, DP 32175; Lot 309, DP 32175						Section C, DP 4580; Lots 27–34, Section B, DP 4580; Lot 17, DP 9730;		
Bardwell Valley	"Forsythe"	57 Hannam Street	Lot A, DP 325441	Local	185	Daceyville			Part Lot 1,	Local	1114				Lot 3, DP 17016; Lot 7, DP 17073;		
Bardwell Valley			Lot 2, DP 67720	Local	186		School and presbytery	Avenue	DP 186759						Lot 5, DP 17225; Lots 6 and 8, DP		
Bardwell Valley	Quarry (includes rock faces and public reserve	40 John Street	Lots 1–3, DP 1088303	Local	I87	Daceyville	Michael's Church (now hall)	Haig Avenue	Lot 1, DP 666538	Local	1115				17225; Lot 14, DP 14208; Lot 2, DP 204870; Lot 4, DP	,	
Bardwell	above) Californian	13	Lot 10, DP	Local	188	Daceyville	Daceyville Public School	Joffre Crescent	997642; Lot	Local	1132				206746; Lot 6, DP 210027; Lot		
Valley	bungalow		9171						2, DP 997642; Lot						1, DP 211151; Lot 7, DP 21406;		

74

		ckdale LI			, ,		Bota	ny Bay Ll					Propose	d Bayside	LEP 2020		_
Bardwell Valley	Brick Californian bungalow cottage	17 Lansdowne Street	Lot 12, DP 9171	Local	189	Daceyville		3 Wills	5248, DP 820566 Lot 310, DP	Local	I81				Lot B, DP 327603; Lots A and B, DP 327604; Lot 4, DP		
Bardwell Valley	Stone cottage		Lot 2, DP 10685	Local	I 91		community centre	Crescent (comer of Wills	32173						326997; Lot E, DP 328325; Lot		
Bardwell Valley	Stone cottage	30 The Glen Road	Lot 1, DP 10685	Local	192			Crescent and Haig Avenue)							3, DP 532927; Lot 12, DP		
Bexley			Lot 701, DP 1054480	Local	194	Eastlakes	House	70 Florence Avenue	Corner Lot 127, DP 17209	Local	I102				1042165; Lot 7008, DP 1031070; Lot 2, DP 605883		
Bexley		68A Abercorn Street	Lot A, DP 378177	Local	195	Hillsdale	Matraville Public School	Bunnerong Road	Lot 238, DP 752015; Lot 239, DP 752015	Local	173	Bexley	Former quarry	369E Bexley Road		Local	110
Bexley	house	Street	Lot 3, DP 984963	Local	196			Bunnerong and Beauchamp				Bexley	Donnans Reserve	389 Bexley Road	Lots 1 and 2, DP 119398; Lots 1 and 2, DP 559733	Local	116
Bexley	"Dunvegan"		Lot 1, DP 1018116	Local	197	Mascot	Alexandra Canal	Roads) Alexandra	Alexandra	State	11	Bexley	Montrose (main house only)	80 Broadford Street		Local	110
Bexley	Bayview Lodge	2 Beaconsfield	Lot C, DP 400028	Local	198	Massor	(including sandstone	Canal	Canal	State		Bexley		42 Bruce Street	Lot A, DP 410796	Local	TI (
Bexley	House	Street 6 Beaconsfield	Lot 5B, DP 329521	Local	199	Mascot	Ricketty Street bridge	Over Alexandra		Local	1154	Bexley	Barwell Park and Botanical Gardens	56 Bruce Street	Lots 8–11 and 25–29, Section 9, DP 1763	Local	110
Bexley	Seaforth Park	Street 164	Lot 50, DP	Local	1100			Canal			100	Bexley	Street plantings	Caledonian Street		Local	11(
Desiry		Beaconsfield Street		- Social		Mascot	Memorial Park	814 Botany Road and 149A	Lot 1, DP 72528; Lot 2, DP 611027	Local	168	Bexley	Federation house	4 Carrington Street	Lot 1, DP 944994	Local	110
Bexley	Creek Flora	369F Bexley	Part Lot 11, Section B, DP 4580;	Local	1101		Matrice Plans	Coward Street	L - A D. DDD	Lacel	100	Bexley	Sewer vents	Connemarra Street (opposite		Local	11(
	(south of Bexley Road)		Lots 7–10 and 18–25,			Mascot	Mature Ficus	Read	420209	Local	127			Nos 1 and 28)			
			Section C, DP 4580; Lots 27-34, Section B,			Mascot	Commercial building group	891–917 Botany Road	Lot A, DP 103750; Lot B, DP 103750; Lot	Local	128	Bexley	Sandstone and brick Federation cottage	12 Connemarra Street	Lot 1, DP 902728	Local	n
			DP 4580; Lot 17, DP 9730; Lot 3,						C, DP 103750; Lot D, DP			Bexley	Semi-detached dwelling	49 Connemarra Street	Lot 282, DP 811807	Local	111
			DP 17016; Lot 7, DP 17073; Lot						103750; Lot 1, DP 504610; Lot			Bexley		50 Connemarra Street		Local	111
			5, DP 17225; Lots 6 and 8, DP 17225;	1					2, DP 504610; Lot A, DP			Bexley	Semi-detached dwelling	51 Connemarra Street	Lot 281, DP 811807	Local	111
			Lot 14, DP 14208; Lot 2, DP						87517; Lot B, DP 87517; Lot 1, DP			Bexley	Stone house	71 Connemarra Street	Lot 1, SP 70789	Local	111
			204870; Lot 4, DP 206746; Lot						784041; Lot 1, DP 80274; Lot 2, DP			Bexley	Californian bungalow	8 Donnan Street	Lots 4 and 5, Section B, DP 6266	Local	111

75

	K	ckdale LF			_		Botai	iy Bay Ll							LEP 2020		-
			6, DP 210027; Lot						598272; Lot 3, DP			Bexley	John Downey's Cottage	14 Downey Street	Lot A, DP 325231	Local	[11
			1, DP 211151; Lot						598272; Lot 4, DP			Bexley	Street plantings	Dunmore Street North		Local	X1.1
			7, DP 21406; Lot B, DP 327603; Lots A and B, DP 327604; Lot 4, DP			Mascot	Former Tennyson Hotel, now Mascot Inn	(corner of High Street	598272 Lot 1, DP 657249	Local	1777	Bexley	Christ Church Anglican Church and hall	1C Dunmore Street North	Section 2, DP 1680; Lots 19 and 20, Section 2, DP 1036	Local	ici i
			326997; Lot E, DP 328325; Lot					and Botany Road)				Bexley		12 Dunmore Street North	412732	Local	n
			3, DP 532927; Lot			Mascot	House group	999 Botany Road	Part Lot 1, DP 918245	Local	129	Bexley	Federation house	14 Dunmore Street North	Lot 2, DP 412732	Local	111
			12, DP 1042165;			Mascot	Electricity	1001	Lot 1, DP	Local	130	Bexley	Federation house	16 Dunmore Street North	Lot 1, DP 412732	Local	ř1:
			Lot 7008, DP 1031070;				Substation No 147	Botany Road	232836			Bexley	Ercildoune	Street North		Local	11:
			Lot 2, DP 605883			Mascot	Former National Bank of	1005 Botany	Lot A, DP 319304	Local	I31	Bexley	Fairmont	20 Dunmore Street North	322348	Local	11:
Bexley	Former	369E Bexley Road	Lots 12–20, Section B,	Local	I102		Australasia	Road, corner of	SISSOT			Bexley	House	29 Dunmore Street North	900366	Local	11
	quary		DP 4580					Botany Road and				Bexley		33 Dunmore Street North	324948	Local	11:
Bexley	Donnans Reserve	Road	Lots 1 and 2, DP 119398;	Local	1103			Coward Street				Bexley		38 Dunmore Street North	659447	Local	11
			Lots 1 and 2, DP 559733			Mascot	Coronation Hall	1007 Botany	Lot 1, DP 202492	Local	132	Bexley		40 Dunmore Street North		Local	n
Bexley Bexley	(main house only)	42 Bruce	651338 Lot A, DP	Local	[104 [105			Road (corner of Coward and Botany Roads)				Bexley	Street plantings	Forest Road (between St Georges Road and Waratah Street)		Local	u
	terrace		410796		-	Mascot	Commercial		, ,	Local	133	Bexley	St Andrew's	267 Forest		Local	[1]
Bexley	Barwell Park and Botanical Gardens	Street	Lots 8–11 and 25–29, Section 9, DP 1763	Local	1106		building group	Botany Read	213130; Lot A, DP 349471; Lot B, DP				Church	Road	27, Section 3, DP 1114; Lot 4, DP 951021		
Bexley	Street	Caledonian		Local	1107				349471; Lot A, DP			Bexley	Ercildoune	274 Forest Road	Lot B, DP 384921	Local	11
Bexley	plantings Federation	Street 4 Carrington	Lot 1. DP	Local	I108				440204; Lot B, DP 440204; Lot			Bexley	Bexley Primary School	330 Forest Road	Part Lot 131, DP 1053602	Local	113
	house		944994	200448					C, DP 440204;			Bexley	Original Bexley School buildings	339–377 Forest Road	Lot 11, DP 857373	Local	113
Bexley	Sewer vents	Connemarra Street (opposite		Local	I114				Comer Lot D, DP 440204			Bexley		Forest Road	748688	Local	n
Bexley	Sandstone and brick Federation	Nos 1 and 28) 12 Connemarra Street		Local	[109	Mascot Mascot	Mature Hoop Pine House	1055 Botany Road	Lot 13, DP1035450	Local	I34 I35	Bexley	Victorian house	496 Forest Road	Lot 1, DP 660880; Lot A, DP 314295; Lots A and B, DP 325598	Local	in:
	cottage					NAMES OF STREET		Botany Road	939651; Lot 1, DP314593			Bexley	Milk Depot Group (Art Deco	623 Forest Road	Lot 704, DP 1056168	Local	n

- ·		ckdale LI			here!			y Bay Ll			kan I	_			LEP 2020		_
Bexley	Semi- detached dwelling	49 Connemarra Street	Lot 282, DP 811807	Local	1110	Mascot	Commercial building group	1133–1135 Botany Road	Part Lot 1, DP 932383; Lot 1, DP	Local	139		style commercial buildings)				1
Bexley	Victorian house	50 Connemarra Street		Local	1111			(corner of Botany Road and King Street	930137			Bexley	Bexley Congregation Church	626–628 Forest Road and 3 Wood Street	1146232	Local	113
Bexley	Semi- detached	51 Connemarra	Lot 281, DP	Local	[112	Mascot	Commercial	1171-1173	Lot 11,	Local	I41	Bexley	building and	20–26 Croydon Road, Bexley	Lot 21, DP 1162915	Local	[II:
	dwelling	Street					building group	Road	Section 1, DP 1873			Bexley	Street plantings	Gladstone Street R 854		Local	11:
Bexley	Stone house	71 Connemarra Street	Lot 1, SP 70789	Local	1113	Mascot	Commercial building group	1175–1177 Botany Road	Lot 3, DP 617916; Lot 4, DP 617916	Local	142			Gladstone Street BEXLEY NSW 2207			
Bexley	Californian bungalow	8 Donnan Street	Lots 4 and 5, Section B, DP 6266	Local	1115	Mascot	Commercial building group		Lot C, DP 341159	Local	143	Bexley	Californian bungalow	12 Gladstone Street	Lot 2, DP 880870	Local	[1]
Bexley	John Downey's			Local	1116	Mascot	Commercial	Botany Road 1187–1189		Local	144	Bexley	Bexley Uniting Church— (Federation style	29 Gladstone Street	Lot 34, DP 1061827; Lot 1, DP 913135	Local	n
Bexley	Cottage Street plantings	Dummore Street North		Local	1117		building group	Botany Road	541076; Lot 2, DP 541076			Bexley	(1926) House	31 Gladstone Street		Local	rı.
Bexley	Christ Church Anglican		Part Lot 18, Section 2	Local	[118	Mascot	Commercial building group	1193–1203 Botany Road	Lot 12, DP 832835; Lot 1, DP	Local	I45	Bexley	Tonbridge	33 Gladstone Street	Lot 31, Section 7, DP 1680	Local	n
	Church and hall	Street North	DP 1680; Lots 19 and 20, Section 2, DP 1036					Road	1127006; Lot D, DP 402625; Lot E, DP 402625; Lot			Bexley	Group of houses		Lot 1, DP 22420; Lot 2, DP 22420; Lot 3, DP 22420; Lot 4,	Local	1 14
Bexley	Federation house	12 Dunmore Street North	412732	Local	[171				F, DP 402625; Lot A, DP						DP 22420; Lot 5, DP 22420; Lot 7, DP 22420		
Bexley	Federation house	14 Dunmore Street North		Local	1120	Mascot	Commercial	1209-1223	339491 Lot A, DP	Local	146	Bexley	St Elmo	50 Harrow Road	Lot 1, DP 21617	Local	ri-
Bexley	Federation house	16 Dunmore Street North		Local	I119	Mascot	building group	Botany Road	445050; Lot B, DP	Docar	140	Bexley	Italia	77 Harrow Road	Lot 1, DP 219456	Local	T1
Bexley	Ercildoune	18 Dunmore Street North	Lot 100, DP 1050077	Local	[121				445050; Lot 1, DP 204954; Lot			Bexley		83 Harrow Road	Lot 1, DP 585490	Local	TI-
Bexley	Fairmont	20 Dunmore Street North		Local	1122				2, DP 204954; Lot			Bexley	Federation house Bardwell Creek	87 Harrow Road 2A Hillcrest	Lot 2, DP 902392	Local	n
Bexley	House	29 Dunmore Street North	Lot B, DP	Local	I123				1, DP 827779; Lot B, DP 30500;			Dexicy	Flora Reserve (north of Bexley	Avenue (part		Local	
Bexley	Inter-war	33 Dunmore	Lot B, DP	Local	I124				Lot C, DP 30500; Lot D, DP 30500				acoass)	Course)			
Bexley	house Federation	Street North 38 Dunmore		Local	I125	Mascot	Single storey		Lot 1, DP	Local	148	Bexley	_	30 Kingsland Road South	953135	Local	11
	house	Street North	659447				terrace group	Botany Road	501790; Lot 2, DP			Bexley	House	1 Park Avenue	Lot 1, DP 960924	Local	n
Bexley	Federation house	40 Dunmore Street North		Local	1126				501790; Let 1, DP 327594; Let			Bexley	Street plantings	Queen Victoria Street (both sides)		Local	III

	_	ockdale Ll	SP 2011				Botai	ıy Bay Ll					Propos	ed Bayside	LEP 2020		
Bexley	Street plantings	Forest Road (between St Georges Road and Waratah		Local	1127	Mascot	House	1289 Botany	1, DP 911127 Lot 13, DP 135940	Local	150			R 71 Queen Victoria Street BEXLEY NSW 2207			
Bexley	St Andrew's	Street) 267 Forest	Lots 26 and	Local	U28	Mascot	House	Road 1291	Lot 14, DP	Local	I51	Bexley	Service station	74 Queen Victoria Street	Lot B, DP 326518	Local	115
	Church	Road	27, Section 3, DP 1114; Lot 4, DP 951021			Mascot	Beckenham Memorial	Botany Read 1293–1295	135940; Lot 5, DP 3280 Part Lot 6, DP 3280;	Local	152	Bexley	Former Bexley Council Chambers (Jack & Jill Kindergarten)	131 Queen Victoria Street	Lot C, DP 417935	Local	ns
Bexley	Ercildoune	274 Forest Road	Lot B, DP 384921	Local	1129		Church	Road	Part Lot 7, DP 3280; Part Lot 8,			Bexley	Bexley Fire Station	163 Queen Victoria Street	SP 60800	Local	n
Bexley	Bexley Primary School	330 Forest Road	Part Lot 13, DP 1053602	Local	[130				DP 3280; Part Lot 9,			Bexley	Stone dwelling	26 Stoney Creek Road	Lot 71, DP 1594	Local	11:
Bexley	Original Bexley School	339–377 Forest Road		Local	f131	Mascot	Mascot Park	Coward Street (corner of	DP 3280 Lot 7073, DP 93716; Lot 1, DP 668903	Local	182	Bexley	St Gabriel's Church—Post War American Colonial (1952)	55 Stoney Creek Road	Lot 64, DP 9826; Lot 1, DP 305969	Local	11:
Bexley	buildings Bexley	476-476A	Lots 81 and	Local	I132			O'Riordan Street)				Bexley	Bexley Park	95 Stoney Creek Road	Lot 1, DP 964567; Lot 98, DP 8760	Local	11:
	School of Arts		82, DP 748688	p. Court		Mascot	House	85 Coward Street	Lot 1, DP 501282	Local	183	Bexley	Stone house	22 Verdun Street	Lot A, DP 373398	Local	n
Bexley	Victorian house	496 Forest Road	Lot 1, DP 660880; Lot	Local	1133	Mascot	Shop	95 Coward Street	Lot A, DP 502775	Local	184	Bexley	"Dundry"	44 Verdun Street	Lot A, DP 335234	Local	II:
			A, DP			Mascot	House	110 Coward	Lot 1 DD	Local	185	Bexley	"Cardeeri" (cottage)	48 Waratah Street	Lot 40, DP 4690	Local	μ.
			314295; Lots A and B, DP 325598			Mascot	nouse	Street	999395	Local	163	Bexley	Marist College	52 Wolseley Street	29, 32, 33	Local	n
Bexley	Milk Depot Group (Art	623 Forest Road	Lot 704, DP 1056168	Local	1135	Mascot	Shop	115 Coward Street	Lot 4, DP 115029	Local	186				and 35, Section 21, DP 1680;		
	Deco style commercial buildings)	Roau	1030108			Mascot	House	117 Coward Street	115029	Local	187				Lots A and B, DP 350585; Lots 1 and 2, DP		
Bexley	Bexley Congregation Church	626-628 Forest Road and 3 Wood Street	Lots 700– 701, DP 1146232	Local	I136	Mascot	Uniting Church and rectory	118–122 Coward Street	Lot 2, DP 917174; Lot 1, DP 917524; Lot 1, DP 197503; Lot	Local	188				301625; Lots C and D, DP 349327; Lots A and B, DP 348536; Lot 1, DP		
Bexley	building and		1162915	Local	1137	Mascot	House	119 Coward	B, DP 155557	Local	189				980285; Lots 2 and 3, DP 456804; Lot F, DP		
Bexley	Street	Gladstone		Local	£138	MAISCOL	axouse	Street	Section 1, DP 4089	Local	103	Bexley No	th Glendalough	120	349328	Local	n
Bexley	plantings Californian	Street 12 Gladstone	Lot 2, DP	Local	1139	Mascot	House	121 Coward Street	Lot 2, DP 201169	Local	190		McIlveen Museum and Research Centre		52, DP 524952		
	bungalow	Street	880870			Mascot	House—"Orara"			Local	191	Bexley No	th Stotis Reserve	167 Slade Road		Local	T.I.
Bexley	Bexley Uniting Church—	29 Gladstone Street	Lot 34, DP 1061827;	Local	1140			Street	201169			Botany/ Daceyville Eastlakes/	Botany water reserves	between	Lots 1 and 2, DP 1039418; Lot 1, DP	State	110

	_	ckdale LE			_			y Bay LI							LEP 2020		_
	(Federation style (1926)		Lot 1, DP 913135			Mascot	House— "Highhurstwood"	125 Coward Street	Lot 38, Section 1, DP 4089; Lot	Local	192	Mascot/ Pagewood		extending from the	233011; Lot 1, DP 241650; Lots		
Bexley			Lot 32, Section 7, DP 1680	Local	[141	Mascot	Fire station	139 Coward	39, Section 1, DP 4089	Local	193			northern shore of Botany Bay to Gardeners	2473 and 2825, DP 752015; Lots 5, 6 and 7,		
Bexley			Lot 31, Section 7, DP 1680	Local	I142	(8)2(3)2-201.	riic staton	Street	330647; Lot 46, DP 667051	Local	193			Road including the Lakes and Eastlakes	DP 780391; Lot 3, DP 780392; Lot 2, DP		
Bexley		25–33 and 37 Harrow Road		Local	1143	Mascot Mascot	Botany Family Day Care Sydney Water	149 Coward Street 153 Coward	1136361	Local	194			Golf Courses and Mill and Engine Ponds			
			22420; Lot 4, DP 22420; Lot 5, DP 22420; Lot				Corporation Pumping Station SP0053	Street	303674		1101	Botany		Sydenham Railway Line and Daniel,	Lot 7078, DP 1027047	Local	[16
Bexley			7, DP 22420 Lot 1, DP 21617	Local	1145	Mascot	House group	1–3 Flora Street	Lot 11, DP 15353; Lot 10, DP 15353	Local	1101			Bay, Lord, Myrtle and Jasmine Streets			
Bexley			Lot 1, DP 219456	Local	I147	Mascot	House		Lot 16, Section 8,	Local	1103	Botany		23 Anniversary Street		State	116
Bexley			Lot 1, DP 585490	Local	I148	Mascot	Commonwealth	Street	DP 1873 Part Lot 8,	State	113	Botany	Fire station (circa 1906)	1–3 Banksia Street	328019	Local	116
Bexley		87 Harrow	Lot 2, DP	Local	I149		Water Pumping Station and	Holmes Drive (west	DP 1050923			Botany	1923)	2 Banksia Street	208627	Local	116
Bexley		Road 2A Hillcrest	902392	Local	I150		Sewage Pumping Station No 38	Pond,				Botany	House	6 Banksia Street	Lot A, DP 332049	Local	116
Бехісу	Creek Flora	Avenue (part of Bardwell		il.ocai	1130			within the boundary of Sydney				Botany	House		5177	Local	116
		Valley Golf						(Kingsford Smith)				Botany	House	8 Banksia Street	Lot B, DP 332049	Local	117
Bexley		30 Kingsland		Local	1151			Airport)			Ш	Botany	House	47 Banksia Street	Lot B, DP 331090	Local	117
Bexley	House	1 Park Avenue	953135 Lot 1, DP 960924	Local	I152	Mascot	House	16 Hardie Street 30 Hardie	Lot 43, Section 1, DP 1873 Lot 35,	Local	1116 1117	Botany	Streetscape— verge plantings of Canary Island Date Palm (Phoenix canariensis)	Bay Street (western side of Botany Road)		Local	1172
Bexley	plantings	Queen Victoria Street (both sides)		Local	1156	Mascot	Corner store	Street 45 Hardie	Section 1, DP 1873 Lot 2, DP	Local	I118	Botany	House group	10-14 Bay Street	Lots 1, 2 and 3, DP 748509	Local	117
Bexley				Local	1153				318467			Botany	House	16 Bay Street	Lot 1, DP 998741	Local	117
		Victoria Street	326518					Hardie and Hollingshed				Botany	House	19 Bay Street	Lot 1, DP 904269	Local	117.
Bexley	Bexley	Victoria Street	Lot C, DP 417935	Local	[154	Mascot	House	Street	Lot 9, Section 4, DP 1873; Lot 10, Section 4, DP 1873	Local	1119	Botany	House group	Street	Lots A-D, DP 436271; Lots A and B, DP 439683; Lot 1, Section B, DP 3449	Local	1176

-		ckdale Ll			ha es			ny Bay Ll			hune !	-			d Bayside			-
Bexley	Bexley Fire Station	Victoria	SP 60800	Local	1155	Mascot	House— "Verandale"	87 Hardie Street	Lot 23, Section 4,	Local	1120		Botany	Corner store— "Alto"	50–52 Bay Street	11383	Local	117
7-1	G4	Street	F 51 DD		11.60				DP 1873; Lot 24, Section 4,				Botany	House	135 Bay Street	Lot 1, DP 335932	Local	11.
Bexley	Stone dwelling	26 Stoney Creek Road	Lot 71, DP 1594	ILocal	1157	Monard	Havea	3 Hicks	DP 1873 Lot 29,	Local	1124		Botany	House	145 Bay Street	Lot 101, DP 732151	Local	11
Bexley	St Gabriel's Church—Pos	55 Stoney Creek Road	Lot 64, DP 9826; Lot 1,	Local	I158	Mascot	House	Avenue	Section 3, DP 937	Local	1124		Botany	House	147 Bay Street	Lot A, DP 389313	Local	11
	War American		DP 305969			Mascot	House	16 Hicks	Lot 1, DP	Local	I125		Botany	House—"The White House"	151 Bay Street	Lots 9 and 10, Section	Local	11
	Colonial (1952)							Avenue	135158; Lot 2, DP				Botany	House group	165-179 Bay	G, DP 1787 Lots 1-4, DP	Local	11
Bexley	Bexley Park	95 Stoney Creek Road	Lot 1, DP 964567; Lot 98, DP 8760	Local	I159	Mascot	House	24 Hicks Avenue	135158 Lot 17, Section 2, DP 937	Local	I126				Street	223896; Lots X and Y, DP 100856; Lots A and B, DP 443066		
Bexley Bexley	Stone house	22 Verdun Street 44 Verdun	Lot A, DP 373398 Lot A, DP	Local Local	[160 [161	Mascot	House	27 Hicks Avenue		Local	1127		Botany	Botany Public School (circa 1869)	1076 Botany Road		Local	11
Bexley	"Cardeeri"	Street	335234	Local	1162	Mascot	House	36 Hicks Avenue	Lot 19, Section 1, DP 937	Local	I128		Botany	Hippo's Friends Child Care Centre	1082 Botany Road		Local	11
	(cottage)	Street	4690		11.60	Mascot	House	96 High	Lot 1, DP	Local	1129		Botany	Finnies buildings	1094–1098 Botany Road	Lots 43-45, DP 856900	Local	11
Bexley	Marist College	Street	Lots 10, 11, 29, 32, 33 and 35,	Local	1163	Mascot	Mature Ficus	Street 112 High	615829 Lot 2, DP	Local	1130		Botany	Captain Cook Hotel	1114 Botany		Local	n
			Section 21, DP 1680;			NAME OF THE PARTY	11200010 2 1000	Street	593694	0000			Botany	House group	Botany Road	B, DP	Local	n
			Lots A and B, DP 350585; Lots			Mascot	House— "Daktari"	114 High Street	771708	Local	1131					438725; Lots C– E, DP 353030; Lot		
			1 and 2, DP 301625; Lots			Mascot	House group	15–17 Johnson	Lot A, DP 409409; Lot	Local	1133					A, DP 310296		
			C and D, DP 349327; Lots A and B, DP					Street	B, DP 409409				Botany	Commercial/ residential building	Road	Part Lot 8, Section 2, DP 773	Local	101
			348536; Lot 1, DP 980285; Lots 2 and 3, DP			Mascot	House	18 Johnson Street	Lot 46, Section 3, DP 1873	Local	1134		Botany	House group	1268–1270 Botany Road	Lot 7, DP 657544; Lot A, DP 352054	Local	[1
			456804; Lot F, DP 349328			Mascot	House	20 Johnson Street	Lot 45, Section 3, DP 1873	Local	1135		Botany	St Matthew's Anglican Church (circa 1862)	1331 Botany Road (corner of Botany Road and	Lot 1, DP 593463; Lot 3, DP 593463	Local	n
Bexley North	Museum and	Kingsland	Lot B, DP 347347; Lot 52, DP 524952	Local	I164	Mascot	House	38 Johnson Street	Lot 35, Section 3, DP 1873	Local	1136		Botany	Botany Uniting Church		Part Lot 4, Section B, DP 1787;	Local	I1
	Research Centre		324932			Mascot	House	68 Johnson Street	Lot 36, Section 4, DP 1873	Local	1137					Part Lot 1, DP 566495		1
Bexley North	Stotts Reserve	167 Slade Road		Local	1163	Mascot	House		Lot 25,	Local	1138		Botany	(formerly Botany	1361 Botany Road	Lot 14, DP 660975	Local	n
Brighton-Le Sands	Sands Houses	and 33	Lot 4, DP 78024; Lot	Local	1166			Street	Section 4, DP 1873					School of Arts hall)	4444			1
	(Brighton	Brighton Parade	1, DP 78024; Lot 16, DP					-					Botany	House	1365 Botany Road	Lot 1, DP 217275	Local	11

80

_		ckdale LI		_	_			ny Bay Li			h.aal				LEP 2020		1
	Parade precinct)		15057; Lot 10, DP 15057; Lot 5, DP 15057			Mascot	Mascot Public School building group Christian	King Street 40 King	Lot 1, DP 813088 Lot 14,	Local	I139 I140	Bota	Botany Town Hall (circa 1898)	of Botany Road and Edward	Lot 14, DP 3592; Part Lot 5, DP 5177	Local	119
	building—		Lots 1 and 2, DP 194470	Local	1167		Fellowship Centre	Street	Section 8, DP 937			Bota	ny House— "Helena"	Street) 1424 Botany Road	Lot 49, DP 4747	Local	115
	Brighton-Le- Sands Public School (1916)					Mascot	House group	62–64 King Street	Lot A, DP 304230; Lot	Local	1141	Bota			_	Local	119
Brighton-Le- Sands, Dolls		General Holmes		Local	1168				B, DP 304230			Bota		1443 Botany Road		Local	119
Point, Kyeemagh,		Drive, The Grand				Mascot	House group	144–148 King Street	Lot A, DP 404442; Lot B, DP	Local	1142	Bota	House House	1447 Botany Road	_	Local	119
Monterey, Ramsgate Beach, Sans Souci, Sandringham		Parade				Mascot	Terrace group	150-160	404442; Lot C, DP 404442 Lot A, DP	Local	I143	Bota	Presbyterian Church of Australia and manse	1561–1563 Botany Road	Part Lot 111, DP 904964 and Part Lot 112, DP 918728	Local	119
Brighton-Le- Sands Brighton-Le-	Wetland		Lot 1, DP 229723; Part Lot 1, DP 214047	Local	[169 [170	37.4694.04	anno group		436563; Lot B, DP 436563; Lot C, DP 436563; Lot D, DP	Part College		Bota	y Streetscape— verge plantings of Canary Island Date Palm (Phoenix canariensis)	Brown Avenue		Local	120
Sands Brighton-Le-		Street	Lot 1, DP	Local	1170				436563; Lot E, DP 436563; Lot			Bota	Electricity Substation No 153	14 Byrnes Street	Lot 1, DP 310135	Local	120
Sands		40, 35, 37	564103; Lot 700, DP			Mascot	House	151 King	F, DP 436563 Lot 2, DP	Local	1144	Bota	Date Palms (Phoenix canariensis)	23 Byrnes Street	Lot 1 DP169307	Local	120
			11976; Lot 54, DP 11976; Lot 53, DP 11976; Lot			Mascot	House	Street 159 King Street	576454 Lot 1, Section 1, DP 977264	Local	1145	Bota	ny House	31 Cranbrook Street	Lot 7, Section 9, DP 773; Lot 8, Section 9, DP 773	Local	120
			45, DP 11976			Mascot	House group		Lot A, DP 432492; Lot	Local	1146	Bota	y House	35 Cranbrook Street	Lot 10, Section 9, DP 773	Local	120
Brighton-Le- Sands	Araucaria	The Grand Parade (in Cook Park)		Local	1172				B, DP 432492			Bota	y House	37 Cranbrook Street	Lot 11, Section 9, DP 773	Local	120
Brighton-Le- Sands	Brighton Baths	The Grand Parade		Local	1173	Mascot	House— "Beverley"		Lot 5, Section 3, DP 1873	Local	1147	Bota	Terrace group	42–54 Daphne Street	Lot 100, DP 1010340; Lots 1–15, SP 62387	Local	120
Brighton-Le- Sands	Row of terraces	Grand	Lots 1–2, DP 564103; Lot 700, DP	Local	1174	Mascot	House (front dwelling)	191 King Street 192–204	Lot 2, DP 285422 Lot X, DP	Local	I148	Bota	House group	18–20 Erith Street	Lot 7, Section 2, DP 889; Lot	Local	120
			1059734; Lot 25, DP 11976; Lot			Mascot	Terrace group		440648; Lot Y, DP	LANGE	1149	<u></u>	61.7 1.7 1	n 4*	8, DP 318902		-
			B, DP 328063; Lot						440648; Lot Z, DP			Bota	Park	Street	668135	Local	120
			54, DP 11976; Lot 53, DP 11976; Lot						440648; Lot A, DP 440093; Lot B, DP			Bota	Corporation Sewage Pumping Station SP0060		Lot 12, Section 2, DP 889; Lot 13, Section 2, DP 889	Local	120

81

	150	ckdale LI	_				150	any Bay L							LEP 2020		_
Carlton	Carlton School of	13 Argyle Street	45, DP 11976 Lot 18, Section 1,	Local	I175				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	121
Carlton		(corner of Short Street) 92 Carlton	DP 2122 Lot 2, DP	Local	E176	Mas	cot Railway bridg over Botany Road	e Near McBurney Avenue	Over road	Local	1153	Botany	Streetscape— verge plantings of Canary Island Date Palm	Swinbourne Street (William to Queen		Local	121
	House	Parade	958201			Mas		10 Miles	Lot 1, DP	Local	I152		(Phoenix canariensis)	Streets)			
Carlton	Victorian terrace	12 Ethel Street	Lot 8, Section 20, DP 2122	Local	1177	Mas	ot House	Street 174	999385 Lot 17,	Local	1157	Botany	Sydney Water Corporation sewer vent	Tenterden Road		Local	121
Carlton	House	52 Fleet Street	Lot 5, DP 533438	Local	1178			Sutherland Street	Section 10, DP 1873			Botany	House	16 Tenterden Road	723591	Local	121
Carlton	Cottage (half	4 Grantham	Lot 101, DP	Local	1179	Mas	eot House	1 Walker Avenue	Lot 11, DP 18877	Local	1166	Botany	House	50 Tenterden Road	Lot 11 and 12, DP 455886	Local	121
	of semi- detached dwelling)	Street	740911			Mas	oot House	64–66 Wellington	Lot 12, DP 615592; Lot	Local	1167	Botany	House	54 Tenterden Road	Lot 13, DP 935631	Local	121
Carlton	Single fronted Victorian cottage	51 Grantham Street	Lot 1, DP 73551	Local	1180	Paoe	wood Bonnie Doon	Street	13, DP 615592 Part Lot	Local	IS	Botany	House group	63–65 Tenterden Road	Lot A, DP 387770; Lot B, DP 387770	Local	121
Carlton		26 Grey	Lot 38,	Local	[181		Golf Club Ho		2871, DP 752015			Botany	House	84 Tenterden Road	Lot B, DP 338192	Local	121
		Street	Section 12, DP 2122			Page	wood Harris Reserv	Bunnerong Road	Lot 7011, DF 1027015	Local	166	Botany	Residential building	16 The Esplanade	Lot B, DP 323638	Local	121
Carlton		5 High Street 56 Hill Street	Section 7, DP 2122	Local	[182 [183	Page	wood Glanville Reserve, including streetscape—		Lot 7013, DF 1027018	Local	1110	Botany	Electricity Substation No 340	3 William Street (corner of Swinbourne and William	Lot 1, DP 669129	Local	121
Carlton	House	95 Mill	900655 Lot 5,	Local	I184		verge planting of Canary Isla Date Palm	s and Kerr				Botany	House	Streets) 2 Woodstock Street	Section 13,	Local	122
		Street	Section 16, DP 2122				(Phoenix canariensis)					Brighton-L Sands	> Brighton-Le- Sands Houses	3, 9, 11, 23 and 33	DP 773 Lot 4, DP 78024; Lot 1,	Local	122
Carlton Carlton	House House	65 Short Street 67 Short	Lot 2, DP 221335 Lot 1, DP	Local	I185	Page	wood Jellicoe Park	Park Parad	Lot 7067, DE 1059870; Lots 7325, 7326 and	Local	I155		(Brighton Parade precinct)	Brighton Parade	DP 78024; Lot 16, DP 15057; Lot 10, DP		
		Street	221335						7327, DP 1153726			D 2.54 Y	0.11	25.0	15057; Lot 5, DP 15057	V1	122
Carlton	Stone cottage	Road	Lot 32, Section 8, DP 3252	Local	[188	Rose	bery Former bank building	686 Botany Road (corner of	Lot A, DP 411716	Local	126	Brighton-L Sands	building— Brighton-Le- Sands Public	Road	Lots 1 and 2, DP 194470	J.ACHI	122
Carlton	_		Lot 37, Section 9, DP 3252	Local	[189			Botany and Gardeners Roads)				Brighton-L Sands, Dol Point,		General Holmes Drive, The		Local	122
Dolls Point	Primrose House	Avenue	Lot 2, DP 530790; Lot 449, DP 752056	Local	1190	Rose	bery Newmarket Hotel	889 Botany Road (comer of Botany and		Local	170	Kyeemagh, Monterey, Ramsgate Beach, San Souci, Sandringha		Grand Parade			

Cont		ckdale LI			harri 1		Botai	y Bay Ll	SP 2013					d Bayside			-
	Cottage	Street	382653	Local	1191			Gardeners Roads)				Brighton- Le- Sands	Kings Wetland		229723; Part Lot 1, DP	Local	122
Kogarah	House		Lot 12, Section F, DP 1562; Lot 1, DP 315194	Local	1193	Rosebery	The Lakes Hotel	Gardeners Road	Lot A, DP 187154; Lot 10, DP 1142723	Local	178	Brighton- Le- Sands		Princess Street	214047 Lot 1, DP	Local Local	I22
Kogarah		38 Kitchener Street	Lot 1, DP 310720	Local	[194	Rosebery	Former Roxy	Street and Gardeners Road)	Lot 1, DP	Local	Ĭ104	Sands		40, 35, 37 and 53 Teralba Road	564103; Lot 700, DP 1059734; Lot 25, DP		
Kogarah	Queens Avenue landscaping	Victoria Way		Local	1195	Koscou, y	Theatre	Gardeners Road	217097; Lot 5, DP 223717	Local	104				11976; Lot 54, DP 11976; Lot 53, DP		
Kogarah	,	Street		Local	1196	Rosebery	Terrace group	467–473 Gardeners Road	Lot 1, DP 221797; Lot 2, DP	Local	1105				11976; Lot 45, DP 11976		
Kogarah		17, 18 and 19 Station Street	Lots 370 and 371, DP 869155	Local	1197				221797; Lot 3, DP 221797; Lot 4, DP			Brighton- Le- Sands	of Araucaria trees	The Grand Parade (in Cook Park)		Local	122
	commercial building)								221797			Brighton-Le- Sands	Brighton Baths	The Grand Parade		Local	122
Kogarah	-	22, 24, 26,	Lots B, C, D, E, F, G, H, J, DP 435790	Local	1198	Rosebery	House Terrace group	485 Gardeners Road 523–537	Lot B, DP 442890 Lot A, DP	Local	1106	Brighton-Le- Sands	Row of terraces	Parade	Lots 1-2, DP 564103; Lot 700, DP 1059734; Lot 25, DP		I22
Kogarah	Lane Chinese Market Garden	Street	Lot 5, DP 568192; Lot 1, DP 723897	State	[199			Gardeners Road	442415; Lot B, DP 442415; Lot 3, DP 29124; Lot 4, DP 29124; Lot 5,						11976; Lot B, DP 328063; Lot 54, DP 11976; Lot 53, DP		
Kogarah	Frys Reserve (including railway land)	Warialda Street	Lot 31, DP 14224; Lot 1, DP 653416; Lot	Local	1200				DP 29124; Lot 6, DP 29124; Lot 7, DP 29124;						11976; Lot 45, DP 11976		
			Z, DP 189440; Lot 2, DP 191678; Lot			Rosebery	Terrace group	539–543	Lot 8, DP 29124 Lot 1, DP	Local	I108	Carlton	Cariton School of Arts	Street	Lot 18, Section 1, DP 2122	Local	123
			1, DP 191678; Lot 12, DP			, and a second of		Gardeners Road	75241; Lot 2, DP 29124; Lot 6, DP			Carlton	Carlton House	92 Carlton Parade	Lot 2, DP 958201	Local	123
			456694; Lot 13, DP 456694; Lot			Rosebery	House	27 Gordon	215519 Lot 11, DP	Local	1111	Carlton	Victorian Terrace	Street	Lot 8, Section 20,	Local	123
			14, DP 456694; Lot			, and a second y		Street	832654; Lot 12, DP		[]	Carlton	House		DP 2122 Lot 5, DP	Local	123
			15, DP 456694; Lot 16, DP			Rosebery	House	45 Gordon	832654 Lot 14,	Local	I112			Street	533438		
			456694; Lot 17, DP 456694; Lot						Section 2, DP 3986; Lot 15, Section 2,			Carlton		4 Grantham Street	Lot 101, DP 740911	Local.	123
			18, DP 456694; Lot						DP 3986			Carlton		51 Grantham Street	Lot 1, DP 73551	Local	123

83

	Ro	ckdale LI	CP 2011					Bota	ny Bay Li					Propose	ed Bayside	LEP 2020		
			19, DP 456694; Let 22, Section 23, DP 1680;				Rosebery	House	50 Gordon Street	Lot 15, Section 1, DP 3986	Local	1113	Carlton	Wambrook	26 Grey Street	Lot 38, Section 12, DP 2122	Local	123
			Lot 21, Section 23, DP 1680;				Rosebery	House House	14 Harris Street 51 Harris	Lot 16, DP 12826 Lot 14,	Local	I121 I122	Carlton	House	5 High Street	Lot 7, Section 7, DP 2122	Local	123
			Lot 20, Section 23, DP 1680; Part Lot 1,				Rosenery	riouse	Street	Section 13, DP 939789	Local	1122	Carlton	Cottage	56 Hill Street	Lot E, DP 900655	Local	123
Kumell	Towra Point	Towra Point	DP 859131I	State	I238		Rosebery	House	23 Henley Street	Lot 28, DP 1037758	Local	I123	Carlton	House	95 Mill Street	Lot 5, Section 16, DP 2122	Local	1239
	Nature Reserve and Quibray Bay		856868				Rosebery	House	4 Macquarie Street	Lot B, DP 151267	Local	1150	Carlton	House	65 Short Street	Lot 2, DP 221335	Local	124
Kycemagh	Market	and 2E	Lots 2, 3 and Part Lot 4, DP 17133;	State	1201		Rosebery	House group	37–39 Maloney Street	Lot A, DP 398795; Lot B, DP	Local	1151	Carlton	House	67 Short Street	Lot 1, DP 221335	Local	I241
Monterey	Patmore	Road 99 President	Lot 4, DP 529923 Lot 1, DP	Local	1202		Rosebery	St Therese's Catholic Church	37 Sutherland	398795 Lot 3, DP 523972; Lot	Local	174	Carlton	Stone Cottage	66 Willison Road	Lot 32, Section 8, DP 3252	Local	1242
-	Swamp	Avenue (part of North Scarborough Park)	1113262; Lot 3, DP					building group	Street and (corner of Coward and Sutherland Streets)	1, DP 87303			Carlton	Shop	76 Willison Road	Lot 37, Section 9, DP 3252	Local	1243
			7072, DP 93145; Lot 199, DP 752056; Lot 14, DP 20365; Lot				Sydney Airport	Ruins of the former Botany Pumping Station	Within the boundary of Sydney (Kingsford Smith)	Part Lot 8, DP 1050923	Local	1168	Daceyville	Dacey Garden Reserve and substation	Corner of Gardeners and Bunnerong Roads	Lot 7003, DP 1027005; Lots 1, 2 and 3, DP 1163798	Local	1244
Ramsgate	Hawthorne		536, DP 752056	Local	1203		Sydney Airport	Sydney (Kingsford	Airport Airport Drive	Part Lot 8, DP 1050923	Local	I170	Daceyville	Commercial building group	1–11 General Bridges Crescent	Lot 304, DP 32175; Lot 305, DP 32175; Lot	Local	1245
-	Street Reserve/Leo Smith Reserve	Avenue (Scarborough Park, off	1113262;					Smith) Airport group								306, DP 32175; Lot 307, DP 32175; Lot		
		Street)	752056; Lot 7072, DP 93145; Lot 199, DP			Na	t 2 Heritage me of heritage servation are		n areas cation on h	eritage	Significance					308, DP 32175; Lot 309, DP 32175		
			752056; Lot 14, DP 20365; Lot 536, DP				any Township H servation Area	eritage Shown	by a red outling and labelled		Local		Daceyville	Marist Brothers School and presbytery	Haig Avenue	Part Lot 1, DP 186759	Local	I246
Ramsgate	Fig trees	99 President	752056	Local	I204		eyville Garden S itage Conservation		by a red outling and labelled		Local		Daceyville	Former St Michael's Church (now hall)	Haig Avenue	Lot 1, DP 666538	Local	1247
		(South Scarborough	Lot 3, DP 1113262; Lot 473, DP										Daceyville	Daceyville Public School	Joffre Crescent	Lot 1, DP 997642; Lot 2, DP 997642; Lot	Local	1248
			7072, DP	l												2.2.24		

84

	Ro	ckdale LI		1		Botany Bay LEP 2013	Proposed Bayside			7
		Road)	93145; Lot 199, DP 752056; Lot 14, DP 20365; Lot 536, DP			Daceyville Form comme centre	nunity Crescent e (corner of	5248, DP 820566 Lot 310, DP 32173	Local	124
Ramsgate	Literary	107 Ramsgate	752056 Lots 82 and 83, DP 2032	Local	1205		Wills Crescent and Haig Avenue)			
Rockdale		Road 11 Bay Street	Part Lot 1, DP 798278	Local	1206	Dolls Point Pring	rose House 190 Russell Avenue	Lot 2, DP 530790; Lot 449, DP 752056	Local	125
Rockdale	Rock Lynn	Street	Lot 1, Section 11, DP 1677	Local	1207	Eastlakes House	70 Florence Avenue	Corner Lot 127, DP 17209	Local	125
Rockdale Rockdale	Banbury	Street 23 Chandler	Section 4, DP 1677 Lot B, DP	Local	I208 I209	Hillsdale Matra School	Road (comer of Bunnerong and	Lot 238, DP 752015; Lot 239, DP 752015	Local	12:
Rockdale	Sandstone	105 Farr	343582 Lot 1, DP 971045	Local	I210	Kingsgrove Pemb Cotta		Lot D, DP 382653	Local	12:
Rockdale	House	Street	Lot 8, Section 1, DP 1677	Local	1211	Kogarah House	se 34 Kitchener Street	Section F, DP 1562; Lot 1, DP	Local	12:
Rockdale			Lots 97 and 98, DP 1353	Local	1212	Kogarah Sands			Local	12:
Rockdale	Palm trees on verge	Street (southern		Local	1213	Kogarah Quee	ens Avenue Victoria Way	310720	Local	12:
Rockdale	Yamba Worra	side) 11 Heathcote	Let 1. DP	Local	1215		e cottage 7 Robertson	SP 41680	Local	12
Rockdale		Street 70 King	230535 Lot 20, Section 3,	Local	I216	(Fede	eration style Station Stree nercial	Lots 370 and 371, DP 869155	Local	12:
Rockdale	Lydham Hall	18 Lydham	DP 1547	State	1217		or Street 16, 18, 20, p 22, 24, 26,	Lots B, C, D, E, F, G, H, J, DP 435790	Local	12:
Rockdale	Federation house	18 Oakura Street	Lot 2, DP 500838	Local	I218	Kogarah Toom Chine Garde	nevara Lane 29A ese Market Toomevara		State	120
Rockdale	Rockdale Public School		Lots 3 and 6–25, Section 4, DP 1547; Lots 1–5, DP 121406; Lot		1219	Ginclu	Reserve 1 and 1A uding Warialda ay land) Street		Local	12

85

	Ro	ckdale LI				Botany Bay LEP 2013			Propose	d Bayside		-	Ļ
			19, Section 3A, DP 2694; Lots 1 and 2, DP 120176; Lot 1, DP 120175; Lot 1, DP 975729; Lot 1, DP 795753								189440; Lot 2, DP 191678; Lot 1, DP 191678; Lot 12, DP 456694; Lot 13, DP 456694; Lot 14, DP 456694; Lot 14, DP 456694; Lot 15, DP		
Rockdale		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	1220						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,		
Rockdale	School of Arts (Guild Theatre)	Street	Lots 2 and 3, DP 3560		I221 I222						Section 23, DP 1680; Lot 20, Section 23, DP 1680; Part Lot 1, DP 8591311		
Rockdale	buildings on platforms,	Rockdale Railway Station and Yard Group	Part Lot 51, DP 1004378	State	1222				Towra Point Nature Reserve and Quibray Bay	Towra Point	856868	State	E
Rockdale	booking office	3–11 Walz	Lot 201, DP	Total	I223			Kycemagh	Kyeemagh Market Gardens	and 2E Occupation Road	Lots 2, 3 and Part Lot 4, DP 17133; Lot 4, DP	State	12
ROCKGRIC			1147226	u.ocu	1223						529923		
Rockdale		Botany Street	Lot 1, DP 34647; Lot 1, DP 517350	State	1224				Alexandra Canal (including sandstone embankment)	Canal	Alexandra Canal	State	E
Sans Souci		Clareville		Local	I225				Ricketty Street bridge	Over Alexandra Canal		Local	E
Dama Come!	shelter, island and plantings	Russell Avenue)	Tet 1 PM	Food	1226		ū	Mascot		814 Botany Road and	Lot 1, DP 72528; Lot 2, DP 611027	Local	12
		7 Napoleon Street	230847	Local				Mascot		818 Botany	Lot D, DP 420209	Local	E
Sans Souci		Riverside Drive		Local	1227		1		Commercial building group	891–917 Botany Road	Lot A, DP	Local	12

86

		ckdale LI				Botany Bay LEP 2013		Propose	d Bayside			
Sans Souci	Island pine trees	Riverside Drive (between Napoleon and Waldron Streets)		Local	1228					103750; Lot D, DP 103750; Lot 1, DP 504610; Lot 2, DP 504610; Lot		
Sans Souci	Timber cottage		Lot 308, DP 2452	Local	1229					A, DP 87517; Lot		
Turrella		2 Edward Street	Lot 4, DP 1043010	Local	I230					B, DP 87517; Lot 1, DP 784041; Lot 1, DP 80274; Lot 2, DP		
Turrella, Wolli Creek	Wetlands	Street, part Railway lands	Part Lot 1, DP 775302 (MS 16565 3000 SY); Lot 5, DP 431083; Lots		1232					598272; Lot 3, DP 598272; Lot 4, DP 598272		
Turrella	Cairnsfoot		12 and 13, DP 1149053; part bed of Wolli Creek Lot 1, DP	State	1233			Mascot Inn	952 Botany Road (corner of High Street and Botany Road)	Lot 1, DP 657249	Local	120
		Street	120192				Mascot	House group	999 Botany Road	Part Lot 1, DP 918245	Local	12
Turrella	house	Street	379190		1234			Electricity Substation No 147	1001 Botany Road	Lot 1, DP 232836	Local	12
Wolli Creek	Western Suburbs Ocean Outfall Sewer (SWSOOS)	Arncliffe Street	86820; Lot 1, DP 530513; Lot 2, DP 508308; part		1235		Mascot	Former National Bank of Australasia	1005 Botany Road, corner of Botany Road and Coward Street	Lot A, DP 319304	Local	12
Wolli Creek		1 Princes	Argyle Street roadway Lot 13, DP 1062413		1236		Mascot		1007 Botany Road (corner of Coward and Botany Roads)	Lot 1, DP 202492	Local	12
Wolli Canals	Magdalene's Chapel	Walli Carab		f and	I237		Mascot	Commercial building group	1009–1021 Botany Road	Lot 1, DP 213130; Lot A, DP	Local	12
wom Creek	Wolli Creek Valley	wom Creek		Local	1257					349471; Lot B, DP 349471; Lot A, DP 440204; Lot B, DP 440204; Lot C, DP 440204; Corner Lot D, DP 440204		

Rockdale LEP 2011	Botany Bay LEP 2013		Propos	ed Bayside			
		Mascot	Mature Hoop Pine	1055 Botany Road	Lot 13, DP1035450	Local	1275
		Mascot	House	1075 Botany Road	Lot 1, DP 939651; Lot 1, DP314593	Local	1276
		Mascot	Commercial building group	1133–1135 Botany Road (corner of Botany Road and King Street)	DP 932383; Lot 1, DP 930137	Local	1277
		Mascot	Commercial building group	1171–1173 Botany Road	Lot 11, Section 1, DP 1873	Local	1278
		Mascot	Commercial building group	1175–1177 Botany Road	Lot 3, DP 617916; Lot 4, DP 617916	Local	1279
		Mascot	Commercial building group	1183–1185 Botany Road	Lot C, DP 341159	Local	1280
		Mascot	Commercial building group	1187–1189 Botany Road	Lot 1, DP 541076; Lot 2, DP 541076	Local	1281
		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	1282
		Mascot	Commercial building group	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	1283
		Mascot	Single storey terrace group	1239–1245 Botany Road	Lot 1, DP	Local	E284

88

Bayside Local Planning Panel

Rockdale LEP 2011	Botany Bay LEP 2013		Propose		LEP 2020	5	
					2, DP 501790; Lot 1, DP 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	1285
		Mascot		O'Riordan Street)	Lot 7073, DP 93716; Lot 1, DP 668903	Local	1286
		Mascot	House	85 Coward Street	Lot 1, DP 501282	Local	1287
		Mascot	Shop	95 Coward Street	Lot A, DP 502775	Local	1288
		Mascot	House	110 Coward Street	Lot 1, DP 999395	Local	1289
		Mascot	Shop	115 Coward Street	Lot 4, DP 115029	Local	1290
		Mascot	House	117 Coward Street	Lot 3, DP 115029	Local	1291
		Mascot	and rectory		917174; Let 1, DP 917524; Let 1, DP 197503; Let B, DP 155557	Local	1292
		Mascot	House	119 Coward Street	Lot 34, Section 1, DP 4089	Local	1293
		Mascot	House	121 Coward Street	Lot 2, DP 201169	Local	1294
		Mascot	House—"Orara"	123 Coward Street	Lot 1, DP 201169	Local	1295
		Mascot	House— "Highburstwood"	125 Coward Street	Lot 38, Section 1, DP 4089; Lot	Local	1296

Rockdale LEP 2011	Botany Bay LEP 2013		Propose		LEP 2020		
					39, Section 1, DP 4089		
		Mascot	Fire station	139 Coward Street	Lot C, DP 330647; Lot 46, DP 667051	Local	1297
		Mascot	Botany Family Day Care	149 Coward Street	Lot 1, DP 1136361	Local	1298
		Mascot	Sydney Water Corporation Pumping Station SP0053	153 Coward Street	Lot 1, DP 303674	Local	1399
		Mascot	House group	1–3 Flora Street	Lot 11, DP 15353; Lot 10, DP 15353	Local	£300
		Mascot	House	71 Frogmore Street	Lot 16, Section 8, DP 1873	Local	1301
		Mascot	Station and Sewage Pumping Station No 38	Drive (west	DP 1050923	Local	1302
		Mascot	House	16 Hardie Street	Lot 43, Section 1, DP 1873	State	1303
		Mascot	House	30 Hardie Street	Lot 35, Section 1, DP 1873	Local	[304
		Mascot		45 Hardie Street (comer of Hardie and Hollingshed Streets)	Lot 2, DP 318467	Local	1305
		Mascot	House	61 Hardie Street	Lot 9, Section 4, DP 1873; Lot 10, Section 4, DP 1873	Local	1306
		Mascot	House— "Verandale"	Street	Lot 23, Section 4, DP 1873; Lot 24, Section 4, DP 1873	Local	1307

Rockdale LEP 2011	Botany Bay LEP 2013		Propose	d Bayside	LEP 2020)	
		Mascot	House	3 Hicks Avenue	Section 3, DP 937	Local	1308
		Mascot	House	16 Hicks Avenue	Lot 1, DP 135158; Lot 2, DP 135158	Local	1309
		Mascot	House	24 Hicks Avenue	Lot 17, Section 2, DP 937	Local	1310
		Mascot	House	27 Hicks Avenue	Lot B, DP 301997	Local	I311
		Mascot	House	36 Hicks Avenue	Lot 19, Section 1, DP 937	Local	ľ312
		Mascot	House	96 High Street	Lot 1, DP 615829	Local	1313
		Mascot	Mature Ficus	112 High Street	Lot 2, DP 593694	Local	I314
		Mascot	House— "Daktari"	114 High Street	Lot 21, DP 771708	Local	1315
		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	1317
		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	1319
		Mascot	1	68 Johnson Street	Lot 36, Section 4, DP 1873	Local	1320
		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	1322

Rockdale LEP 2011	Botany Bay LEP 2013		Propose	d Bayside	LEP 2020		
		Mascot	Christian Fellowship Centre		Section 8, DP 937	Local.	1323
		Mascot	House group	62-64 King Street	Lot A, DP 304230; Lot B, DP 304230	Local	1324
		Mascot	House group	144–148 King Street	Lot A, DP 404442; Lot B, DP 404442; Lot C, DP 404442	Local	1325
		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	1326
		Mascot	House	151 King Street	Lot 2, DP 576454	Local	1327
		Mascot	House	159 King Street	Lot 1, Section 1, DP 977264	Local	1328
		Mascot	House group	164–164A King Street	Lot A, DP 432492; Lot B, DP 432492	Local	1329
		Mascot	House— "Beverley"	190 King Street	Lot 5, Section 3, DP 1873	Local.	1330
		Mascot	House (front dwelling)	191 King Street	Lot 2, DP 285422	Local	1331
		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	Local	[332]

92

Rockdale LEP 2011	Botany Bay LEP 2013		Propose	ed Bayside	LEP 2020	1	
					D, DP 440093		
		Masco	Railway bridge over Botany Road	McBurney Avenue		Local	1333
		Masco	House	10 Miles Street	Lot 1, DP 999385	Local	1334
		Masco	House	174 Sutherland Street	Lot 17, Section 10, DP 1873	Local	1335
		Masco	House	1 Walker Avenue	Lot 11, DP 18877	Local	1336
		Masco	House	64-66 Wellington Street	Lot 12, DP 615592; Lot 13, DP 615592	Local	1337
		Monte	Patmore Swamp	rasj	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	1338
		Pagew	Bonnie Doon Golf Club House	Banks Avenue	Part Lot 2871, DP 752015	Local	1339
		Pagew	ood Harris Reserve	Bunnerong Road	Lot 7011, DP 1027015	Local	1340
		Pagew	Glanville Reserve, including streetscape— verge plantings of Canary Island Date Palm (Phoenix canariensis)	Glanville Avenue, White Road	Lot 7013, DP 1027018	Local	[341
		Pagew	Jellicoe Park		Lot 7067, DP 1059870; Lots 7325, 7326 and 7327, DP 1153726	Local	I342

Rockdale LEP 2011	Botany Bay LEP 2013				LEP 2020		
		Ramsgate	Smith Reserve	Avenue (Searborough Park, off Hawthorne Street)	1113262: Lot		1343
		Ramsgate		(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		[344
		Ramsgate	Literary Institute	107 Ramsgate Road	Lots 82 and 83, DP 2032	Local	1345
		Rockdale	Uniting Church and buildings	11 Bay Street	Part Lot 1, DP 798278	Local	I346
		Rockdale	Rock Lynn	Street	Lot 1, Section 11, DP 1677	Local	1347
		Rockdale		85–89 Cameron Street	Lots 1-4, Section 4, DP 1677	Local	I348
		Rockdale	Banbury Cottage	23 Chandler Street	Lot B, DP 343582	Local	1349
		Rockdale	Sandstone Victorian cottage	105 Farr Street	Lot 1, DP 971045	Local	1350
		Rockdale	House	Street	Lot 8, Section 1, DP 1677	Local	1351
		Rockdale	Lincluden	73 Frederick Street	Lots 97 and 98, DP 1353	Local	1352
		Rockdale		Gloucester Street		Local	1353

Rockdale LEP 2011	Botany Bay LEP 2013		Propose		LEP 2020		
				(southern side)			
		Rockdale	Yamba Wozza	11 Heathcote Street	Lot 1, DP 230535	Local	t354
		Rockdale	Victorian house	70 King Street	Lot 20, Section 3, DP 1547	Local	1355
		Rockdale	Lydham Hail	18 Lydham Avenue	Lot A, DP 387441	State	1356
		Rockdale	Federation house	18 Oakura Street	Lot 2, DP 500838	Local	1357
		Rockdale	Rockdale Public School		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		1358
		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		1359
		Rockdale	Rockdale School of Arts (Guild Theatre)	87 Railway Street	Lots 2 and 3, DP 3560	Local	1360
		Rockdale	Brick buildings on platforms, signal box and	Rockdale Railway Station and Yard Group	Part Lot 51, DP 1004378	State	1361
		Rockdale	St Joseph's	3–11 Walz Street	Lot 201, DP 1147226	Local	1362
		Rockdale	Farmhouse	310 West Botany Street	Lot 1, DP 34647; Lot 1, DP 517350	State	1363

95

Rockdale LEP 2011	Botany Bay LEP 2013		Propose	d Bayside	LEP 2020		
		Rosebery		686 Botany Road (corner of Botany and Gardeners Roads)		Local	1364
		Rosebery		of Botany and Gardeners Roads)	3, DP 215517	Local	1365
		Rosebery		305 Gardeners Road (comer of Macquarie Street and Gardeners Road)	Lot A, DP 187154; Lot 10, DP 1142723	Local.	I366
		Rosebery	Theatre	Road	Lot 1, DP 217097; Lot 5, DP 223717	Local	1367
		Rosebery		Road	Lot 1, DP 221797; Lot 2, DP 221797; Lot 3, DP 221797; Lot 4, DP 221797	Local	1368
		Rosebery	House	485 Gardeners Road	Lot B, DP 442890	Local	1369
		Rosebery	Terrace group	523-537 Gardeners Road	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		1370
		Rosebery		Gardeners Road	Lot 1, DP 75241; Lot 2, DP 29124; Lot 6, DP 215519	Local	I371
		Rosebery		Street	Lot 11, DP 832654; Lot 12, DP 832654	Local	1372

96

Rockdale LEP 2011	Botany Bay LEP 2013				LEP 2020		
		Rosebery	House	Street	Lot 14, Section 2, DP 3986; Lot 15, Section 2, DP 3986	Local	1373
		Rosebery	House	50 Gordon Street	Lot 15, Section 1, DP 3986	Local	1374
		Rosebery	House	14 Harris Street	Lot 16, DP 12826	Local	1375
		Rosebery	House	51 Harris Street	Lot 14, Section 13, DP 939789	Local	1376
		Rosebery	House	23 Henley Street	Lot 28, DP 1037758	Local	1377
		Rosebery	House	4 Macquarie Street	Lot B, DP 151267	Local	1378
		Rosebery	House group	37–39 Maloney Street	Lot A, DP 398795; Lot B, DP 398795	Local	1379
			building group	37 Sutherland Street and (comer of Coward and Sutherland Streets)	Lot 3, DP 523972; Lot 1, DP 87303	Local	1380
			tram shelter, island and plantings	Clareville Avenue (comer Russell Avenue)		Local	£381
		Sans Souci	Fontainebleau	7 Napoleon Street	Lot 1, DP 230847	Local	1382
		Sans Souci	Cook Park	Riverside Drive		Local	1383
		Sans Souci	pine trees	Riverside Drive (between Napoleon and Waldron Streets)		Local	I384
		Sans Souci	Timber cottage	586 Rocky Point Road	Lot 308, DP 2452	Local	1385
		Airport	former Botany Pumping Station	boundary of		Local.	I386

97

Rockdale LEP 2011	Botany Bay LEP 2013			ed Bayside	LEP 2020	100	
		Sydney Airport	Sydney (Kingsford Smith) Airport group	Airport Drive	Part Lot 8, DP 1050923	Local	1387
		Turrella	Old St David's Church	2 Edward Street	Lot 4, DP 1043010	Local	1388
		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.	1399
		Turrella	Cairnsfoot Special School	18 Loftus Street	Lot 1, DP 120192	State	1390
		Turrella	Victorian house	28 Walker Street	Lot B, DP 379190	Local	1391
		Wolli Creek	Tempe House and St Magdalene's Chapel	1 Princes Highway	Lot 13, DP 1062413	State	1392
		Wolli Creek		Wolli Creek		Local	1393
		Part 2 He	eritage conser	vation area	as		
		Name of h conservat	eritage	dentification	on heritage	map Sig	nificance
		Botany Tov Conservation	nship Heritage n Area	Shown by a red hatching and la	outline with r belled "C2".	ed Loc	al
			Garden Suburb nservation Area	Shown by a red hatching and la	outline with r belled "C1".	ed Loc	al

SCHEDULE 6 POND-BASED AND TANK-BASED AQUACULTURE

Item 5.1 – Attachment 5

Development type	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
	PART 1	POND BASED AND TANK-BASED AQUACULTURE	1
	D	IVISION 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. 	 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. 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.
	I	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.

99

367

Development type	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
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 Fisheries Management (Aquaculture) Regulation 2017.	In this Division— intensive aquaculture has the same meaning as it has in the Fisheries Management (Aquaculture) Regulation 2017.	In this Division: intensive aquaculture has the same meaning as it has in the Fisheries Management (Aquaculture) Regulation 2017.
	PAI	RT 2 EXTENSIVE POND-BASED AQUACULTURE	
	r	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 Biodiversity Conservation Act 2016, (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 Biodiversity Conservation Act 2016, (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 Biodiversity Conservation Act 2016, (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.
	1	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	 Must not require the construction of new ponds, water storages, dams or buildings. Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers. Must be capable of preventing the escape of stock into natural waterbodies or wetlands. 	 Must not require the construction of new ponds, water storages, dams or buildings. Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers. Must be capable of preventing the escape of stock into natural waterbodies or wetlands. 	 Must not require the construction of new ponds, water storages, dams or buildings. Must not be located on permanent watercourses, creeks, billabongs or isolated outreaches of creeks or rivers. Must be capable of preventing the escape of stock into natural waterbodies or wetlands.

100

Development type	Rockdale LEP 2011	Botany Bay LEP 2013	Proposed Bayside LEP 2020
11 Culture water	Must use freshwater.	Must use freshwater.	Must use freshwater.

	RU4 Primary P	roductions Small Lots	
Landina	Current LEP Pro		
Land use			
	RLEP 2011 BBLE	EP 2013	Comments/rationale
Land use terms within agric	ulture group term		
agriculture	x	×	
aquaculture	C	C	
Oyster aquaculture	С	С	
Pond-based aquaculture	С	C	
Tank-based aquaculture	С	C	
extensive agriculture (e.g., Grazing of livestock's, etc.)	0*	o	
bee keeping	0	0	
dairy (pasture-based)	0	0	
intensive livestock agriculture	x	x	
feedlots	x	x	
dairies (restricted)	x	x	
intensive plant agriculture (e.g., Cultivation of irrigated crops)	0*	0	
horticulture	0	0	
turf farming	0	0	
viticulture	0	0	
(Land use terms outside agri	culture group term)		
animal boarding or training establishments	X L	x	
farm buildings	C'	C	
forestry	x	×	
Land use terms within residential ac	commodation group	erm	
residential accommodation	X	x	
attached dwellings	x	×	
boarding houses	x	x	
dual occupancies	x	x	
dual occupancies (attached)	x	x	
dual occupancies (detached)	x	x	
dwelling houses	C	C	
group homes	x	X	
group homes (permanent)	x	×	
group homes (transitional)	X	x	
hostels	X	×	
multi dwelling housing	X	x	
residential flat buildings	x	x	
rural worker's dwellings	x	×	
secondary dwellings	x	×	
semi-detached dwellings	x	X	
seniors housing	x	×	
residential care facilities	x	×	
shop top housing	X	×	
Land use terms outside residential a			
home-based child care	x	X	
home business	0	0	
home occupations	0	0	

home occupation (sex services)	l x		X	
Land use terms within tourist and vis		tion group torm		
tourist and visitor accommodation	x	uon group tenn	x	
backpackers' accommodation				
bed & breakfast accommodation	X		X	
	X		X	
farm stay accommodation	X		X	
hotel or motel accommodation	x		X	
serviced apartments	l x		x	
(land use terms outside tourist and visitor acco		term)	/	
camping grounds	X		X	
caravan parks	×		X	
eco-tourist facilities	x		X	
(land use terms within comme	ercial premises gr	oup term		
commercial premises	x		×	
business premises (e.g Banks, post offices,				
hairdressers, etc.)	x		X:	
funeral homes	x		X	
office premises	x		X	
retail premises	x		X	
cellar door premises	x		X.	
food & drink premises	x		x	
pubs	x		X	
restaurants or cafes	x		X.	
take-away food & drink premises	x		X	
garden centres	×		×	
hardware & building supplies	x		X	
kiosks	- x		x	
landscaping material supplies	×		x	
markets	-	-	X	
plant nurseries	_			
roadside stalls	C.		C	
			C	
rural supplies	X		X	
shops	X		×	
neighbourhood shops	X	1	X	
neighbourhood supermarket	x		X	
specialised retail premises	x		X	
timber yards	X		X	
vehicle sales or hire premises	X		X.	
(Land use terms outside comm	ercial premises g	roup term)		
amusement centres	x		X	
entertainment facilities	X		X	
function centres	X		X	
highway service centres	x		X	
industrial retail outlets	x		X.	
registered clubs	x		X:	
restricted premises	x		X	
service stations	x		X	
sex services premises	x		X:	
veterinary hospitals	x		x	
wholesale supplies	x		x	
· varia safetina				

(Land use terms within rural	industry group term)	1	
rural industries (e.g., use of composting facilities and	The state of the s	1 1	
works)	x	x	
agricultural produce industries	x	X.	
livestock processing industries	x	x	
sawmill or log processing industries	x	x	
stock & sale yards	X	X	
(Land use terms within inc	(*)	-	
industries	x x	x	
heavy industries	x	X.	
hazardous industry	x	x	
offensive industry	x	x	
light industries	x	x	
high technology industries	x	x	
home industry	x	x	
artisan food and drink industry	x	x	
general industries	X	X.	
(Land use term outside inc		•	
boat building and repair facilities		×	
vehicle body repair workshops	X	X X	
vehicle repair stations	X		
		X X	
(Land use terms within heavy industrial st			
heavy industrial storage establishments	X	×	
hazardous storage establishments	X	X	
liquid fuel depots	X	×	
offensive storage establishments	X	X	
(Land use terms within storage			
storage premises	X	×	
self storage units	X	X	
(Land use terms outside storage	e premises group term)		
depots	X	X	
warehouse or distribution centres	X	x	
local distribution centre	X	×	
(Land use within sewerage	system group term)		
sewerage systems	X	X	
bio solids treatment facilities	X	x	
sewage reticulation systems	X	X.	
sewage treatment plants	X	x	
water recycling facilities	x	X	
(Land use terms within waste or resource	management facility grou	up term)	
waste or resource management facilities	x	x	
resource recovery facilities	X	x	
waste disposal facilities	x	×	
waste or resource transfer stations	x	X.	
(Land use terms within water su	pply system group term)		
water supply systems	C	C	
water reticulation systems	c	C	
water storage facilities	С	c	
water treatment facilities	c	C	

air transport facilities	X	X	
airport	x	×	
heliport	x	x	
	air transport facility group te	25	
airstrips	X	X	
helipads	x	x	
<u> </u>	ms relating to infrastructure)	•	
car parks	x	X	
electricity generating works	x	×	
freight transport facilities	x	x	
passenger transport facilities	x	x	
port facilities	x	×	
			This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned land, they are proposed to be changed to require consent in this zone. Council needs to determine road locations and planning impacts in order to have greater autonomy over land use planning
roads	0*	0	decisions for this use.
transport depots	X	X	
truck depots	x	X	
wharf or boating facilities	x	×	
	ucation establishment group	term)	
educational establishments	x	x	
schools	x	×	
	ealth service facility group to	erm)	
health service facilities	x	X	
hospitals	x	X	
medical centres	x	X	
health consulting rooms	x	x	
	ating to community infrastru	cture	
centre-based child care facilities	x	X	
community facilities	x	X	
correctional centres	x	X	
emergency services facilities	x	X	
industrial training facilities	x	X	
information and education facilities	X	X	
places of public worship	X	×	
public administration building	x	X	
research stations	X	X.	
respite day care centres	X	X	
	vithin signage group term)		
signage	X	X	
advertising structure	X	X	
building identification sign	C	C	
business identification sign	x	X	
	s relating to recreation)		
boat launching ramps	x	X	
boat sheds	x	x	
charter & tourism boating facilities	x	×	
environmental facilities	x	×	

jetties	x		X	
marinas	×		X	
moorings	x		x	
mooring pens	x	-	X	
recreation areas	x		X	
recreation facilities (indoor)	x		X	
recreation facilities (major)	x		X	
recreation facilities (outdoor)	x		X	
water recreation structures	x		x	
(other miscellaneous Land	use terms)			
cemeteries	x		X	
crematoria	x		X	
environmental protection works	С		C	
exhibition homes	x		x	
exhibition villages	x		X	
extractive industries	x	1	X	
flood mitigation works	С		C	
mortuaries	x		X	
open cut mining	x		X	

		v Density Res	sidential	
Land use	Current LEP Provision RLEP 2011 BBLEP 2011		200000000	Comments/rationale
	RLEP 2011	BBLEP 201	Proposed	
Land use terms within agriculture	group term			
agriculture	x	x	×	
aquaculture	x	x	X	
Oyster aquaculture	C	C	С	
Pond-based aquaculture	c	c	c	
Tank-based aquaculture	c	c	c	
extensive agriculture (e.g., Grazing of livestock's, etc.)	x	x	×	
bee keeping	х	х	×	
dairy (pasture-based)	x	×	X	
intensive livestock agriculture	х	×	X	
feedlots	х	x	x	
dairies (restricted)	x	x	×	
intensive plant agriculture (e.g Cultivation of irrigated crops)	х	x	X	
horticulture	x	x	×	
turf farming	x	x	x	
viticulture	x	x	×	
(Land use terms outside agriculture	group term)			
animal boarding or training establishments				
	x	×	x	
farm buildings	x	×	×	
forestry	x	×	×	
Land use terms within residential accomm	odation group			
residential accommodation	X	×	×	
attached dwellings	С	С	C	
boarding houses	C	c	C	
				Given that dual occupancies are permitted in the former RLEP 2011, is permitted in majority of the nearby surrounding
				councils and certain dual occupancies are to be considered complying under the Codes SEPP, this use is to be
				permitted with consent. Accordingly, all land uses classified under the group term dual occupancies are proposed to be
dual occupancies	С	×	C	permitted with consent.
dual occupancies (attached)	С	X	С	
dual occupancies (detached)	С	x	С	
dwelling houses	C	C	C	
group homes	C	Ć	c	
group homes (permanent)	c	c	C	
group homes (transitional)	С	С	C	
l			-	Hostels are considered to be an apppropriate use within the zone, as they are commensurate with the scale of low
hostels	С	X	C	density residential devleopment, due to the requirements to comply with development standards applying to the zone.

		1		This land use was negotited with separant in the BBI ED2012 in secondaries with Clause 6.11 Decidential Elet Buildings
multi-dualling housing	-a	-2		This land use was permitted with consent in the BBLEP2013 in accordance with Clause 6.11 Residential Flat Buildings and Multi Dwelling Housing in the R2 Low Density Residential zone. This clause is to be deleted as a result of these land uses being considered inappropriate within the zone, largely due to being inconsistent with the objectives of the zone. Therefore, Multi Dwelling Housing is not considered a suitable land use for the R2 Low Density Residential zone, and is prepared to be a prohibited use.
multi dwelling housing	×	C	×	and is proposed to be a prohibited use.
residential flat buildings	x	С	x	This land use was permitted with consent in the BBLEP2013 in accordance with Clause 6.11 Residential Flat Buildings and Multi Dwelling Housing in the R2 Low Density Residential zone. This clause is to be deleted as a result of these land uses being considered inappropriate within the zone, largely due to being inconsistent with the objectives of the zone. Therefore, Residential Flat Buildings are not considered a suitable land use for the R2 Low Density Residential zone, and are proposed to be a prohibited use.
rural worker's dwellings	x	x	X	
secondary dwellings	c	×	c	Secondary dwellings are an appropriate use, being consistent with the objectives of the zone, and given that the zone provides small scale diversity housing types and contributes to meeting housing targets. The use is proposed to be permitted with consent. This is consistent with the Affordable Rental Housing SEPP, which permits secondary dwellings in certain prescribed zones, including the R2 Low Density Residential zone.
semi-detached dwellings	С	C	c	
				Seniors housing is an appropriate use and is consistent with the objectives of the zone, as it promotes the integration of broad demographics into the community within the zone. This is consistent with the Seniors Housing SEPP, which permits seniors housing in certain circumstances including where development for the purposes of dwelling houses is permitted. The use, and all land uses classified under the group term seniors housing are proposed to be permitted with
seniors housing residential care facilities	C	X	С	consent.
	С	X	C	
shop top housing	X x	X torm	X	
Land use terms outside residential accom- nome-based child care	modation group	term		
iome-based chiid care	o	x	0	Home-based childcare is an appropriate use and is consistent with the objectives of the R2 Low Density Residential zone. Permitting the use without consent is consistent with the Exempt and Complying Codes SEPP, where home-based childcares are exempt development.
nome business	ó	x	c	Home businesses that do not involve the manufacture of food products or skin penetration procedures are exempt development under Part 2 (subdivision 22) of the Exempt and Complying Development Codes SEPP. Home businesses are to be permitted with consent, in order for council to oversee the approval of home businesses that involve the manufacture of food products or skin penetration procedures to avoid unforeseen adverse impacts.
nome occupations	0	0	0	
nome occupation (sex services)	x	×	x	
Land use terms within tourist and visitor acco	mmodation gro	oup term		
ourist and visitor accommodation	x	x	×	
backpackers' accommodation	х	х	X	
				Given the low scale intensity of bed and breakfast accommodation, it is a use to be permitted with consent. Adjoining
bed & breakfast accommodation	×	C	C	Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation	x	C X	c x	Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation hotel or motel accommodation				Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation hotel or motel accommodation serviced apartments	x x x	x x x	×	Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation hotel or motel accommodation serviced apartments (land use terms outside tourist and visitor accommod	x x x	x x x	×	Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation hotel or motel accommodation serviced apartments	x x x	x x x	×	Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation hotel or motel accommodation serviced apartments (land use terms outside tourist and visitor accommod	x x x lation group ter	x x x	X X	Councils have also tended to permit the use with consent in the zone under their current LEPs.

commercial premises	х	х	X	
business premises (e.g., Banks, post offices, hairdressers,				
etc.)	×	×	x	
funeral homes	x	×	x	
office premises	×	c	x	This land use was permitted with consent in certain residential zones under the BBLEP2013 by Clause 6.13 Office Premises. This clause is to be deleted, as it has perpetuated the potential for inappropriately located out-of-centre development. Furthermore, the existing building stock applicable to this clause is not suitable for adaptive reuse, and therefore office premises are not considered an appropriate use for the zone.
retail premises	x	×	×	the block of the profited are not considered an appropriate use for the zone.
cellar door premises	x	- x	×	
food & drink premises	x	x	×	
pubs	x	^	×	
restaurants or cafes	x	- x	×	
take-away food & drink premises	x	x	×	
garden centres	x	ı x	×	
hardware & building supplies	x	-	×	
kiosks	x	×	×	
landscaping material supplies	×	×	x	
markets	×	×	X	
plant nurseries	x	-	x	
roadside stalls	x	- x	x	
rural supplies	x	x	×	
shops	x	x	×	
στομο		^		Given that neighbourhood shops is a land use of appropriate scale, and consistent with, the R2 Low Density Residential
neighbourhood shops	x	c	c	zone and its objectives, it is proposed to be permitted with consent.
neighbourhood supermarket	X	x	×	Early the to objective, it is proposed to be permitted with somethin
specialised retail premises	x	x	×	
timber yards	x	x	x	
vehicle sales or hire premises	x	- x	×	
(Land use terms outside commercial pren				
amusement centres	x	x	Х	
entertainment facilities	x	x	×	
function centres	x	x	X	
highway service centres	x	x	X	
industrial retail outlets	x	x	X	
registered clubs	x	x	x	
restricted premises	×	x	X	
service stations	x	x	×	
sex services premises	x	×	×	
veterinary hospitals	x	x	×	
wholesale supplies	x	x	X	
(Land use terms within rural industry				
rural industries (e.g., use of composting facilities and works)	X	x	X	
agricultural produce industries	x	x	x	
livestock processing industries	х	x	×	
sawmill or log processing industries	x	x	×	
stock & sale yards	x	x	x	
(Land use terms within industry gr				
industries	×	x	X	
heavy industries	x	x	X	
hazardous industry	x	x	X	
offensive industry	x	×	X	

light industries	X	х	X	
high technology industries	x	x	x	
				Home industries that do not involve the manufacture of food products or skin penetration procedures is exempt development under Part 2 (subdivision 22) of the Exempt and Complying Development Codes SEPP. Home industries are to be permitted with consent, in order for council to oversee the approval of home businesses that involve the manufacture of food products or skin penetration procedures to avoid unforeseen adverse impacts.
home industry artisan food and drink industry	0	X	C	manufacture of food products or skill penetration procedures to avoid unioreseen adverse impacts.
general industries	x	X X	X	
(Land use term outside industry			X	
boat building and repair facilities		x	X	
vehicle body repair workshops	x	×	X	
vehicle repair stations	x	x	X	
(Land use terms within heavy industrial storage				
heavy industrial storage establishments	X	x	X	
hazardous storage establishments	^	x	×	
liquid fuel depots	x	x	×	
offensive storage establishments	T x	x	×	
(Land use terms within tirage premi		<u> </u>		
storage premises	x	, x	X	
self storage units	x	x	x	
(Land use terms outside storage prei	mises group tern			
depots	X	x	X	
warehouse or distribution centres	x	x	×	
local distribution centre	x	×	×	
(Land use within sewerage syster	n group term)			
sewerage systems	x	x	x	
bio solids treatment facilities	×	×	×	
sewage reticulation systems	х	×	×	
sewage treatment plants	x	×	×	
water recycling facilities	x	×	X	
(Land use terms within waste or resource man	agement facility	group term)		
waste or resource management facilities				
	x	×	×	
resource recovery facilities	х	х	×	
waste disposal facilities	x	х	X	
waste or resource transfer stations	х	х	×	
(Land use terms within water supply s	ystem group ter	m)		
water supply systems	c	×	c	The uses under this group term are considered appropriate in the zone. Accordingly, all land uses classified under the group term are proposed to be permitted with consent.
water reticulation systems	c	x	C	
water storage facilities	C	x	C	
water treatment facilities	С	x	C	
(Land use term within air transport fa	cility group term	1)		
air transport facilities	X	x	X	
airport	x	x	×	
400 14 4 4 4				

(Land use term outside air transport fac	ility aroup torn	n)		
		r —	v	
airstrips	X X	X	X	
helipads (Other Lead are Assessed in the Indian		×	X	
(Other Land use terms relating to in			- 120	
car parks	х	X	×	
electricity generating works	x	x	X	
freight transport facilities	х	×	X	
passenger transport facilities	x	×	×	
port facilities	x	x	x	
roads	04	c*	С	This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned land, they are proposed to be changed to require consent in this zone. Council needs to determine road locations and planning impacts in order to have greater autonomy over land use planning decisions for this use.
transport depots	х	×	X	
truck depots	x	×	×	
wharf or boating facilities	x	×	×	
(Land use terms within education establish	ment group te	erm)		
				These uses are appropriate and meet the objectives of the zone. Accordingly, all existing schools in the former Botany Bay LGA are located on land in the R2 Low Density Residential zone, and should be permitted with consent. Accordingly, all land uses classified under the group term educational establishments are permitted with consent. This is consistent with the Education and Childcare SEPP, which permits educational establishments in certain prescribed
educational establishments	С	X	C	zones. The R2 Low Density Residential zone is one of those prescribed zones.
schools	C	X	C	
(Land use terms within health service fac	cility group ten	m)		
health service facilities	х	х	X	
hospitals	×	С	х	Given the characteristics of hospitals being large scale developments, requiring large development footprints, and introducing significant amenity impacts through operational requirements, in addition to being incompatible with the zone objectives, hospitals are proposed to be prohibited.
medical centres	x	×	x	
health consulting rooms	С	С	C	
(Other land use terms relating to commun	ity infrastructi	ire		
centre-based child care facilities	C	C	C	
community facilities	c	С	c	
correctional centres	x	x	x	
emergency services facilities	x	x	×	
industrial training facilities	x	x	X	
information and education facilities	X	x	x	
places of public worship	c	c	C	
public administration building	x	x	x	
research stations	x	x	×	
respite day care centres	Č	c	C	
(Land use terms within signage gr			· ·	
signage advertising structure	X	X	×	
advertising structure	х	x		

building identification sign	c	С	C	
business identification sign	-			Business identification signs are proposed to be permissible with consent, as the use is considered to be compatible
	×	C	C	with the zone.
(Land use terms relating to recre	eation)			
boat launching ramps	x	x	X	
boat sheds	x	x	X	
charter & tourism boating facilities	x	x	×	
environmental facilities	x	x	×	
jetties	x	x	×	
marinas	x	x	×	
moorings	x	x	×	
mooring pens	x	x	×	
recreation areas	c	С	c	
recreation facilities (indoor)	x	x	×	
recreation facilities (major)	x	x	x	
recreation facilities (outdoor)	x	x	×	
water recreation structures	x	x	X	
(other miscellaneous Land use	terms)			
cemeteries	x	x	x	
crematoria	x	x	×	
environmental protection works	c	С	C	
exhibition homes				Exhibition homes are proposed to be permitted with consent, as it is considered to be an appropriate land use for the
	C	×	C	zone. Exhibition homes are, generally, permissible with consent across most surrounding LGAs.
exhibition villages				
				Exhibition villages are proposed to be prohibited within the zone. There is no market for this type of use within the LGA,
			100	being more appropriate for Urban Release Areas, where large areas of vacant allotments are available to construct
	С	x	×	large numbers of exhibition homes. Exhibition villages are also, generally, prohibited across the surrounding LGAs.
extractive industries	x	×	×	
flood mitigation works	С	C	C	
mortuaries	x	×	×	
open cut mining	x	x	x	

		edium Density	Residential	
Land use		P Provision		
		BBLEP 2013	Proposed	Comments/rationale
Land use terms within agricu	_		a	
agriculture	X	x	×	
aquaculture	x	X	*	
Oyster aquaculture	c	c	c	
Pond-based aquaculture	×:	×	ж.	
Tank-based aquaculture	C	C	C	
extensive agriculture (e.g., Grazing of Ilvestock's, etc.)	x	×	X	
bee keeping	х	x	×	
dairy (pasture-based)	x	x	×	
intensive livestock agriculture	×	×	×	
feedlots	x	x	×	
dairies (restricted)	x	x	- 2	
intensive plant agriculture (e.g., Cultivation of irrigated crops)	x	×	×	
horticulture	x	x	x	
turf farming	x	x	*	
viticulture	x	×	×	
(Land use terms outside agricu	lture group ter	m)		
animal boarding or training establishments	x	x	×	
farm buildings	x	x	×	
forestry	x	x	×	
Land use terms within residential acco	ommodation gr	oup term		
				Several of the uses contained under the group term of residential accommodation are not considered appropriate in the
	7.0	- 0		zone. Accordingly, the residential accommodation group term is proposed to be prohibited, which allows Council to separately define those uses that are proposed to be permitted with consent in the zone.
residential accommodation	c	×	×	separately define those uses that are proposed to be permitted with consent in the zone.
attached dwellings	C	C	C	
boarding houses	C	С	С	Chan that dual accumulate are negotited in the former DLED 2011, is negotited in majority of the nearly augusting
				Given that dual occupancies are permitted in the former RLEP 2011, is permitted in majority of the nearby surrounding councils and certain dual occupancies are to be considered complying under the Codes SEPP, this use is to be permitted
				with consent. Accordingly, all land uses classified under the group term dual occupancies are proposed to be permitted with
dual occupancies	c	×	c	consent.
dual occupancies (attached)	C	×	C C	- COLISCIL.
dual occupancies (detached)	c	×	c	
dwelling houses	C	c	C	
group homes	C	C	C	
group homes (permanent)	c	c	c	
group homes (transitional)	c	c	c	
group nomes (numbers)				
				Hostels are considered to be an apppropriate use within the zone, as they are commensurate with the scale of low density
hostels	c	×	c	residential devleopment, due to the requirements to comply with development standards applying to the zone.
multi dwelling housing	C	c	c	
				This land use was permitted with consent in the BBLEP2013 in accordance with Clause 6.11 Residential Flat Buildings and Multi Dwelling Housing in the R2 Low Density Residential zone. This clause is to be deleted as a result of these land uses being considered inappropriate within the zone, largely due to being inconsistent with the objectives of the zone. Therefore, Residential Flat Buildings are not considered a suitable land use for the R3 Medium Density Residential zone, and are
residential flat buildings	×	C	X	proposed to be a prohibited use.
rural worker's dwellings	x	x	X	

	7			Secondary dwellings are an appropriate use, being consistent with the objectives of the zone, and given that the zone
				provides small scale diversity housing types and contributes to meeting housing targets. The use is proposed to be
				permitted with consent. This is consistent with the Affordable Rental Housing SEPP, which permits secondary dwellings in
secondary dwellings	C	x	C	certain prescribed zones, including the R2 Low Density Residential zone.
semi-detached dwellings	С	С	C	
seniors housing	Ċ:	C	С	
residential care facilities	C	С	C	
shop top housing	C	c	C	
Land use terms outside residential acc				
		Cup term		Home-based childcare is an appropriate use and is consistent with the objectives of the zone. Permitting the use without
				consent is consistent with the Exempt and Complying Codes SEPP, where home-based childcares are exempt
home-based child care	0	c	ō	development.
nome-based child care			-	
				Home businesses that do not involve the manufacture of food products or skin penetration procedures are exempt
				development under Part 2 (subdivision 22) of the Exempt and Complying Development Codes SEPP. Home businesses are
		1/2	0.1	to be permitted with consent, in order for council to oversee the approval of home businesses that involve the manufacture
home business	0	×	C	of food products or skin penetration procedures to avoid unforeseen adverse impacts.
home occupations	0	0	0	
home occupation (sex services)	x	x	×	
Land use terms within tourist and visitor	accommodatio	n group term		
tourist and visitor accommodation	x	x	×	
backpackers' accommodation	x	x	×	
bed & breakfast accommodation	1			Given the low scale intensity of bed and breakfast accommodation, it is a use to be permitted with consent. Adjoining
	×	c	c	Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation	×	x	×	
hotel or motel accommodation	x	x	*	
serviced apartments	x	x	×	
(land use terms outside tourist and visitor accommod	7.0			
camping grounds			- 4	
	X	X	*	
caravan parks	X	х	×	
eco-tourist facilities	x	x	×	
(land use terms within commercial	premises grou	p term		
	l		- 2	
commercial premises	X	х	×	
business premises (e.g Banks, post offices, hairdressers, etc.)	x	x	X	
funeral homes	x	x	×	
				This land use was permitted with consent in certain residential zones under the BBLEP2013 by Clause 6.13 Office
				Premises. This clause is to be deleted, as it has perpetuated the potential for inappropriately located out-of-centre
				development. Furthermore, the existing building stock applicable to this clause is not suitable for adaptive reuse, and
office premises	×	C	×	therefore office premises are not considered an appropriate use for the zone.
retail premises	x	x	X	
cellar door premises	х	х	X	
food & drink premises	×	×	x	
pubs	x	×	x	
restaurants or cafes	x	x	×	
take-away food & drink premises	x	x	×	
garden centres	x	×	×	
hardware & building supplies			×	
	X	X		
kiosks	x	х	×	
landscaping material supplies	x	x	×	
markets	x	x	x	

-11	T			
plant nurseries	x	х	×	
roadside stalls	x	×	x	
rural supplies	×	x	*	
shops	x	x	×	
neighbourhood shops	C	C	C	
neighbourhood supermarket	x	x	×	
specialised retail premises	x	x	×	
timber yards	x	x	×	
vehicle sales or hire premises	x	x	×	
(Land use terms outside commercial	premises grou	p term)		
amusement centres	x	x	×	
entertainment facilities	x	x	x	
function centres	x	×	×	
highway service centres	×	×	×	
industrial retail outlets	x	×	×	
registered clubs	×	×	×	
restricted premises	×	×	×	
service stations	x	×	*	
sex services premises	x	x	×	
veterinary hospitals	x	×	x	
wholesale supplies	x	x	×	
(Land use terms within rural ind				
rural industries (e.g., use of composting facilities and works)	ļ	×		
agricultural produce industries	X		×	
livestock processing industries	X	X	×	
sawmill or log processing industries	X	X	×	
	x	X	*	
stock & sale yards (Land use terms within indus		x	*	
industries	x	×	*	
heavy industries	x	x	×	
hazardous industry	x	×	×	
offensive industry	×	x	×	
light industries	×	×	×	
high technology industries	x	x	×	
				Home industries that do not involve the manufacture of food products or skin penetration procedures is exempt development under Part 2 (subdivision 22) of the Exempt and Complying Development Codes SEPP. Home industries are to be permitted with consent, in order for council to oversee the approval of home businesses that involve the manufacture
home industry	0	c	С	of food products or skin penetration procedures to avoid unforeseen adverse impacts.
artisan food and drink industry	x	x	×	
general industries	x	x	×	
(Land use term outside indus				
boat building and repair facilities	×	x	×	
vehicle body repair workshops	x	x	- X-	
vehicle repair stations	x	x	×	
(Land use terms within heavy industrial store	age establishm	ent group term)	
heavy industrial storage establishments	х	x	×	

hazardous storage establishments	x	x	×	
liquid fuel depots	x	×	×	
offensive storage establishments	×	×	×	
(Land use terms within storage pro				
storage premises			0 4	
self storage units	X	X	X	
	X	X	×	
(Land use terms outside storage pr	T			
depots warehouse or distribution centres	X	X	×	
local distribution centre	X X	X	X	
		- X	*	
(Land use within sewerage syst	tem group tern	nj		The uses under this group term are considered inappropriate in the zone. Accordingly, all land uses classified under the
				group term are proposed to be prohibited.
sewerage systems bio solids treatment facilities	X	c	×	group term are proposed to be promoted.
	X	X	*	
sewage reticulation systems	X	C	×	
sewage treatment plants	X	x	*	
water recycling facilities	X	X	X.	
(Land use terms within waste or resource ma				
waste or resource management facilities	x	×	×	
resource recovery facilities	x	x	×	
waste disposal facilities	x	x	x	
waste or resource transfer stations	x	×	×	
(Land use terms within water suppl	y system group	term)		
				The uses under this group term are considered appropriate in the zone. Accordingly, all land uses classified under the group
water supply systems	С	X	C	term are proposed to be permitted with consent.
water reticulation systems	C	X	c	
water storage facilities	C	x	C	
water treatment facilities	C	×	C	
(Land use term within air transport	t facility group	term)		
air transport facilities	x	x	×	
airport	x	x	×	
heliport	x	x	- X	
(Land use term outside air transpor	t facility group	term)		
airstrips	x	×	*	
helipads	×	×	×	
(Other Land use terms relating	to infrastructu	re)		
car parks	x	×	X	
electricity generating works	x	х	×	
freight transport facilities	x	×	×	
passenger transport facilities	x	х	(X)	
port facilities	x	x	×	
				This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard instrument in the
				zone. As roads can introduce impacts on both private and government agency/council-owned land, they are proposed to be
				changed to require consent in this zone. Council needs to determine road locations and planning impacts in order to have
roads	0"	C [†]	c	greater autonomy over land use planning decisions for this use.
transport depots	×	×	*	
truck depots	×	x	*	
wharf or boating facilities	×	x	×	
(Land use terms within education esta			41	
educational establishments	c	c	C	
schools	c	c	C	
(Land use terms within health service	-	-	2	
health service facilities	C C	c	C	
hospitals	c	c	c	
1100piles0				

medical centres	С	С	C	
health consulting rooms	c	c	C	
(Other land use terms relating to con	_			
centre-based child care facilities		C	C	
community facilities	C		C	
	C	C		
correctional centres	X	х	×	
emergency services facilities	x	х	×	
industrial training facilities	x	х	×	
information and education facilities	x	x	×	
places of public worship	Ć:	C	C	
public administration building	x	x	×	
research stations	x	x	×	
respite day care centres	C	C C	C	
(Land use terms within signa	ge group term)			
				Only certain signage uses are considered appropriate in this zone, as listed below. Therefore, the group term is proposed to
signage	×	c	×	be prohibited.
advertising structure	x	x	×	
building identification sign	С	С	C	
				Business identification signs are proposed to be permissible with consent, as the use is considered to be compatible with
business identification sign	×	c	C	the zone.
(Land use terms relating to	o recreation)			
boat launching ramps	x	x	×	
boat sheds	x	x	×	
charter & tourism boating facilities	×	x	x	
environmental facilities	x	x	x	
ietties	x	x	×	
marinas	x	x	×	
moorings		×		
	X		×	
mooring pens	X	x	×	
recreation areas	С	С	c	
recreation facilities (indoor)	x	x	×	
recreation facilities (major)	x	x	X	
recreation facilities (outdoor)	x	×	×	
water recreation structures	x	x	×	
(other miscellaneous Land	d use terms)			
cemeteries	x	x	*	
crematoria	x	x	×	
environmental protection works	C	c	C	
exhibition homes	С	×	c	Exhibition homes are proposed to be permitted with consent, as it is considered to be an appropriate land use for the zone. Exhibition homes are, generally, permissible with consent across most surrounding LGAs.
exhibition villages	c	×	×	Exhibition villages are proposed to be prohibited within the zone. There is no market for this type of use within the LGA, being more appropriate for Urban Release Areas, where large areas of vacant allotments are available to construct large numbers of exhibition homes. Exhibition villages are also, generally, prohibited across the surrounding LGAs.
extractive industries	×	×	×	
flood mitigation works	c	C	Ċ	
mortuaries	x	x	×	
open cut mining	×	×	*	
Open car mining				

Land use		High Density I P Provision	Residential	
Land use		BBLEP		
	RLEP 2011	2013	Proposed	Comments/rationale
Land use terms within agricult				
agriculture	X	x	×	
aquaculture	х	x	X.	
Oyster aquaculture	C	С	c	
			3.	
Pond-based aquaculture	×	X	X.	
			100	
Tank-based aquaculture	×	×	×	
extensive agriculture (e.g., Grazing of livestock's, etc.)	х	×	×	
bee keeping	х	х	×	
dairy (pasture-based)	x	х	×	
intensive livestock agriculture	х	х	X	
feedlots	X	x	X	
dairies (restricted)	х	х	*	
intensive plant agriculture (e.g Cultivation of irrigated crops)	x	x		
horticulture	x	x	×	
turf farming	x	x	×	
viticulture	x	x	×	
(Land use terms outside agricult		-		
animal boarding or training establishments	x	x	X	
farm buildings	x	х	×	
forestry	x	х	×	
Land use terms within residential acco	mmodation group to	erm		
residential accommodation	¢	x	×	Several of the uses contained under the group term of residential accommodation are not considered appropriate in the zone. Accordingly, the residential accommodation group term is proposed to be prohibited, which allows Council to separately define those uses that are proposed to be permitted with consent in the zone.
attached dwellings	С	С	С	
hearding houses	2	100	5	
boarding houses	C	C	Q.	Given that dual occupancies are permitted in the former RLEP 2011, is permitted in majority of the nearby
dual occupancies	c	x	c	surrounding councils and certain dual occupancies are to be considered complying under the Codes SEPP, this use is to be permitted with consent. Accordingly, all land uses classified under the group term dual occupancies are proposed to be permitted with consent.
dual occupancies (attached)	C	x	e e	F-F
dual occupancies (detached)	c	×	-0	
dwelling houses	c	c	c	
		5		This use is appropriate land use for the zone, given the scale and types of users that tend to occupy such developments, including their access requirements close to services and facilities. Accordingly, the use, and all
group homes	C	X	-0-	land uses classified under the group term group homes are proposed to be permitted with consent.

group homes (permanent)	C	X	-0	
group homes (transitional)	c	x	C	
hostels	c	x	C	
multi dwelling housing	C	c	Č.	
residential flat buildings	C	C	C	
rural worker's dwellings	x	X	×	
Turai worker's dwellings			*	
secondary dwellings	c	x	c	Secondary dwellings are an appropriate use, being consistent with the objectives of the zone, and given that the zone provides small scale diversity housing types and contributes to meeting housing targets. The use is proposed to be permitted with consent. This is consistent with the Affordable Rental Housing SEPP, which permits secondary dwellings in certain prescribed zones, including the R2 Low Density Residential zone.
semi-detached dwellings	С	С	c	
seniors housing				Seniors housing is an appropriate use and is consistent with the objectives of the zone, as it promotes the integration of broad demographics into the community within the zone. Furthermore, given the scale and types of users that tend to occupy such developments, including their access requirements close to services and facilities, the use is considered appropriate for the zone. This is consistent with the Seniors Housing SEPP, which permits seniors housing in certain circumstances including where development for the purposes of dwelling houses is permitted. The use, and all land uses classified under the group term seniors housing are proposed to be permitted with consent.
residential care facilities	c	X		permitted with consent.
	C	Х	G	
shop top housing	C	C	C	
Land use terms outside residential accomm	odation group	term		
home-based child care	o	c		Home-based childcare is an appropriate use and is consistent with the objectives of the zone. Permitting the use without consent is consistent with the Exempt and Complying Codes SEPP, where home-based childcares are exempt development.
				Home businesses that do not involve the manufacture of food products or skin penetration procedures are exempt development under Part 2 (subdivision 22) of the Exempt and Complying Development Codes SEPP. Home businesses are to be permitted with consent, in order for council to oversee the approval of home businesses that involve the manufacture of food products or skin penetration procedures to avoid unforeseen
home business	0	x	0	adverse impacts.
home occupations	0	0	0	
home occupation (sex services)	×	x	x	
Land use terms within tourist and visitor accord	nmodation grou	ip term		
tourist and visitor accommodation	x	x	X	
backpackers' accommodation	×	x	×	
bed & breakfast accommodation	×	c	c	Given the low scale intensity of bed and breakfast accommodation, it is a use to be permitted with consent. Adjoining Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation	x	х	×	·
hotel or motel accommodation	х	х	x	
serviced apartments	x	х	x	
(land use terms outside tourist and visitor accommodation	group term)	-		
camping grounds	X	x	X -	
caravan parks	x	x	×	
eco-tourist facilities	 x	x	×	
(land use terms within commercial prem				
commercial premises	x	x	- X	
business premises (e.g Banks, post offices, hairdressers, etc.)	T X	x	×	
funeral homes	x	x	×	
office premises	T X	x	×	
retail premises	X	X	×	
cellar door premises	X X	X	×	
food & drink premises		X	×	
pubs	X	_	x	
restaurants or cafes	X X	X X	×	
Totaliano di Gales				

Sales assess load 0 dd-1			
take-away food & drink premises	X	х	*
garden centres	X	x	
hardware & building supplies	×	х	X
kiosks	×	х	×
landscaping material supplies	x	х	x
markets	x	х	×
plant nurseries	x	x	×
roadside stalls	x	х	×
rural supplies	x	x	×
shops	×	x	×
neighbourhood shops	C	C	0
neighbourhood supermarket	x	x	×
specialised retail premises	x	x	×
timber yards	×	x	×
vehicle sales or hire premises	x	x	×
(Land use terms outside commercial pr			
amusement centres			
entertainment facilities	X	X	×
	X	х	×
function centres	x	х	×
highway service centres	X	х	*
industrial retail outlets	x	х	×
registered clubs	х	х	×
restricted premises	х	x	×
service stations	x	x	×
sex services premises	x	x	×
veterinary hospitals	x	х	×
wholesale supplies	x	х	×
(Land use terms within rural indus	stry group term)		
rural industries (e.g., use of composting facilities and works)	×	х	X.
agricultural produce industries	×	х	X.
livestock processing industries	x	x	×
sawmill or log processing industries	х	х	X
stock & sale yards	x	x	×
(Land use terms within industry	group term)		
industries	x	x	*
heavy industries	x	х	×
hazardous industry	×	x	×
offensive industry	x	x	*
light industries	x	x	×
high technology industries	x	x	×
home industry			
	x	x	×
artisan food and drink industry	X	X	×
general industries	x	x	X
(Land use term outside industry			
boat building and repair facilities	X	x	×
vehicle body repair workshops	X	x	X
vehicle repair stations	х	х	K
(Land use terms within heavy industrial storage	e establishment gr		
heavy industrial storage establishments	x	х	X
hazardous storage establishments	Y	l ¥	100
hazardous storage establishments	X	X Y	×
hazardous storage establishments liquid fuel depots offensive storage establishments	x x x	X X	X X

(Land use terms within storage premises	aroun term)			
storage premises	x	x	X	
self storage units	x	x	x	
(Land use terms outside storage premise				
depots	x	х	X	
warehouse or distribution centres	x	x	×	
local distribution centre	x	x	x	
(Land use within sewerage system gr		_ ^		
(Land use within sewerage system gr	I			
				This group term is proposed to be prohibited, due to some uses within the group term that are considered to be
sewerage systems	c	c	×	inappropriate for the zone, due to externalities, such as odour, and operational requirements of such uses.
		_		Given that nuisance odours can be an issue with biosolid processing facilities, and it is commonly prohibited in
bio solids treatment facilities	c	x	*	surrounding LGAs, biosolid treatments facilities are proposed to be prohibited.
sewage reticulation systems	C	c	b	earroadian g mento, around mountains maintag are proposed to so promotoes
- Consider the Constant of the		-		Sewerage treatment plants produce nuisance odour, which can be an amenity issue for residents in proximity to
				these facilities. The use is proposed to be prohibited in the R2 and R3 residential zones. Accordingly, sewage
				treatment plants are commonly prohibited in residential zones throughout NSW, and are proposed to be
sewage treatment plants	c	×		prohibited.
		- 1		Recycled water is commonly used for parks and toilet systems in Australia, including a large development in the
				Bayside LGA. Given the current development climate, and since water restrictions are becoming more common,
water recycling facilities	c	x	· · ·	it is a use that is proposed to be permitted with consent.
(Land use terms within waste or resource manager	nent facility or	oup term)		
waste or resource management facilities	x	x	- X	
resource recovery facilities	x	x	× -	
waste disposal facilities	x	x	x	
waste or resource transfer stations	x	x	×	
(Land use terms within water supply syste				
(Earle 550 terms water supply syste	III group tom	i e		
				The uses under this group term are considered appropriate in the zone, as they support residential land uses.
				The uses are also proposed to be permitted with consent in the R2 and R3 zones. Accordingly, all land uses
water supply systems	c	×	c	classified under the group term water supply systems are proposed to be permitted with consent.
water reticulation systems	c	x	c	and and the Brook to make and he decore to be beautiful activation
water storage facilities	C	x	C	
water treatment facilities	c	×	C	
(Land use term within air transport facility	A second of the second of			
air transport facilities	x	х	- x	
airport	x	x	×	
heliport	x	x	×	
(Land use term outside air transport facili				
airstrips	x	х	X	
helipads	x	x	×	
(Other Land use terms relating to infra				
car parks	X	x	X	
electricity generating works	x	x	×	
freight transport facilities	x	×	×	
passenger transport facilities	x	x	- x	
port facilities	×	×	×	
Port racinties		^		
				This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard
				instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned
				land, they are proposed to be changed to require consent in this zone. Council needs to determine road locations
roads	0*	c*	121	and planning impacts in order to have greater autonomy over land use planning decisions for this use.
transport depots		X	C X	and planning impacts in order to have greater autonomy over land use planning decisions for this use.
truck depots	x			
wharf or boating facilities	X	x	X X	
what or coating facilities				

(Land use terms within education establish	ment aroun ter	rm)		T
educational establishments	c	C	C	
schools	T C	c	c	
(Land use terms within health service fac	_			
health service facilities	C C	,, C		
hospitals	T c	c	C	
medical centres	c	c	c	
health consulting rooms	t c	c	C	
(Other land use terms relating to commun				
centre-based child care facilities	C	C	C	
community facilities	C	c	C	
correctional centres	X	X	×	
emergency services facilities	x	x	×	
industrial training facilities	x	x	x	
Information and education facilities	x	x	×	
places of public worship	C	C	C	
public administration building			×	
research stations	X	X		
	x	х	×	
respite day care centres	C	C	0	
(Land use terms within signage gro	oup term)			Only costain classes upon are considered appropriate in the room. Accordingly, the classes are up term in
				Only certain signage uses are considered appropriate in the zone. Accordingly, the signage group term is proposed to be prohibited, which allows Council to separately define those uses that are proposed to be permitted
				with consent in the zone. Several of the uses contained under the group term of signage are not considered
signage		c	×	appropriate in the zone.
advertising structure	×		Ŷ	The use is not considered appropriate for this zone, consistent with the R2 and R3 residential zones.
building identification sign	X	X		The use is not considered appropriate for this zone, consistent with the Rz and R5 residential zones.
business identification sign	C	c	0	
(Land use terms relating to recr	C c	C		
boat launching ramps	_			
boat sheds	X	X X	×	
charter & tourism boating facilities			×	
environmental facilities	X	X	×	
letties	X	X		
marinas	X	X	×	
	X	X	×	
moorings	x	X	× .	
mooring pens	х	X	x	respection areas are normitted with corport to anable served to ensure prepared development will be competible
recreation areas				recreation areas are permitted with consent to enable council to ensure proposed development will be compatible with the high density residential zone.
recreation facilities (indoor)	0	C	C	with the high density residential zone.
	X	x	×	
recreation facilities (major)	X	X	×	
recreation facilities (outdoor)	X	х	×	
water recreation structures	x	х	- x	
(other miscellaneous Land use				
cemeteries	X	X	×	
crematoria	x	x	×	
environmental protection works	С	С	C	
				Exhibition homes are proposed to be permitted with consent, as it is considered to be an appropriate land use for
exhibition homes	c	×	c	the zone. Exhibition homes are, generally, permissible with consent across most surrounding LGAs. Exhibition villages are proposed to be prohibited within the zone. There is no market for this type of use within the
exhibition villages	ć	x	*	LGA, being more appropriate for Urban Release Areas, where large areas of vacant allotments are available to construct large numbers of exhibition homes. Exhibition villages are also, generally, prohibited across the surrounding LGAs.
extractive industries	X	x	×	
flood mitigation works	 ĉ	c	6	
mosa maganon none				

mortuaries	×	x	¥.	
open cut mining	×	x	8.	

	B1 Neighbourhood Centre Current LEP Provision		d Centre	
Land use				
		BBLEP 2013	Proposed	Comments/rationale
Land use terms within agricultu	re group term			
agriculture	x	х	X	
aquaculture	х	х	x	
Oyster aquaculture	C.	C	С	
Pond-based aquaculture	×	x	×	
To the delegant endergon terror	-			
Tank-based aquaculture	c	Ċ	С	
extensive agriculture (e.g Grazing of livestock's, etc.)	X	x	x	
bee keeping	x	x	x	
dairy (pasture-based)	x	x	×	
intensive livestock agriculture	X	x	×	
feedlots	x	x	x	
dairies (restricted)	×	x	x	
	-			
I				
intensive plant agriculture (e.g., Cultivation of irrigated crops)	x	x	X	
horticulture	x	X	x	
turf farming	X	X	x	
viticulture	X	x	x	
(Land use terms outside agriculti animal boarding or training establishments	re group term) x	x	
farm buildings	x	x	×	
forestry	^	x	×	
Land use terms within residential accon			•	
Early doc terms within residential accord	gio	ap tom		Group term for a range of residential accommodation uses. Only certain residential accommodation uses are
				considered appropriate in a B1 neighbourhood centre zone. Accordingly, the residential accommodation group
residential accommodation	c	×	×	term is proposed to be prohibited.
attached dwellings	×	х	x	
boarding houses	C	C	C	
dual occupancies	x	х	x	
dual occupancies (attached)	x	х	x	
dual occupancies (detached)	x	х	×	
				Dwelling house refers to a building containing only one dwelling. This land use is inappropriate for
				neighbourhood centre zones as it precludes the orderly and economic manner of the Environmental Planning
dwelling houses	L			and Assessment Act as well as fails to achieve the zone objectives. Existing use rights are to apply to existing dwelling houses within the B1 Neighbourhood zone.
Gweiing Houses	X	С	X	uwening nouses within the DT Neighbourhood 20he.

	1		T-	
group homes	c	x	c	This use is appropriate land use for the zone, given the scale and types of users that tend to occupy such developments, including their access requirements close to services and facilities. Accordingly, the use, and all land uses classified under the group term group homes are proposed to be permitted with consent.
group homes (permanent)	C	x	C	land does classified and of the group term group notices are proposed to se permitted with consent.
group homes (transitional)	C	X	C	
hostels			C	
	C	C	9	
multi dwelling housing	X	х	X	
residential flat buildings	х	X	X	
rural worker's dwellings	x	x	X	
secondary dwellings	x	×	X	
semi-detached dwellings	x	X	x	
seniors housing	c	×	×	Seniors housing is an inappropriate use and is inconsistent with the objectives of the zone. The use, and all land uses classified under the group term seniors housing are proposed to be prohibited. This will assist with protecting land in the zone for commercial purposes.
residential care facilities	C	x	×	
shop top housing	C	C	C	
Land use terms outside residential accor				
Land use terms outside residential accor	Timodation gro	Jub (euii	I)	
home-based child care	o	c	0	Home-based childcare is an appropriate use and is consistent with the objectives of the zone. Permitting the use without consent is consistent with the Exempt and Complying Codes SEPP, where home-based childcares are exempt development.
home business				Home business is an appropriate use, and is consistent with the objectives of the zone. Permitting the use without consent is consistent with the Exempt and Complying Codes SEPP.
	0	С	0	without consent is consistent with the Exempt and Complying Codes SEFF.
home occupations	0	0	0	
home occupation (sex services)	X	X	X	
Land use terms within tourist and visitor ac	_	 	70	
tourist and visitor accommodation	x	X	x	
backpackers' accommodation	х	x	x	
bed & breakfast accommodation	×	c	c	Given the low scale intensity of bed and breakfast accommodation, it is a use to be permitted with consent. Adjoining Councils have also tended to permit the use with consent in the zone under their current LEPs.
farm stay accommodation	x	x	X	
hotel or motel accommodation	x	х	X	
serviced apartments	x	х	X	
(land use terms outside tourist and visitor accommoda	tion group ter	m)		
camping grounds	x	×	x	
caravan parks	x	x	×	
eco-tourist facilities	x	x	x	
(land use terms within commercial pr				
commercial premises	c c	C	C	
business premises (e.g., Banks, post offices, hairdressers,		-	,	
etc.)	e e	c	c	
funeral homes			c	
	C	C		
office premises	С	С	С	This group town is proposed to be permitted with sensent with some of the sub-times that are considered to be
retail premises cellar door premises	c	×	c	This group term is proposed to be permitted with consent, with some of the sub types that are considered to be inappropriate for the zone to be prohibited.
	X	X	x	
food & drink premises	C	С	C	

				This was in appropriate for the constant of th
- subs			4	This use is appropriate for the zone, and the use would be assessed on detailed planning merit, including liquor licencing and consideration of public safety requirements.
pubs restaurants or cafes	С	x	C	licencing and consideration of public safety requirements.
	С	С	С	
take-away food & drink premises	С	С	C	
garden centres	×	X	x	
hardware & building supplies	×	x	х	
kiosks	С	С	С	
landscaping material supplies	x	x	X	
markets	С	С	С	
plant nurseries	c	×	×	Given that similar uses such as garden centres and landscaping material supplies are prohibited in the zone, plant nurseries are proposed to be prohibited to ensure consistency.
roadside stalls	×	×	×	
rural supplies	×	x	x	
shops	c	c	C	
neighbourhood shops	C	C	С	
neighbourhood supermarket	C	C	С	
specialised retail premises	x	х	x	
timber yards	X	x	x	
vehicle sales or hire premises	x	x	x	
(Land use terms outside commercial pr				
amusement centres	X	x	X	
entertainment facilities	x	x	×	
function centres	x	x	x	
highway service centres	x	x	×	
industrial retail outlets	_		×	
registered clubs	X	X	×	
restricted premises	X		×	
restricted premises	х	X		This land use is inappropriate for B1 neighbourhood centre zones as it results in a poor interface against the
				surrounding residential zones in the LGA and has significant potential for amenity issues (noise, pollution,
service stations	C	x	X	odour), therefore is proposed to be prohibited.
sex services premises	x	x	×	
veterinary hospitals	c	×	С	This land use is appropriate, as it is low impact and meets the objectives of the zone, and is therefore proposed to be permitted with consent.
wholesale supplies	x	х	x	
(Land use terms within rural indus	try group term	n)		
	T .	ĺ		
rural industries (e.g., use of composting facilities and works)	×	x	×	
agricultural produce industries	x	x	x	
livestock processing industries	x	x	x	
sawmill or log processing industries	x	x	×	
stock & sale yards	x	x	×	
(Land use terms within industry				
industries	x	х	X	
heavy industries	x	x	x	
hazardous industry	x	x	x	
offensive industry	^	x	×	
light industries	x	x	×	
high technology industries	x	X	×	
ingit todillology industries			^	1.

artisan food and drink industry	home industry	х	x	×	
general holatifies (Land use term outside industy group term) Foot building and repair facilities (Land use term outside industy group term) Foot project (Land use terms within heavy industrial storage establishment group term) Foot project (Land use terms within heavy industrial storage establishments (Land use terms within storage premises group term) Foot (Land use terms within storage premises group term) Foot (Land use terms within storage premises group term) Foot (Land use terms usualise estarage premises group term) Foot (Land use terms usualise estarage premises group term) Foot (Land use terms usualise estarage premises group term) Foot (Land use terms usualise estarage premises group term) Foot (Land use terms usualise estarage premises group term) Foot (Land use within sewange system group term) Foot (Land use terms within waste or resource management facilities Foot (Land use terms within waste or resource management facilities Foot (Land use terms within waste or resource management facilities Foot (Land use terms within waste or resource management facilities Foot (Land use terms within waste or resource management facilities Foot (Land use terms within waste or resource management facilities Foot (Land use terms within waste or resource management facilities Foot (Land use terms within waste or resource management facilities Foot (Land use terms within waste or resource management facilities Foot (Land use terms within w				1 100	
boat building and repair facilities variable body repair workshopps X X X X X X X X X X X X X X X X X				×	
boat building and regair facilities		group term)			
vehicle capter statustors (Land use terms within heavy industrial storage establishments x x x x x x x x x x x x x x x x x x x			x	X	
verhicher pear stations (Land use terms within heavy industrial storage establishments x x x x x x x x x x x x x x x x x x x	• .			×	
(Land use forms within heavy industrial storage establishments x				×	
heavy industrial storage establishments	·	establishme	nt group term)		
hazardous storage establishments					
liquid lacid elepole			x	×	
offensive storage establishments (Land use terms within storage premises group term) storage premises (Land use terms outside storage premises group term) depois (Land use terms outside storage premises group term) severage systems (Land use within severage system group term) severage systems (Land use within severage system group term) severage systems (Land use within severage system group term) severage recording facilities c		×	x	×	
(Land use terms within storage premises group lerm) solf storage premises (Land use terms outside storage premises group term) depots (Land use terms outside storage premises group term) depots (Land use terms outside storage premises group term) depots (Land use terms outside storage premises group term) depots (Land use terms outside storage premises group term) severage systems (Land use within sewerage system group term) severage systems c c c c c c c sewage reductation systems c c c c sewage reductation systems c c c c Land use terms within waste or resource management facilities x x x x severage freatment plants c x x x x Severage treatment plants produce mulisance odour, which can be an amenity issue for landowners and resident in proposed to be prohibited in the zone. Severage treatment plants produce mulisance odour, which can be an amenity issue for landowners and resident in proposed to be prohibited in the zone. Severage treatment plants produce mulisance odour, which can be an amenity issue for landowners and resident in proposed to be prohibited in the zone. Severage treatment plants produce mulisance odour, which can be an amenity issue for landowners and resident in the proposed to be prohibited in the zone. Severage treatment plants produce mulisance odour, which can be an amenity issue for landowners and resident in the severage treatment plants produce mulisance odour, which can be an amenity issue for landowners and resident in the zone depote the prohibited in the zone. Severage treatment plants produce for purisary and severage resident in the zone. Severage treatment plants produce for purisary and severage resident in the zone			x	×	
storage premises		ises group te	rm)		
self storage unitis (Land use terms outside storage permisence group term) sepots (Land use terms outside storage permisence group term) severage systems (Land use within severage system your term) severage systems (Land use within severage system your term) severage systems (C				x	
(Land use terms outside storage premises group term) sopots warehouse or distribution centres x x x x x x x x x x x x x x x x x x x				x	
As a sure distribution centre		nises group t	erm)		
warehouse or distribution centres				X	
Cand use within sewerage system group term	warehouse or distribution centres		x	×	
sewerage systems C C X X X Sewage treatment facilities sewage treatment facilities sewage treatment plants C X X X Sewerage freatment plants C X X X Sewerage freatment plants Sewage treatment plants C X X X Sewerage freatment plants C X X X Sewerage freatment plants Sewage treatment plants C X X X Sewerage freatment plants Sewerage freatment plants C X X X Sewerage freatment plants produce nuisance odour, which can be an amenity issue for landowners and resident is in proximity to these facilities. The use is proposed to be prohibited in the zone. Recycled water is commonly used for parks and toliet systems in Australia, including a large development in the Bayside LOA. Given the current development climate, and since water restrictions are becoming more common, it is specified by the common plants of the prohibited with consent. The uses under this group term are generally considered inappropriate in the zone, meaning that the group term is proposed to be permitted with consent. The uses under this group term are generally considered inappropriate in the zone, meaning that the group term specified by the prohibited. The uses under this group term are generally considered inappropriate in the zone, meaning that the group term sproposed to be permitted with consent. The uses under this group term are generally considered inappropriate in the zone, as it supports residential land uses and proposals for this type of use could be of a scale that are appropriate for the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered app	local distribution centre		х	×	
sewerage systems C C X X X Sewage treatment facilities sewage treatment facilities sewage treatment plants C X X X Sewerage freatment plants C X X X Sewerage freatment plants Sewage treatment plants C X X X Sewerage freatment plants C X X X Sewerage freatment plants Sewage treatment plants C X X X Sewerage freatment plants Sewerage freatment plants C X X X Sewerage freatment plants produce nuisance odour, which can be an amenity issue for landowners and resident is in proximity to these facilities. The use is proposed to be prohibited in the zone. Recycled water is commonly used for parks and toliet systems in Australia, including a large development in the Bayside LOA. Given the current development climate, and since water restrictions are becoming more common, it is specified by the common plants of the prohibited with consent. The uses under this group term are generally considered inappropriate in the zone, meaning that the group term is proposed to be permitted with consent. The uses under this group term are generally considered inappropriate in the zone, meaning that the group term specified by the prohibited. The uses under this group term are generally considered inappropriate in the zone, meaning that the group term sproposed to be permitted with consent. The uses under this group term are generally considered inappropriate in the zone, as it supports residential land uses and proposals for this type of use could be of a scale that are appropriate for the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered app	(Land use within sewerage syster	n group term)		
Biolist treatment facilities C X X Survey and treatment facilities C X X Survey and treatment facilities Sewage reticulation systems C X X Survey and treatment plants C X X Survey and to the systems in Australia, including a large development in the Bayested LSA. Given the current development climate, and since water restrictions are becoming more common, it is a use that is proposed to be prohibited in the zone. (Land use terms within waster or resource management facility group term) Waster or resource management facilities X C X X X X X X X X X X X X X X X X X	sewerage systems			C	
sewage reticulation systems c x x x Sewerage treatment plants c x x x Sewerage treatment plants produce nuisance odour, which can be an amenity issue for landowners and residentis in proximity to these facilities. The use is proposed to be prohibited in the zone. Recycled water is commonly used for parks and tollet systems in Australia, including a large development in the Baside LAS. Given the current development climate, and since water restrictions are becoming more common, it is a use that is proposed to be permitted with consent. (Land use terms within waste or resource management facility group term) waste or resource management facilities x c x x x x x x x x x x x x x x x x x					Given that nuisance odours can be an issue with biosolid processing facilities, and it is commonly prohibited in
Sewage treatment plants C X X X Sewage treatment plants produce nuisance odour, which can be an amenity issue for landowners and residents in proximity to these facilities. The use is proposed to be prohibited in the zone. Recycled vater is commonly used for parks and follet systems in Australia, including a large development in the Bayside LGA. Given the current development climate, and since water restrictions are becoming more common, it is a use that is proposed to be permitted with consent. (Land use terms within waste or resource management facility group term) waste or resource management facilities X C X X X X X X X X X X X X X X X X X	bio solids treatment facilities	c	×	×	
sewage treatment plants C X X residents in proximity to these facilities. The use is proposed to be prohibited in the zone. Recycled water is commonly used for parks and tolled systems in Australia, including a large development in the Bayside LGA. Given the current development climate, and since water restrictions are becoming more common, it is a use that its proposed to be permitted with consent. C X The uses under this group term are generally considered inappropriate in the zone, meaning that the group term are source management facilities X X X	sewage reticulation systems	С	С	C	
sewage treatment plants C X X residents in proximity to these facilities. The use is proposed to be prohibited in the zone, water recycling facilities Recycled water is commonly used for parks and folled systems in Australia, including a large development in the Bayside LGA. Given the current development climate, and since water restrictions are becoming more common, it is a use that its proposed to be permitted with consent. Recycled water is commonly used for parks and folled systems in Australia, including a large development in the Bayside LGA. Given the current development climate, and since water restrictions are becoming more common, it is a use that its proposed to be permitted with consent. Recycled water is composed to be permitted with consent.					Sewerage treatment plants produce nuisance odour, which can be an amenity issue for landowners and
water recycling facilities c x c c x c c Bayside LGA. Glern the current development climate, and since water restrictions are becoming more common, it is a use that is proposed to be permitted with consent. (Land use terms within waste or resource management facility group term) waste or resource management facilities x c x x is proposed to be prohibited. resource recovery facilities x x x x x x x x x x x x x x x x x x x	sewage treatment plants	c	x	×	residents in proximity to these facilities. The use is proposed to be prohibited in the zone.
water recycling facilities (Land use terms within waste or resource management facility group term) waste or resource management facilities x c x x x x x x x x x x x x x x x x x					
(Land use terms within waste or resource management facility group term) waste or resource management facilities x c x is proposed to be prohibited. resource recovery facilities x x x x x x x x x x x x x x x x x x x					
waste or resource management facilities x x x x x x x x x x x x x x x x x x x		7	4.5		it is a use that is proposed to be permitted with consent.
waste or resource management facilities x x x x x x x x x x x x x x x x x x x	(Land use terms within waste or resource mana	gement facil	ity group term)		
resource recovery facilities					
waste disposal facilities x x x x		X	С		is proposed to be prohibited.
waste or resource transfer stations (Land use terms within water supply system group term) (Land use terms within water supply system group term) The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. Water reticulation systems C X C Water reticulation systems C X C Water storage facilities C X C Water treatment facilities C X C (Land use term within air transport facility group term) air transport facilities X X X X Aleliport (Land use term outside air transport facility group term) air strips (Land use term outside air transport facility group term) air strips X X X X And the lipads This use is considered appropriate for the zone, as it supports residential land uses and proposals for this type of use could be of a scale that are appropriate for the zone. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate for the zone. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate for the zone. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses under this group term are considered appropriate for the zone.				1	
waste or resource transfer stations (Land use terms within water supply system group term) The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. water reticulation systems c x c c c c c c c c c c c c c c c c c	waste disposal facilities	x	x	X	
(Land use terms within water supply system group term) The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. Water reticulation systems					This use is considered appropriate for the zone, as it supports residential land uses and proposals for this type
The uses under this group term are considered appropriate in the zone, as they support residential land uses. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. Water reticulation systems C X C Water storage facilities C X C Water treatment facilities C X C (Land use term within air transport facility group term) air transport facilities X X X A Airport Aux X X Aux Aleliport CLand use term outside air transport facility group term) airstrips X X X Aux Aux Aux Aux Aux Aux Aux Au	waste or resource transfer stations	×	C	c	of use could be of a scale that are appropriate for the zone.
The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be perm	(Land use terms within water supply s	ystem group	term)		
The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent in the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be permitted with consent. The uses are also proposed to be perm					
water supply systems c x c the group term water supply systems are proposed to be permitted with consent. water reticulation systems c x c water storage facilities c x c water treatment facilities (Land use term within air transport facility group term) air transport facilities x x x x airport heliport x x x x (Land use term outside air transport facility group term) airstrips (Land use term outside air transport facility group term) airstrips x x x x helipads x x x x x A A A A A A A A A A A A					The uses under this group term are considered appropriate in the zone, as they support residential land uses.
water reticulation systems water storage facilities c x c water treatment facilities c x c (Land use term within air transport facility group term) air transport facilities x x x x airport heliport (Land use term outside air transport facility group term) airstrips x x x x x x x x x x x x x x					
water storage facilities c x c water treatment facilities (Land use term within air transport facility group term) air transport facilities x x x x airport heliport (Land use term outside air transport facility group term) airstrips x x x x x x x x x x x x x x		С	x		the group term water supply systems are proposed to be permitted with consent.
water treatment facilities (Land use term within air transport facility group term) air transport facilities x x x x airport heliport (Land use term outside air transport facility group term) airstrips x x x x x x x x x x x x x x	· · · · · · · · · · · · · · · · · · ·	C	×		
(Land use term within air transport facility group term) air transport facilities x x x x airport x x x x heliport (Land use term outside air transport facility group term) airstrips x x x helipads					
air transport facilities air port air port heliport (Land use term outside air transport facility group term) airstrips helipads x x x x x x x x x x x x x x x x x x x				C	
airport x x x x x heliport x x x x x x x x x x x x x x x x x x x		cility group to			
heliport (Land use term outside air transport facility group term) airstrips helipads x x x x x x x					
(Land use term outside air transport facility group term) airstrips			-		
airstrips x x x x helipads x x x x				X	
helipads x x x		acility group t			
· ·		X	+		
(Other Land use terms relating to infrastructure)				X	
	(Other Land use terms relating to	infrastructure	9)		

car parks	С	С	С	
our pains	·	C	v	Council acknowledges that Division 4 of the Infrastructure SEPP permits electricity generating works in certain
				prescribed zones. The B1 neighbourhood centre zone is one of those prescribed zones. The use is proposed to
electricity generating works	c	×	c	be permitted with consent.
freight transport facilities	x	X	×	as barrings were against in
Toget Caroport Monitor	_	_		This use is considered appropriate for the zone, as proposals for this type of use could be of a scale that are
passenger transport facilities	C	x	С	appropriate for the zone.
port facilities	x	x	×	appropriate for the zone.
portradition		_	-	
				This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard
				instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned
				land, they are proposed to be changed to require consent in this zone. Council needs to determine road
roads	0+	c*	c	locations and planning impacts in order to have greater autonomy over land use planning decisions for this use.
transport depots	X	×	×	
truck depots	x	x	×	
wharf or boating facilities	x	x	×	
(Land use terms within education estable				
educational establishments	c	c c	С	
schools	c	c	C	
(Land use terms within health service	_	_	-	
(cand doe terms within nearth service	lacinty group	I		
health service facilities	С	С	C	
hospitals	x	x	X	
medical centres	C	C	C	
health consulting rooms	С	С	С	
(Other land use terms relating to comm	nunity infrastr	ucture	•	
centre-based child care facilities	C	C	C	
community facilities	C	C	С	
correctional centres	х	x	×	
emergency services facilities	c	c	c	
industrial training facilities	x	X	×	
information and education facilities	c	c	c	
places of public worship	c		C	
public administration building		C		
	C	C	C	
research stations	х	x	X	
respite day care centres	C	C	С	
(Land use terms within signage	group term)			
				Only certain signage uses are considered appropriate in a B1 neighbourhood centre zone. Accordingly, the
l.		20.0		signage group term is proposed to be permitted with consent. Appropriate signage uses within the zone are
signage	X	С	C	permitted with consent and listed below. All signage uses are consistently applied from either LEP.
advertising structure	х	х	x	
building identification sign	С	С	C	
business identification sign	С	С	C	
(Land use terms relating to re	ecreation)			
,				-

Bayside Local Planning Panel

boat launching ramps	х	х	X	
boat sheds	x	x	x	
charter & tourism boating facilities	x	x	x	
environmental facilities	c	x	С	This land use is appropriate for the zone, and meets the objectives of the zone, therefore is permitted with consent.
jetties	x	x	X	
marinas	х	х	×	
moorings	x	х	X	
mooring pens	x	х	x	
recreation areas	С	С	C	
recreation facilities (indoor)	С	С	С	
recreation facilities (major)	c	x	x	Given the large scale required to support this land use and likelihood of significant amenity issues, recreation facilities (major) is inappropriate and does not meet the objectives of B1 neighbourhood centre zone, therefore is proposed to be prohibited.
recreation facilities (outdoor)	c	×	c	This land use is appropriate and meets the objectives of the B1 neighbourhood centre zone, therefore is proposed to be permitted with consent.
water recreation structures	x	х	X	
(other miscellaneous Land us	se terms)			
cemeteries	x	x	X	
crematoria	x	x	x	
environmental protection works	С	С	С	
exhibition homes	c	×	С	Exhibition homes are proposed to be permissible with consent, as the use is considered an appropriate land use for the zone. Exhibition homes are also generally permissible with consent in the zone across the surrounding councils.
exhibition villages	x	х	X	
extractive industries	х	x	x	
flood mitigation works	С	С	С	
mortuaries	C	×	c	This land use is appropriate and meets the objectives of B1 neighbourhood centre zone, therefore is proposed to be permitted with consent.
open cut mining	х	x	Х	

B2 Local Centre		ntre		
	Current LEP Provision			
Land use		BBLEP		
	RLEP 2011		Proposed	Comments/rationale
Land use terms within agricultu			Порозси	Commentariation
agriculture	x	×	X	
aquaculture	T x	x	x	-
sajasaana	^			
Oyster aquaculture	C	C	C	
Pond-based aquaculture	×	×	X	
Tank-based aquaculture	c	c	c	
extensive agriculture (e.g., Grazing of livestock's, etc.)	х	x	X	
bee keeping	x	х	X	
dairy (pasture-based)	x	x	x	
intensive livestock agriculture	х	х	X	
feedlots	x	х	X	
dairies (restricted)	х	х	x	
intensive plant agriculture (e.g., Cultivation of irrigated crops)	x	x	X	
horticulture	х	х	X	
turf farming	х	x	x	
viticulture	x	x	X	
(Land use terms outside agricult	ure group tem	r -		
animal boarding or training establishments	x	x	X	
farm buildings	x	X	X	
forestry	X	X	х	
Land use terms within residential accor		1		
residential accommodation	x	x	х	
attached dwellings	х	х	X	
boarding houses	C	C	c	
dual occupancies	x	X	X	
dual occupancies (attached)	X	X	X	
dual occupancies (detached)	х	х	x	Duelling houses refers to a building containing only one duelling. This land was is incorrected for the
				Dwelling houses refers to a building containing only one dwelling. This land use is inappropriate for the zone, as it precludes the orderly and economic manner of the Environmental Planning and Assessment Act,
				as well as fails to achieve the zone objectives. Existing use rights are to apply to existing dwelling houses
dwelling houses	×	Ċ	×	within the B2 Local centre zones.
Onomia necos	^	· ·	•	This land use plays an important social role and is considered an appropriate land use for the zone.
				Permitting group homes with consent does not result in a down-zoning. Accordingly, all land uses classified
group homes	c	x	c	under the group term are proposed to be permitted with consent.
group homes (permanent)	c	x	C	v , ppp p
group homes (transitional)	C	x	C	
				Hostels refers to premises that are generally staffed by social workers or support providers. This land use is
hostels	C	x	c	appropriate and meets the objectives of the zone, therefore is proposed to be permitted with consent.
multi dwelling housing	х	х	X	

				Residential flat buildings refer to a building containing three or more dwellings at a bulk and scale which is
				not considered to be compatible with the zone objectives and other permissible uses. Accordingly, this land
	6.			use is proposed to be prohibited, in order to ensure local centres retain local service and retail functions at
residential flat buildings	X	C	Х	ground level.
rural worker's dwellings	x	х	x	
secondary dwellings	x	x	x	
semi-detached dwellings	x	x	X	
seniors housing	х	х	x	
residential care facilities	x	x	x	
shop top housing	C	C	C	
Land use terms outside residential acco	mmodation gr	roup term		
				Home-based childcare is an appropriate use and is consistent with the objectives of the zone, therefore is
				permitted without consent. This is consistent with the Exempt and Complying Codes SEPP where home-
home-based child care	0	c	0	based childcares are an exempt development type.
				Home businesses are an appropriate use, and consistent with the objectives of the zone, therefore are
haras bareta and	5.	-5.		proposed to be permitted without consent. This is consistent with the Exempt and Complying Development
home business	0	C	0	Codes SEPP.
home occupations	0	0	0	
home occupation (sex services)	x	x	x	
Land use terms within tourist and visitor ac	commodation	group term		
tourist and visitor accommodation	C	C	C	
backpackers' accommodation	С	C	C	
bed & breakfast accommodation	c	С	C	
farm stay accommodation	С	С	C	
hotel or motel accommodation	c	С	C	
serviced apartments	С	С	C	
(land use terms outside tourist and visitor accommod	ation group te	rm)		
camping grounds	x	x	x	
caravan parks	x	x	x	
eco-tourist facilities	x	x	×	
(land use terms within commercial p	remises arour	term		
commercial premises	C	C	С	
etc.)	С	С	С	
funeral homes	c	c	C	
office premises	c	C	c	
retail premises	c	c	C	
cellar door premises	c	C	c	
food & drink premises	-	-		
pubs	C	C	c	
restaurants or cafes	c	C	c	
	C	C	C	
take-away food & drink premises	C	C	C	
garden centres	¢	С	C	
hardware & building supplies	c	С	С	
kiosks	С	С	С	
landscaping material supplies	¢	C	C	
markets	С	С	С	
plant nurseries	¢	С	C	
roadside stalls	С	С	C	
rural supplies	С	С	c	
shops	c	С	C	

Bayside Local Planning Panel

neighbourhood shops	С	С	C	
neighbourhood supermarket	c	c	c	
specialised retail premises	c	c	c	
timber yards	c	c	c	
vehicle sales or hire premises	c	c	C	
(Land use terms outside commercial p	_	_	•	
amusement centres		1		
entertainment facilities	c	С	c	
function centres	C	c	c	
	C	C	С	
highway service centres	X	X	×	
industrial retail outlets	х	х	х	
registered clubs	С	С	С	
restricted premises	C	C	С	
service stations	C	C	С	
sex services premises	c	x	c	This use will be subject to development assessment and the application of appropriate conditions from Council. The zone is considered appropriate to accommodate this use.
veterinary hospitals	С	С	C	
wholesale supplies	х	х	Х	
(Land use terms within rural indus	try group terr	n)		
rural industries (e.g., use of composting facilities and works)	×	×	x	
agricultural produce industries				
livestock processing industries	X	X	X	
sawmill or log processing industries	X	X	X	
	X	X	X	
stock & sale yards	X	х	X	
(Land use terms within industry industries	_			
	X	X	X	
heavy industries	X	X	X	
hazardous industry	X	х	X	
offensive industry	X	X	X	
light industries	X	X	Х	
high technology industries	Х	х	X	Users indicately and an appropriate constraint of the second seco
home industry	×	c	c	Home industries are an appropriate use, are consistent with the objectives of the zone, and are permitted with consent in the zone under the Exempt and Complying Development Codes SEPP.
artisan food and drink industry	x	х	X	
general industries	х	x	X	
(Land use term outside industry	group term)			
boat building and repair facilities	х	x	х	
vehicle body repair workshops	x	х	x	
vehicle repair stations	х	x	X	
(Land use terms within heavy industrial storage	e establishme	ent group term		
heavy industrial storage establishments	х	х	х	
hazardous storage establishments	х	х	х	
liquid fuel depots	х	х	x	
offensive storage establishments	х	х	x	
(Land use terms within storage pren	nises group te	erm)		
storage premises	х	x	X	
self storage units	х	х	X	
(Land use terms outside storage pre	mises group t	term)		
depots	x	x	X	

Bayside Local Planning Panel

		Γ		
warehouse or distribution centres	x	x	x	
local distribution centre	x	x	X	
(Land use within sewerage s	ystem group term	1)		
sewerage systems	C	С	C	
bio solids treatment facilities	C	x	×	Given that nuisance odours can be an issue with biosolid processing facilities, and it is commonly prohibited in surrounding LGAs, biosolid treatments facilities are proposed to be prohibited.
sewage reticulation systems	С	С	C	
sewage treatment plants	С	x	×	Sewerage treatment plants produce nuisance odour, which can be an amenity issue for landowners and residents in proximity to these facilities. The use is proposed to be prohibited in the zone.
water recycling facilities	c	x	c	Recycled water is commonly used for parks and toilet systems in Australia, including a large development in the Bayside LGA. Given the current development climate, and since water restrictions are becoming more common, it is a use that is proposed to be permitted with consent.
(Land use terms within waste or resource	management faci	lity group term)	
waste or resource management facilities	×	c	x	Only certain waste or resource management facilities are considered appropriate in the zone. Accordingly, the waste or resource management facilities group term is proposed to be prohibited.
resource recovery facilities	х	x	X	
waste disposal facilities	х	х	X	
waste or resource transfer stations	×	c	С	This use is considered appropriate for the zone, as it supports residential land uses and proposals for this type of use could be of a scale that are appropriate for the zone.
(Land use terms within water sup	ply system group	term)		
water supply systems	c	×	c	These uses are considered appropriate in the zone. Accordingly, all land uses classified under the group term are proposed to be permitted with consent.
water reticulation systems	c	x	c	Water reticulation systems are an appropriate use and meet the objectives of the zone, therefore this use is proposed to be permitted with consent. This is consistent with the Infrastructure SEPP, which permits water reticulation systems on any land, if undertaken by, or on behalf of, a public authority.
water storage facilities	C	x	C	
water treatment facilities	С	x	C	
(Land use term within air transp	ort facility group t	erm)		
air transport facilities	X	x	×	
airport	x	x	X	
heliport	x	х	X	
(Land use term outside air transp	ort facility group	term)		
airstrips	х	x	X	
helipads	c	×	c	Given that this land use supports other permitted uses such as hospitals, it is an appropriate use for this zone, and therefore is proposed to be permitted with consent.
(Other Land use terms relating	-	T		
car parks	С	С	C	
				Council acknowledges that the Infrastructure SEPP permits electricity generating works in certain prescribed zones. The B2 Local Centre zone is one of those prescribed zones. The use is therefore proposed to be
electricity generating works freight transport facilities	C	X	c	permitted with consent.
passenger transport facilities	x	X	×	
port facilities	C	C	C	
Port racinges	X	X	x	This use is mandated as permitted with or without consent in the standard instrument. As roads can
roads	0*	0*	c	introduce impacts on both private and government agency/council-owned land, they should not be permitted without consent. Council needs to determine, and consider, road locations and any associated planning impacts, in order to maintain decision-making on road locations across the LGA.
transport depots	x	x	×	
nanopan adpate	^			

truck depots	x	x	X	
wharf or boating facilities	X	X	x	
(Land use terms within education estab			•	
educational establishments				
schools	C	C	С	
	С	C	C	
(Land use terms within health service				
health service facilities	С	С	С	
hospitals	С	С	C	
medical centres	С	C	C	
health consulting rooms	С	С	C	
(Other land use terms relating to comm	nunity infrastr	ucture		
centre-based child care facilities	С	C	C	
community facilities	C	C	C	
correctional centres	x	x	X	
emergency services facilities	С	С	C	
industrial training facilities	х	х	X	
information and education facilities	С	C	С	
places of public worship	С	С	С	
public administration building	c	С	C	
research stations	x	С	C	This is an appropriate use within the zone, and meets the objectives of the zone.
respite day care centres	C	Ċ	С	
(Land use terms within signage	group term)			
signage	c	С	C	
advertising structure	c	x	×	Given the adverse amenity impacts can result from this use, including on residents within shoptop housing developments within the zone, and residents in adjoining residential zones, coupled with the inconsistent scale of advertising structures on local character, this use is proposed to be prohibited.
building identification sign	c	c	c	scale of advertising structures of local character, this use is proposed to be promoted.
business identification sign	c	c	C	
(Land use terms relating to re				
boat launching ramps			x	
boat sheds	X	X	x	
charter & tourism boating facilities	X	X X	X	
charter & tourism bodding racinities	х			This land use is appropriate and meets the objectives of the zone, therefore is proposed to be permitted with
environmental facilities	С	×	С	consent.
jetties	х	x	X	
marinas	x	x	X	
moorings	x	x	×	
mooring pens	х	x	X	
recreation areas	С	С	C	
recreation facilities (indoor)	C	C	С	
recreation facilities (major)	c	x	x	Given the large scale required to support this land use, and the likelihood of significant amenity issues, recreation facilities (major) is considered to be an inappropriate use that does not meet the objectives of the zone, and therefore is proposed to be prohibited.
recreation facilities (outdoor)	С	С	C	
water recreation structures	x	x	x	
(other miscellaneous Land u	se terms)			
cemeteries	x	x	X	
crematoria	x	x	x	
environmental protection works	c	c	c	

				Exhibition homes are proposed to be permissible with consent, as the use is considered to be a land use of appropriate scale for the zone. Exhibition homes are also generally permissible with consent in this zone
exhibition homes	c	×		across the surrounding LGAs.
exhibition villages	х	x	x	
extractive industries	х	х	X	
flood mitigation works	С	С	C	
				This land use is considered to be of an appropriate sclae and context for, and meets the objectives of, the
mortuaries	c	×	C	zone, therefore is proposed to be permitted with consent.
open cut mining	х	х	x	

		3 Commercial	Core	
Land use	Current LE	P Provision		
	RLEP 2011	BBLEP 2013	Proposed	Comments/rationale
Land use terms within agricult	ure group term			
agriculture		х	×	
aquaculture		х	x	
Oyster aquaculture		C	C	
Pond-based aquaculture		×	x	
Tank-based aquaculture		C	c	
extensive agriculture (e.g., Grazing of livestock's, etc.)		х	×	
bee keeping		х	*	
dairy (pasture-based)		х	*	
intensive livestock agriculture		x	X	
feedlots		х	×	
dairies (restricted)		х	×	
intensive plant agriculture (e.g., Cultivation of irrigated crops)		х	×	
horticulture		х	×	
turf farming		х	x	
viticulture		х	X	
(Land use terms outside agricul	ture group term)		
animal boarding or training establishments		х	×	
farm buildings		х	X	
forestry		х	.x	
Land use terms within residential acco	mmodation grou	up term		
residential accommodation		x	×	
attached dwellings		х	×	
boarding houses	-0	х	×	
dual occupancies		х	×	
dual occupancies (attached)		х	×	
dual occupancies (detached)		х	×	
dwelling houses		х	×	
group homes		x	x	
group homes (permanent)		х	X	
group homes (transitional)		х	×	
hostels		х	X .	
multi dwelling housing		х	x	
residential flat buildings		х	×	
rural worker's dwellings	-	х	x	
secondary dwellings		х	x	
semi-detached dwellings	3	х	X	
seniors housing		x	×	
residential care facilities	0	х	×	
shop top housing		х	X	
Land use terms outside residential acco	ommodation gro	up term		
home-based child care		х	x	
home business		х	×	
home occupations		х	x	
home occupation (sex services)		х	×	
Land use terms within tourist and visitor a	ccommodation (aroun term		

tourist and visitor accommodation	С	C	
backpackers' accommodation	c	ć	
bed & breakfast accommodation	С	c	
farm stay accommodation	C	C	
hotel or motel accommodation	C	C	
serviced apartments	C	c	
(land use terms outside tourist and visitor accommodation g		C	
camping grounds	x	x	
caravan parks	x	x	
eco-tourist facilities	X	×	
		*	
(land use terms within commercial premise commercial premises			
connierciai premises	С	C	
hunings promises (a.g. Banks, post offices bairdraggers etc.)		2	
business premises (e.g., Banks, post offices, hairdressers, etc.) funeral homes	С	c	
	c	C	
office premises	C	C	
retail premises	C	C	
cellar door premises	C	C	
food & drink premises	C	C	
pubs	C	C	
restaurants or cafes	C	C	
take-away food & drink premises	C	C	
garden centres	C	C	
hardware & building supplies	C	c	
kiosks	C	C	
landscaping material supplies	С	C	
markets	C	C	
plant nurseries	С	c	
roadside stalls	С	c	
rural supplies	С	c	
shops	C	c	
neighbourhood shops	C	c	
neighbourhood supermarket	c	C	
specialised retail premises	c	c	
timber yards	C	C	
vehicle sales or hire premises	c	Ċ	
(Land use terms outside commercial premise			
amusement centres			
entertainment facilities	С	C	
function centres	C	c	
	C	C	
highway service centres	X	x	
industrial retail outlets	X	X	
registered clubs	C	C	
restricted premises	C	C	
service stations	C	C	
sex services premises	X	x	
veterinary hospitals	C	C	
wholesale supplies	X	x	
(Land use terms within rural industry gr	oup term)		
rural industries (e.g., use of composting facilities and works)	X	X	

agricultural produce industries		х	X	
livestock processing industries			×	
sawmill or log processing industries		X		
stock & sale yards		x	x	
	nin industry group term)	X	*	
industries (Land use terms with	in industry group term)	- v		
heavy industries		X	X	
hazardous industry		X	x	
offensive industry		X		
light industries		X	×	
high technology industries		X		
home industry		X	X .	
artisan food and drink industry		X	x	
general industries		X	×	
	de industry and a service	x	X	
	de industry group term)			
boat building and repair facilities		X	X	
vehicle body repair workshops		X	X	
vehicle repair stations		X	x	
(Land use terms within heavy indust	riai storage establishment			
heavy industrial storage establishments		х	X	
hazardous storage establishments		х	X.	
liquid fuel depots	1	х	X-	
offensive storage establishments		X	X	
	orage premises group term	1)		
storage premises		X	X	
self storage units		x	Х	
(Land use terms outside s	torage premises group terr			
depots		X	X	
warehouse or distribution centres		x	X	
local distribution centre		x	×	
	rage system group term)			
sewerage systems		С	C	
bio solids treatment facilities		X	X	
sewage reticulation systems		С	c	
sewage treatment plants		х	X	
water recycling facilities		х	x	
(Land use terms within waste or res	ource management facility	group term)		
waste or resource management facilities		C	C	
resource recovery facilities		x	x	
waste disposal facilities	10.000	х	x	
waste or resource transfer stations		С	C	
(Land use terms within wa	ter supply system group te	rm)		
water supply systems		х	×	
water reticulation systems		х	×	
water storage facilities		х	x	
water treatment facilities		x	X	
4 1 - 141 1	4 444	2)		
(Land use term within air	transport facility group tern	")		
air transport facilities (Land use term within air	transport facility group tern	x	×	
	transport facility group tern		x x	

(I and use term outside a	air transport facility group term)		
airstrips (Land use term outside a		x x	
nelipads		x x	
	ns relating to infrastructure)	^	
car parks			
electricity generating works		c c	
		x x	
freight transport facilities		x x	
passenger transport facilities		c c	
port facilities		x x	
oads		c* C	
ransport depots		x x	
ruck depots		x x	
wharf or boating facilities	The second secon	x x	
(Land use terms within edu	cation establishment group term)		
educational establishments		c c	
schools		C	
	ealth service facility group term)		
health service facilities		c c	
hospitals		c c	
medical centres		C C	
health consulting rooms		C C	
(Other land use terms rela	ting to community infrastructure		
centre-based child care facilities		c c	
community facilities		c c	
correctional centres		x x	
emergency services facilities		C C	
ndustrial training facilities		x x	
nformation and education facilities		c c	
places of public worship		c c	
oublic administration building		c c	
research stations		x x	
respite day care centres		c c	
	ithin signage group term)		
signage		c c	
advertising structure		x x	
building identification sign		c c	
business identification sign		c c	
	relating to recreation)		
poat launching ramps		x x	
poat sheds		x x	
charter & tourism boating facilities		x x	
environmental facilities		x x	
etties			
narinas			
		X X	
moorings		X X	
mooring pens		x x	
recreation areas		c c	
recreation facilities (indoor)		c c	
recreation facilities (major)		x x	
recreation facilities (outdoor)		X X	

water recreation structures	PC	x	x	
(other miscellaneous Land u	se terms)			
cemeteries		х	X	
crematoria		x	×	
environmental protection works		С	C	
exhibition homes		х	x	
exhibition villages		x	X	
extractive industries		х	X	
flood mitigation works		C	C C	
mortuaries		х	x	
open cut mining		х	20	

	B4 Mixed Use			
	Current LE	P Provision		
Land use				
		BBLEP 2013	Proposed	Comments/rationale
Land use terms within agricult	ure group term			
agriculture	x	x	X	
aquaculture	x	x	x	
Oyster aquaculture	C	С	C	
Pond-based aquaculture	×	X	×	
Tank-based aquaculture	C	C	C	
extensive agriculture (e.g., Grazing of livestock's, etc.)	x	х	x	
bee keeping	x	х	X	
dairy (pasture-based)	x	x	×	
intensive livestock agriculture	x	x	X	
feedlots	x	x	x	
dairies (restricted)	х	х	X	
intensive plant agriculture (e.g., Cultivation of irrigated crops)	x	x	×	
horticulture	x	x	x	
turf farming	x	x	×	
viticulture	x	x	×	
(Land use terms outside agricul			-	
animal boarding or training establishments	x	x	×	
farm buildings	x	x	×	
forestry	×	x	×	
Land use terms within residential acco		7.0		
Earle doc tollio thini l'odeolital doco	and a second second	July 10/11/		
residential accommodation	c	x	×	Group term for a range of residential accommodation uses. Only certain residential accommodation uses are considered appropriate in a B4 Mixed Use centre zone. Accordingly, the residential accommodation group term is prohibited.
attached dwellings	x	x	×	971
boarding houses	c	Ĉ	C	
dual occupancies	х	x	x	
dual occupancies (attached)	x	x	×	
dual occupancies (detached)	x	x	×	
dwelling houses	x	c	×	Dwelling houses refers to a building containing only one dwelling. This land use is inappropriate for the zone, as it precludes the orderly and economic manner of the Environmental Planning and Assessment Act, as well as fails to achieve the zone objectives. Existing use rights are to apply to existing dwelling houses within the B4 Mixed Use zone.
group homes	c	x	c	This land use plays an important social role and is considered an appropriate land use for this zone. Permitting group homes with consent does not result in a down-zoning. Accordingly, all land uses classified under the group term group homes are proposed to be permitted with consent.
group homes (permanent)	C	x	C	
group homes (transitional)	C	×	C	

				This land use is appropriate and meets the zone objectives by allowing the provision of
				different housing stock within the zone, therefore is proposed to be permitted with
hostels	c	×	c	consent.
multi dwelling housing	x	x	x	
residential flat buildings	c	c	C	
rural worker's dwellings	x	x	×	
secondary dwellings	x	x	×	
semi-detached dwellings	x	x	×	
seniors housing	C	C	C	
residential care facilities	С	С	C	
shop top housing	c	C	c	
Land use terms outside residential according				
Land use terms outside residential acco	Jillinodation gi	T Cup term		Home-based childcare is an appropriate use, and is consistent with the objectives of
				the zone, therefore is proposed to be permitted without consent. This is consistent with
				the Exempt and Complying Codes SEPP, where home-based childcares are exempt
home-based child care	0	c	0	development.
Horne-based child care	0	C	U	development.
				Home businesses are an appropriate use, and are consistent with the objectives of the
				zone, therefore are proposed to be permitted without consent. This is consistent with
home business			0	the Exempt and Complying Development Codes SEPP.
	0	c		the Exempt and Complying Development Codes SEFF.
home occupations	0	0	0	
home occupation (sex services)	x	×	X	
Land use terms within tourist and visitor a		 		
tourist and visitor accommodation	С	С	C	
backpackers' accommodation	С	C	C	
bed & breakfast accommodation	С	С	C	
farm stay accommodation	С	С	C	
hotel or motel accommodation	C	C	C	
serviced apartments	С	С	C	
(land use terms outside tourist and visitor accommod	lation group ter	rm)		
camping grounds	x	x	X	
caravan parks	х	x	X	
eco-tourist facilities	х	х	X	
(land use terms within commercial p	remises group	term		
commercial premises	C	C	C	
business premises (e.g Banks, post offices, hairdressers,				
etc.)	c	c	c	
funeral homes	c	c	C	
office premises	c	c	C	
retail premises	c	c	C	
cellar door premises	c	c	c	
food & drink premises	c	c	C	
pubs	c	c	c	
restaurants or cafes	c	c	c	
take-away food & drink premises	c	c	C	
garden centres	_	c	C	
hardware & building supplies	c			
kiosks	C	C	C	
	C	C	c	
landscaping material supplies	C	C	C	
markets	C	С	C	

Bayside Local Planning Panel

plant nurseries	С	С	c	
roadside stalls	С	С	C	
rural supplies	С	С	C	
shops	С	С	C	
neighbourhood shops	С	С	C	
neighbourhood supermarket	С	С	С	
specialised retail premises	С	С	C	
timber yards	С	С	C	
vehicle sales or hire premises	С	С	C	
(Land use terms outside commercial p	remises grou	p term)		
amusement centres	c	c	C	
entertainment facilities	C	C	С	
function centres	С	C	c	
highway service centres	x	х	x	
industrial retail outlets	x	С	c	This use promotes creative industries, and is considered appropriate for the zone, as it meets the objectives of mixed use zones, therefore is proposed to be permitted with consent.
registered clubs	С	C	С	
restricted premises	C	C	С	
service stations	С	С	C	
sex services premises	x	x	X	
veterinary hospitals	С	С	С	
wholesale supplies	x	x	X	
(Land use terms within rural indus	try group terr	n)		
rural industries (e.g., use of composting facilities and works)	x	x	x	
agricultural produce industries	х	x	×	
livestock processing industries	х	x	X	
sawmill or log processing industries	x	x	×	
stock & sale yards	x	x	×	
(Land use terms within industry				
industries	х	x	×	
heavy industries	x	x	×	
hazardous industry	X	x	×	
offensive industry	x	x	x	
Charlet a madely	^			All land uses classified under the group term are proposed to be permissible with
light industries	x	c	c	consent.
high technology industries	x	c	c	44.144.14
home industry	x	c	c	This is an appropriate use in the zone, and meets the objectives of this zone, therefore is proposed to be permissible with consent.
artisan food and drink industry	x	c	c	This use is considered appropriate for the zone, as it potentially allows for ground floor activation and utilisation of commercial space, while also enabling integrating with residential uses.
general industries	x	х	×	
(Land use term outside industry	group term)			
boat building and repair facilities	x	x	×	
vehicle body repair workshops	х	х	X	
vehicle repair stations	x	x	×	
(Land use terms within heavy industrial storage				
heavy industrial storage establishments	X	x	X	
, and the same of				

hazardous storage establishments	x	x	X	
liquid fuel depots	x	x	×	
offensive storage establishments	x	x	x	
(Land use terms within storage				
storage premises	X	x	X	
self storage units	x	x	×	
(Land use terms outside storage	ge premises group			
depots	X	×	X	
warehouse or distribution centres	х	×	×	
local distribution centre	x	x	×	
(Land use within sewerage	system group tern	n)		
sewerage systems	С	С	C	
bio solids treatment facilities	c	x	×	Given that nuisance odours can be an issue with biosolid processing facilities, and it is commonly prohibited in surrounding LGAs, biosolid treatments facilities are proposed to be prohibited.
sewage reticulation systems	C	c	c	to be premiented.
sewage treatment plants	c	×	×	Sewerage treatment plants produce nuisance odour, which can be an amenity issue for landowners and residents in proximity to these facilities. The use is proposed to be prohibited in the zone.
water recycling facilities	c	x	c	Recycled water is commonly used for parks and toilet systems in Australia, including a large development in the Bayside LGA. Given the current development climate, and since water restrictions are becoming more common, it is a use that is proposed to be permitted with consent.
(Land use terms within waste or resource	e management fac	lity group term)	
waste or resource management facilities	×	c	×	Only certain waste or resource management facilities are considered appropriate in the zone. Accordingly, the waste or resource management facilities group term is proposed to be prohibited.
resource recovery facilities	x	х	X	
waste disposal facilities	x	x	×	
waste or resource transfer stations	x	с	c	This use is considered appropriate for the zone, as it supports residential land uses and proposals for this type of use could be of a scale that are appropriate for the zone.
(Land use terms within water s	upply system group	term)		
	-21	40		These uses are considered appropriate in the zone. Accordingly, all land uses
water supply systems water reticulation systems	С	X	C	classified under the group term are proposed to be permitted with consent.
.	C	X	С	
water storage facilities	С	x	C	
water treatment facilities	C	x	C	
(Land use term within air trans air transport facilities		T .		
air transport facilities	X	X	×	
heliport	X	X	X	
(Land use term outside air tran	eport facility group	torm)		
airstrips (Land use term outside air tran	sport facility group	x x	X	
un ou po	^	^		
helipads	С	x	с	Given that this land use supports other permitted uses such as hospitals, it is an appropriate use for this zone, and therefore is proposed to be permitted with consent.
(Other Land use terms rela	ting to infrastructur	<u> </u>		
car parks	С	С	C	

electricity generating works	c	×	c	Council acknowledges that the Infrastructure SEPP permits electricity generating works in certain prescribed zones. The B2 Local Centre zone is one of those prescribed zones. The use is therefore proposed to be permitted with consent.
freight transport facilities	x	x	X	
passenger transport facilities	С	C	C	
port facilities	х	х	×	
roads	0*	c°	c	This use is mandated as permitted with or without consent in the standard instrument. As roads can introduce impacts on both private and government agency/council-owned land, they should not be permitted without consent. Council needs to determine, and consider, road locations and any associated planning impacts, in order to maintain decision-making on road locations across the LGA.
transport depots	х	х	×	
truck depots	х	X	×	
wharf or boating facilities	x	х	X	
(Land use terms within education estab	lishment grou	up term)		
educational establishments	C	C	C	
schools	С	С	C	
(Land use terms within health service	facility group	term)		
health service facilities	C	С	C	
hospitals	С	С	c	
medical centres	C	C	C	
health consulting rooms	С	С	C	
(Other land use terms relating to comm	nunity infrast	ructure		
centre-based child care facilities	C	Ċ	C	
community facilities	C	C	C	
correctional centres	х	х	×	
emergency services facilities	С	С	С	
industrial training facilities	х	х	X	
information and education facilities	C	C	C	
places of public worship	С	С	C	
public administration building	С	С	C	
research stations	х	х	×	
respite day care centres	C	C	C	
(Land use terms within signage	group term)			
signage	c	С	C	
advertising structure			×	Given the adverse amenity impacts can result from this use, including on residents within the zone, and residents in adjoining residential zones, coupled with the inconsistent scale of advertising structures on local character, this use is proposed to be prohibited.
building identification sign	C	×		Do promoteo.
business identification sign	C	C	c	
<u> </u>	c corportion)	С	· ·	
(Land use terms relating to relating to relating ramps				
boat sheds	X	X	×	
	X	X	×	
charter & tourism boating facilities environmental facilities	x	x	c	This land use is appropriate and meets the objectives of the zone, therefore is proposed to be permitted with consent.
jetties	x	x	×	history to an hamman min animain
marinas	x	x	x	
		_ ^		

moorings	x	x	X	
mooring pens	х	х	X	
recreation areas	С	С	C	
recreation facilities (indoor)	C	C	C	
recreation facilities (major)	c	×	×	Given the large scale required to support this land use, and the likelihood of significant amenity issues, recreation facilities (major) is considered to be an inappropriate use that does not meet the objectives of the zone, and therefore is proposed to be prohibited.
recreation facilities (outdoor)	С	С	C	
water recreation structures	c	×	С	This land use is appropriate and meets the objectives of the zone, therefore is proposed to be permitted with consent.
(other miscellaneous Land u	ise terms)			
cemeteries	х	x	×	
crematoria	х	x	×	
environmental protection works	С	c	C	
exhibition homes	c	x	c	Exhibition homes are proposed to be permissible with consent, as the use is considered to be a land use of appropriate scale for the zone. Exhibition homes are also generally permissible with consent in this zone across the surrounding LGAs.
exhibition villages	x	x	×	
extractive industries	x	x	X	
flood mitigation works	С	С	C	
mortuaries	С	×	c	This land use is considered to be of an appropriate sclae and context for, and meets the objectives of, the zone, therefore is proposed to be permitted with consent.
open cut mining	x	x	×	

	B5 Bt	siness Develo	pment	
		P Provision	Proposed	
Land use				
		BBLEP 2013		Comments/rationale
Land use terms within agriculture g	roup term			
agriculture		x	×	
aquaculture		x	X	
Oyster aquaculture		C		
Pond-based aquaculture		×	W.	
Tank-based aquaculture		C	C	
extensive agriculture (e.g., Grazing of livestock's, etc.)		x	- X	
bee keeping		x		
dairy (pasture-based)		x	*	
intensive livestock agriculture		x	· X	
feedlots		x	8	
dairies (restricted)		x	*	
intensive plant agriculture (e.g., Cultivation of irrigated crops)		х	- *	
horticulture		х	2:	
turf farming		x	X - 1	
viticulture		x	- ax	
(Land use terms outside agriculture	aroup term)			
animal boarding or training establishments	5. s.p. ta,	x	- E - T	
arm buildings		x	4	
orestry		x	ж.	
Land use terms within residential accommo	dation group te	1		
residential accommodation	Judaon group to	x	- X	
attached dwellings		x	×	
boarding houses		x		
dual occupancies		x	· x	
dual occupancies (attached)		x	×	
dual occupancies (detached)		x	*	
dwelling houses		x	4	
group homes			x	
group homes (permanent)		x	*	
group homes (transitional)		_		
hostels		X	•	
multi dwelling housing		X	*	
residential flat buildings		X		
rural worker's dwellings		X	*	
		X	X.	
secondary dwellings semi-detached dwellings		X	2:	
		X	*	
seniors housing		X	×	
residential care facilities		X	*	
shop top housing		X	*	
Land use terms outside residential accomm	odation group to			
home-based child care		x	- 8	
home business		x	T.	
home occupations		x	×	
home occupation (sex services)		х	W	
Land use terms within tourist and visitor accord	nmodation group	p term		

tourist and visitor accommodation		С	B B	
backpackers' accommodation		c	6	
bed & breakfast accommodation		c	E .	
farm stay accommodation		c	D	
hotel or motel accommodation		c		
serviced apartments		c	E E	
(land use terms outside tourist and visitor accommodati	on aroun term)		_	
camping grounds	on group term)		-	
caravan parks	-	x	×	
eco-tourist facilities	-	x x	- *	
			*	
(land use terms within commercial premises	ses group term			
commercial premises		С	C	
husings province (o.g. Books past offices heights over stall		_		
business premises (e.g Banks, post offices, hairdressers, etc.) funeral homes		C	E .	
		С	C	
office premises		С	C	
retail premises		X	- 1	
cellar door premises		X	2	
food & drink premises		С	E I	
pubs		С	D.	
restaurants or cafes		С	E	
take-away food & drink premises		C	D	
garden centres		C	D	
hardware & building supplies		C		
kiosks		x		
landscaping material supplies		C	D	
markets		x	×	
plant nurseries		x	X.	
roadside stalls		x	- (2)	
rural supplies		х	×	
shops		х	- k	
neighbourhood shops		С	t	
neighbourhood supermarket		x	x	
specialised retail premises		C		
timber yards		x	•	
vehicle sales or hire premises		C	T.	
(Land use terms outside commercial prem	ses group term)			
amusement centres	J. J.	С	D.	
entertainment facilities		c	E	
function centres		c	C	
highway service centres		×	*	
industrial retail outlets		x	×	
registered clubs		c		
restricted premises		x	-	
service stations		c	E	
sex services premises				
veterinary hospitals		x		
		X		
wholesale supplies		X	2	
(Land use terms within rural industry s	group term)			
rural industries (e.g., use of composting facilities and works)		х	- K	

agricultural produce industries		х	X
livestock processing industries		x	- 8
sawmill or log processing industries		x	- X
stock & sale yards		X	-
(Land use terms within industry gr	roun term)		
îndustries	oup terms		
heavy industries		x	x
hazardous industry		x x	
offensive industry			
light industries		x	
9		x	*
high technology industries		С	E.
home industry		х	- 2
artisan food and drink industry		x	*
general industries		х	
(Land use term outside industry g	roup term)		
boat building and repair facilities		x	
vehicle body repair workshops		х	- (8
vehicle repair stations		x	
(Land use terms within heavy industrial storage e	stablishment grou	up term)	
heavy industrial storage establishments		x	
hazardous storage establishments		x	· · ·
liquid fuel depots		x	2
offensive storage establishments		x	
(Land use terms within storage premise	es group term)		
storage premises	1	x	- 2
self storage units		x	T
(Land use terms outside storage premis	ses group term)		
depots (cand decrease promise)	group torrir)	х	
warehouse or distribution centres		c	
local distribution centre		c	E .
(Land use within sewerage system	aroun term)	-	
sewerage systems	group term)	-	-
bio solids treatment facilities		c	E
sewage reticulation systems		x	
		C	
sewage treatment plants		X	•
water recycling facilities	14- "	х	
(Land use terms within waste or resource manag	ement facility grou		
waste or resource management facilities		С	D
resource recovery facilities		x	*
waste disposal facilities		х	2
waste or resource transfer stations		С	C
(Land use terms within water supply sys	stem group term)		
water supply systems		x	*
water reticulation systems		х	- 4
water storage facilities		x	1
water treatment facilities		x	
(Land use term within air transport faci	lity group term)		
air transport facilities	7 5	х	1 2
an transport facilities			
airport		x	- (K)

(Land use term outside air trar	nsport facility group term)		
airstrips	ioport idollity group term)	x	
helipads		×	-
(Other Land use terms rela	ating to infrastructure)		
car parks	amig to initiation botto;	С	
electricity generating works	1	×	- 4
freight transport facilities		x	¥
passenger transport facilities		ĉ	É
port facilities		X	*
roads		Ć*	e'
transport depots		X	×
truck depots		Х	16
wharf or boating facilities		х	*
(Land use terms within education	n establishment group term)		
educational establishments		С	C
schools		С	E
(Land use terms within health s	service facility group term)		
health service facilities		С	0
hospitals		С	E
medical centres		c	0
health consulting rooms		c	C
(Other land use terms relating to	o community infrastructure		
centre-based child care facilities	- Johnmanny ilinabilation	C	Ċ
community facilities		c	5
correctional centres			
		X	X
emergency services facilities		С	D
industrial training facilities		х	- *
information and education facilities	H . The second second	C	C
places of public worship		С	D
public administration building		С	E
research stations		х	- K
respite day care centres		C	E.
(Land use terms within s	ignage group term)		
signage		С	
advertising structure		c	C
building identification sign		c	T.
business identification sign		c	-
(Land use terms relati	ing to recreation)		
boat launching ramps	ing to reoreation)		
boat sheds		X	X
		X	
charter & tourism boating facilities	AL .	х	- *
environmental facilities		X	*
jetties		х	*
marinas		X	×
moorings		x	*
mooring pens		x	*
recreation areas		¢	D.
recreation facilities (indoor)		С	D
recreation facilities (major)		x	- K
recreation facilities (outdoor)		x	×
			-

water recreation structures		x	12
(other miscellaneous Land use ter	ms)		
cemeteries		x	T.
crematoria		х	
environmental protection works		х	- 100
exhibition homes		x	- 1
exhibition villages		x	*
extractive industries		x	- 10
flood mitigation works		С	C
mortuaries		x	*
open cut mining		x	

	Be	orridor		
Land use	Current LE			
	RLEP 2011 BBLEP 2013 Proposed	Proposed	Comments/rationale	
Land use terms within agric	ulture group ter	m		
agriculture	x		X	
aquaculture	х		x	
Oyster aquaculture	C		C	
Pond-based aquaculture	X		X	
Tank-based aquaculture	C		C	
extensive agriculture (e.g., Grazing of livestock's, etc.)	x		×	
bee keeping	x		x	
dairy (pasture-based)	x		x	
intensive livestock agriculture	x		x	
feedlots	x		x	
dairies (restricted)	x		x	
intensive plant agriculture (e.g., Cultivation of irrigated				
crops)	x		×	
horticulture	x		X	
turf farming	x		X	
viticulture	x		X	
(Land use terms outside agri	culture group te	rm)		
animal boarding or training establishments	c		C	
farm buildings	х		X	
forestry	х		X	
Land use terms within residential ac	commodation g	roup term		
residential accommodation	x		X	
attached dwellings	х		×	
boarding houses	x		X	
dual occupancies	x		X	
dual occupancies (attached)	x		X	
dual occupancies (detached)	x		X	
dwelling houses	x		×	
group homes	x		X	
group homes (permanent)	x		x	
group homes (transitional)	x		X	
hostels	x		x	
multi dwelling housing	х		X	
residential flat buildings	х		X	
rural worker's dwellings	x		X	
secondary dwellings	х		X	
semi-detached dwellings	х		×	
seniors housing	x		X	
residential care facilities	x		X	
shop top housing	x		X	
Land use terms outside residential a		group term		
home-based child care	х		X	
home business	x		X	
home occupations	х		X	

home occupation (sex services)	x	X	
Land use terms within tourist and vis			
tourist and visitor accommodation		TM X	
	X		
backpackers' accommodation	X	×	
bed & breakfast accommodation	X	X.	
farm stay accommodation	x	×	
hotel or motel accommodation	C	C	
serviced apartments	x	×	
(land use terms outside tourist and visitor accord			
camping grounds	x	X	
caravan parks	x	X	
eco-tourist facilities	x	×	
(land use terms within comme	rcial premises group term		
commercial premises	С	C	
business premises (e.g Banks, post offices,			
hairdressers, etc.)	C	C	
funeral homes	С	C	
office premises	С	C	
retail premises	x	×	
cellar door premises	x	x	
food & drink premises	x	×	
pubs	C	C	
restaurants or cafes	x	x	
take-away food & drink premises	c	C	
garden centres	C	C	
hardware & building supplies	C	c	
kiosks		C	
landscaping material supplies	С	C	
markets	C	x	
plant nurseries	x		
roadside stalls	C	C	
	X	X	
rural supplies	X	×	
shops	X	X	
neighbourhood shops	С	C	
neighbourhood supermarket	x	×	
specialised retail premises	С	C	
timber yards	С	C	
vehicle sales or hire premises	С	C	
(Land use terms outside comme	ercial premises group term)		
amusement centres	x	x	
entertainment facilities	x	x	
function centres	x	x	
highway service centres	С	C	
industrial retail outlets	С	C	
registered clubs	x	x	
restricted premises	x	x	
service stations	С	C	
sex services premises	x	×	
veterinary hospitals	c	C	
wholesale supplies	c	C	
	- 1		

(Land use terms within	rural industry group term)		
works)	x	x	
agricultural produce industries	X	x	
livestock processing industries	x	x	
sawmill or log processing industries	X	x	
stock & sale yards	X	x	
	hin industry group term)		
industries	x	X	
heavy industries	x	x	
hazardous industry	x	x	
offensive industry	X	×	
light industries		c	
high technology industries	C	c	
home industry	C	C	
artisan food and drink industry	C		
general industries	C X	C	
		X	
	ide industry group term)		
boat building and repair facilities	C	C	
vehicle body repair workshops	С	C	
vehicle repair stations	C	C	
(Land use terms within heavy indus			
heavy industrial storage establishments	x	X	
hazardous storage establishments	x	×	
liquid fuel depots	x	X	
offensive storage establishments	x	X	
	orage premises group term)		
storage premises	С	C	
self storage units	C	C	
	storage premises group term)		
depots	С	C	
warehouse or distribution centres	C	C	
local distribution centre	C	C	
	erage system group term)		
sewerage systems	c	C	
bio solids treatment facilities	c	C	
sewage reticulation systems	C	C	
sewage treatment plants	С	C	
water recycling facilities	С	C	
(Land use terms within waste or res	ource management facility gro	up term)	
waste or resource management facilities	x	×	
resource recovery facilities	x	x	
waste disposal facilities	x	x	
waste or resource transfer stations	x	X	
(Land use terms within wa	ter supply system group term)		
water supply systems	C	C	
water reticulation systems	С	c	
water storage facilities	C	C	
water treatment facilities	c	C	
	transport facility group term)		
air transport facilities	x	X	

airport			
heliport	X	×	
	is transport facility are un form		
	ir transport facility group term)		
airstrips	x	×	
helipads	C	C	
	s relating to infrastructure)		
car parks	C	C	
electricity generating works	С	C	
freight transport facilities	С	C	
passenger transport facilities	C	C	
port facilities	C	C	
roads	0*	c	This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned land, they are proposed to be changed to require consent in this zone. Council needs to determine road locations and planning impacts in order to have greater autonomy over land use planning decisions for this use.
transport depots	c	C	deviatoria for triis dae.
truck depots		C	
	С		
wharf or boating facilities	X X	×	
(Land use terms within equi	cation establishment group term		
educational establishments	С	C	
schools	c h	C	
(Land use terms within he	alth service facility group term)		
health service facilities	C	C	
hospitals	С	C	
medical centres	С	C	
health consulting rooms	c	C	
	ting to community infrastructure		
centre-based child care facilities	x	x	
community facilities	C	C	
correctional centres	x	X	
emergency services facilities	С	C	
industrial training facilities	С	C	
information and education facilities	С	C	
places of public worship	c	C	
public administration building	c	C	
research stations	c	C	
respite day care centres	x	×	
	thin signage group term)		
signage	l c	C	
advertising structure	c	C	
building identification sign	c	c	
business identification sign	c	C	
	relating to recreation)		
boat launching ramps	x	X	
boat sheds	c	C	
charter & tourism boating facilities	C	C	
environmental facilities	C	C	
jetties	C	c	
hamaa			

marinas	С	C	
moorings	c	C	
mooring pens	c	C	
recreation areas	С	C	
recreation facilities (indoor)	С	C	
recreation facilities (major)	С	C	
recreation facilities (outdoor)	С	C	
water recreation structures	x	×	
(other miscellaneous Land	l use terms)		
cemeteries	С	C	
crematoria	C	c	
environmental protection works	С	C	
exhibition homes	x	×	
exhibition villages	X	x	
extractive industries	x	X	
flood mitigation works	С	C	
mortuaries	С	c	
open cut mining	x	x	

		B7 Business	Park	
Land use	Current LEP Provision			
	PI ED 2011	BBLEP 2013	Proposed	Comments/rationale
Land use terms within agricul		DDEEL 2010	rioposeu	Comments/rationale
agriculture	die groop teini	x	x	
aquaculture	-	x	x	
Oyster aquaculture		c	c	
Pond-based aquaculture		x	×	
Tank-based aquaculture		C	c	
extensive agriculture (e.g., Grazing of livestock's, etc.)		х	×	
bee keeping		x	x	
dairy (pasture-based)		x	x	
intensive livestock agriculture		x	x	
feedlots		x	x	
dairies (restricted)		x	x	
intensive plant agriculture (e.g., Cultivation of irrigated crops)		x	×	
horticulture		x	x	
turf farming		x	x	
viticulture		x	×	
(Land use terms outside agricu	Iture group term)			
animal boarding or training establishments	group tonny	x	×	
farm buildings		x	x	
forestry		x	x	
Land use terms within residential acco	mmodation grou	p term		
residential accommodation	, , , , , , , , , , , , , , , , , , ,	x	x	
attached dwellings		x	x	
boarding houses		x	×	
dual occupancies		x	x	
dual occupancies (attached)		x	x	
dual occupancies (detached)		x	×	
dwelling houses		С	c	
group homes		x	×	
group homes (permanent)		x	x	
group homes (transitional)		x	x	
hostels		x	x	
multi dwelling housing		x	×	
residential flat buildings		х	x	
rural worker's dwellings		x	x	
secondary dwellings		x	×	
semi-detached dwellings	5	х	×	
seniors housing		x	×	
residential care facilities		x	x	
shop top housing		х	x	
Land use terms outside residential acc	ommodation grou	ıp term		
home-based child care		x	X	
home business		С	С	
home occupations		0	0	
home occupation (sex services)		x	x	
Land use terms within tourist and visitor a	occommodation a	roup torm		

tourist and visitor accommodation	x	×	
backpackers' accommodation	x	X	
bed & breakfast accommodation	x	x	
farm stay accommodation	x	x	
hotel or motel accommodation	x	x	
serviced apartments	x	x	
(land use terms outside tourist and visitor accommodation group			
camping grounds	X	x	
caravan parks	x	×	
eco-tourist facilities	x	x	
(land use terms within commercial premises gr			
commercial premises	c	C	
business premises (e.g Banks, post offices, hairdressers, etc.)	С	c	
funeral homes	c	c	
office premises	C	c	
retail premises	x	x	
cellar door premises	x	x	
food & drink premises	Ĉ	c	
pubs	c	c	
restaurants or cafes	c	c	
take-away food & drink premises	C	Ċ	
garden centres	C	c	
hardware & building supplies		C	
kiosks	C	x	
landscaping material supplies	X	×	
markets	X		
plant nurseries	X	x	
roadside stalls	X	X	
	X	x	
rural supplies	X	X	
shops and shops	х	×	
neighbourhood shops	С	Ċ	
neighbourhood supermarket	X	X	
specialised retail premises	X	x	
timber yards	X	x	
vehicle sales or hire premises	C	C	
(Land use terms outside commercial premises g			
amusement centres	X	X	
entertainment facilities	X	X	
function centres	С	С	
highway service centres	х	x	
industrial retail outlets	С	С	
registered clubs	X	x	
restricted premises	X	X	
service stations	С	С	
sex services premises	X	x	
veterinary hospitals	С	C	
wholesale supplies	C	C	
(Land use terms within rural industry group			
rural industries (e.g., use of composting facilities and works)	X	X	

agricultural produce industries	x		X
livestock processing industries	x		X
sawmill or log processing industries	x		X
stock & sale yards	X		X
(Land use terms within in			
industries	x		X
heavy industries	x	_	X
hazardous industry	x		X
offensive industry	x		X
light industries	C		C
high technology industries	C		C
home industry	C	Ca Ca	C
artisan food and drink industry	C		C
general industries	×		X
(Land use term outside in		,	
boat building and repair facilities	c c		C
vehicle body repair workshops	x		X
vehicle repair stations	x		x
(Land use terms within heavy industrial s	The second secon		
heavy industrial storage establishments	X	-	X
hazardous storage establishments	x		x
liquid fuel depots	x		X
offensive storage establishments	X		x
(Land use terms within storage			
storage premises	c premises group term /		C
self storage units	C		c
(Land use terms outside storage			
depots (Land use terms butside stora)	x X	1	X
warehouse or distribution centres	C		C
local distribution centre	C		c
(Land use within sewerage			
sewerage systems	c c		C
bio solids treatment facilities	X		X
sewage reticulation systems	c		C
sewage treatment plants	x		x
water recycling facilities	x		X
(Land use terms within waste or resource			
waste or resource management facilities	C C		С
resource recovery facilities	x		X
waste disposal facilities	x	-	x
waste or resource transfer stations	c		Č .
(Land use terms within water s			
water supply systems	x		x
water reticulation systems	X		x
water storage facilities	X		X
water treatment facilities	X		X
(Land use term within air trans		-	
air transport facilities	x		X
airport	X		X
heliport	X		x
nenpers .	^	4	

(Land use term outside air t	ransport facility group term)			
airstrips	ransport racinty group term)	х	X	
helipads		x	x	
(Other Land use terms r	elating to infrastructure)			
car parks		С	C	
electricity generating works		x	x	
freight transport facilities	7	x	x	
passenger transport facilities		c	C	
port facilities		x	x	
roads		C*	C	
transport depots		x	x	
truck depots		x	x	
wharf or boating facilities		x	X	
(Land use terms within educat	ion establishment group term			
educational establishments	ion establishment group term	·/	C	
schools		c	C	
(Land use terms within healt	h service facility group term)	U	3	
health service facilities	in activide facility group term)	С	С	
hospitals		c	C	
medical centres		C	C	
health consulting rooms		c	C	
(Other land use terms relating	a to community infracts set are			
centre-based child care facilities	g to community infrastructure	C	С	
community facilities				
correctional centres		C	С	
emergency services facilities		x	X	
industrial training facilities		C	C	
information and education facilities		x	x	
places of public worship		C	C	
		C	С	
public administration building		С	C	
research stations		Х	×	
respite day care centres		C	C	
(Land use terms within	signage group term)			
signage		С	С	
advertising structure		х	x	
building identification sign	1	С	С	
business identification sign		С	С	
(Land use terms rel	ating to recreation)			
boat launching ramps		х	Х	
boat sheds		х	X	
charter & tourism boating facilities		Х	x	
environmental facilities		х	x	
etties		X	x	
marinas		х	x	
moorings	1	X	x	
mooring pens	100000000000000000000000000000000000000	X	x	
recreation areas		¢	c	
recreation facilities (indoor)		С	C	
recreation facilities (major)		X	X	
recreation facilities (outdoor)		x	X	

water recreation structures		x	X	
(other miscellaneous Land use	terms)			
cemeteries		x	x	
crematoria		x	X	
environmental protection works	1 5	x	X	
exhibition homes		x	х	
exhibition villages		x	x	
extractive industries		x	X	
flood mitigation works		С	C	
mortuaries		x	X	
open cut mining	9	х	X.	

	1	N1 General Indi	ıstrial	
Land use	Current LEP Provision			
	RLEP 2011	BBLEP 2013	Proposed	Comments/rationale
Land use terms within agric	ulture group te	rm		
agrîculture		X	X	
aquaculture		X	×	
Oyster aquaculture		C	С	
Pond-based aquaculture		×	×	
Tank-based aquaculture		¢	C	
extensive agriculture (e.g., Grazing of livestock's, etc.)		x	x	
bee keeping		x	X	
dairy (pasture-based)		x	x	
intensive livestock agriculture		x	X	
feedlots		x	X	
dairies (restricted)		x	X	
intensive plant agriculture (e.g., Cultivation of irrigated crops)		x	×	
horticulture		x	×	
turf farming		x	×	
viticulture		x	x	
(Land use terms outside agri	culture group t	erm)		
animal boarding or training establishments		C	C	
farm buildings		x	X	
forestry	4.00	x	x	
Land use terms within residential ac	commodation	group term		
residential accommodation		x	X	
attached dwellings		x	x	
boarding houses		x	×	
dual occupancies	5	x	×	
dual occupancies (attached)		x	X	
dual occupancies (detached)		x	X	
dwelling houses		x	×	
group homes		x	X	
group homes (permanent)		x	X	
group homes (transitional)		x	x	
hostels		x	x	
multi dwelling housing		x	x	
residential flat buildings	0.00	x	X	
rural worker's dwellings	4	x	X	
secondary dwellings		x	X	
semi-detached dwellings		x	x	
seniors housing		x	X	
residential care facilities		x	x	
shop top housing	1	x	x	
Land use terms outside residential a	ccommodation			
home-based child care		x	x	
home business		X	×	
home occupations		x	X	

nome occupation (sex services)	x	x	
Land use terms within tourist and vis		^	
ourist and visitor accommodation	x	x	
backpackers' accommodation	x	x	
bed & breakfast accommodation		×	
	x		
farm stay accommodation hotel or motel accommodation	X	x	
	X	x	
serviced apartments	X	X	
(land use terms outside tourist and vi			
camping grounds	x	X	
caravan parks	x	X	
eco-tourist facilities	x	X	
(land use terms within comme	ercial premises group term		
commercial premises	x	X	
business premises (e.g Banks, post offices,			
hairdressers, etc.)	x	x	
funeral homes	x	X	
office premises	x	X	
retail premises	x	x	
cellar door premises	x	X	
food & drink premises	x	x	
pubs	x	x	
restaurants or cafes	C	C	
take-away food & drink premises	C	C	
garden centres	C	C	
hardware & building supplies	C	c	
kiosks		×	
landscaping material supplies	X		
markets	X	×	
	x	x	
plant nurseries	x	X	
roadside stalls	x	X	
rural supplies	x	×	
shops	x	X	
neighbourhood shops	C	C	
neighbourhood supermarket	x	x	
specialised retail premises	x	X	
timber yards	С	C	
vehicle sales or hire premises	x	X	
(Land use terms outside comm	ercial premises group term)		
amusement centres	x	X	
entertainment facilities	x	X	
function centres	x	X	
highway service centres	x	x	
industrial retail outlets	C	c	
registered clubs	x	×	
restricted premises	x	×	
service stations	c	c	
sex services premises	C	c	
veterinary hospitals	X	x	
wholesale supplies	^		

(Land use terms within rura	l industry group term)	I	
rural industries (e.g., use of composting facilities and	x	X	
agricultural produce industries	x	x	
livestock processing industries	x	x	
sawmill or log processing industries	x	x	
stock & sale yards	X	X	
		^	
(Land use terms within it		C	
heavy industries	C	X	
hazardous industry	X		
offensive industry	X	x	
	x	X	
light industries	¢	C	
high technology industries	C	С	
home industry	С	C	
artisan food and drink industry	С	C	
general industries	C	C	
(Land use term outside i	ndustry group term)		
boat building and repair facilities	С	C	
vehicle body repair workshops	c	C	
vehicle repair stations	C	C	
(Land use terms within heavy industrial	storage establishment group tern	n)	
neavy industrial storage establishments	x	X	
hazardous storage establishments	x	X	
liquid fuel depots	x	X	
offensive storage establishments	x	X	
(Land use terms within storag	e premises group term)		
storage premises	C	C	
self storage units	c	C	
(Land use terms outside stora	ge premises group term)		
lepots	C	C	
varehouse or distribution centres	C	C	
local distribution centre	C	C	
(Land use within sewerage			
sewerage systems	c system group term)	C	
bio solids treatment facilities	C	C	
sewage reticulation systems	C	C	
sewage reaction systems		C	
water recycling facilities	C	C	
(Land use terms within waste or resource			
waste or resource management facilities	C	C	
resource recovery facilities	C	C	
waste disposal facilities	C	C	
waste or resource transfer stations	C	C	
(Land use terms within water s	supply system group term)		
vater supply systems	x	X	
water reticulation systems	x	X	
water storage facilities	x	X	
water treatment facilities	x	X	
(Land use term within air tran	sport facility group term)		
air transport facilities	x	X	

airport x x x x heliport x x x x x x x x x x x x x x x x x x x	
(Land use term outside air transport facility group term) airstrips	
airstrips	
helipads x x x (Other Land use terms relating to infrastructure) car parks c c c c c c c c c c c c c c c c c c c	
(Other Land use terms relating to infrastructure) car parks electricity generating works c c freight transport facilities c c port facilities x x passenger transport facilities x x	
car parks c c c electricity generating works c c freight transport facilities c c port facilities x x x passenger transport facilities x x	
electricity generating works freight transport facilities c c c port facilities x x x	
freight transport facilities port facilities passenger transport facilities x x	
port facilities x x passenger transport facilities x x	
passenger transport facilities x x	
Iroads	
transport depots c	
truck depots c c	
wharf or boating facilities x	
(Land use terms within education establishment group term)	
educational establishments x x	
schools x x	
(Land use terms within health service facility group term)	
health service facilities x x	
hospitals x x	
medical centres x x	
health consulting rooms x x	
(Other land use terms relating to community infrastructure	
4: 4 Mad	
emergency services facilities c	
industrial training facilities c	
information and education facilities x x	
places of public worship c c	
public administration building x	
research stations c	
respite day care centres x	
(Land use terms within signage group term)	
signage c c	
advertising structure x x	
building identification sign c	
business identification sign c c	
(Land use terms relating to recreation)	
boat sheds x x	
charter & tourism boating facilities x x	
environmental facilities x x	
jetties x x	
marinas x x	
moorings x x	
mooring pens x x	
recreation areas c c	
recreation facilities (indoor)	

				,
recreation facilities (major)		X	X	
recreation facilities (outdoor)		x	X	
water recreation structures		x	X	
(other miscellaneous Land	d use terms)			
cemeteries		x	X	
crematoria		x	x	
environmental protection works		х	×	
exhibition homes		x	X	
exhibition villages		x	X	
extractive industries		x	X	
flood mitigation works		С	C	
mortuaries		х	X	
open cut mining		x	×	

		IN2 Light Indu	strial	
land	Current LE	P Provision		
Land use				
	RLEP 2011	BBLEP 2013	Proposed	Comments/rationale
Land use terms within agriculture gre	oup term			
agriculture	x	x	X	
aquaculture	х	X	x	
Oyster aquaculture	C	C	С	
Pond-based aquaculture	X	X	X	
Tank-based aquaculture	C	C	c	
extensive agriculture (e.g., Grazing of livestock's, etc.)	x	X	X	
bee keeping	x	x	x	
dairy (pasture-based)	x	x	x	
intensive livestock agriculture	x	x	X	
feedlots	x	x	x	
dairies (restricted)	x	x	x	
intensive plant agriculture (e.g., Cultivation of irrigated crops)	x	X	X	
horticulture	x	X	x	
turf farming	x	X	X	
viticulture	x	x	X	
(Land use terms outside agriculture g	roup term)			
				Given the lack of available zones for this land use, and the objectives of this zone, it is
animal boarding or training establishments	C	×	C	considered appropriate that this use be permitted with consent.
farm buildings	x	x	x	
forestry	x	x	X	
Land use terms within residential accommod	lation group te	erm		
residential accommodation	х	x	x	
attached dwellings	x	x	x	
boarding houses	x	x	X	
dual occupancies	x	x	x	
dual occupancies (attached)	x	x	x	
dual occupancies (detached)	x	x	X	
dwelling houses	x	x	x	
group homes	x	x	X	
group homes (permanent)	x	x	X	
group homes (transitional)	х	х	X	
hostels	x	x	X	
multi dwelling housing	x	x	X	
residential flat buildings	x	x	X	
rural worker's dwellings	x	x	X	
secondary dwellings	x	х	X	
semi-detached dwellings	х	х	x	
seniors housing	х	x	X	
residential care facilities	x	x	×	
shop top housing	x	x	x	
Land use terms outside residential accommo	dation group t	erm		
home-based child care	x	x	x	
home business	×	x	X.	
home occupations	x	x	x	

Land use terms within tourist and visitor accor	mmodation group	o term		
tourist and visitor accommodation	x	х	X	
backpackers' accommodation	x	×	X	
bed & breakfast accommodation	x	×	×	
farm stay accommodation	x	×	x	
hotel or motel accommodation	x	×	×	
serviced apartments	x	×	x	
(land use terms outside tourist and visitor accommodatio	n group term)			
camping grounds	x	×	×	
caravan parks	x	×	X	
eco-tourist facilities	x	×	x	
(land use terms within commercial prem	nises group term			
commercial premises	x	x	X	
business premises (e.g., Banks, post offices, hairdressers, etc.)	×	×	x	
funeral homes	x	x	x	
office premises	x	x	×	
retail premises	x	×	x	
cellar door premises	×	x	x	
food & drink premises	x	×	x	
pubs	×	×	x	
restaurants or cafes	x	x	×	
take-away food & drink premises	c	x	c	This use is considered to provide an industrial lands business support function for employees of businesses within industrial zones, by limiting their need to travel beyond their immediate locality for meals and refreshments.
garden centres	C	c	c	
hardware & building supplies	C	Ċ	c	
kiosks	х	x	x	
landscaping material supplies	x	×	x	
markets	x	x	×	
plant nurseries	×	×	×	
roadside stalls	x	×	×	
rural supplies	x	×	×	
shops	x	×	×	
neighbourhood shops	C	C	C	
neighbourhood supermarket	х	x	x	
specialised retail premises	x	×	×	
timber yards	x	c	С	This use is appropriate for the zone, and meets the objectives of the zone, therefore is proposed to be permissible with consent.
vehicle sales or hire premises	x	x	×	
(Land use terms outside commercial prer	nises group term	1)	,	
amusement centres	x	x	×	
entertainment facilities	х	х	x	
function centres	x	x	x	
highway service centres				Given the lack of available zones for this land use, and the objectives of the zone, it is considered an appropriate use for the zone, and is proposed to be permitted with consent.
industrial retail outlets	С	X	c	CONSCIIL.
	C	С	C	
registered clubs	X	X	x	

				Given the lack of available zones for this land use, and the objectives of the zone, it is
				considered an appropriate use for the zone, and is proposed to be permitted with
restricted premises	c	×	c	consent.
service stations	С	С	c	
				In order to ensure increased opportunities for this type of development, it is proposed
				to expand the permissibility to all industrial zones, and is therefore proposed to be
sex services premises	c	x	С	permitted with consent in this zone.
				Given the lack of available zones for this land use, and the objectives of the zone, it is
			-	considered an appropriate use for the zone, and is proposed to be permitted with
veterinary hospitals	C	x	С	consent.
wholesale supplies	С	С	C	
(Land use terms within rural industry	group term)			
				These uses are inappropriate and do not meet the objectives of IN2 light industrial
	-0		100	zone. Therefore, the rural industries group term, and all land uses classified under the
rural industries (e.g., use of composting facilities and works)	С	х	x	rural industries group term, are proposed to be prohibited.
agricultural produce industries	С	x	х	
livestock processing industries	C	X	X	
sawmill or log processing industries	C	X	X	
stock & sale yards	C	X	x	
(Land use terms within industry gr	oup term)			
la divatela a		22	4	While the group term is proposed to be permitted with consent, only certain uses
industries	С	X	С	under this group term are considered appropriate in the zone.
heavy industries	×	X	X	
hazardous industry	X	x	x	
offensive industry	x	x	X	
light industries	C	c	c	
high technology industries	C	С	c	
home industry	С	С	С	This is no accession on a lead within the case in the lead, or a contraction
				This is an appropriate use, as land within the zone is typically of a scale and location that enables the use as an ancillary function within large light industrial floorplates.
				The use meets the objectives of light industrial zones, therefore is proposed to be
artisan food and drink industry	c	×	c	permitted with consent.
,				This use is considered inappropriate for a light industrial zone, therefore is proposed
general industries	c	x	x	to be prohibited.
(Land use term outside industry gr	oup term)			·
boat building and repair facilities	C	С	C	
vehicle body repair workshops	С	С	C	
vehicle repair stations	С	С	С	
(Land use terms within heavy industrial storage e	stablishment gro	oup term)		
heavy industrial storage establishments	x	x	х	
hazardous storage establishments	x	x	x	
liquid fuel depots	x	х	X	
offensive storage establishments	x	x	x	
(Land use terms within storage premise	es group term)		•	
storage premises	С	С	C	
self storage units	С	С	C	
(Land use terms outside storage premis	es group term)			
depots	¢	C	С	
warehouse or distribution centres	C	С	C	
local distribution centre	С	С	c	
(Land use within sewerage system				

	1			
sewerage systems	С	С	c	All land uses classified under the group term sewerage systems are proposed to be permitted with consent, as they are considered to be appropriate within the zone.
bio solids treatment facilities	c	×	c	Given that nuisance odours can be an issue with biosolid processing facilities, and it is proposed to be prohibited in most other zones, biosolid treatments facilities are proposed to be permitted with consent in this industrial zone. The nature of the use is more akin to industries and externalities produced by developments within industrial areas.
				The nature of the use is more akin to industries and externalities produced by developments within industrial areas. Furthermore, the scale of this use means that many of the site areas required to accommodate the use may only be available within
sewage reticulation systems	C	c	c	this zone.
sewage treatment plants	c	x	c	The nature of the use is more akin to industries and externalities produced by developments within industrial areas. Furthermore, the scale of this use means that many of the site areas required to accommodate the use may only be available within this zone.
water recycling facilities	С	×	c	Recycled water is commonly used for parks and toilet systems in Australia, including a large development in the Bayside LGA. Given the current development climate, and since water restrictions are becoming more common, it is a use that is proposed to be permitted with consent. This is particularly relevant to large floorplate sites that require vast amounts of water for their industrial operations.
(Land use terms within waste or resource manage	ment facility gro	oup term)		
waste or resource management facilities	c	c	c	These uses are appropriate and meet the objectives of the zone. Accordingly, all land uses classified under the group term sewerage systems are proposed to be permitted with consent.
resource recovery facilities	C	x	C	
waste disposal facilities	С	x	C	
waste or resource transfer stations	С	С	C	
(Land use terms within water supply sys	em group term)		
water supply systems	c	x	c	These uses are appropriate and meet the objectives of the zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be permitted with consent.
water reticulation systems	C	x	C	
water storage facilities	C	x	C	
water treatment facilities	C	x	C	
(Land use term within air transport facili	ty group term)			
air transport facilities		·		These uses are inappropriate and do not meet the objectives of the zone. Therefore, the air transport facilities group term and all land uses classified under the air transport facilities group term are proposed to be prohibited. Council acknowledges that the Infrastructure SEPP permits air transport facilities with consent, provided that it is on land within the boundaries of an existing transport facility, and is ancillary to the listed air transport facilities under the SEPP.
airport	c	X	X	all transport facilities under the SEFF.
heliport	C	×	X	
(Land use term outside air transport faci	C (ity aroun torm)	X	X	
	ity group term)		v	
airstrips	X	Х	X	This land use is inappropriate and does not meet the objectives of the zone, therefore
helipads	c	x	x	is proposed to be prohibited.
(Other Land use terms relating to inf	rastructure)			

car parks	С	С	C	
				This land use is inappropriate in a light industrial zone, and does not meet the
electricity generating works	c	x	x	objectives of the zone, therefore is proposed to be prohibited.
				This use appropriate for the zone, particularly when considering the proximity of
				industrial land within the Bayside LGA to the airport and port, and the support function
freight transport facilities	c	x	C	that industrial Ind provides to the trade gateway.
				This use is considered appropriate in the W3 Working Waterways zone, therefore it is
port facilities	C	x	X	proposed to be prohibited from industrial zones.
				This land use is appropriate and meets the objectives of light industrial zones,
				therefore is proposed to be permitted with consent. The zone provides suitably sized
				allotments for this land use, and the location assists to mitigate vehicle movement
passenger transport facilities	С	×	С	conflicts with, and amenity impacts upon, residential areas.
				This is a use that is mandated as either (i) permitted with consent; or (ii) without
				consent in the standard instrument in the zone. As roads can introduce impacts on
				both private and government agency/council-owned land, they are proposed to be
				changed to require consent in this zone. Council needs to determine road locations
roada	- 24	24	12	and planning impacts in order to have greater autonomy over land use planning decisions for this use.
roads	0,	C ⁺	С	This land use is appropriate and meets the objectives of light industrial zones,
				therefore is proposed to be permitted with consent. The zone provides suitably sized
				allotments for this land use, and the location assists to mitigate vehicle movement
transport depots	С	x	c	conflicts with, and amenity impacts upon, residential areas.
transport depots	C	*	· ·	This land use is appropriate and meets the objectives of light industrial zones,
				therefore is proposed to be permitted with consent. The zone provides suitably sized
				allotments for this land use, and the location assists to mitigate vehicle movement
truck depots	С	x	c	conflicts with, and amenity impacts upon, residential areas.
wharf or boating facilities	x	×	×	Connects with, and amonity impacts apon; residential areas.
(Land use terms within education establishm				
educational establishments	x	×	X	
schools	x	x	x	
(Land use terms within health service facili	ity group term)			
health service facilities	x	x	X.	
hospitals	x	x	x	
medical centres	x	×	x	
health consulting rooms	x	x	x	
(Other land use terms relating to communit	y infrastructure	9		
centre-based child care facilities	x	x	x	
				This land use is appropriate and meets the objectives of light industrial zones,
community facilities	С	x	C	therefore is proposed to be permitted with consent.
				This land use is inappropriate and does not meet the objectives of light industrial
				zones, therefore is proposed to be prohibited. Council acknowledges that the
				Infrastructure SEPP permits correctional centres on land that is within the boundaries
				of an existing correctional complex, and is undertaken by, or on behalf of, a public
correctional centres	C	x	x	authority.
emergency services facilities	С	С	C	
industrial training facilities	C	C	C	
				This land use is appropriate and meets the objectives of light industrial zones,
information and education facilities	С	x	c	therefore is proposed to be permitted with consent.
places of public worship	¢	c	C	
				This land use is appropriate and meets the objectives of the zone, therefore is
public administration building	С	X	С	proposed to be permitted with consent.

				This land use is appropriate and meets the objectives of light industrial zones,
research stations	x	С	c	therefore is proposed to be permitted with consent.
respite day care centres	х	х	X	
(Land use terms within	n signage group term)			
signage	C	С	C	
advertising structure	x	x	x	
building identification sign	c	С	C	
business identification sign	c	С	C	
(Land use terms rel	ating to recreation)			
				This land use is appropriate and meets the objectives of light industrial zones,
boat launching ramps	C	x	C	therefore is proposed to be permitted with consent.
				This land use is appropriate and meets the objectives of light industrial zones,
boat sheds	С	x	C	therefore is proposed to be permitted with consent.
				This land use is appropriate and meets the objectives of light industrial zones,
charter & tourism boating facilities	С	X	С	therefore is proposed to be permitted with consent.
				This land use is appropriate and meets the objectives of light industrial zones,
environmental facilities	C	X	С	therefore is proposed to be permitted with consent.
				This land use is inappropriate and is not considered to meet the objectives of this
jetties	C	x	X	zone, therefore is proposed to be prohibited.
marinas	l x	x	x	
moorings	x	x	x	
mooring pens	x	×	×	
recreation areas	c	С	C	
				This land use is appropriate due to the land sizes available to accommodate this use,
				plus it meets the objectives of the zone, therefore is proposed to be permitted with
recreation facilities (indoor)	C	x	c	consent.
				This land use is appropriate due to the land sizes available to accommodate this use,
				plus it meets the objectives of the zone, therefore is proposed to be permitted with
recreation facilities (major)	c	x	c	consent.
				This land use is appropriate due to the land sizes available to accommodate this use,
	A CONTRACTOR OF THE PARTY OF TH			plus it meets the objectives of the zone, therefore is proposed to be permitted with
recreation facilities (outdoor)	C	x	C	consent.
water recreation structures	x	х	x	
(other miscellaneou	is Land use terms)			
				This land use is inappropriate and does not meet the objectives of the zone, therefore
cemeteries	C	x	x	is proposed to be prohibited.
				Given the lack of available zones for this land use, coupled with the location of IN2
crematoria	C	x	C	zones in the LGA, it is considered an appropriate use to be permitted with consent.
				This land use is appropriate for the zone, and is proposed to be permitted with
environmental protection works	C	x	C	consent.
exhibition homes	x	x	x	
exhibition villages	x	x	x	
extractive industries	x	x	x	
flood mitigation works	С	С	C	
				Given the lack of available zones for this land use, coupled with the location of IN2
mortuaries	Ċ	x	C	zones in the LGA, it is considered an appropriate use to be permitted with consent.
				This land use is inappropriate and does not meet the objectives of the zone, therefore
open cut mining	C	x	X	is proposed to be prohibited.

	SP	1 Special Activ	rities	
lt		EP Provision	Proposed	
Land use		BBLEP 2013		Comments/rationale
Land use terms within agriculture gr				o di ilitali di
agriculture	1	x	x	
aquaculture		C*	С	
Oyster aquaculture		С	c	
Pond-based aquaculture		С	С	
Tank-based aquaculture		С	c	
extensive agriculture (e.g., Grazing of livestock's, etc.)		x	×	
bee keeping		x	x	
dairy (pasture-based)		x	x	
intensive livestock agriculture		x	x	
feedlots		x	x	
dairies (restricted)		x	x	
intensive plant agriculture (e.g., Cultivation of irrigated crops)		x	x	
horticulture		x	x	
turf farming		x	x	
viticulture		x	X	
(Land use terms outside agriculture g	roup term)			
animal boarding or training establishments		x	x	
farm buildings		x	x	
forestry		x	x	
Land use terms within residential accommod	dation group ter	rm		
residential accommodation		х	X	
attached dwellings		x	x	
boarding houses	1	x	x	
dual occupancies		х	x	
dual occupancies (attached)		х	×	
dual occupancies (detached)		x	x	
dwelling houses		x	×	
group homes		X	x	
group homes (permanent)		x	x	
group homes (transitional)		х	X	
hostels		x	X	
multi dwelling housing		X	X	
residential flat buildings		x	X	
rural worker's dwellings		x	X	
secondary dwellings		x	x	
semi-detached dwellings		х	x	
seniors housing	14	x	x	
residential care facilities		х	x	
shop top housing		x	x	
Land use terms outside residential accommo	dation group te	erm		
home-based child care		x	X	
home business		x	x	
home occupations		x	x	
home occupation (sex services)		x	X	
Land use terms within tourist and visitor accom-	modation group	term		

tourist and visitor accommodation	x	X	
backpackers' accommodation	x	x	
bed & breakfast accommodation	x	x	
farm stay accommodation	x	x	
hotel or motel accommodation	x	x	
serviced apartments	x	x	
(land use terms outside tourist and visitor accommodation group			
camping grounds	×	x	
caravan parks	x	x	
eco-tourist facilities	x	x	
(land use terms within commercial premises group		***	
commercial premises	x	x	
· · · · · · · · · · · · · · · · · · ·	- 3		
business premises (e.g., Banks, post offices, hairdressers, etc.)	x	x	
funeral homes	x	x	
office premises	x	x	
retail premises	x	x	
cellar door premises	x	x	
food & drink premises	x	x	
pubs	x	x	
restaurants or cafes	x	x	
take-away food & drink premises	x	x	
garden centres	x	x	
hardware & building supplies	X	x	
kiosks			
landscaping material supplies	X	X	
markets	X	X	
plant nurseries	X	X	
roadside stalls	X	X	
	X	X	
rural supplies	X	X	
shops neighbourhood shops	X	X	
	X	X	
neighbourhood supermarket	X	x	
specialised retail premises	X	x	
timber yards vehicle sales or hire premises	X	X	
	X	X	
(Land use terms outside commercial premises grou			
amusement centres	X	X.	
entertainment facilities	X	X	
function centres	X	x	
highway service centres	X	X	
industrial retail outlets	X	x	
registered clubs	X	x	
restricted premises	X	X.	
service stations	X	x	
sex services premises	X	x	
veterinary hospitals	X	X.	
wholesale supplies	x	x	
(Land use terms within rural industry group ter			
rural industries (e.g., use of composting facilities and works)	X	x	

agricultural produce industries		x	x	
livestock processing industries		x	x	
sawmill or log processing industries		x	x	
stock & sale yards		<u>x</u>	x	
(Land use terms within indus	try group term)		^	
industries	stry group term)	x	x	
heavy industries		x	x	
hazardous industry		x	x	
offensive industry		·x	x	
light industries		x	x	
high technology industries		x	x	
home industry		x	x	
artisan food and drink industry		x	x	
general industries		x	x	
(Land use term outside indus	stry group term)			
boat building and repair facilities	ary group toring	x	x	
vehicle body repair workshops		x	x	
vehicle repair stations		x	x	
(Land use terms within heavy industrial store	age establishment group ter			
heavy industrial storage establishments	ago solubilitidit group ten	x	x	
hazardous storage establishments		x	x	
liquid fuel depots		x	x	
offensive storage establishments		x	x	
(Land use terms within storage pr	emises group term)			
storage premises	cinides group term y	х	x	
self storage units		x	x	
(Land use terms outside storage p	remises group term)			
depots	i i i i i i i i i i i i i i i i i i i	x	X	
warehouse or distribution centres		x	x	
local distribution centre		x	x	
(Land use within sewerage sys	stem group term)	-		
sewerage systems	greep term,	х	X	
bio solids treatment facilities		x	x	
sewage reticulation systems		x	x	
sewage treatment plants		x	x	
water recycling facilities		x	x	
(Land use terms within waste or resource m	anagement facility group ter			
waste or resource management facilities		x	x	
resource recovery facilities		x	x	
waste disposal facilities		x	x	
waste or resource transfer stations		x	x	
(Land use terms within water supp	ly system group term)			
water supply systems	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	x	x	
water reticulation systems		x	x	
water storage facilities		x	x	
water treatment facilities		x	x	
(Land use term within air transpor	t facility group term)			
air transport facilities	, , , , , , , , , , , , , , , , , , ,	x	X	
airport		X	X	

(Land use term outside air transport fac	cility group term)			_
airstrips	, g. 50p (5111)	х	×	
helipads		x	×	
(Other Land use terms relating to in	nfrastructure)			+
car parks	1	х	×	
electricity generating works		X	x	
freight transport facilities		x	×	
port facilities		X	X	
passenger transport facilities		x	×	-
roads		x	X	+
			-	+
transport depots		X	X	+
truck depots		X	x	-
wharf or boating facilities		х	X	
(Land use terms within education establis	hment group term)			_
educational establishments		x	x	
schools		х	x	
(Land use terms within health service fa	cility group term)			
health service facilities		x	X	
hospitals		x	×	
medical centres		x	x	
health consulting rooms		х	×	
(Other land use terms relating to commu	unity infrastructure			\top
centre-based child care facilities		X	X	
community facilities		Ж	×	
correctional centres		Х	×	
emergency services facilities		X	×	
industrial training facilities		X	×	-
information and education facilities		×	×	+
places of public worship		X	×	
public administration building		Ж	X	
research stations		Ж	×	
respite day care centres		Х	×	
(Land use terms within signage g	roup term)			
signage		Ж	×	
advertising structure		х	×	
building identification sign	1	х	×	
business identification sign		Х	×	
(Land use terms relating to rec	creation)			
boat launching ramps		Х	X	
boat sheds		Х	×	
charter & tourism boating facilities		X	×	-
environmental facilities		×	X	-
jetties		Х	X	
marinas		ж	×	
moorings		Х	X	
mooring pens		Х	×	
recreation areas		Х	×	
rearration facilities (indeer)		ж	×	
recreation facilities (indoor) recreation facilities (major)		Х	×	

water recreation structures		х	X
(other miscellaneous Land use terr	ms)		
cemeteries		x	X
crematoria		x	X
environmental protection works		0	0
exhibition homes		x	X.
exhibition villages		x	x
extractive industries		x	x
flood mitigation works		x	x
mortuaries		x	x
open cut mining	3	х	x

Landon	Current LE	P Provision		
Land use				
	RLEP 2011	BBLEP 2013	Proposed	Comments/rationale
Land use terms within agriculture g	iroun term			Unless stated otherwise, the permissibility of land uses for the SP2 Infrastructure zone is identified on the land zoning map for the Bayside LGA.
agriculture	x	x	X	The fact that th
aquaculture	C*	c*	C	
Oyster aquaculture	С	С	c	
Pond-based aquaculture	c	c	C	
Tank-based aquaculture	c	c	C	
extensive agriculture (e.g., Grazing of livestock's, etc.)	×	x	x	
bee keeping	x	x	x	
dairy (pasture-based)	x	x	×	
intensive livestock agriculture	x	x	×	
feedlots	x	x	×	
dairies (restricted)	x	x	×	
intensive plant agriculture (e.g., Cultivation of irrigated crops)	x	x	x	
horticulture	x	x	×	
turf farming	x	x	×	
viticulture	x	x	x	
(Land use terms outside agriculture				
animal boarding or training establishments	x	x	X	
farm buildings	x	x	x	
forestry	x	x	×	
Land use terms within residential accommo				
residential accommodation	x	x	X	
attached dwellings	x	x	×	
boarding houses	x	x	x	
dual occupancies	x	x	×	
dual occupancies (attached)	x	x	x	
dual occupancies (detached)	x	х	×	
dwelling houses	x	x	×	
group homes	x	x	x	
group homes (permanent)	x	x	x	
group homes (transitional)	x	x	×	
hostels	x	х	x	
multi dwelling housing	x	x	×	
residential flat buildings	x	x	×	
rural worker's dwellings	x	x	x	
secondary dwellings	x	x	×	
semi-detached dwellings	x	x	×	
seniors housing	x	x	x	
residential care facilities	x	х	×	
shop top housing	x	x	x	
Land use terms outside residential accomm				
home-based child care	x	x	x	
home business	x	×	x	
home occupations	x	x	x	
home occupation (sex services)	x	x	x	

Land use terms within tourist and visitor accom- purist and visitor accommodation	x			
		l x	×	
backpackers' accommodation	x	×	x	
bed & breakfast accommodation	x	×	×	
farm stay accommodation	x	×	×	
hotel or motel accommodation	x	x	×	
serviced apartments	x	x	X	
(land use terms outside tourist and visitor accommodation		_ ^		
camping grounds	x	х	x	
caravan parks	x	x	x	
eco-tourist facilities	x	x	X	
(land use terms within commercial prem			^	
ommercial premises	x		X	
Jillierciai premises	 ^	x	^	
business premises (e.g Banks, post offices, hairdressers, etc.)	"			
funeral homes	X	X	X	
	X	X	X	
office premises	X	X	X	
retail premises	X	X	×	
cellar door premises	х	x	X	
food & drink premises	x	×	х	
pubs	X	x	x	
restaurants or cafes	X	×	X	
take-away food & drink premises	x	х	×	
garden centres	x	х	X	
hardware & building supplies	x	x	X	
kiosks	x	x	x	
landscaping material supplies	x	x	X	
markets	x	x	x	
plant nurseries	x	x	x	
roadside stalls	x	x	X	
rural supplies	x	x	x	
shops	x	x	×	
neighbourhood shops	x	×	X	
neighbourhood supermarket	x	x	X	
specialised retail premises	x	х	X	
timber yards	x	х	X	
vehicle sales or hire premises	x	x	×	
(Land use terms outside commercial pren	nises group ter	m)		
amusement centres	x	×	X	
entertainment facilities	х	x	x	
function centres	x	×	x	
highway service centres	x	x	×	
industrial retail outlets	x	x	×	
registered clubs	x	×	x	
restricted premises	x	x	x	
service stations	x	×	×	
sex services premises	x	x	x	
	x	x	×	
veterinary nospitais				
veterinary hospitals wholesale supplies	x	×	X	

rural industries (e.g., use of composting facilities and works)	l x	x	×	
agricultural produce industries	x	x	×	
livestock processing industries	^	x	x	
sawmill or log processing industries	x	x	×	
stock & sale yards	^	x	×	
(Land use terms within industry gr		_ ^	^	
industries (Land use terms within industry gi	7			
heavy industries	X	X	×	
hazardous industry	X	X		
offensive industry	X	X	X	
	X	X	×	
light industries	X	X	X	
high technology industries	X	х	x	
home industry	X	х	х	
artisan food and drink industry	X	x	X	
general industries				
(Land use term outside industry g				
boat building and repair facilities	x	×	×	
vehicle body repair workshops	x	x	×	
vehicle repair stations	x	x	X	
(Land use terms within heavy industrial storage e	establishment g	group term)		
heavy industrial storage establishments	x	x	X	
hazardous storage establishments	x	x	X	
liquid fuel depots	x	x	×	
offensive storage establishments	x	х	X	
(Land use terms within storage premis	es group term)		
storage premises	x	x	X	
self storage units	x	x	×	
(Land use terms outside storage premi	ses group term	1)		
depots	T x	x	×	
warehouse or distribution centres	×	×	x	
local distribution centre	x	x	×	
(Land use within sewerage system	group term)			
sewerage systems	x	×	X	
bio solids treatment facilities	x	x	x	
sewage reticulation systems	x	×	x	
sewage treatment plants	x	×	x	
water recycling facilities	X	x	×	
(Land use terms within waste or resource manag			-	
waste or resource management facilities	x	x	×	
resource recovery facilities	+		×	
waste disposal facilities	X	X	×	
waste or resource transfer stations	X	X	x	
	X X	X		
(Land use terms within water supply sys				
water supply systems	x	X	X	
water reticulation systems	X	X	×	
water storage facilities	X	х	x	
water treatment facilities	x	x	х	
(Land use term within air transport faci				
air transport facilities	x	×	X	
airport	x	l x	X	

heliport	l x	x	x	
(Land use term outside air transport faci			•	
airstrips	x	, x	x	
helipads	x	x	×	
(Other Land use terms relating to infi			•	
car parks	Х	X	X	
electricity generating works	X	X	×	
freight transport facilities	X	x	X	
port facilities	х	х	x	
passenger transport facilities	х	×	х	
roads	0*	c*	c	This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned land, they are proposed to be changed to require consent in this zone. Council needs to determine road locations and planning impacts in order to have greater autonomy over land use planning decisions for this use.
transport depots	х	×	x	
truck depots	х	×	x	
wharf or boating facilities	x	x	×	
(Land use terms within education establish	ment group te			
educational establishments	x	×	x	
schools	x	x	x	
(Land use terms within health service fac				
health service facilities	x	x	×	
hospitals	x	×	×	
medical centres	x	×	×	
health consulting rooms	x	x	×	
(Other land use terms relating to commun			*	
centre-based child care facilities	x	x	×	1
community facilities	x	x	×	
correctional centres	x	x	x	
emergency services facilities	x	x	×	
industrial training facilities	x	x	×	
Information and education facilities	x	×	x	
places of public worship	x	x	×	
public administration building	×	x	×	
research stations				
	X	X	X	
respite day care centres	X	x	×	
(Land use terms within signage gro				
signage	X	X	X	
advertising structure	X	X	×	
building identification sign	X	X	X	
business identification sign	X X	X	х	
(Land use terms relating to recre	T			
boat launching ramps	X	X	X	
boat sheds	х	X	x	
charter & tourism boating facilities	X	X	×	
environmental facilities	х	×	X	
jetties	х	х	×	
marinas	x	×	×	

	1			
X	x	X		
x	x	×		
x	×	X		
x	x	x		
x	x	X		
x	x	x		
x	x	×		
(other miscellaneous Land use terms)				
х	x	x		
x	x	x		
x	o	o	This is an appropriate use and meets the objectives of infrastructure zones, therefore is proposed to be permitted without consent.	
x	x	x		
x	x	x		
x	x	x		
x	x	x		
x	x	х		
х	×	X		
	x x x x erms) x x x x x x x x x	x x x x x x x x x x x x x x x x x x x	X	

	SP3 Tourism		
Current Li	Current LEP Provision		
RLEP 2011	BBLEP 2013	Proposed	Comments/rationale
group term			
X		x	
C		С	
С		C	
С		С	
С		С	
x		x	
х		x	
x		X.	
x		x	
x		×	
x		×	
x		×	
х		X	
x		x	
x		x	
e group term)			
X		x	
х		x	
x		x	
nodation group ten	m		
x		X	
х		X	
х		x	
x		x	
х		x	
х		×	
x		x	
х		x	
х		X	
x		X	
x		x	
x		x	
x		×	
x		x	
x		×	
х		x	
x		×	
x		x	
С		c	
modation group te	rm		
0		0	
0		0	
0		0	
	RLEP 2011 e group term x c c c c x x x x x x x x	RLEP 2011 BBLEP 2013 group term X C C C C X X X X X X X X	RLEP 2011 BBLEP 2013 Proposed

tourist and visitor accommodation	C		C	
backpackers' accommodation	С		C	
bed & breakfast accommodation	С		c	
farm stay accommodation	С		C	
hotel or motel accommodation	С		c	
serviced apartments	c		c	
(land use terms outside tourist and visitor accomm	nodation group	term)		†
camping grounds	x		X	
caravan parks	x		×	
eco-tourist facilities	x		×	
(land use terms within commercial premise	es group term			†
commercial premises	C		C	
	+			
business premises (e.g Banks, post offices, hairdressers, etc.)	l c		c	
funeral homes	c		С	
office premises	T c		C	
retail premises	T c		c	
cellar door premises	c		c	
food & drink premises	C		C	
pubs	C		c	
restaurants or cafes	c		c	
take-away food & drink premises	C		C	
garden centres	— с		×	
hardware & building supplies			X	
kiosks				
landscaping material supplies	C		C	
markets	x		X	
plant nurseries	C		C	
roadside stalls	×		x	
	C		С	
rural supplies	x		X	
shops	С		C	
neighbourhood shops	С		С	
neighbourhood supermarket	С		C	
specialised retail premises	x		X	
timber yards	C		C	
vehicle sales or hire premises	x		X	
(Land use terms outside commercial premis)		
amusement centres	С		C	
entertainment facilities	С		C	
function centres	С		С	
highway service centres	×		X	
industrial retail outlets	x		X	
registered clubs	С		C	
restricted premises	x		X	
service stations	х		X	
sex services premises	x		X	
veterinary hospitals	x		X	
wholesale supplies	x		x	
(Land use terms within rural industry go	roup term)			
rural industries (e.g., use of composting facilities and works)	x		×	

agricultural produce industries	X		x	
livestock processing industries	X		X	
sawmill or log processing industries	x		×	
stock & sale yards	X		x	
(Land use terms within industry grou			^	
industries	x		x	
heavy industries	x		x	
hazardous industry	x		X	
offensive industry	X		×	
light industries	x	1	x	
high technology industries	x	-	×	
home industry	\ x		×	
artisan food and drink industry	x		x	
general industries	 		×	
(Land use term outside industry grou			•	
boat building and repair facilities	x x		X	
vehicle body repair workshops	1 x		×	
vehicle repair stations			×	
(Land use terms within heavy industrial storage esta		un term)	Α.	
heavy industrial storage establishments	x	Jop term)	x	
hazardous storage establishments	x		×	
liquid fuel depots	\ x		×	
offensive storage establishments	^		×	
(Land use terms within storage premises				
storage premises	T		x	
self storage units	X X		×	
(Land use terms outside storage premises			^	
depots (Land use terms obtaide storage premises	x		X	
warehouse or distribution centres	^		×	
local distribution centre	1 x		×	
(Land use within sewerage system gro			^	
sewerage systems	c		С	
bio solids treatment facilities	c		c	
sewage reticulation systems	+ c		c	
sewage treatment plants	c		c	
water recycling facilities	c		C	
(Land use terms within waste or resource managem		oun term\		
waste or resource management facilities	x	Jup termi	X	
resource recovery facilities	^		×	
waste disposal facilities	x		×	
waste disposal racintes waste or resource transfer stations	\ x		X	
(Land use terms within water supply system			^	
water supply systems	c c		С	
water reticulation systems	c		c	
water storage facilities	c		c	
water storage racinities water treatment facilities	c		c	
(Land use term within air transport facility				
air transport facilities	x		x	
airport			×	
heliport	X X		×	
Toliport			^	

(Land use term outside air transpo	art facility group term)		
airstrips	x	X	
helipads	c	c	
(Other Land use terms relating			
car parks		1 0	
electricity generating works	C	C	
	X	×	
freight transport facilities	X	×	
port facilities	X	X	
passenger transport facilities	С	C	This is a second at the second
roads	0*	c	This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned land, they are proposed to be changed to require consent in this zone. Council needs to determine road locations and planning impacts in order to have greater autonomy over land use planning decisions for this use.
transport depots	x	×	
truck depots	x	×	
wharf or boating facilities	x	×	
(Land use terms within education es	ablishment group term)		
educational establishments	C	c	
schools	c	C	
(Land use terms within health servi	ce facility group term)		
health service facilities	x	X	
hospitals	x	×	
medical centres	x	x	
health consulting rooms	x	×	
(Other land use terms relating to co	mmunity infrastructure		
centre-based child care facilities	С	C	
community facilities	С	C	
correctional centres	x	x	
emergency services facilities	c	c	
industrial training facilities	x	×	
information and education facilities	C	C	
places of public worship	c	C	
public administration building	C	С	
research stations	x	×	
respite day care centres	c	C	
(Land use terms within signa	ige group term)		
signage	x	X	
advertising structure	x	×	
building identification sign	C	C	
business identification sign	c	c	
(Land use terms relating t			
boat launching ramps	C	C	
boat sheds	x	×	
charter & tourism boating facilities	C	C	
environmental facilities	x	×	
jetties	C	C	
marinas	C	C	

mooring pens	С	С	
recreation areas	С	C	
recreation facilities (indoor)	С	C	
recreation facilities (major)	С	C	
recreation facilities (outdoor)	С	C	
water recreation structures	С	C	
(other miscellaneous Land use t	erms)	·	
cemeteries	x	×	
crematoria	x	×	
environmental protection works	С	C	
exhibition homes	x	×	
exhibition villages	x	×	
extractive industries	x	×	
flood mitigation works	С	C	
mortuaries	x	×	
open cut mining	x	×	

RE1 public recreation				Comments/rationale
		public recreation		Comments/rationale
Land use	Current LEP Provision		Decreased	
	RLEP 2011	BBLEP 2013	Proposed	
		BBLEP 2013		
Land use terms within agriculture				
agriculture	x	x	x	
aquaculture	C	C	C	
Oyster aquaculture	С	C	C	
Pond-based aquaculture	С	С	С	
Tank-based aquaculture	С	С	С	
extensive agriculture (e.g., Grazing of livestock's, etc.)	X	x	X	
bee keeping	х	X	X	
dairy (pasture-based)	x	X	X	
intensive livestock agriculture	x	×	×	
feedlots	х	X	x	
dairies (restricted)	x	×	×	
intensive plant agriculture (e.g., Cultivation of irrigated crops)	x	x	X	
horticulture	x	x	X	
turf farming	x	x	X	
viticulture	x	X	X	
(Land use terms outside agricultu	ure group term)			
animal boarding or training establishments	X	X	×	
farm buildings	x	X	X	
forestry	x	X	×	
Land use terms within residential accom	nmodation group ter	m		
residential accommodation	x	x	×	
attached dwellings	x	x	X	
boarding houses	x	x	X.	
dual occupancies	x	x	×	
dual occupancies (attached)	x	x	×	
dual occupancies (detached)	x	x	×	
dwelling houses	x	x	X	
group homes	x	x	X	
group homes (permanent)	x	x	X	
group homes (transitional)	x	x	X	
hostels	x	×	x	
multi dwelling housing	х	x	×	
residential flat buildings	x	x	×	
rural worker's dwellings	x	x	X	
secondary dwellings	x	x	×	
semi-detached dwellings	x	x	×	
seniors housing	x	x	X	
residential care facilities	x	x	x	
shop top housing	x	×	×	
home-based child care	x	×	×	
home business	X	x	×	
home occupations	x	x	x	
home occupation (sex services)	x	×	×	
Land use terms outside residential accor				
tourist and visitor accommodation	x	x	×	
townst und visitor accommodation	^			

backpackers' accommodation	x	x	X	
bed & breakfast accommodation	X	x	x	
farm stay accommodation	x	x	×	
hotel or motel accommodation	×	x	×	
serviced apartments	×	x	×	
(land use terms outside tourist and visitor ac				
camping grounds	x	x x	X	
caravan parks	×	x	×	
eco-tourist facilities	X	x	×	
(land use terms within commercial pr	T remises group term	1		
commercial premises	x	X	x	
business premises (e.g., Banks, post offices, hairdressers, etc.)	x	X	X	
funeral homes	x	x	X	
office premises	x	x	X	
retail premises	x	X	X	
cellar door premises	x	×	×	
food & drink premises	x	X	×	
pubs	x	x	x	
				This use can complement recreation land use, enhancing the use and enjoyment of the open
				space. Any development for the a restaurant or cafe would be subject to the necessary approvals
				and be consistent with relevant Park Plans of Management involving community consultation.
restaurants or cafes	X	X	C	
				This use can complement recreation land use, enhancing the use and enjoyment of the open
				space. Any development for the a restaurant or cafe would be subject to the necessary approvals
take-away food & drink premises				and be consistent with relevant Park Plans of Management involving community consultation.
garden centres	X	X	С	
hardware & building supplies	X	X	×	
kiosks	x	X	×	
	C	C	С	
landscaping material supplies	х	x	×	
				Both existing LEPs have adopted clause 2.8 Temporary use of land, that allows development
				consent to be granted for development on land in any zone for a temporary use for a maximum
				period of 52 days a year. It is therefore considered appropriate that Markets be prohibited in the RE1 zone, consistent with the Rockdale LEP RE1 zone.
markets			-	TET ZONE, CONSISTENT WITH THE MOCKGAIR LEF MET ZONE.
	×	C	x	
plant nurseries roadside stalls	X	x	X	
	X	x	X	
rural supplies	X	X	×	
shops	X	X	×	
neighbourhood shops	X	×	X	
neighbourhood supermarket	X	X	X	
specialised retail premises	x	x	×	
timber yards	x	×	×	
vehicle sales or hire premises	x	x	x	

premises group term)						
	l x	×				
x	x	×				
x	x	×				
x	x	×				
x	x	x				
		x				
		X				
		X				
		x				
		×				
		×				
		P				
		×				
		X				
		- 3				
		x				
		X				
x	x	X				
y group term)						
x	x	x				
x	x	X				
x	x	×				
x	x	×				
x	x	×				
х	x	X				
x	х	X				
x	x	×				
х	x	x				
y group term)						
x	x	×				
x	x	×				
х	x	×				
vehicle repair stations x x x (Land use terms within heavy industrial storage establishment group term)						
	_	X				
		x				
		×				
		x				
		- 2				
	· •	•				
		×				
	x	A.				
T						
		X				
		×				
x	x	X				
x	x	X				
x	X	X				
х	x	X				
34	x	×				
x	. ^					
x	x	×				
r	x x x x x x x x x x x x x x x x x x x	X				

waste or resource management facilities	x	x	x	
resource recovery facilities	X	x	×	
waste disposal facilities	x	x	×	
waste or resource transfer stations	x	x	×	
(Land use terms within water s	upply system group term)	-		
	, or			These uses are considered appropriate in the zone. Accordingly, all land uses classified under
water supply systems	c	x	c	the group term water supply systems are permitted with consent.
water reticulation systems	C	X	C	
water storage facilities	С	С	С	
water treatment facilities	C	X	C	
(Land use term within air trans	sport facility group term)			
air transport facilities	X	x	X	
airport	x	x	X	
heliport	x	x	×	
(Land use term outside air tran	sport facility group term)			
airstrips	X	x	×	
helipads	x	x	X	
(Other Land use terms rela	ting to infrastructure)			
car parks	x	x	X	
electricity generating works	x	x	x	
freight transport facilities	x	x	x	
port facilities	х	x	X	
passenger transport facilities	x	×	×	
				This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned land, they are proposed to be changed to require consent in this zone. Council needs to determine road locations and planning impacts in order to have greater
roads	0"	C'	С	autonomy over land use planning decisions for this use.
transport depots	X	x	×	
truck depots	x	X	X	
wharf or boating facilities	x	×	×	
(Land use terms within education	1			
educational establishments	X	X	X	
schools	x	x	X	4
(Land use terms within health s				
health service facilities	X	X	×	
hospitals	X	X	X	
medical centres	X	×	×	
health consulting rooms	x	x	X	
(Other land use terms relating to				
centre-based child care facilities	c	c	C	
community facilities	C	C	C	
correctional centres	x	x	×	This use is appropriate for the zone, therefore emergency considers facilities are prepared to be
emergency services facilities	x	c	c	This use is appropriate for the zone, therefore emergency services facilities are proposed to be permitted with consent.
industrial training facilities	x	x	X	
information and education facilities	×	c	c	These uses are appropriate use for the zone, therefore information and education facilities are proposed to be permitted with consent. It is considered to be an appropriate use in the zone, to support the objectives and is consistent with the LEP Practice Note PN09-006.
places of public worship	x	x	×	
public administration building				

research stations	х	x	×	
respite day care centres	С	c	C	
(Land use terms within signage	group term)			
signage	С	С	c	
advertising structure	С	С	C	
building identification sign	С	С	C	
business identification sign	c	c	C	
(Land use terms relating to r	ecreation)			
boat launching ramps	c	×	c ·	Given the importance of waterways in the Bayside LGA, including the introduction of the proposed W2 Recreational Waterways zone adjoining some RE1 zoned land, boat launching ramps are proposed to be permitted with consent in the zone.
boat sheds	x	×	×	
charter & tourism boating facilities	x	x	×	
environmental facilities	C*	C*	C	
jetties	С	С	C	
marinas	x	x	X	
moorings	x	x	X	
mooring pens	x	×	×	
recreation areas	C	C	c	
recreation facilities (indoor)	c	¢	C	
recreation facilities (major)	С	С	C	
recreation facilities (outdoor)	С	С	C	
water recreation structures	х	x	×	
(other miscellaneous Land u	se terms)			
cemeteries	x	×	×	
crematoria	х	x	×	
environmental protection works	c+	0*	o	This is mandated as permitted with or without consent in the standard instrument. As environmental protection works are often undertaken by, or on behalf of Council, it is appropriate for them to be permitted without consent.
exhibition homes	x	x	×	'
exhibition villages	x	x	×	
extractive industries	x	x	x	
flood mitigation works	×	c	D.	Permitting this use with consent is consistent with the Infrastructure SEPP, which permits flood mitigation works on any land, if undertaken by, or on behalf of, a public authority.
mortuaries	x	x	×	
open cut mining	x	x	X	

	RE2 Public Recreation			
Land use	Current LEP Provision			
	BLEP 2011	BBLEP 2013	Proposed	Comments/rationale
Land use terms within agric			Порозец	- Commontonational
agriculture	x	x	x	
aquaculture	C	C	C	
Oyster aquaculture	С	С	c	
Pond-based aquaculture	C	c	c	
Tank-based aquaculture	С	С	C	
extensive agriculture (e.g Grazing of livestock's, etc.)	×	x	x	
bee keeping	x	x	x	
dairy (pasture-based)	x	x	x	
intensive livestock agriculture	x	x	x	
feedlots	x	x	×	
dairies (restricted)	x	x	x	
intensive plant agriculture (e.g., Cultivation of irrigated				
crops)	x	x	×	
horticulture	x	x	x	
turf farming	×	x	x	
viticulture	x	x	x	
(Land use terms outside agri	iculture group t	erm)		
animal boarding or training establishments	x	x	x	
farm buildings	x	x	X	
forestry	х	х	x	
Land use terms within residential ac	ccommodation	group term		
residential accommodation	x	x	x	
attached dwellings	х	x	x	
boarding houses	x	x	×	
dual occupancies	x	x	x	
dual occupancies (attached)	x	x	x	
dual occupancies (detached)	х	x	×	
dwelling houses	х	x	x	
group homes	x	x	x	
group homes (permanent)	x	x	×	
group homes (transitional)	х	х	×	
hostels	х	х	×	
multi dwelling housing	х	x	×	
residential flat buildings	х	x	×	
rural worker's dwellings	х	x	×	
secondary dwellings	х	х	x	
semi-detached dwellings	х	x	x	
seniors housing	x	х	X	
residential care facilities	x	x	×	
shop top housing	х	x	x	
Land use terms outside residential a	accommodation	group term		
home-based child care	х	x	x	
home business	х	x	×	
home occupations	x	X	×	

h	1		156	
home occupation (sex services)	x	x	Х	
Land use terms within tourist and vis			. Pi	
tourist and visitor accommodation	X	x	X	
backpackers' accommodation	x	х	X	
bed & breakfast accommodation	x	x	X	
farm stay accommodation	x	x	x	
hotel or motel accommodation	X	x	X	
serviced apartments	x	х	x	
(land use terms outside tourist and visitor accon	nmodation group to	erm)		
camping grounds	x	x	x	
caravan parks	x	x	X	
eco-tourist facilities	x	x	x	
(land use terms within commer	cial premises grou	ıp term		
commercial premises	x	x	X	
business premises (e.g Banks, post offices,				
hairdressers, etc.)	x	x	x	
funeral homes	x	x	X	
office premises	x	x	х	
retail premises	x	x	X	
cellar door premises	х	x	x	
food & drink premises pubs	x x	c c	x x	These uses are inappropriate for a private recreation zone, as unless they are part of a recreation facility, these uses would not meet the objectives of the zone.
restaurants or cafes	x	С	X	
take-away food & drink premises	×	С	x	
garden centres	x	x	×	
hardware & building supplies	x	x	X	
kiosks	C	C	C	
landscaping material supplies	x	х	X	
markets	×	Ċ	x	Both existing LEPs have adopted clause 2.8 Temporary use of land, that allows development consent to be granted for development on land in any zone for a temporary use for a maximum period of 52 days a year. It is therefore considered appropriate that Markets be prohibited in the RE1 zone, consistent with the Rockdale LEP RE1 zone.
plant nurseries	x	x	X	
roadside stalls	x	x	X	
rural supplies	x	x	X	
shops	х	x	X	
neighbourhood shops	x	x	x	
neighbourhood supermarket	x	x	x	
specialised retail premises	x	x	X	
timber yards	х	x	x	
vehicle sales or hire premises	x	x	X	
(Land use terms outside comme	rcial premises gro	up term)		
amusement centres	x	x	x	

entertainment facilities	6			The use is considered appropriate for the zone, to enable uses that meet the zone
	x	C	C X	objectives, including halls.
function centres	X	X		
highway service centres	X	X	x	
industrial retail outlets	x	x	X	
registered clubs	С	С	С	
restricted premises	X	х	×	
service stations	X	x	X	
sex services premises	X	х	x	
veterinary hospitals	X	x	X	
wholesale supplies	X	x	X	
(Land use terms within	rural industry group to			
rural industries (e.g., use of composting facilities a		x	X	
agricultural produce industries	х	x	x	
livestock processing industries	X	x	x	
sawmill or log processing industries	X	x	x	
stock & sale yards	x	x	X	
	hin industry group tern	1)		
industries	X	x	X	
heavy industries	х	x	x	
hazardous industry	x	x	x	
offensive industry	х	x	X	
light industries	х	x	x	
high technology industries	х	x	x	
home industry	х	x	X	
artisan food and drink industry	х	x	x	
general industries	х	x	x	
(Land use term outs)	ide industry group tern	n)		
boat building and repair facilities	х	x	x	
vehicle body repair workshops	х	x	X	
vehicle repair stations	х	x	X	
(Land use terms within heavy indus	trial storage establishr	nent group ter	m)	
heavy industrial storage establishments	х	×	x	
hazardous storage establishments	х	x	X	
liquid fuel depots	х	x	x	
offensive storage establishments	x	x	x	
(Land use terms within st	orage premises group	term)		
storage premises	х	x	x	
self storage units	х	x	x	
(Land use terms outside s	storage premises grou	p term)		
depots	x	x	×	
warehouse or distribution centres	х	x	x	
local distribution centre	х	x	x	
(Land use within sewe	erage system group te	rm)		
sewerage systems	x	x	x	
bio solids treatment facilities	x	x	×	
sewage reticulation systems	x	×	X	
sewage treatment plants	x	x	x	
water recycling facilities	x	x	x	
(Land use terms within waste or res				

waste or resource management facilities	x	x	x	
resource recovery facilities	x	x	×	
waste disposal facilities	x	x	x	
waste or resource transfer stations	x	x	×	
(Land use terms within wa				
1	act copply cycles gre		1	These uses are considered appropriate in the zone. Accordingly, all land uses
water supply systems	c	×	c	classified under the group term are proposed to be permitted with consent.
water reticulation systems	С	x	c	
water storage facilities	С	С	c	
water treatment facilities	Ċ	×	C	
(Land use term within air	transport facility grou	p term)		
air transport facilities	x	×	X	
airport	x	×	×	
heliport	x	x	×	
(Land use term outside air	r transport facility grou	up term)		
airstrips	x	×	x	
helipads	x	x	×	
(Other Land use terms	relating to infrastruct	ture)		
,				
car parks	x	С	x	Car parks can often be ancillary to other permitted uses such as a recreation facility or community facility. It is considered appropriate to prohibit car parks in the zone, with car parking still able to be provided for permitted uses, as ancillary development. This will prevent the potential externality of standalone carparking occupying land that should instead be made available for a range of recreation uses.
electricity generating works	x	×	×	
freight transport facilities	x	×	×	
port facilities	x	x	×	
passenger transport facilities	x	x	×	
roads	0*	C [†]	c	This is a use that is mandated as either (i) permitted with consent; or (ii) without consent in the standard instrument in the zone. As roads can introduce impacts on both private and government agency/council-owned land, they are proposed to be changed to require consent in this zone. Council needs to determine road locations and planning impacts in order to have greater autonomy over land use planning decisions for this use.
transport depots	x	×	x	
truck depots	x	x	x	
wharf or boating facilities	x	x	x	
(Land use terms within educ	ation establishment o	roup term)		
educational establishments	X	x	x	
schools	x	x	×	
(Land use terms within hea	alth service facility gro	up term)		
health service facilities	x	×	x	
hospitals	x	×	x	
medical centres	x	×	x	
health consulting rooms	x	x	×	
(Other land use terms relati				
centre-based child care facilities	x	c	c	Given that childcare centres provide an important social role in local communities, the use is considered appropriate for the zone, and is proposed to be permitted with consent.
community facilities	C	C	c	
correctional centres	x	×	×	

emergency services facilities	x	x	X	
industrial training facilities	x	x	×	
				These uses are appropriate use for the zone, therefore information and education facilities are proposed to be permitted with consent. It is considered to be an appropriate use in the zone, to support the objectives and is consistent with the LEP Practice Note PN09-006.
information and education facilities	X.	С	С	
places of public worship	×	С	c	This use is considered appropriate to be permitted with development consent in the zone.
public administration building	x	X	x	ZUITG.
research stations	x	x	x	
respite day care centres	X.	С	c	This land use is appropriate and meets the objectives of the zone.
	thin signage group tern			
signage	X	X	X	
advertising structure	x	X	×	
building identification sign	C	С	c	
business identification sign	C C	С	C	
(Land use terms	relating to recreation)	r		
boat launching ramps	c	×	c	Given the importance of waterways in the Bayside LGA, including the introduction of the proposed W2 Recreational Waterways zone adjoining some RE1 zoned land, boat launching ramps are proposed to be permitted with consent in the zone.
boat sheds	x	x	x	
charter & tourism boating facilities	x	x	X	
environmental facilities	C*	C*	C	
jetties	c	×	С	This land use is appropriate for private recreational zone, as it can support the recreational activities of the land, therefore is proposed to be permitted with consent.
marinas	x	x	X	
moorings	x	x	x	
mooring pens	x	х	x	
recreation areas	C	С	C	
recreation facilities (indoor)	C	С	c	
recreation facilities (major)	С	С	c	
recreation facilities (outdoor)	C	C	c	
water recreation structures	X	x	x	
	eous Land use terms)			
cemeteries	X	×	×	
crematoria	х	×	x	
environmental protection works	C*	0,	c	This is mandated as either (i) permitted with consent; or (ii) permitted without consent in the standard instrument. Land zoned as RE2 is predominantly held in private ownership. Consequently, these works cannot be undertaken by government authorities, therefore can only be permitted with consent.
	X	X	×	
exhibition villages extractive industries	X	X	x	
extractive industries	X	x		

flood mitigation works	x	c	c	A review of the RE2 zoned lands indicates one site adjacent to the Cooks River, and another adjacent to the Millstream and Botany Wetlands, which are considered appropriate to permit flood mitigation works. This is consistent with the Infrastructure SEPP which permits flood mitigation works on land within the zone, if undertaken by, or on behalf of, a public authority.
mortuaries	x	x	×	
open cut mining	х	х	×	

	W1 Natural Waterways			
Land use	Current LE	EP Provision	Proposed	
	DI ED 2011	DDI ED 2012		On which the state of the state
Land use terms within agricu		BBLEP 2013		Comments/rationale
Land use terms within agricu	littire group ter			With the exception of mandated permissible uses, these uses are inappropriate and
agriculture			x	do not meet the objectives of this zone.
aquaculture			c	This is a mandated use with consent in the standard instrument. Accordingly, all land uses classified under the group term aquaculture are permissible with consent. This is consistent across both LEP's and no change is proposed.
Oyster aquaculture			С	
Pond-based aquaculture			c	
Tank-based aquaculture			C	
extensive agriculture (e.g., Grazing of livestock's, etc.)			×	Extensive agriculture refers to the production of crops and grazing of livestock. These uses are inappropriate do not meet the objectives of this zone. Accordingly, all land uses classified under the group term extensive agriculture are prohibited. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
bee keeping			x	Bee keeping refers to a building or place used for the keeping and breeding of bees for commercial purposes. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
dairy (pasture-based)			x	Dairy (pasture-based) refers to a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle generally feed by grazing on living grasses and other plants on the land and are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief). This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
intensive livestock agriculture			×	Intensive livestock agriculture refers to the keeping or breeding of livestock for commercial purposes. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, the use, and the sub-terms are proposed to be prohibited.
feedlots			x	
dairies (restricted)	-		X	
intensive plant agriculture (e.g., Cultivation of irrigated crops)			x	Intensive plant agriculture refers to the cultivation of irrigated crops for commercial purposes. These uses are inappropriate do not meet the objectives of this zone. Accordingly, the use, and the sub-terms are proposed to be prohibited.
horticulture			X	
turf farming			X	
viticulture			X	
(Land use terms outside agric	ulture group te	rm)		
animal boarding or training establishments			x	Animal boarding or training establishment refers to a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than the agistment of horses), and includes any associated riding school or ancillary veterinary hospital. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.

farm buildings	×	Farm building refers to a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
forestry	×	Forestry refers to forestry operations within the meaning of the Forestry Act 2012 or Part 5B of the Local Land Services Act 2013. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
Land use terms within residential accommo	odation group term	
residential accommodation	x	No residential accommodation uses are considered appropriate in the zone. Accordingly, the residential accommodation group term and all uses within it are proposed to be prohibited.
attached dwellings	×	
boarding houses	×	
dual occupancies	x	
dual occupancies (attached)	×	
dual occupancies (detached)	x	4
dwelling houses	x	
group homes	×	
group homes (permanent)	x	
group homes (transitional)	x	
hostels	x	
multi dwelling housing	×	
residential flat buildings	×	
rural worker's dwellings	×	
secondary dwellings	×	
semi-detached dwellings	×	
seniors housing	×	
residential care facilities	×	
shop top housing	×	
Land use terms outside residential accomm	nodation group term	
home-based child care	×	Home-based childcare refers to a family day-care residence or a dwelling used for the purposes of a home based education and care service. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
home business	×	Home businesses refer to a business that is carried on in a dwelling or in a building ancillary to a dwelling, by one or more permanent residents. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
home occupations	×	Home occupations refers to an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
home occupation (sex services)	x	Home occupation (sex services) means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling by no more than 2 permanent residents. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
Land use terms within tourist and visitor accor	mmodation group term	

		Tourist and visitor accommodation refers to a building or place that provides temporary or short term accommodation on a commercial basis. These land uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term tourist and visitor accommodation are proposed to be
tourist and visitor accommodation	X	prohibited.
backpackers' accommodation	×	
bed & breakfast accommodation	×	
farm stay accommodation	X	
hotel or motel accommodation	X	
serviced apartments	X	
(land use terms outside tourist and visitor accommodation gr	oup term)	
camping grounds	×	Camping grounds refers to an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
caravan parks	×	Caravan park refers to land (including camping ground) on which caravans (or caravan and other moveable dwellings) are, or are to be installed or placed. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
eco-tourist facilities (land use terms within commercial premises	X X	Eco-tourist facilities refers to a building that provides temporary or shore term accommodation to visitors on a commercial basis, is located adjacent to an area with special ecological or cultural features and is sensitively designed and located to minimise bulk scale and overall physical footprint and any ecological or visual impact. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
(rand use terms within commercial premises	group term	Commercial avantage refer to the hypinger avantage office exemines as vetail
commercial premises	×	Commercial premises refer to the business premises, office premises or retail premises. All land uses classified under the group term commercial premises are inappropriate and do not meet the objectives of this zone, therefore are proposed to be prohibited.
business premises (e.g Banks, post offices,		
hairdressers, etc.)	×	
funeral homes	X	
office premises	x	
retail premises	x	
cellar door premises	x	
food & drink premises	x	
pubs	x	
restaurants or cafes	×	
take-away food & drink premises	x	
garden centres	X	
hardware & building supplies	x	
kiosks	x	
landscaping material supplies	X	
markets	×	
plant nurseries	x	
roadside stalls	X	
rural supplies	×	
shops	x	

neighbourhood shops	X	
neighbourhood supermarket	x	
specialised retail premises	x	
timber yards	x	
vehicle sales or hire premises	X	
(Land use terms outside co	mmercial premises group term)	
amusement centres	×	Amusement centres refer to a building or place (not being part of a pub or registered club) used principally for playing billiards, poor or other like games, or electronic or mechanical amusement devices such as pinball machines, computer or video games and the like. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
entertainment facilities	x	Entertainment facilities refer to a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
function centres	×	Function centres refers to a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
highway service centres	×	Highway service centres refers a building or place used to provide refreshments and vehicle services to highway users. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
industrial retail outlets	×	Industrial retail outlets refers to a building or place that is used in conjunction with an industry or rural industry, and is situated on the land which the industry or rural industry is located and is used for the display or sale of only those goods that have been manufactured on the land on which the industry or rural industry is located but does not include a warehouse or distribution centre. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
registered clubs	×	Registered club refers to a club that holds a club licence under the Liquor Act 2007. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
restricted premises	×	Restricted premises refers to premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
service stations	x	Service stations refers to a building or place used for the sale by retail of fuels and lubricants for motor vehicles. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
sex services premises	×	sex service premises refers to a brothel, but does not include home occupation (sex services). This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
veterinary hospitals	×	Veterinary hospitals refers to a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment. This land use is inappropriate, as it does not meet the objective of the zone, therefore is proposed to be prohibited.

	1	
wholesale supplies	×	Wholesale supplies refers to a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the A New Tax System (Australian Business Number) Act 1999 of the Commonwealth. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
(Land use terms within rural industry group te	erm)	
rural industries (e.g., use of composting facilities and works)	×	Rural industries refer to the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes. These uses are inappropriate do not meet the objectives of this zone. Accordingly, all land uses classified under the group term rural industries and the group term rural industries are proposed to be prohibited.
agricultural produce industries	x	
livestock processing industries	×	
sawmill or log processing industries	x	
stock & sale yards	×	
(Land use terms within industry group term	1)	
industries	×	industries refer to general, heavy and light industry. These uses are mandated as prohibited in the zone under the SI LEP.
heavy industries	X	
hazardous industry	x	
offensive industry	x	
light industries	x	
high technology industries	x	
home industry	x	
artisan food and drink industry	×	
general industries	x	
(Land use term outside industry group term	1)	
boat building and repair facilities	×	Boat building and repair facilities refers to any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed. This land use is appropriate for other waterways zones, but is not considered an appropriate use for waterways subject to the W1 Natural Waterways zoning.
vehicle body repair workshops	x	Vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
vehicle repair stations	×	Vehicle repair station means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
(Land use terms within heavy industrial storage establishm	nent group term)	
hone, industrial storage establishments		Heavy industrial storage establishments refer to a building or place used for the storage of goods, materials, plant or machinery for commercial purposes that requires separation from other development because of the nature of the process involved. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term heavy industrial storage establishments
heavy industrial storage establishments	X	are proposed to be prohibited.

hazardous storage establishments	X	
liquid fuel depots	×	
offensive storage establishments	x	
(Land use terms within storage	premises group term)	
storage premises	x	Storage premises refer to a building or place used for the storage of goods, materials, plant or machinery for commercial purposes where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land. These uses are inappropriate do not meet the objectives of this zone. Accordingly all land uses classified under the group term storage premises and the group term storage premises is prohibited.
self storage units	×	
(Land use terms outside storage	ge premises group term)	
depots	×	Depots refers to a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
warehouse or distribution centres	×	Warehouse or distribution centre refers to a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises. This land use and its sub-term are mandated as prohibited in the zone under the SI LEP.
local distribution centre	×	
(Land use within sewerage	system group term)	
sewerage systems	x	Sewerage systems refer to bio solid treatment facilities, sewage reticulation systems, sewage treatment plants, water recycling facilities or a building or place that combines the above. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term sewerage systems are proposed to be prohibited.
bio solids treatment facilities	x	
sewage reticulation systems	x	
sewage treatment plants	x	
water recycling facilities	×	
(Land use terms within waste or resource	management facility group term)	
waste or resource management facilities	x	Waste or resource management facility refers to a resource recovery facility, waste disposal facility, waste or resource transfer station or a building or place that combines the above. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term waste or resource management facilities are proposed to be prohibited.
resource recovery facilities	X.	
waste disposal facilities	×	
waste or resource transfer stations	x	
(Land use terms within water si water supply systems	upply system group term)	Water supply systems refer to a water reticulation system, water storage facility, water treatment facility or building or place that is combined by any of the previously stated. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term water supply systems are proposed to be prohibited.
water reticulation systems	X	
water storage facilities	x	
water treatment facilities		

(Land use term within air transport facility group term)		
air transport facilities	x	Air transport facilities refers to an airport or heliport that is not part of an airport. These uses are inappropriate and do not meet the objectives of the zone. Accordingly, all land uses classified under the group term are proposed to be prohibited.
airport	x	
heliport	x	
(Land use term outside air transport facility group term)		
airstrips	x	Airstrips refers to a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited. Helipads refer to a place not open to the public used for the taking off and landing of
helipads	×	helicopters. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
(Other Land use terms relating to infrastructure)	•	
car parks	×	Carparks refers to a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
electricity generating works	x	Electricity generating works refers to a building or place used for the purpose of making or generating electricity. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
freight transport facilities	×	Freight transport facilities refers to a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
port facilities	x	Port facilities refers to any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the Ports and Maritime Administration Act 1995. Council acknowledges that the Infrastructure SEPP permits port facilities in certain prescribed zones, however, the W1 Natural Waterways zone is not one of those prescribed zones. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
passenger transport facilities	×	Passenger transport facilities refers to a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
roads	×	Roads refers to a public road or a private road within the meaning of the Roads Act 1993, and includes a classified road. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
transport depots	x	Transport depot refers to a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.

Bayside Local Planning Panel

×	Truck depot refers to a building or place used for the servicing and parking of trucks, earthmoving machinery and the like. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
	Wharf or boating facilities refers to means a wharf or any of the following facilities associated with a wharf or boating that are not port facilities. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited. Council acknowledges that the Infrastructure SEPP permits wharf or boating facilities in certain prescribed zones, however, the W1 Natural Waterways zone is not one of those prescribed zones.
	Lorio is not one or mose presented zones.
x	Educational establishment means a building or place used for education. These uses are inappropriate do not meet the objectives of this zone. Accordingly, all land uses classified under the group term educational establishments are proposed to be prohibited.
X	
y group term)	
×	Health service facility refers to a building or place used to provide medical or other services relating to the maintenance or improved health. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term health service facilities are proposed to be prohibited.
rintrastructure	Coatra hannel abild any facility refers to a building or place used for the advantion and
x	Centre-based child care facility refers to a building or place used for the education and care of children. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
×	Community facilities refers to a building or place owned or controlled by a public authority or non-profit community organisation, and used for the physical, social, cultural or intellectual development or welfare of the community. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
×	Correctional centres refers to any premises declared to be a correctional centre by a proclamation in force under section 225 of the Crimes (Administration of Sentences) Act 1999, including any juvenile correctional centre or periodic detention centre, and any premises declared to be a detention centre by an order in force under section 5 (1) of the Children (Detention Centres) Act 1987. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited. Emergency services facilities refers to a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services
×	organisation. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited. Industrial training facilities refers to a building or place used in connection with
×	vocational training facilities refers to a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
	ent group term) x x y group term) x x x x x x infrastructure x

information and education facilities	×	Information and education facilities refers to a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
places of public worship	×	Places of public worship refers to a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
public administration building	x	Public administration buildings refers to a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
research stations	×	Research stations refers to a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
respite day care centres	×	Respite day care centres refers to a building or place that is used for the care of seniors or people who have a disability and that does not provide overnight accommodation for people other than those related to the owner or operator of the centre. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
(Land use terms within	signage group term)	
signage	×	Signage refers to any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage. These uses are appropriate for a W2 recreational waterway zone. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
advertising structure	×	Advertising structures is not considered appropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
building identification sign	×	Building identification signs refers to a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
business identification sign	×	Business identification signs refers to a sign that indicates the name of the person or business and the nature of the business is carried on by the person at the premises or place at which the sign is displayed and that may include the address of the premises or place and a logo or other symbol that identifies the business. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
(Land use terms rel		
boat launching ramps	×	Boat launching ramps refers to a structure designed primarily for the launching of trailer borne recreational vessels and includes associated car parking facilities. This land use is appropriate for other waterways zones, but is not considered an appropriate use for waterways subject to the W1 Natural Waterways zoning, and is therefore proposed to be prohibited.

boat sheds	×	Boat shed means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is proposed to be prohibited.
charter & tourism boating facilities	x	Charter and tourism boating facilities refer to any facility used for charter boating or tourism boating purposes. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
environmental facilities	c"	This is a use that is mandated as permitted with consent or permitted without consent in the SI LEP. This use is proposed to be permitted with consent in the zone. Jetties refers to a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a peired or piled foundation. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to
jetties	x	be prohibited.
marinas moorings	×	Marina means a permanent boat storage facility (whether located wholly on land, wholly on a waterway or partly on land and partly on a waterway), and includes any of the following associated facilities— (a) any facility for the construction, repair, maintenance, storage, sale or hire of boats, (b) any facility for providing fuelling, sewage pump-out or other services for boats, (c) any facility for launching or landing boats, such as slipways or hoists, (d) any car parking or commercial, tourist or recreational or club facility that is ancillary to the boat storage facility, (e) any berthing or mooring facilities. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited. Moorings refer to a detached or freestanding apparatus located on or in a waterway
imoonings	x	and that is capable of securing a vessel, but does not include a mooring pen. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
mooring pens	×	Mooring pen refers to an arrangement of freestanding piles or other restraining devices designed or used for the purpose of berthing a vessel. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
recreation areas	×	Recreation areas refers to a place used for outdoor recreation that is normally open to the public. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
recreation facilities (indoor)	×	Recreation facilities (indoor) refers to a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.

recreation facilities (major)	×	Recreation facilities (major) refers to a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks. This land use is mandated as prohibited in the zone under the SI LEP.
recreation facilities (outdoor)	x	Recreation facilities (outdoor) refers to a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major). This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
water recreation structures	x.	Water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
(other miscellaneous Land use te	rms)	
cemeteries	×	Cemeteries refers to a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
crematoria	x	Crematoria refers to a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
environmental protection works	O*	This is mandated as permitted with consent or permitted without consent in the SI LEP. As environmental protection works refers to works associated with the rehabilitation of land towards its natural state, or any work to protect land from environmental degradation, this use is proposed to be permitted without consent.
exhibition homes	×	Exhibition homes refers to a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
exhibition villages	x	Exhibition villages refers to 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
extractive industries	x	Extractive industries refers to the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.

flood mitigation works	c	Flood mitigation work refers to work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts. This use is proposed to be permitted with consent. This is consistent with the Infrastructure SEPP which permits flood mitigation works on any land, if undertaken by or on behalf of a public authority.
mortuaries	×	Mortuaries refers to premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.
open cut mining	×	Open cut mining refers to mining carried out on, and by excavating, the earth's surface, but does not include underground mining. This land use is inappropriate and does not meet the objectives of this zone, therefore is proposed to be prohibited.

	W2 Recreational Waterways		aterways	
Land use	Current LEP Provision		Proposed	
	DI ED 2011	BBLEP 2013		Comments/rationale
Land use terms within agric				Comments/rationale
Earlo dos terrio menir agric	andre group ton			
agriculture			x	Agriculture is a group term that refers to aquaculture, extensive agriculture, intensive livestock agriculture and intensive plant agriculture. With the exception of mandated permissible uses, these uses are inappropriate and do not meet the objectives of this zone. Accordingly, the agriculture group term is prohibited.
aquaculture			c	This is a mandated use with consent in the standard instrument. Accordingly, all land uses classified under the group term aquaculture is permissible with consent. This is consistent across both LEP's and no change is proposed. Note Schedule 4 of Part 4 permits aquaculture in this zone.
Oyster aquaculture			c	
Pond-based aquaculture			С	
Tank-based aquaculture			С	
extensive agriculture (e.g., Grazing of livestock's, etc.)			x	Extensive agriculture refers to the production of crops and grazing of livestock. These uses are inappropriate do not meet the objectives of this zone. Accordingly, all land uses classified under the group term extensive agriculture are prohibited. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
bee keeping			x	Bee keeping refers to a building or place used for the keeping and breeding of bees for commercial purposes. This land use is inappropriate does not meet the objectives of this zone, therefore is prohibited.
dairy (pasture-based)			x	Dairy (pasture-based) refers to a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle generally feed by grazing on living grasses and other plants on the land and are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief). This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
intensive livestock agriculture			x	Intensive livestock agriculture refers to the keeping or breeding of livestock for commercial purposes. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term extensive agriculture are prohibited.
feedlots			X	
dairies (restricted)			X	
intensive plant agriculture (e.g., Cultivation of irrigated crops)			x	Intensive plant agriculture refers to the cultivation of irrigated crops for commercial purposes. These uses are inappropriate do not meet the objectives of this zone. Accordingly, all land uses classified under the group term extensive agriculture are prohibited.
horticulture			X	
turf farming			X	
viticulture			X	
(Land use terms outside agric	culture group te	m)	x	Animal boarding or training establishment refers to a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than the agistment of horses), and includes any associated riding school or ancillary veterinary hospital. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.

farm buildings		×	Farm building refers to a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
forestry		×	Forestry refers to forestry operations within the meaning of the Forestry Act 2012 or Part 5B of the Local Land Services Act 2013. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
Land use terms within res	idential accommodation group term		
residential accommodation		×	No residential accommodation uses are considered appropriate in the W2 Recreational Waterway zones. Accordingly, the residential accommodation group term is prohibited.
attached dwellings		x	
boarding houses		X	
dual occupancies		X	
dual occupancies (attached)		X	
dual occupancies (detached)		x	
dwelling houses		×	
group homes		×	
group homes (permanent)		x	
group homes (transitional)		×	
hostels		×	
multi dwelling housing		X:	
residential flat buildings		×	
rural worker's dwellings		×	
secondary dwellings		x	
semi-detached dwellings		X	
seniors housing		x	
residential care facilities		×	
shop top housing		X	
Land use terms outside re	sidential accommodation group term		
home-based child care		×	Home-based childcare refers to a family day-care residence or a dwelling used for the purposes of a home based education and care service. This land use is inappropriate, as it does not meet the objectives of the zone, therefore is prohibited.
home business		x	Home businesses refer to a business that is carried on in a dwelling or in a building ancillary to a dwelling, by one or more permanent residents. This land use is inappropriate does not meet the objectives of this zone, therefore is prohibited.
home occupations		x	Home occupations refers to an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling. This land use is inappropriate does not meet the objectives of this zone, therefore is prohibited.
home occupation (sex services)		x	Home occupation (sex services) means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling by no more than 2 permanent residents. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
Land use terms within tourist	and visitor accommodation group term		

tourist and visitor accommodation	×	Tourist and visitor accommodation refers to a building or place that provides temporary or short term accommodation on a commercial basis. These land uses are inappropriate do not meet the objectives of this zone. Accordingly, all land uses classified under the group term tourist and visitor accommodation is prohibited.
backpackers' accommodation	x	
bed & breakfast accommodation	x	
farm stay accommodation	x	
hotel or motel accommodation	X	
serviced apartments	x	
(land use terms outside tourist and visitor accomm	odation group term)	
camping grounds	x	Camping grounds refers to an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
caravan parks	×	Caravan park refers to land (including camping ground) on which caravans (or caravan and other moveable dwellings) are, or are to be installed or placed. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
eco-tourist facilities	×	Eco-tourist facilities refers to a building that provides temporary or shore term accommodation to visitors on a commercial basis, is located adjacent to an area with special ecological or cultural features and is sensitively designed and located to minimise bulk scale and overall physical footprint and any ecological or visual impact. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
(land use terms within commercial	premises group term	
commercial premises	x	Commercial premises refer to the business premises, office premises or retail premises. All land uses (apart from the mandated Kiosks) classified under the group term commercial premises are inappropriate and do not meet the objectives of this zone and therefore are prohibited. Accordingly, the group term commercial premises is prohibited.
business premises (e.g., Banks, post offices,		
hairdressers, etc.)	x	
funeral homes	X	
office premises	X	
retail premises	x	
cellar door premises	×	
food & drink premises	x	
pubs	X	
restaurants or cafes	X	
take-away food & drink premises	X	
garden centres	X	
hardware & building supplies	X	
kiosks	C	
landscaping material supplies	×	
markets	×	
plant nurseries	×	
roadside stalls	x	
rural supplies	×	

shops		X	
neighbourhood shops		×	
neighbourhood supermarket		X	
specialised retail premises		×	
timber yards		x	
vehicle sales or hire premises		X	
(Land use terms outside	commercial premises group term)	•	
amusement centres		x	Amusement centres refer to a building or place (not being part of a pub or registered club) used principally for playing billiards, poor or other like games, or electronic or mechanical amusement devices such as pinball machines, computer or video games and the like. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
entertainment facilities		×	entertainment facilities refer to a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
function centres		x	Function centres refers to a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
highway service centres		x	Highway service centres refers a building or place used to provide refreshments and vehicle services to highway users. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
industrial retail outlets		x	Industrial retail outlets refers to a building or place that is used in conjunction with an industry or rural industry, and is situated on the land which the industry or rural industry is located and is used for the display or sale of only those goods that have been manufactured on the land on which the industry or rural industry is located but does not include a warehouse or distribution centre. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
registered clubs		x	Registered club refers to a club that holds a club licence under the Liquor Act 2007. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
restricted premises			Restricted premises refers to premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
service stations		×	Service stations refers to a building or place used for the sale by retail of fuels and lubricants for motor vehicles. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
sex services premises		×	sex service premises refers to a brothel, but does not include home occupation (sex services). This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
veterinary hospitals		x	Veterinary hospitals refers to a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.

wholesale supplies	×	Wholesale supplies refers to a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the A New Tax System (Australian Business Number) Act 1999 of the Commonwealth. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
(Land use terms within rural industry group to	erm)	
rural industries (e.g., use of composting facilities and works)	x	Rural industries refer to the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes. These uses are inappropriate do not meet the objectives of this zone. Accordingly, all land uses classified under the group term rural industries and the group term rural industries are prohibited.
agricultural produce industries	x	
livestock processing industries	x	
sawmill or log processing industries	х	
stock & sale yards	x	
(Land use terms within industry group term	n)	
industries		Industries refer to general, heavy and light industry. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term industries and the group term industries are prohibited.
heavy industries	x	
hazardous industry	x	
offensive industry	x	
light industries	x	
high technology industries	x	
home industry	×	Home industry refers to a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out industrial activity. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
artisan food and drink industry	X	
general industries	×	
(Land use term outside industry group term	n)	
boat building and repair facilities	С	Boat building and repair facilities refers to any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed. This land use is appropriate for recreation waterway zones as it is consistent with permissible uses in adjoining councils and therefore is permitted with consent.
vehicle body repair workshops	X	
vehicle repair stations	X	
(Land use terms within heavy industrial storage establish	ment group term)	
heavy industrial storage establishments	×	heavy industrial storage establishments refer to a building or place used for the storage of goods, materials, plant or machinery for commercial purposes that requires separation from other development because of the nature of the process involved. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term heavy industrial storage establishments are prohibited.
hazardous storage establishments	x	
liquid fuel depots	X	
offensive storage establishments	x	

(Land use terms within storage premises	group term)	
storage premises	x	Storage premises refer to a building or place used for the storage of goods, materials, plant or machinery for commercial purposes where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term storage premises and the group term storage premises are prohibited.
self storage units	X	
(Land use terms outside storage premises	group term)	
depots	x	Depots refers to a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
warehouse or distribution centres	×	Warehouse or distribution centre refers to a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
local distribution centre	X	
(Land use within sewerage system gro	oup term)	
sewerage systems bio solids treatment facilities	x	Sewerage systems refer to bio solid treatment facilities, sewage reticulation systems, sewage treatment plants, water recycling facilities or a building or place that combines the above. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term sewerage systems and the group term sewerage systems are prohibited.
	×	
sewage reticulation systems	X	
sewage treatment plants	X	
water recycling facilities	X	
(Land use terms within waste or resource management waste or resource management facilities	ent facility group term)	Waste or resource management facility refers to a resource recovery facility, waste disposal facility, waste or resource transfer station or a building or place that combines the above. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term waste or resource management facilities and the group term waste or resource management facilities are prohibited.
resource recovery facilities	x	are promoteo.
waste disposal facilities	, x	
waste or resource transfer stations	x	
(Land use terms within water supply system		
(cano doc termo within water supply system	g. oop tom)	
water supply systems	×	Water supply systems refer to a water reticulation system, water storage facility, water treatment facility or building or place that is combined by any of the previously stated. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term water supply systems and the group term water supply systems are prohibited.
water reticulation systems	X	
water storage facilities	X	
water treatment facilities	x	

(Land use term within air trans	port facility group term)	
		Air transport facilities refers to an airport or heliport that is not part of an airport. These uses are inappropriate and do not meet the objectives of low density residential zones. Accordingly all land uses classified under the group term water supply systems are
air transport facilities	X	prohibited.
airport	×	
heliport	x	
(Land use term outside air trans	sport facility group term)	
airstrips	x	Airstrips refers to a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad. This land use is not considered appropriate and does not meet the objectives of this zone, therefore is prohibited.
helipads	x	Helipads refer to a place not open to the public used for the taking off and landing of helicopters. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
(Other Land use terms relat	ing to infrastructure)	
car parks	x	Carparks refers to a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
electricity generating works	x	Electricity generating works refers to a building or place used for the purpose of making or generating electricity. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
freight transport facilities	×	Freight transport facilities refers to a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
port facilities	x	Port facilities refers to any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the Ports and Maritime Administration Act 1995. Council acknowledges that the Infrastructure SEPP permits port facilities in certain prescribed zones. The W2 Recreational Waterways zone is one of those prescribed zones. However, Council considers this land use inappropriate, as it does not meet the objectives of this zone, therefore is prohibited.
passenger transport facilities	×	Passenger transport facilities refers to a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
roads	×	Roads refers to a public road or a private road within the meaning of the Roads Act 1993, and includes a classified road. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
transport depots	x	Transport depot refers to a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.

truck depots	x	Truck depot refers to a building or place used for the servicing and parking of trucks, earthmoving machinery and the like. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
wharf or boating facilities	x	Wharf or boating facilities refers to means a wharf or any of the following facilities associated with a wharf or boating that are not port facilities. Council acknowledges that the Infrastructure SEPP permits wharf or boating facilities in certain prescribed zones. The W2 Recreational Waterways zone is one of those prescribed zones. However, Council considers this land use inappropriate, as it does not meet the objectives of this zone, therefore is prohibited.
(Land use terms within education establishment gro	oup term)	
educational establishments	x	Educational establishment means a building or place used for education. These uses are inappropriate do not meet the objectives of this zone. Accordingly, all land uses classified under the group term educational establishments are prohibited.
schools	x	
(Land use terms within health service facility grou	p term)	Linelik anning facility refers to a hydding confers yeard to you did not dis-
health service facilities	×	Health service facility refers to a building or place used to provide medical or other services relating to the maintenance or improved health. These uses are inappropriate and do not meet the objectives of this zone. Accordingly, all land uses classified under the group term health service facilities are prohibited.
hospitals	x	
medical centres	×	
health consulting rooms	X	
(Other land use terms relating to community infras	structure	
centre-based child care facilities	x	Centre-based child care facility refers to a building or place used for the education and care of children. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
community facilities	x	Community facilities refers to a building or place owned or controlled by a public authority or non-profit community organisation, and used for the physical, social, cultural or intellectual development or welfare of the community. This land use is inappropriate and does not meet the objectives of the zone, therefore is prohibited.
correctional centres	×	Correctional centres refers to any premises declared to be a correctional centre by a proclamation in force under section 225 of the Crimes (Administration of Sentences) Act 1999, including any juvenile correctional centre or periodic detention centre, and any premises declared to be a detention centre by an order in force under section 5 (1) of the Children (Detention Centres) Act 1987. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
emergency services facilities	x	Emergency services facilities refers to a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation. This land use is inappropriate and do not meet the objectives of this zone, therefore is prohibited.
industrial training facilities	x	Industrial training facilities refers to a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.

information and education facilities	×	Information and education facilities refers to a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
places of public worship	×	Places of public worship refers to a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited. Public administration buildings refers to a building used as offices or for administrative
public administration building	×	or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
research stations	x	Research stations refers to a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation. This land use is inappropriate does not meet the objectives of this zone, therefore is prohibited.
respite day care centres	x	Respite day care centres refers to a building or place that is used for the care of seniors or people who have a disability and that does not provide overnight accommodation for people other than those related to the owner or operator of the centre. This land use is inappropriate does not meet the objectives of this zone, therefore is prohibited.
(Land use terms within s	gnage group term)	
signage	x	Signage refers to any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage. These uses are predominantly inappropriate for the zone, therefore the group term is proposed to be prohibited.
advertising structure	x	Advertising structures are not considered appropriate, and do not meet the objectives of the zone, therefore are proposed to be prohibited.
building identification sign	c	Building identification signs refers to a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services. This land use is appropriate for zone as it is consistent with permissible uses in adjoining councils and therefore is permitted with consent.
business identification sign	c	Business identification signs refers to a sign that indicates the name of the person or business and the nature of the business is carried on by the person at the premises or place at which the sign is displayed and that may include the address of the premises or place and a logo or other symbol that identifies the business. This land use is appropriate for recreational waterway zones as it is consistent with permissible uses in adjoining councils and therefore is permitted with consent.
(Land use terms relati	ng to recreation)	
boat launching ramps	c	Boat launching ramps refers to a structure designed primarily for the launching of trailer borne vessels, and includes associated car parking facilities. Given the importance of waterways in the Bayside LGA and to be consistent with adjoining councils, boat launching ramps are permitted with consent.
water authoriting ramps		pourono, ovat idenoming ramps are permitted with consent.

boat sheds	c*	This is use is mandated as permitted with consent or permitted without consent in the standard instrument. As W2 Recreational Waterways is a new zone to be adopted in this LEP, Council wants to ensure proposed development will be sensitive to the areas included within the zone. Therefore, boat sheds are to be permitted with consent.
charter & tourism boating facilities	×	Charter and tourism boating facilities refer to any facility used for charter boating or tourism boating purposes. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
environmental facilities	c'	This is use is mandated as permitted with consent or permitted without consent in the standard instrument. As W2 Recreational Waterways is a new zone to be adopted in this LEP, Council wants to ensure proposed development will be sensitive to the areas included within the zone. Therefore, environmental facilities are to be permitted with consent.
jetties	c	Jetties refers to a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a peired or piled foundation. This land use is appropriate for zone and proposed to be permitted with consent.
marinas	c	This is a mandated use that is permitted with consent in the standard instrument.
moorings	C	Moorings refer to a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel, but does not include a mooring pen. This land use is appropriate for the zone, and therefore is permitted with consent.
mooring pens	x	Mooring pen refers to an arrangement of freestanding piles or other restraining devices designed or used for the purpose of berthing a vessel. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
recreation areas	×	Recreation areas refers to a place used for outdoor recreation that is normally open to the public. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
recreation facilities (indoor)	x	Recreation facilities (indoor) refers to a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
recreation facilities (major)	x	Recreation facilities (major) refers to a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks. This land use is inappropriate does not meet the objectives of this zone, therefore is prohibited.

recreation facilities (outdoor)	×	Recreation facilities (outdoor) refers to a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major). This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
water recreation structures	c*	This is use is mandated as permitted with consent or permitted without consent in the standard instrument. As W2 Recreational Waterways is a new zone to be adopted in this LEP, Council wants to ensure proposed development will be sensitive to the areas included within the zone. Therefore, water recreation structures are to be permitted with consent.
(other miscellaneous Land use terr	ns)	
cemeteries	x	Cemeteries refers to a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
crematoria	- X	Crematoria refers to a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
environmental protection works	o'	This is use is mandated as permitted with consent or permitted without consent in the standard instrument. As W2 Recreational Waterways is a new zone to be adopted in this LEP, Council wants to ensure proposed development will be sensitive to the areas included within the zone. Therefore, environmental protection works are to be permitted with consent.
exhibition homes	-x	Exhibition homes refers to a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
exhibition villages	x	Exhibition villages refers to two or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
extractive industries	×	Extractive industries refers to the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.

flood mitigation works	C	Flood mitigation work refers to work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts. This use is proposed to be permitted with consent. This is consistent with the Infrastructure SEPP which permits flood mitigation works on any land, if undertaken by, or on behalf of, a public authority.
mortuaries	x	Mortuaries refers to premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.
open cut mining	x	Open cut mining refers to mining carried out on, and by excavating, the earth's surface, but does not include underground mining. This land use is inappropriate and does not meet the objectives of this zone, therefore is prohibited.

	W:	3 Working Water	rways	
Land use		EP Provision	Proposed	
Land use				
		BBLEP 2013		Comments/rationale
Land use terms within agrice	ulture group ter			
agriculture		X	X	
aquaculture		С	C	
Oyster aquaculture		С	С	
Pond-based aquaculture		С	C	
Tank-based aquaculture		С	¢	
extensive agriculture (e.g., Grazing of livestock's, etc.)		x	×	
bee keeping	1	x	x	
dairy (pasture-based)		x	x	
intensive livestock agriculture		х	×	
feedlots		x	x	
dairies (restricted)		x	X	
intensive plant agriculture (e.g., Cultivation of irrigated crops)		×	x	
horticulture		x	x	
turf farming		x	x	
viticulture		x	x	
(Land use terms outside agric	ulture group te	rm)		
animal boarding or training establishments		T x	X	
farm buildings		x	X	
forestry		x	x	
Land use terms within residential ac	commodation of	roup term		
residential accommodation		X	x	
attached dwellings		x	×	
boarding houses		x	×	
dual occupancies		x	×	
dual occupancies (attached)		x	x	
dual occupancies (detached)		x	×	
dwelling houses		x	X.	
group homes		x	x	
group homes (permanent)		x	×	
group homes (transitional)		x	X.	
hostels		х	x	
multi dwelling housing		x	x	
residential flat buildings		x	×	
rural worker's dwellings		x	X	
secondary dwellings		х	x	
semi-detached dwellings		x	x	
seniors housing		x	X	
residential care facilities		x	x	
shop top housing		x	x	
Land use terms outside residential ad	commodation	group term		
home-based child care		x	x	
home business		x	x	
home occupations		x	×	

nome occupation (sex services)	x		x
Land use terms within tourist and vis	sitor accommodation group		
ourist and visitor accommodation	X		x
backpackers' accommodation	X	_	x
bed & breakfast accommodation	x		x
farm stay accommodation	x		x
hotel or motel accommodation	X		x
serviced apartments	X		x
(land use terms outside tourist and visitor acco			
camping grounds	x		x
caravan parks			Li control de la
eco-tourist facilities	X		X .
	x		X .
(land use terms within comme			
ommercial premises	X		X .
business premises (e.g Banks, post offices,			
hairdressers, etc.)	х	_	X
funeral homes	x		X
office premises	X		X X
retail premises	X	-	X
cellar door premises	x		X
food & drink premises	×		X .
pubs	×		X
restaurants or cafes	×		X
take-away food & drink premises	X		X
garden centres	x		x.
hardware & building supplies	x		x .
kiosks	x	1	X
landscaping material supplies	x		X.
markets	x		x
plant nurseries	×		x
roadside stalls	x	_	x
rural supplies	x		x
shops	×		x
neighbourhood shops	X		x
neighbourhood supermarket	x		x x
specialised retail premises	x		x x
timber yards	x		x x
vehicle sales or hire premises			
	X		X
(Land use terms outside comm			
amusement centres	X		X .
entertainment facilities	X	_	X .
function centres	X		X
highway service centres	X		X
industrial retail outlets	X		X
registered clubs	x		x
restricted premises	X		x
service stations	x		X
sex services premises	X		x
veterinary hospitals	X		X
wholesale supplies	x		x

(Land use terms within rural inc	dustry group term)		
rural industries (e.g., use of composting facilities and			
works)	x	×	
agricultural produce industries	x	X	
livestock processing industries	X	X	
sawmill or log processing industries	X	X	
stock & sale yards	x	x	
(Land use terms within indus			
industries	x y group tomin	X	
heavy industries	x	x	
hazardous industry	x	X	
offensive industry	x	X	
light industries	x	×	
high technology industries	x	X	
home industry	x	X	
artisan food and drink industry	x	x	
general industries	x	X	
(Land use term outside indus		^	
boat building and repair facilities	stry group term)	С	
vehicle body repair workshops	X	×	
vehicle repair stations	X	x	
(Land use terms within heavy industrial stor			
heavy industrial storage establishments			
	X	X	
hazardous storage establishments	X	х	
liquid fuel depots	X	X	
offensive storage establishments	x	X	
(Land use terms within storage p			
storage premises	X	X	
self storage units	X	x	
(Land use terms outside storage p			
depots	x	X	
warehouse or distribution centres	X	X	
local distribution centre	X	x	
(Land use within sewerage sy	stem group term)		
sewerage systems	x	x	
bio solids treatment facilities	x	X	
sewage reticulation systems	x	X.	
sewage treatment plants	x	X	
water recycling facilities	x	X	
(Land use terms within waste or resource m	anagement facility group tern	n)	
waste or resource management facilities	x	X	
resource recovery facilities	x	X	
waste disposal facilities	x	X	
waste or resource transfer stations	x	x	
(Land use terms within water supp			
water supply systems	x	X	
water reticulation systems	x	x	
water storage facilities	x	x	
water treatment facilities	x	x	
WALCH D'OUTHER I I I I I I I I I I I I I I I I I I I	^		

air transport facilities		х	×
airport		x	X
heliport		x	×
	e air transport facility group to		0
airstrips	s all transport facility group to	X	x
helipads		x	×
	rms relating to infrastructure		0
car parks	inia relating to mirastructure) X	x
electricity generating works			
freight transport facilities		X	×
		Х	X
port facilities		C	C
passenger transport facilities		X	X
roads		X	x
transport depots		X	X
truck depots		X	X
wharf or boating facilities		¢	C
	ducation establishment group	term)	
educational establishments		X	×
schools		x	×
	health service facility group t	term)	
health service facilities		X	x
hospitals		x	X
medical centres		x	×
health consulting rooms		X	x
	elating to community infrastru		
centre-based child care facilities	gay mindon	X	X .
community facilities		X	×
correctional centres		X	× ×
emergency services facilities		х	x
industrial training facilities		X	×
information and education facilities		X	× ×
places of public worship			
		X	X.
public administration building		X	x
research stations		Ж	x
respite day care centres		Х	X
	within signage group term)		
signage		Х	X .
advertising structure		Х	X
building identification sign		C	C
business identification sign		C	C
(Land use terr	ns relating to recreation)		
boat launching ramps		Х	X
boat sheds		C*	c
charter & tourism boating facilities		х	x
environmental facilities		C*	c
jetties		x	x
marinas		x	X
moorings		x	
			X
mooring pens recreation areas		X	X.
recreation areas		X	X

recreation facilities (indoor)		x	X	
recreation facilities (major)		х	X	
recreation facilities (outdoor)		х	X	
water recreation structures		C*	C	
(other miscellaneous Land	use terms)			
cemeteries		x	X.	
crematoria		x	X	
environmental protection works		0"	0	
exhibition homes		x	X.	
exhibition villages		x	X	
extractive industries		х	X.	
flood mitigation works		С	C	
mortuaries		x	x	
open cut mining		x	x	

	E1 Nation	al Parks & Na	ture Reserves	
		P Provision	Proposed	
Land use		1		
	RLEP 2011	BBLEP 2013		Comments/rationale
Land use terms within agriculture	group term			
agriculture	x		×	
aquaculture	х		x	
Oyster aquaculture	х		×	
Pond-based aquaculture	x		X	
Tank-based aquaculture	x		×	
extensive agriculture (e.g., Grazing of livestock's, etc.)	х		×	
bee keeping	х		×	
dairy (pasture-based)	x		X	
intensive livestock agriculture	×		×	
feedlots	x		×	
dairies (restricted)	x		X	
intensive plant agriculture (e.g., Cultivation of irrigated crops)	х		×	
horticulture	x		×	
turf farming	x		X	
viticulture	х		X	
(Land use terms outside agriculture	e group term)			
animal boarding or training establishments	x		X	
farm buildings	х		х	
forestry	х		x	
Land use terms within residential accomm	nodation group ter	m		
residential accommodation	х		×	
attached dwellings	х		×	
boarding houses	x		X	
dual occupancies	x		×	
dual occupancies (attached)	х		×	
dual occupancies (detached)	x		×	
dwelling houses	х		X	
group homes	x		*	
group homes (permanent)	x		ж	
group homes (transitional)	х		×	
hostels	x		×	
multi dwelling housing	x		X	
residential flat buildings	x		×	
rural worker's dwellings	х		×	
secondary dwellings	х		X	
semi-detached dwellings	x		×	
seniors housing	x		X	
residential care facilities	х		×	
shop top housing	х		×	
Land use terms outside residential accom-	modation group te	rm		
home-based child care	x		X	
home business	x		×	
home occupations	x		×	
home occupation (sex services)	х		X	
Land use terms within tourist and visitor acco	mmodation group	term		

tourist and visitor accommodation	x	×	
backpackers' accommodation	x	х	
bed & breakfast accommodation	x	×	
farm stay accommodation	×	×	
hotel or motel accommodation	x	×	
serviced apartments	×	x	
(land use terms outside tourist and visitor accommodation			
camping grounds	x	x	
caravan parks	x	×	
eco-tourist facilities	×	X	
(land use terms within commercial premise			
commercial premises	x	X	
business premises (e.g., Banks, post offices, hairdressers, etc.)	x	X	
funeral homes	x	x	
office premises	×	×	
retail premises	x	×	
cellar door premises	x	×	
food & drink premises	x	×	
pubs	×	x	
restaurants or cafes	x	*	
take-away food & drink premises	x	×	
garden centres	x	x	
hardware & building supplies	×	×	
kiosks	x	x	
landscaping material supplies	×	x	
markets	×	×	
plant nurseries	x	×	
roadside stalls	×	x	
rural supplies	×	×	
shops	x	х	
neighbourhood shops	x		
neighbourhood supermarket	×	×	
specialised retail premises	×	x.	
timber yards	x	×	
vehicle sales or hire premises	×	*	
(Land use terms outside commercial premis	es group term)	
amusement centres	X	*	
entertainment facilities	x	X	
function centres	x	×	
highway service centres	x	×	
industrial retail outlets	x	x	
registered clubs	x	×	
restricted premises	x	X	
service stations	x	×	
sex services premises	x	×	
veterinary hospitals	x	x	
wholesale supplies	x	*	
(Land use terms within rural industry gr			
rural industries (e.g., use of composting facilities and works)	x	x	
agricultural produce industries	x	×	

livestock processing industries	x	×	
sawmill or log processing industries	x	×	
stock & sale yards	x	×	
(Land use terms within in		- "	
industries	x	×	
heavy industries	x	x	
hazardous industry	x	×	
offensive industry	x	x	
light industries	x	×	
high technology industries	x	×	
home industry	x	x	
artisan food and drink industry	x	×	
general industries	x	×	
(Land use term outside in	dustry group term)		
boat building and repair facilities	x	×	
vehicle body repair workshops	x	×	
vehicle repair stations	x	×	
(Land use terms within heavy industrial s	torage establishment group term)		
heavy industrial storage establishments	x	*	
hazardous storage establishments	x	×	
liquid fuel depots	x	*	
offensive storage establishments	x	*	
(Land use terms within storage	premises group term)		
storage premises	x	*	
self storage units	x	.*	
(Land use terms outside storage	e premises group term)		
depots	x	×	
warehouse or distribution centres	x	x	
local distribution centre	x	×	
(Land use within sewerage	system group term)		
sewerage systems	x	*	
bio solids treatment facilities	x	×	
sewage reticulation systems	x	ж	
sewage treatment plants	x	×	
water recycling facilities	x	×	
(Land use terms within waste or resource	management facility group term))	
waste or resource management facilities	x	×	
resource recovery facilities	x	×	
waste disposal facilities	x	*	
waste or resource transfer stations	x	/X	
(Land use terms within water s	upply system group term)		
water supply systems	x	*	
water reticulation systems	x	X	
water storage facilities	x	×	
water treatment facilities	x	×	
(Land use term within air trans	port facility group term)		
air transport facilities	x	×	
airport	x	*	
heliport	х	3:	
	sport facility group term)		

airatrina			Tu .	
airstrips	X		×	
helipads (Other Lond use to me unlation to inform	X X		X	
(Other Land use terms relating to infras		1		
car parks	X		×	
electricity generating works	X		×	
freight transport facilities	X		X	
port facilities	X		×	
passenger transport facilities	х		×	
roads	х		х	
transport depots	×		*	
truck depots	x		х	
wharf or boating facilities	×			
(Land use terms within education establishme	nt group tern	n)		
educational establishments	x		x	
schools	x		×	
(Land use terms within health service facility	group term)			
health service facilities	x	()	X	
hospitals	x		×	
medical centres	x		×	
health consulting rooms	x		×	
(Other land use terms relating to community	infrastructure)		
centre-based child care facilities	x		×	
community facilities	x		×	
correctional centres	x		X	
emergency services facilities	x		X	
industrial training facilities	×		×	
information and education facilities	×		X	
places of public worship	×		X	
public administration building	×		×	
research stations	x		X	
respite day care centres	×		×	
(Land use terms within signage group				
signage	x		X	
advertising structure	×		x	
building identification sign	x		×	
business identification sign	×		X	
(Land use terms relating to recreat				
boat launching ramps	x		X	
boat sheds	x		×	
charter & tourism boating facilities	x		×	
environmental facilities	x		×	
jetties	×		×	
marinas	×		×	
	X			
moorings			x	
mooring pens	X			
recreation areas	X		У.	
recreation facilities (indoor)	X		×	
recreation facilities (major)	X		×	
recreation facilities (outdoor)	X		×	
water recreation structures	×		×	

(other miscellaneous Land use te	rms)		
cemeteries	х	X	
crematoria	x	×	
environmental protection works	x	×	
exhibition homes	x	X	
exhibition villages	×	X	
extractive industries	x	×	
flood mitigation works	x	X	
mortuaries	x	X	
open cut mining	x	X	
other land uses			
Uses authorised under the National Parks and Wildlife Act 1974	0	0	

Bayside Local Environmental Plan 2020	ots								П			Ш							Reserves			
and Use Matrix	RU4 Primary Production Small Lots		iai				П					Ш	Ш						Rese			
egend	SIIIS	E	R3 Medium Densilly Residential	itial	·p				=			Ш							Ire		ays	П
	100	R2 Low Density Residentia	Resi	Residential	Centre	П			Business Development	-		=	Ш	(0)			E	-	E1 National Parks & Nature	60	Recreational Waterway	ays
I colours in green indicate mandated under the Standard Instrument LEP	duot	lesid	5	Resi	OP		B3 Commercial Core		dole	Enterprise Corridor		General Industrial	- T	Special Activities	_		Recreation	-	95	W1 Natural Waterways	Wat	Working Waterways
must be a or a [mandated under the Standard Instrument LEP]	200	2	sus	1	B1 Neighbourhood	2	al C)eve	00	à là	dus	N2 Light Industrial	Cti	SP2 Infrastructure		9	1	arks	ater	la l	Vate
permitted without consent permitted with consent	2	insi	0	Density F	OUT	Centre	arcii	B4 Mixed Use	SS	asi	Business Park	- P	를	a A	Inc	E	Ě	2	- B	3	atto	V Di
prohibited	E	O.	量	GH	용	alc	mme	pa (ine	erpr	in B	ner	Ē	Deci	iras	SP3 Tourism	T Priblic	8	ion	tura	cres	rkir
	9	Low	Mec	R4 High	Nei	B2 Local	Cor	ž	Bus	틃	Bus	Ge	9	S	드	3	Ē	표	Nai	Na	Re	W
	3	R2	H3	RA	#	B2	83	8	B5	Be	87	Z	Z Z	SP1	SP	SP	분	#	苗	3	W2	W3
(LAND USE te	rms W	тн	N ac	iricı	altur	e ara	ouc	lerm	1)													
agriculture	X	X	X	X	х	X	X	X	X :	C 3	c	X 3		(X	Х	X	X	X	X	X	X
aquaculture	C	X	х	X	x	X	X	X	X :	C 3	(X 2	2 0	20	c* I	C.	C	С	X	0	С	C
Oyster aquaculture	C	C	C	C	C	C	0	C	C			0 (_	-	_	_	$\overline{}$	C	X	C	~	C
Pond-based aquaculture	C	9	×	X	X	X	X :	X	X.				_	-		-	_	C	X	C	C C	C
Tank-based aquaculture extensive agriculture [eg. grazing of livestocks, etc.]	C O	y	¥	X	X	X	X	X	Y			X S		_	C I	-	C X	¥	X	¥	X	X.
bee keeping	0	X	X	X	x	X	X	-	_	_	6	X 3	_	_	X :		-	X	X	X	-	X
dairy (pasture-based)	0	X	Х	X	х	X	X					K D			X	$\overline{}$		X	X	X	-	x
intensive livestock agriculture [eg. poultry farma, etc.]	X	X	Х	X	x	X	X	-	$\overline{}$	-	\rightarrow	K 2		\rightarrow	X :	_	_	X	X	X		X
feedlots	X	X	X	X	x	X	X	X	-		_	K 3	-	_	X :	-	-	X	X	X	X	X
dairies (restricted)	X	X	X	X	X	X	X	X			_	X)			X		X	X	X	X	X	X
intensive plant agriculture [eg. cultivation of Irrigated crops] [horticulture]	0	X	X	X	X	X	X	-		_	$\overline{}$	X 2	_		X :	_	$\overline{}$	X	X	X		X X
turf farming	0	X	X	X	X	X	X					K 2				_	_	x	X	X	-	X
viticulture	D	X	x	X	x	X	X	x	X :	()	¢ ;	х э	: 2	()	х :	X	X	X	X	x	x	x
AND USE terms OUTSIDE agriculture group term)																						
animal boarding or training establishments farm buildings	X	X	X	X	X	X	X	X	_	2 2	\rightarrow	0 0	_		X	X	X.	X	X	X	X	X
forestry	X	X	X	X	x	x	X	X	-	C 1	\rightarrow	X 3	_		X :	X.	X.	×	X	×	×	X V
(LAND USE terms WIT	_	_	_	_	_	_	_	_	_	_	_											
residential accommodation	X	x	С	C	x	X	x	X	X :	C 3	(X)	. 3	C 3	X :	X	X	X	X	X	X	x
attached dwellings	X	C	=	C	Х	X	X	X		_		X)		_	X :	X	X	X	X	X		X
boarding houses	X	C	C	G	U	U	X	C		()		X 3		-			$\overline{}$	X	X	X	-	X
dual occupancies [dual occupancies (attached)	×	c	c	C	x	X	X	_		-		K 3			X :		-	X	X	X		x
dual occupancies (detached)	X	c	c	C	х	X	_	-	\rightarrow	\rightarrow	\rightarrow	x 2	-	\rightarrow	X :	\rightarrow	_	X	X	X	-	X
dwelling houses	c	C	C	C	х	X		-	$\overline{}$	\rightarrow	\rightarrow	к)	-	\rightarrow	X I	$\overline{}$	-	х	X	X	×	х
group homes	X	c	C	C	C	С	X	C	X :	C 2	(X D	()	()	X :	X	X	X	X	X	x	x
group homes (permanent)	X	C	C	C	C	C	X			()	\rightarrow	X)	-	\rightarrow	X :	_	_	X	X	X	_	х
group homes (transitional)	X	C	C	C	C	C	X.	-	_	_	\rightarrow	X)	-	-		_	-	X	X	X	-	X
hastels multi dwelling housing	X	C	C	C	C	C X	X X	-	_	\rightarrow	\rightarrow	K 3	_	\rightarrow	X I	-	_	X	X	X		x
							6 %.					K 3			\rightarrow		$\overline{}$	X	X		-	_
i iresidential flat buildings	×		x	Ě	×		x	C														х
residential flat buildings rural worker's dwellings	x	X	X	E X	x	X	X	-			()	к э	()	C :	X	X	X	X	X	X		X
	_	X		5	x	X	_	X	X :	()	-	K D	\rightarrow	\rightarrow	X :	_	_	X	X	X	x	
rural worker's dwellings secondary dwellings semi-detached dwellings	X	X	X	X	X X X	X X	X	x	X X	() ()	C	K 3	C 3	()	X :	X	X	X X	X	-	x	х
rural worker's dwellings secondary dwellings semi-detached dwellings semiors housing	X X	X C C	X C	X C C	x x x	X X X X	X X X	X X X	X X X	K 3 K 3 K 3	() ()	X 3	E 3	() ()	X X	X X	X X	X	X X X	X X	X X X	X X X
rural worker's dwellings secondary dwellings semi-detached dwellings seniors housing residential care facilities	X X X	X C C C	C C	X C	X X X	X X X	X X	X X X	X X X	K 3 K 3 K 3	() ()	K 3	E 3	() ()	X X	X X	X X X	х	X	X	X X X	X
rural worker's dwellings secondary dwellings semi-detached dwellings seniors housing [residential care facilities shop top housing	X X	X C C	X C	X C C	x x x	X X X X	X X X	X X X	X X X	K 3 K 3 K 3	() ()	X 3	E 3	() ()	X X	X X	X X	X	X X X	X X	X X X	X X X
rural worker's dwellings secondary dwellings semi-detached dwellings seniors housing [residential care facilities shop top housing	X X X	X C C C	C C	X C C	x x x	X X X X	X X X	X X X	X X X	K 3 K 3 K 3	() ()	X 3	E 3	() ()	X X	X X	X X	X	X X X	X X	X X X	X X X
rural worker's dwellings secondary dwellings semi-detached dwellings seniors housing [residential care facilities shop top housing thin USE terms QUTSIDE residential accommodation group term) home-based child care frome business	X X X X	X C C C	X C C C	X C C C	X X X X X O	X X X X X O	X X X X X	X X X C C	X X X X X X X X X X X X X X X X X X X	K 3 K 3 K 3 K 3 K 3 K 3 K 3 K 3 K 3 K 3	C 1	X 3 X 3 X 3 X 3 X 3 X 3	E 3 E 3 E 3 E 3 E 3	() () () () ()	X X X X X X X X X X X X X X X X X X X	X X X C	X X X X	X X X X	X X X X	X X X X	X X X X X	X X X X X
rural worker's dwellings secondary dwellings semi-detached dwellings seniors housing [residential care facilities shop top housing AND USE terms OUTSIDE residential accommodation group term) home-based child care home occupations	X X X X X	X C C C C X	X C C C	X C C C	X X X X X C	X X X X X O	X X X X X	X X X C C C	X X X X X X X X X X X X X X X X X X X	K 3 K 3 K 3 K 3 K 3 K 3	C 1	X 3 X 3 X 3 X 3 X 3	E 3 E 3 E 3 E 3 E 3	() () () () ()	X X X X X X X X X X X X X X X X X X X	X X X C	X X X X	X X X	X X X	X X X X	X X X X X	X X X X X
rural worker's dwellings secondary dwellings semi-detached dwellings semiros housing [residential care facilities shop top housing AND USE terms QUTSIDE residential accommodation group term) home-based child care home business	X X X X X	X G C C X	X C C C	X C C C	X X X X X O	X X X X X O	X X X X X	X X X C C	X X X X X X X X X X X X X X X X X X X	K 3 K 3 K 3 K 3 K 3 K 3	C 1	X 3 X 3 X 3 X 3 X 3 X 3	E 3 E 3 E 3 E 3 E 3	() () () () ()	X X X X X X X X X X X X X X X X X X X	X X X C	X X X X	X X X X	X X X X	X X X X	X X X X X	X X X X X
rural worker's dwellings secondary dwellings secondary dwellings seniors housing fresidential care facilities shop top housing NAD USE terms OUTSIDE residential accommodation group term) home-based child care home business home occupations home occupation (sex services) (LAND USE terms WITHIN	X X X X D Q	X X C C C C X O C	c c c c c	x c c c c c c	X X X X X O O O	X X X X X X O O	X X X X X X X X	X X X C C C O O O	X X X X X X X	K 3 K 3 K 3 K 3 K 3 K 1 K 1	c :	X 30 X 30 X 30 X 30 X 30 X 30 X 30 X 30	E 3 E 3 E 3 E 3 E 3 E 3 E 3 E 3	() () () () ()	X X X X X X X X X X X X X X X X X X X	X X X C	X X X X	X X X X	X X X X	X X X X	X X X X X	X X X X X
rural worker's dwellings secondary dwellings secondary dwellings semi-detached dwellings seniors housing residential care facilities shop top housing AND USE terms OUTSIDE residential accommodation group term) home-based child care home outsiness home occupations home occupation (sex services) (LAND USE terms WITHIN tourist and visitor accommodation	X X X X X O	x c c c c x o c x	C C C C C C C C C C C C C C C C C C C	X C C C C C C C C	X X X X X X C O O O X	X X X X X X C O O	X X X X X X X X	X X X C C C O O O X alior	X X X X X X X X X X X X X X X X X X X	K 3 (K 3)	c : c : c : c : c : c : c : c : c : c :	X 3 X 3 X 3 X 3 X 3 X 3 X 3 X 3 X 3	K 32 (C 3) (C 32 (C 32 (C 32 (C 32 (C 3) (C 32 (C 32 (C 3) (C 32 (C 32 (C 32 (C 3) (C 32 (C 32 (C 32 (C 32 (C 3) (C 3) (C 32 (C 3) (X X X X X X X X X X X X X X X X X X X	X X X C	X X X X	X X X X	X X X X	X X X X	X X X X X	X X X X X
rural worker's dwellings secondary dwellings secondary dwellings semi-detached dwellings seniors housing [residential care facilities shop top housing NND USE terms OUTSIDE residential accommodation group term) home-based child care home occupations home occupations home occupation (sex services) (LAND USE terms WITHIN tourist and visitor accommodation [backpackers' accommodation	x x x x x x y v v	x c c c c x o c x	c c c c c c c c c c c c c c c c c c c	X C C C C C C C C C X X	X X X X X C O O O X 2CC X X	X X X X X C O O O X	X X X X X X X X	X X X C C O O O O X alior	X X X X X X X X X X X X X X X X X X X	K 3 3 4 5 5 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	c interpretation	X 3 X 3 X 3 X 3 X 3 X 3 X 3 X 3 X 3 X 3		() () () () () () () () () ()	XX I	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	X X X X X X X X	X X X X X X	X X X X X X X	X X X X X X X	X X X X X X X X	X X X X X X X X
rural worker's dwellings secondary dwellings semi-detached dwellings semi-detached dwellings seniors housing residential care facilities shop top housing AND USE terms OUTSIDE residential accommodation group term) home-based child care home outsiness home occupations home occupation (sex services) (LAND USE terms WITHIN tourist and visitor accommodation	x x x x x x y v v v v	x c c c c x o c x	c c c c c c c c c c c c c c c c c c c	C C C C C C C C C C C C C C C C C C C	X X X X X X C O O O X	X X X X X C O O O X	X X X X X X X X C C	X X X C C C C C C C C C C C C C C C C C	X X X X X X X X X X X X X X X X X X X	K 3 4 5 5 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	() () () () () () () () () ()	X		() () () () () () () () () ()	XX III	X X X X X X X X X X X X X X X X X X X	X X X X X X X X X X X X X X X X X X X	X X X X	X X X X	X X X X X X X	X X X X X X	X X X X X
rural worker's dwellings secondary dwellings semi-detached dwellings semi-detached dwellings seniors housing [residential care facilities shop top housing AND USE terms OUTSIDE resonated accommodation group term) home-based child care home occupations home occupation (sex services) (LAND USE terms WITHIN tourist and visitor accommodation [backpackers' accommodation [backpackers' accommodation [bar backpackers] backpackers] [arm stay accommodation [bar backpackers] [br backpac	x x x x x x y v v	X C C C C X O C C X X	c c c c c c c c c c c c c c c c c c c	X C C C C C C C C C X X	X X X X X C O O O X A A C C X X X C	X X X X X C O O O X	X X X X X X X X C C	X X X X C C C C C C C C C C C C C C C C	X X X X X X X X X X X X X X X X X X X	K 3 9 HUD 1 1 HUD	() () () () () () () () () ()	X		() () () () () () () () () ()	XX III	X X X X X X X X X X X X X X X X X X X	X X X X X X X X X X X X X X X X X X X	X X X X X X	X X X X X X X X	X X X X X X X	X X X X X X X X	X X X X X X X X X
rural worker's dwellings secondary dwellings secondary dwellings semi-detached dwellings seniors housing [residential care facilities] shop top housing AND USE terms CUTSIDE rescental accommodation group term) [home-based child care home business home occupations home occupation (sex services) (LAND USE terms WITHIN tourist and visitor accommodation backpackers' accommodation bed & breakfast accommodation [farm stay accommodation hotel or motel accommodation serviced apartments	X X X X X D D X V touris	x c c c c c x	x c c c c c c c c c c c c c c c c c c c	C C C C C C C C C C C C C C C C C C C	X X X X X C O O O X A C C X X X	X X X X X C O O O C C C	X X X X X X X X C C	X X X X C C C C C C C C C C C C C C C C	X X X X X X X X X X X X X X X X X X X	K 3 9 HUD 1 1 HUD	() () () () () () () () () ()) () () () () () () () (() () () () () () () () () ()	XX	X X X X X X X X X X X X X X X X X X X	X X X X X X X X X X X X X X X X X X X	X X X X X X	X X X X X X X X	X X X X X X X	X X X X X X X X X X	X X X X X X X X X
rural worker's dwellings secondary dwellings secondary dwellings semi-detached dwellings seniors housing residential care facilities shop top housing AND USE terms OUTSIDE residential accommodation group term) home-based child care home occupations home occupation (sex services) (LAND USE terms WITHIN tourist and visitor accommodation backpackers' accommodation bed & breakfast accommodation led & breakfast accommodation led or motel accommodation hotel or motel accommodation serviced apartments AND USE terms OUTSIDE tourist and visitor accommodation group term)	X X X X X D D X V touris	X C C C C X O C C X X X X X X X	x c c c c c c c c c c c c c c c c c c c	C C C C C C C C C C C C C C C C C C C	X X X X X C O O O O X A C C X X X C C X X X C C C C C C C C	X X X X X X C O O O X C C C	X X X X X X X X C C	X X X X C C C C C C C C C C C C C C C C	X X X X X X X X X X X X X X X X X X X	K 3 (K 3	() () () () () () () () () ()) () () () () () () () (() () () () () () () () () ()	XX	X X X X X C C C C C C C	X X X X X X X X X X X X X X X X X X X	X X X X X X	X X X X X X X X X	X X X X X X X X	X X X X X X X X X X	X X X X X X X X X
rural worker's dwellings secondary dwellings semi-detached dwellings semi-detached dwellings seniors housing [residential care facilities shop top housing AND USE terms OUTSIDE resonated accommodation group term) home-based child care home occupations home occupation (sex services) (LAND USE terms WITHIN tourist and visitor accommodation [backpackers' accommodation [backpackers' accommodation [bar backpackers] backpackers] [arm stay accommodation [bar backpackers] [br backpac	X X X X X D D X V touris	X C C C C X O C C X X X X X X X	x c c c c c c c c c c c c c c c c c c c	C C C C C C C C C C C C C C C C C C C	X X X X X C O O O O X A C C X X X C C X X X C C C C C C C C	X X X X X X C O O O X C C C	X X X X X X X X C C C	X X X X C C C C C C C C C C C C C C C C	X X X X X X X X X X X X X X X X X X X	K 3 3 K 3 S K 4 K 3 S K 4 K 3 S K 4 K 4 K 4 K 4 K 4 K 4 K 4 K 4 K 4 K	() () () () () () () () (() () () () () () () () () ()	XX	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	X X X X X X X X X X X X X X X X X X X	X X X X X X	X X X X X X X X X	X X X X X X X X X X X X X X X X X X X	X X X X X X X X X X X	X X X X X X X X X

F09/511 - 12/2236 1 / 16

ink premises upplies supplies supplies supplies supplies	X X X X X X X X X X X X X X X X X X X	x x x x x x x x x x x x x x x x x x x	X X X X X X X X X X X X X	x x x x x x x x x x x x x x x x x x x	c c c c x c c c		C (C	C C C	C C C X X	C C C X X X	C C C X X	X X X X	X X X X	X X	X X X X X X	C C C C C C	X X X X X X	X X X X X X	X X X X X X	X X X X X X	X X X X X X	X X X X X
ink premises upplies upplies ss	X X X X X X X X X X X X X X X X X X X	x x x x x x x x x x x x x x x x x x x	X X X X X X	X X X X X X X	C X C C C	c c c c c c c	C (C	C C C C	C X X C	C C C X X X	C C X X C	X X X X	X X X X	X X X X	x x x x	-	X X X	X	X X X	**	X X	X X X X
ink premises upplies upplies ss	X X X X X X X X X X X X X X X X X X X	x x x x x x x x x x x x x x x x x x x	X X X X X X	X X X X X X X	C X C C C	c c c c c c c	C (C	C C C	C X X C	C X X X	C X X C	X X X X	X X X X	X X X X	x x x x	-	X X X	X	X X X	**	X X	X X X X
upplies upplies upplies	X X X X X X X X X X X X X X X X X X X	x x x x x x x x x x x x x x x x x x x	X X X X X X	X X X X X X X	C X C C C	c c c	C (C	C C C	C X X C	C X X X	X C	X X	X X X	X X X	x x x	-	X X X	X	X X X	**	X X	X X X
upplies upplies upplies	X X X X X X X X X X X X X X X X X X X	X X X X X X X X	X X X X X X	X X X X X X X	C X C C C	c c c	C (C (C (C C C	X C C	X X C	X C	X X	X X X	X X X	x x x	-	X X X	X	X X X	**	X X	X X
upplies upplies upplies	X X X X X X X X X X X X X X X X X X X	X X X X X X X	X X X X X X	X X X X X X	X C C C	c c c	C (C	C C	X C	X C	X C	X X	x x	X X	X X	-	X X	X	X X	**	X	X
upplies upplies upplies	X X X X X X X X X X X X X X X X X X X	X X X X X X X	X X X X X X	X X X X X	C C C	c c c	C C	C C	c c	X C	C C	X X	X X	X X	X X	C	X		X	**		X
upplies upplies upplies	X X X X X X X X X X X X X X X X X X X	X X X X X X	X X X X X	X X X X X	C C C	C C	C C	С	С	С	С	X	X	X	X	C	х	X	X	X	X X	X
upplies upplies upplies	X X X X X X C	X X X X X X	X	X X X X	C C	C	C	\rightarrow	\rightarrow	\rightarrow	_	^			**	С		X		X	x	
upplies upplies upplies	X X X X X X C	X X X X X	X	X X X	C X	С	-	С	С	· I										v .	X	X
upplies upplies upplies	X X X C C*	X X X X	X	X X	Х	C	C			×	C	C	X	X	X	C	C	X	X	A	-	X
pupplies ps ps prmarket	X X X C C*	X X X X	X	X	**	_		С	С	С	С	С	C	X	X	С	C	X	X	X	X	X
pupplies ps ps prmarket	X X X C C*	X X X	X	X	**		C	С	С	С	С	С	С	X	X	х	х	X	X	X	X	х
pupplies ps ps prmarket	X X C C*	X X	X	-		С	C	С	С	С	С	С	С	X	x	х	x	x	x	x	x	х
os ermarket	X X C C*	X X	X	-	C	С	_	-	X	С	Y	Y	X		X	С	0	C	X	X	C	v
os ermarket	x c c*	X	X	X	х	С	$\overline{}$	С	_	6	·	_	-	-	X	-	X	X	X	x	v	X
ermarket	c c*	X	X	-	-	_	$\overline{}$	$\overline{}$					_	-	-	^	-	-	-	_	_	-
ermarket	c* x x	X		X	С	С	\rightarrow	_	_	X	X	-	\rightarrow	X	X	С	X	X	X	X	X	X
ermarket	X X	X	X	X	X	С		_	X	С	X		X	X	X	X	X	X	X	X	X	X
ermarket	X		X	X	X	C		_		**	X	X	X		X	С	X	X	X	X	X	X
ermarket	X	X	X	X	X	С	C	C	X	X	X	X	X	X	X	X	X	X	X	X	X	X
ermarket	_	X	X	X	С	С	C	С	X	X	X	X	X	X	X	С	x	X	X	X	X	X
ermarket	X	С	C	С	С	С	С	С	С	С	С	С	С	x	x	C	x	x	X	x	x	x
	Y	X	C	С	C	С		\rightarrow	_	Х	X	x	X	X	X	c	x	×	X	X	x	x
1000	-Iû	-	v	x	v	6	-	c	-	c	 V	-` V		 V	v	V	÷	Û	÷	v	-	v
		1	^	-		-	-	_	$\overline{}$	$\overline{}$	^	^	_	^	^	^	-	1	-	^	-	^
	X	X	X	X	X	С	_	_	\rightarrow	С		_	-	X	X	C	X	X	X	X	X	X
remises	X	X	X	X	X	C	C	С	С	С	C	X	X	X	X	X	X	X	X	X	X	X
mercial premises group term)																						
	X	X	X	X	X	C	C	С	С	X	X	X	X	X	X	C	X	X	X	X	X	X
	X	X	X	X	X	С	C	С	С	X	X	X	X	X	X	С	x	С	X	X	X	X
	X	X	X	X	x	С	C	С	С	X	С	X	X	X	X	С	x	x	x	x	x	X
	×	x	x	x	-	x	Y :	Y	Y	C	Y	x	C	¥	Y	x	Y	Y	Y	x	¥	x
			÷			v							_			÷				·		v
	_~		<u> </u>			^	^				_					^			~			Y
			×	-		C	C	C			$\overline{}$					C	_	C	_	X	X	X
	X		X		**	С	C	С					-		**	X		X		X	X	X
	X	X	X	X	X	С	C	С	С	С	C	С	C	X	X	X	X	X	X	X	X	X
	X	X	X	X	X	С	X :	X	X	X	X	C	C	X	X	X	X	X	X	X	X	X
	x	X	X	x	С	С	C	С	X	С	С	X	C	X	X	X	X	X	X	X	X	X
	x	х	X	X	X	X	X :	X	X	С	С	С	С	X	X	X	X	X	X	X	X	х
(LAND USE terms	: WIT	HIN	run	al in	dust	trv a	roup	ter	m)													
	_	v	V	v	v	· / 5	v .	V	v	v	v	v	v	v	v	v	v	v	v	v	v	v
		^	-	^		^	^ '	^		^	^		<u></u>	^		^	<u>^</u>	^	<u></u>	^	^	
	X	X	X	X	**	X	Х .	X	-	-	X	X	X	X	X	X	X	X	X	X	X	X
	X	X	X	X	X	X	X :	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
ing industries	X	X	X	X	X	X	X :	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	x	X	X	X	X	X	X :	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
(LAND USE ter	ms W	/ITH	IIN i	ndu	strv	arou	ıp te	rm)														
(Y	Y	Y	Y	Y	Y	Y '	Y	Y	Y	Y	C	C	Y	Y	Y	Y	Y	Y	Y	Y	Y
		÷	÷	-	v .	-	<u> </u>	.	·	.	·		-	-	~	÷	÷	÷	÷	~	~	÷
		-	^			^			$\overline{}$	$\overline{}$	^	^		~	~	-	1	-	-	~	-	^
	X	X	X	X	X	X	X	X	\rightarrow	\rightarrow	X	X	X	X	**	X	X	X	X	X	X	X
	X	X	X	X	X	X	X :	X	X	X	X	X	X	X	**	X	X	X	X	X	X	X
	X	X	X	X	X	X	X (С	X	C	C	C	C	X	X	X	X	X	X	X	X	X
ustries	X	X	X	X	X	X	X (С	С	С	С	С	C	X	X	Х	X	X	X	X	X	X
	X	С	С	С	x	С	X (С	X	С	С	С	C	X	X	х	х	х	х	X	X	Х
nk industry	X	X	X	X	X	X	\rightarrow	_	$\overline{}$	_	С		_	X	X	Х	x	x	X	X	X	X
	¥	x	×	X	X	X	X	X	X	X	X	С	X	X	X	У	×	x	X	X	X	X
istry group term)	^	^		^	^	^		_		**				_	^	^				^	*	^
	v	٧	v	v	v	v	v .	v	v	v	_	^	0	v	v	v	v	v	v	v	0	_
	- A	<u>.</u>	^		^	^	_	<u> </u>	^	^		0	-	^	^	×	- <u>^</u>	<u>.</u>	<u>.</u>	×	2	
silops	X	X	X	X	X	X						_		X	X	X	X	X	X	X	X	X
			X	X		~		_				-	C	X	X	X	X	X	X	X	X	X
(LAND USE terms WITHIN he	avy in	idus	trial	sto	rage	est	ablis	hm	ent e	groι	ıp te	erm)										
	X	X	X	х	X	х					_	$\overline{}$	X	X	X	X	X	X	X	X	X	X
	x		¥	x		X	x	X			X		_	X	x	x	×	Y	x	X	X	x
	T _v	Y	Y	Y		Y	Y	Y	\rightarrow	_	Y	Y	Y	 Y	Y	y	Ty.	Y	Y	Y	Y	Y
blichments		-	+	-		-	0	-	-		<u> </u>	<u> </u>	-	-	<u>~</u>	-	+	+	+	·	÷	·
				X		*				**	^	٨	^	^	X	X	×	×	×	X	^	X
(LAND USE terms V	VITH	N s	tora	ge p	rem	iises	gro	up t	erm	1)												
	X	Х	Х	Х	X	Х		X		С	С	С	C	X	X	Х	Х	X	X	X	X	X
	x	x	x	x	x	x	x	x	x	С	С	С	С	x	x	x	x	x	X	X	x	x
	_	^	_	^	^	^				_	_	_	_		- 1	100	1			- 1		*
age premises group term)		v																				
age premises group term)				1.4	v	v	v .	<u>, </u>	0	<u></u>	v	0	_	V	v	v	v	v	v	v	v	v
age premises group term)	X	X	X	X	X	X	X	X	С	С	X	С	С	X	X	X	X	X	X	X	X	X
nin in	dustries dustries (LAND USE terms (LAND USE terms WITHIN he (LAND USE	(LAND USE terms WITHIN heavy in ge establishments (X X X X X X X X X X X X X X X X X X X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

F09/511 - 12/2236 2 / 16

(I AND LICE to the	MITLE	NI -				-4				- \												
(LAND USE terms \	WITH	IN S	ewe	rage	e sy	sten	ı gro	up	tern	1)												
sewerage systems	X	X	X	С	С	С	С	С	С	С	C	С	C	X	X	С	X	X	X	X	X	X
biosolids treatment facilities	X	X	X	X	X	X	X	X	X	С	X	С	С	X	X	С	X	X	X	X	X	X
sewage reticulation systems	X	X	X	C	С	С	С	С	С	С	C	С	С	X	X	С	X	X	X	X	X	X
sewage treatment plants	X	X	X	X	X	X	X	X	X	C	X	С	С	X	X	С	X	X	X	X	X	X
water recycling facilities	x	X	X	С	С	С	X	С	X	С	x	С	С	X	X	С	x	X	X	X	X	X
(LAND USE terms WITHIN wa	iste oi	res	sour	се п	nan	ager	nent	fac	ility	aro	up t	erm)									
waste or resource management facilities	¥	х	х	Х	х	X	C	Y	C	X	C	C	С	Y	Y	Y	¥	Y	Y	¥	¥	Y
resource recovery facilities	- X	Y	Y	x	x	Y	Y	Y	Y	Y	×	C	C	Y	Y	×	×	Y	Y	×	×	×
waste disposal facilities	X	x	x	x	x	x	x	X	X	X	X	С	С	x	x	×	×	Y	Y	×	x	×
waste or resource transfer stations	- 	x	x	x	c	c				X	c	С	С	÷	Ŷ	Ŷ	÷	÷	Ŷ	÷	Ŷ	Ŷ
	IEEE LIN											•	_	^	^	^	^	^	^	^	_	^
(LAND USE terms W							m g	oup	_	_		_								4		
water supply systems	С	С	С	С	С	С	X	С	X	С	X	X	С	X	Х	С	С	С	X	X	X	X
water reticulation systems	C	С	С	С	С	С		С	X	С	X	X	С	X	X	С	С	С	X	X	X	X
water storage facilities	С	С	С	С	С	С	-	_	-	_	X	X	С	X	X	С	С	С	X	X	X	X
water treatment facilities	C	С	С	С	С	C		С		C	X	X	С	X	X	С	С	С	X	X	X	X
(LAND USE terms W	VITHII	V ai	r tra	nsp	ort f	acilit	y gr	oup	teri	m)												
air transport facilities	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
airport	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
heliport	x	х	х	X	х	X	X	X	X	x	X	X	х	X	X	х	X	X	X	X	X	X
AND USE terms OUTSIDE air transport facility group term)																						
airstrips	X	X	Х	Х	X	Х	X	X	X	Х	X	X	Х	X	X	Х	Х	X	X	X	X	X
helipads	×	X	X	X	x	С	x	С	X	С	X	X	x	X	X	С	X	X	X	X	x	X
ther LAND USE terms relating to infrastructure)																						
car parks	×	X	X	X	С	С	С	С	С	С	С	С	С	X	X	С	X	X	X	X	x	X
electricity generating works	x	х	х	x	С	С	x	С	х	С	x	С	х	x	х	х	x	x	х	X	х	х
freight transport facilities	х	х	х	х	х	х	х	х	х	С	x	С	С	х	х	х	х	х	х	х	х	х
passenger transport facilities	×	x	x	x	С	С	С	С	С	С	С	х	С	x	x	С	x	x	x	x	x	х
port facilities	X	х	X	x	х	х	х	X	х	х	х	х	X	x	х	х	x	x	X	X	X	С
roads	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	X	C*	C*	C*	C*	X	x	x	x
transport depots	X	X	x	x	х	x	x	x	X	С	x	С	С	x	x	x	x	x	X	x	x	x
truck depots	X	X	x	x	x	x	x	x	x	С	x	С	С	x	X	x	x	X	x	x	x	x
wharf or boating facilities	- Y	X	Y	X	X	X		X		Х	X	Y	Y	Y	x	Y	Y	Y	Y	Y	Y	C
(LAND USE terms WITH	JINL or	_	ation	_	_	_							_	_	^	^	^	^	^	_		
		_	_	_		וופווכ	nen	ı gı		_												
educational establishments [eg. TAFE establishment, etc.]	X	С	С	С	С	С	С	С	_	_	С	X	X	X	X	С	X	X	X	X	X	X
schools	X	С	С	С	С	С		С		С	С	X	X	X	X	С	X	X	X	X	X	X
(LAND USE terms WI	THIN	hea	ilth s		ices			_														
health services facilities	X	X	С	С	С	С	-	_	_	_	C	С	X	X	X	X	X	X	X	X	X	X
hospitals	x	X	С	C	X	C	С	С	С	C	C	С	X	X	X	X	X	X	X	X	X	X
medical centres	x	X	С	С	С	С	С	С	С	С	С	С	х	х	X	х	х	X	Х	х	х	X
health consulting rooms	X	С	С	С	С	С	С	С	С	С	C	С	X	X	X	X	X	X	X	X	X	X
ther LAND USE terms relating to community infrastructure)																						
centre-based child care facilities	X	C	С	С	С	С	С	С	С	X	C	X	X	X	X	С	C	С	X	X	X	X
community facilities	x	С	C	C	С	C	C	С	С		C	X	C	X	X	C	C	С	X	X	X	X
correctional centres	x	X	Х	х	X	Х	X	X	X	Х	X	X	х	X	X	х	х	X	X	X	X	X
emergency services facilities	x	X	х	х	С	С	С	С	С	С	С	С	С	X	X	С	С	X	X	х	X	X
industrial training facilities	x	х	х	х	х	х	X	X	х	С	x	С	С	X	X	х	х	X	х	X	х	х
information and education facilities	X	X	X	X	С	С	С	С	С	С	С	X	С	X	X	С	С	С	X	X	x	x
places of public worship	X	С	С	С	С	С	С	С	С	С	С	С	С	X	X	С	x	С	X	x	x	X
public administration building	X	х	х	Х	С	С	С	С	С	С	С	Х	С	Х	Х	С	Х	Х	х	х	х	х
research stations	X	x	x	х	x	С	_	_		С	x	С	С	X	X	X	х	X	x	x	x	x
respite day care centres	X	С	С	С	С	С	С	С	С	Х	С	х	Х	х	X	С	С	С	х	X	X	X
	rms W	VIT!	IIN «	sian	age	aro	ın te	erm)														
(LAND LISE te		التتب	_		c	c			_											v	v	v
(LAND USE ter	v	v																				
signage	X	X	C	C	_	-	_	C	C	C	C	C	C	X	X	X	C	X	×	~	÷	÷
signage advertising structure	X	X	X	X	X	X	X	X	С	С	X	X	X	X	X	X	C	X	X	X	X	X
signage	X	X C C	-	-	_	-	X	X	C	С	C C	C X C	C X C	X	X X X	X C	C	X	X	X	X	X

F09/511 - 12/2236 3 / 16

boat launching ramps	X	X	X	X	Х	X	X	X	X	X	X	х	С	X	X	С	С	С	X	X	С	X
boat sheds	X	X	X	X	х	X	X	X	х	С	X	Х	С	X	X	X	х	X	х	X	C*	C*
charter & tourism boating facilities	X	X	X	x	х	х	x	X	X	С	X	x	С	x	x	С	x	X	X	x	x	X
environmental facilities	X	X	Х	x	С	С	х	С	х	С	X	х	С	x	x	х	C*	c*	X	C*	c*	c*
jetties	X	X	X	x	х	х	X	X	X	С	X	х	Х	X	x	С	С	С	X	X	С	X
marinas	x	X	X	X	x	X	X	X	X	С	X	X	X	X	X	С	x	x	X	x	С	X
moorings	X	X	X	X	Х	X	X	X	X	С	X	X	X	X	X	X	X	X	X	X	C	X
mooring pens	X	X	X	X	X	X	X	X	X	С	X	X	X	X	X	С	X	X	X	X	X	X
recreation areas	X	С	С	С	С	С	С	С	С	С	C	С	С	X	X	С	C	С	X	X	X	X
recreation facilities (indoor)	X	X	X	X	С	С	С	С	С	С	С	С	С	X	X	С	С	С	X	X	X	X
recreation facilities (major)	X	X	X	x	X	X	X	X	X	С	X	С	С	X	X	С	С	С	X	X	X	X
recreation facilities (outdoor)	X	X	X	X	С	С	X	С	X	С	X	С	С	X	X	С	С	С	X	X	X	X
water recreation structures	X	X	X	X	X	X	X	С	X	X	X	X	X	X	X	С	X	X	X	X	C*	C*
other miscellaneous LAND USE terms)																						
cemeteries	X	X	Х	X	X	Х	X	X	X	C	X	X	Х	X	X	Х	Х	X	X	Х	X	X
crematoria	X	X	X	X	X	X	X	X	X	С	X	X	С	X	X	X	X	X	X	X	X	X
environmental protection works	C	С	С	С	С	С	C	С	X	С	X	X	С	0	0	С	0*	C*	X	0*	0*	0*
exhibition homes	X	C	C	C	С	С	X	С	X	X	X	X	X	X	X	X	X	X	X	X	X	X
exhibition villages	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
extractive industries	X	X	Х	X	х	Х	X	X	X	X	X	X	Х	X	X	Х	х	X	X	х	X	X
flood mitigation works	C	С	С	С	С	С	С	С	С	С	C	С	С	X	X	С	0	С	X	С	С	С
mortuaries	X	X	X	X	С	С	X	С	X	С	X	х	С	X	X	X	X	X	X	X	X	X
open cut mining	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
(C	THE	R LA	AND	US	ES)																	
development which cannot be characterised into any land uses	\top	T	T		T	П										П			Т			
defined in the SI				\top																		

F09/511 - 12/2236 4 / 16

BAYSIDE LOCAL ENVIRONMENTAL PLAN 2020

Plain English Explanatory Discussion Paper

Table of Contents

Introduction	5
Background	5
Objectives and intended outcomes	6
Explanatory Comment	7
Overview of Structure	7
PART 1 – PRELIMINARY	7
Clause 1.1 Name of Plan [compulsory]	
Clause 1.1AA Commencement [compulsory]	
Clause 1.2 Aims of Plan [compulsory]	
Clause 1.3 Land to which Plan applies [compulsory]	
Clause 1.4 Definitions [compulsory]	9
Clause 1.5 Notes [compulsory]	9
Clause 1.6 Consent authority [compulsory]	
Clause 1.7 Maps [compulsory]	9
Clause 1.8 Repeal of other local planning instruments applying to land [compulsory]	9
Clause 1.8A Savings provision relating to the development applications [local]	10
Clause 1.9 Application of SEPPs [compulsory]	10
Clause 1.9A Suspension of covenants agreements and instruments [local]	10
PART 2 – PERMITTED OR PROHBITTED DEVELOPMENT	10
Clause 2.1 Land use zones [compulsory]	10
RU4 Primary Productions Small Lots	11
R2 Low Density Residential	11
R3 Medium Density Residential	11
R4 High Density Residential	12
B1 Neighbourhood Centre	12
B2 Local Centre	
B3 Commercial Core	13
B4 Mixed Use	13
B5 Business Development	13
B6 Enterprise Corridor	14
B7 Business Park	14
IN1 General Industrial	14
IN2 Light Industrial	15
SP1 Special Activities	15
SP2 Infrastructure	15

	SP3 Tourist	15
	RE1 Public Recreation	16
	RE2 Private Recreation	16
	E1 National Parks & Nature Reserves	16
	W1 Natural Waterways	17
	W2 Recreational Waterways	17
	W3 Working Waterways	17
	Clause 2.2 Zoning of land to which Plan applies [compulsory]	18
	Clause 2.3 Zone objectives and land use table [compulsory]	18
	Clause 2.4 Unzoned land [compulsory]	18
	Clause 2.5 Additional permitted uses for particular land [compulsory]	18
	Clause 2.6 Subdivision – consent requirements [compulsory]	18
	Clause 2.7 Demolition requires consent [compulsory]	18
	Clause 2.8 Temporary use of land [optional]	18
L	AND USE TABLE	
P.	ART 3 – EXEMPT AND COMPLYING	. 19
	Clause 3.1 Exempt Development [compulsory]	
	Clause 3.2 Complying development [compulsory]	20
	Clause 3.3 Environmentally sensitive areas excluded [compulsory]	
P.	ART 4 – PRINCIPAL DEVELOPMENT STANDARDS	. 20
	Clause 4.1 Minimum subdivision lot sizes [optional]	., 20
	Clause 4,2 Rural subdivisions	20
	Clause 4.3 Height of Buildings [optional]	20
	Clause 4.4 Floor Space Ratio [optional]	21
	Clause 4.4A Exceptions to floor space ratio for residential accommodation [local]	21
	Clause 4.5 Calculation of floor space ratio and site area [optional]	21
	Clause 4.6 Exceptions to development standards [compulsory]	21
P.	ART 5 – MISCELLANEOUS PROVISIONS	. 22
	Clause 5.1 Relevant acquisition authority [compulsory]	22
	Clause 5.1A Development on land intended to be acquired for public purposes [local]	22
	Clause 5.2 Classification and reclassification of public land [compulsory]	22
	Clause 5.4 Controls relating to miscellaneous permissible uses [compulsory]	23
	Clause 5.6 Architectural roof features [optional]	
	Clause 5.7 Development below mean high water mark [compulsory if land to which plan applied contain tidal waters]	
	Clause 5.8 Conversion of fire alarms [compulsory]	23

	Clause 5.10 Heritage conservation [compulsory]	23
	Clause 5.11 Bush fire hazard reduction [compulsory]	24
	Clause 5.12 Infrastructure development and use of existing buildings of the Crown	24
	Clause 5.19 Pond-based, tank-based and oyster aquaculture	24
P,	ART 6 – LOCAL PROVISIONS	24
	6.1 Acid Sulfate Soils [local and model]	24
	6.2 Earthworks [local]	24
	6.3 Stormwater and water sensitive urban design [local]	25
	6.4 Terrestrial Biodiversity [local]	
	6.5 Flood Planning [local and model]	
	6.6 Flood Plain Risk Management	25
	6.7 Riparian land, wetlands and waterways [local]	
	6.8 Limited Development on Foreshore area / Foreshore building line [local and model]	26
	6.9 Airspace Operations [local and model]	26
	6.10 Development in areas subject to aircraft noise [local and model]	26
	6.11 Active street frontages [local and model]	27
	6.12 Design Excellence [local]	27
	6.13 Location of sex services premises [local and model]	27
	6.14 Converting serviced apartments to residential flat building [local]	28
	6.15 Vehicular Access to Certain and at Hillsdale fronting Denison Street [local]	28
	6.16 Site area of proposed development in Arncliffe and Banksia Precincts includes dedicated la [local]	
	6.17 Essential Services [local]	28
P	ART 7 – INTENSIVE URBAN DEVELOPMENT AREAS	29
	7.1 Arrangements for designated State public infrastructure [local and model]	29
	7.2 Public utility infrastructure [local and model]	29
	7.3 Relationship between Part and remainder of Plan [local and model]	29
S	CHEDULES	29
	Schedule 1 Additional Permitted Uses	29
	Schedule 2 Exempt development	29
	Schedule 3 Complying development	29
	Schedule 4 Classification and reclassification of public land	30
	Schedule 5 Environmental heritage	30
	Schedule 6 Pond-based and tank-based aquaculture	30
n	ictionary	30

BAYSIDE LOCAL ENVIRONMENTAL PLAN 2020 Plain English Explanatory Discussion Paper

Introduction

This discussion paper contains a detailed description of the written instrument for the *Bayside Local Environmental Plan 2020* (BLEP 2020). This paper provides a discussion outlining the strategic intent and purposes behind each development standard adopted. This includes the actions taken to create one LEP for the Bayside Local Government Area (LGA), the BLEP 2020, to direct land use planning. The harmonised BLEP2020 reflects the objectives of, and has been informed by, all NSW state policies and local government strategies relating to legislative and best practice land use planning. The BLEP 2020 has been prepared in accordance with the *Standard Instrument - Principal Local Environmental Plan*.

Background

Local Environmental Plans (LEPs) are legal planning instruments that provide key land use policies and development standards. LEPs identify zonings, which stipulate what land uses are permitted or prohibited within those zonings. LEPs also include development standards, such as height and floor space ratio, which help to ensure appropriate form, scale and density of development in particular zones. LEPs also identify environmentally significant features, such as heritage items, open space and recreation areas, waterways and environmentally sensitive areas that must be retained and protected.

The BLEP 2020 has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2000. The BLEP 2020 reflects the standardised environmental planning instrument known as the Standard Instrument - Principal Local Environmental Plan, as directed by the Department of Planning, Industry and Environment through the Standard Instrument (Local Environmental Plans) Order 2006.

On the 9th of September 2016, the Bayside Local Government Area (LGA) was declared, amalgamating the former Rockdale and Botany Bay LGAs. This amalgamation resulted in an inconsistent planning framework as two different LEPs govern different areas across the LGA. Both the existing Rockdale Local Environmental Plan 2011 (RLEP) and Botany Bay Local Environmental Plan 2013 (BBLEP) were prepared in accordance with the SI LEP, however both planning instruments include specific objectives and clauses beyond the minimum information required in an LEP. This has resulted in two different Standard Instrument format LEPs regulating land use and development in differing ways.

Where non-standard objectives and/or clauses adversely impact the overall intention of the standard zone, including its application across the entire LGA, the objectives and/or clause has been amended to ensure consistency. Council has engaged with specialist planning consultants, to assist in formulating the consistency in the application of objectives and clauses. Recommendations made in accordance with practicability and compliance with the existing State Environment Planning Policies (SEPPs), Local Planning Directions, and the broader NSW strategic planning framework, have informed, and guided, the harmonisation of controls. It has also included a comprehensive review of surrounding Council LEPs and controls. Overall, Council has undertaken a comprehensive review to

consolidate and form a single LEP, which is to apply to all land located within the Bayside LGA (Figure 1).

The BLEP 2020 will be the primary Environmental Planning Instrument for the LGA, and will replace the *RLEP 2011* and *BBLEP 2013*. The *Sydney Regional Environmental Plan No 33 – Cooks Cove* will continue to act as the Environmental Planning Instrument for the area within the boundaries of the land to which it currently applies. The *State Environmental Planning Policy (Three Ports) 2013* will continue to regulate land use and development for Port Botany and the land to which it applies.

In accordance with the NSW Department of Planning, Industry and Environment "Guidance for Merged Councils on Planning Functions" Bayside Council has undertaken the necessary analysis and evaluation of existing controls, and where possible, has aligned and harmonised zones, provisions and clauses of the existing RLEP 2011 and BBLEP 2013. This means that unless stated, Council is not seeking to implement any significant strategic changes by amending the planning provisions which apply throughout the LGA.

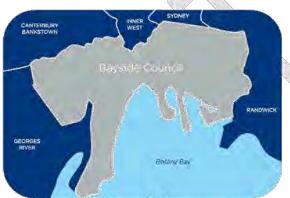


Figure 1: Bayside Council Local Government Area

Objectives and intended outcomes

The BLEP 2020 will simplify the planning process by reducing the number of planning instruments applicable to land in the LGA, removing duplication of planning controls and aligning the land uses and controls that apply under the current planning instruments. This will remove confusion and complication for the community, and provide greater certainty to landowners.

This has been achieved through:

- Consistent application of zone objectives, zoning, permitted and prohibited land uses, specific clauses and development standards across the LGA;
- · Zoning key environmental features, such as waterways, which previously were unzoned;
- Rezoning of lands identified as "Deferred Matters" (DM) under BBLEP 2013 to appropriate
 zones used by the Department of Planning, Industry and Environment's Standard Instrument
 Principal Local Environmental Plan (SI LEP);
- Retention and addition of a limited number of Additional Permitted Uses to enable specific uses on certain land; and
- Deletion of former clauses that are no longer relevant or applicable to the Bayside LGA.

Explanatory Comment

Overview of Structure

The SI LEP contains five (5) key parts, six (6) Schedules that *must* be populated when Council's are preparing a new SI format LEP. Council's have the ability to implement additional parts, relating to specific provisions relevant to land use planning within their LGAs. The SI LEP also includes a Dictionary identifying the various land use terms and references, and a section on Historical Notes, to which amendments to legislation and the LEP itself are made over time.

Each part of the Bayside LEP 2020 has been summarised in this document.

PART 1 - PRELIMINARY

Clause 1.1 Name of Plan [compulsory]

This clause identifies the name of the Plan as 'Bayside Local Environmental Plan 2020'.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 1.1

Clause 1.1AA Commencement [compulsory]

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

Equivalent class - FRUP 2011 & BBLEP 2017: Clause 1.1AA

Clause 1.2 Aims of Plan [compulsory]

This clause identifies that the Plan is being prepared as a SI LEP, and sets out the specific aims of the Plan. The aims listed in subclause (2) have been formed by Bayside Council to reflect the local planning context and character. These aims are consistent with the following strategic planning documents underpinning the LEP:

- Local Planning Directions
- State Environmental Planning Policies.
- Sydney Regional Environmental Plans
- Greater Sydney Regional Plan
- A Metropolis of Three Cities
- Eastern City District Plan
- Future Transport Strategy 2056
- NSW State Infrastructure Strategy
- Local Strategic Planning Statement
- Bayside Community Strategic Plan

The BLEP 2020 aims to reflect existing themes and key objectives of the current LEP's, such as protecting residential amenity, encouraging economic growth and development, as well as conservation of cultural and environmental heritage. Furthermore, additional aims have been adopted to increase the urban tree canopy cover and enhance green corridor connections.

As required by DPIE, the aims of the Plan are to regulate land use planning matters, through the implementation of the various zonings, clauses and provisions of the BLEP 2020.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 1.2

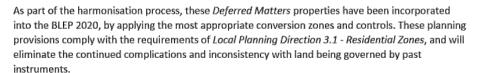
Clause 1.3 Land to which Plan applies [compulsory]

The Land application Map indicates the area of the LGA that is regulated by BLEP 2020, through the application of a thick black boundary line around the land. The Standard Instrument makes provision for specific areas to be excluded from the application of the BLEP 2020. This applies to the areas identified under the *Sydney Regional Environmental Plan No 33 – Cooks Cove* and *State Environmental Planning Policy (Three Ports) 2013*, which are currently excluded from planning controls under the RLEP 2011 and BBLEP 2013. It is proposed by the DPIE that *Sydney Regional Environmental Plan No 33 – Cooks Cove* and *State Environmental Planning Policy (Three Ports) 2013* will continue to be excluded from the planning controls of Bayside Council, thus are not incorporated in the BLEP 2020.

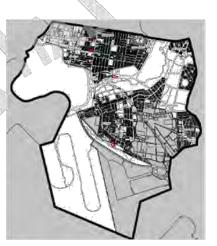
When the Botany Bay LEP 2013 came into effect, it was considered appropriate to defer the application of new planning controls for three (3) properties identified as *Deferred Matters* subject to the Botany Bay LEP 1995. These *Deferred Matters* lands are still subject to the Botany Bay LEP 1995, and include privately-owned and government-owned parcels of land.

These properties are:

- Certain sites at Macintosh Street & Botany Road, Mascot, being:
 - o 18B Macintosh Street (Lot 8 DP 1191439)
 - o 18A Macintosh Street (Lot 7 DP 1191439)
 - o 16 Macintosh Street (Lot 1 DP 155113)
 - o 14 Macintosh Street (DP 89104)
 - o 12B Macintosh Street (Lot 5 DP 1191439)
 - o 12A Macintosh Street (Lot 4 DP 1191439)
 - o 10C Macintosh Street (Lot 3 DP 1191439)
 - o 10B Macintosh Street (Lot 2 DP 1191439)
 - o 10A Macintosh Street (Lot 1 DP 1191439)
 - o 8 Macintosh Street / 568 Botany Road (DP 4276)
 - 4 Macintosh Street (Lot 106 DP 550420)
 - 2 Macintosh Street (Lot 105 DP 550420)
 - o 562 Botany Road (DP 65912)
 - o 564 Botany Road (DP 3806)
 - o 566 Botany Road (DP 4322);
- 80 Dransfield Avenue, Mascot (Lot 6 DP 776212); and
- 26 Tupia Street, Mascot (Lot X DP 32914)



Equivalent clause in BBLEP 2013 only: Clause 1.3



Clause 1.4 Definitions [compulsory]

The SI LEP includes mandatory standard definitions relating to land uses and other terms relevant to the interpretation of the BLEP 2020. The standard definitions cannot be changed. There are a limited number of definitions/terms used in the current RLEP 2011 and BBLEP 2013 that are not specifically defined in the SI LEP Dictionary, but are relevant to the Bayside LGA. These definitions/terms are proposed to be included in the BLEP 2020.

Equivalent dause in RLEP 2011 & BBLEP 2013: Clause 1.4

Clause 1.5 Notes [compulsory]

This clause states that any of the notes that are located below some clauses and definitions are provided as a guide in understanding a clause or definition, and do not form part of the LEP itself.

Equivalent clause in FLEP 2011 & BBLEP 2013: Clause 1.5

Clause 1.6 Consent authority [compulsory]

This clause states that Bayside Council is the consent authority for the purposes of the BLEP 2020.

Equivaler dause in RLEP 2013 BBLEP 2013: Clause 1.6

Clause 1.7 Maps [compulsory]

Clause 1.7 relates to the establishment of maps as part of the BLEP 2020. All new BLEP 2020 maps are required to be prepared in electronic form so that they can be accessed online. All Councils are required to adopt the standard technical specifications in relation to the colours, lines and symbols used on the face of the maps. The following maps are included in the BLEP 2020:

- Acid Sulfate Soils Map
- Active street frontages Map
- Additional Permitted Uses Map
- Design Excellence Map
- Flood Planning Map
- Foreshore Building Line Map
- Floor Space Ratio Map
- Heritage Map
- Height of Buildings Map
- Key Sites Map
- Land Application Map
- Land Reservation Acquisition Map
- Land Zoning Map
- Lot Size Map
- Riparian Lands
- Terrestrial Biodiversity Map
- Waterways Map
- Wetlands Map

Clause 1.8 Repeal of other local planning instruments applying to land [compulsory]

Clause 1.8 establishes the fact that at the time of the publication (gazettal) of the BLEP 2020 on the NSW Legislation website, all other local environmental plans applying to the land will be repealed.

Equivalent dause in RLEP 2011 & BBLEP 2013: Clause 1.8

Clause 1.8A Savings provision relating to the development applications [local]

This clause explains that, in instances where Development Applications (DAs) have been lodged before the commencement of this Plan, they are to be determined as if the BLEP 2020 has been exhibited, but not yet commenced. This means that DAs will be assessed on the basis of the zoning and controls in place when they were lodged.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 1.8A

Clause 1.9 Application of SEPPs [compulsory]

This clause outlines the relationship of the BLEP 2020 with SEPPs. All Regional Environmental Plans (REPs) are deemed to be SEPPs. Section 3.28 of the Environmental Planning and Assessment Act 1979 establishes that SEPPs prevail over LEPs.

Equivalent clause in PLEP 2011 & BBLEP 2013: Clause 1.9

Clause 1.9A Suspension of covenants agreements and instruments [local]

In order for development to be carried out under this Plan, this clause suspends any agreement, covenant or other similar instrument that restricts the carrying out of development, under certain circumstances.

Equivalent clause in TLEP 2011 & BBLER 1013: Clause 1.9A

PART 2 – PERMITTED OR PROHBITTED DEVELORMENT

Clause 2.1 Land use zones [compulsory]

A comprehensive review of all zones that apply under the RLEP 2011 and BBLEP 2013 has been undertaken, to identify the suitable land zones for inclusion in the BLEP 2020. Clause 2.1 identifies which of the Standard Instrument zones have been incorporated into the BLEP 2020. All existing zones included under the RLEP 2011 and BBLEP 2013 are to be retained, with the introduction of two additional zones, W1 Natural Waterways and W2 Recreational Waterways. The list of zones proposed in the BLEP 2020 includes:

- RU4 Primary Production Small Lots
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B6 Enterprise Corridor
- B7 Business Park
- IN1 General Industrial
- IN2 Light Industrial
- SP1 Special Activities
- SP2 Infrastructure
- SP3 Tourist

- RE1 Public Recreation
- RE2 Private Recreation
- E1 National Parks and Nature Reserves
- W1 Natural Waterways
- · W2 Recreational waterways
- W3 Working Waterways

Equivalent dause in RLEP 2011 & BBLEP 2013: Clause 2.1

RU4 Primary Productions Small Lots

This zone identifies land being for small scale primary industry, including food production sources, emerging primary industries, and agricultural uses that operate on smaller rural holdings. The objectives of this zone are to encourage employment opportunities in relation to primary production on small lots, and minimise the fragmentation or alienation of resource lands important for food security to residential purposes. This zone is proposed to be applied to all land currently zoned RU4 Primary Productions Small lots under the RLEP 2011. Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

Equivalent clause in 1. 2011: RU4 Primary Production Small Lots zone

R2 Low Density Residential

This zone is intended to accommodate low density residential housing and ancillary land uses. Some of the predominant land uses within this zone include single and double storey dwelling houses, and dual occupancies (attached or detached).

Inconsistent land uses in this zone between the RLEP 2011 and the BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

Low density residential zoning is included within the BLEP 2020, as there are many established low density residential neighbourhoods found across the Bayside LGA. This zone is proposed to be applied to all land currently zoned R2 Low Density Residential under the RLEP 2011 and the BBLEP 2013.

Equivaled Jause in EP 2011 & BBLEP 2013: R2 Low Density Residential zone

R3 Medium Density Residential

This zone is applied to land considered appropriate for medium density development. An assortment of housing types have been mandated under the SI LEP, to encourage housing choice and diversity within this zone.

Inconsistent land uses between the RLEP 2011 and the BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

This zone is proposed to be applied to all land currently zoned R3 Medium Density residential under the RLEP 2011 and the BBLEP 2013. This land will continue to contribute to the future housing needs of the Bayside LGA. Accordingly, this zone will accommodate the identified need for more medium density housing choice such as semi-detached, row or terrace houses, to prevent families and large households not being priced out of the Bayside LGA.

Equivalent clause in RLEP 2011 & BBLEP 2013: R3 Medium Density Residential zone

R4 High Density Residential

This zone is applied to land identified for high density housing types, such as residential flat buildings or shop top housing. This zone also includes additional uses that provide facilities or services to residents, being neighbourhood shops, community facilities, places of public worship, centre-based child care facilities and respite day care centres.

Inconsistent land uses between the RLEP 2011 and the BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal Appendix E – Land Use Comparison and Justification Matrix for greater clarification.

This zone is proposed to be retained for all land currently zoned R4 High Density Residential under the RLEP 2011 and the BBLEP 2013. The BLEP 2020 high density residential zoning reflects the provisions of current and desired densities and urban forms. High density residential zoning is required to meet the increased demand in families with children, couples without children, and downsizers wanting to live in apartments. This zoning will assist in accommodating the forecasted housing demand of 28,000 new dwellings by 2036, as well as meet housing targets under the Eastern City District Plan to deliver 10,150 additional dwellings between 2016-2021.

Equivalent claus 16P 2011 & Bu. 2013: R4 High Density Residential zone

B1 Neighbourhood Centre

This zone is defined by small-scale convenience retail premises (neighbourhood shops), business premises, medical centres and community facilities that serve the daily needs of residents easily walkable distances.

Inconsistent land uses between the RLEP 2011 and the BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

The B1 Neighbourhood Centre zoning has been included in the BLEP 2020 to encourage a focus on local communities, and to retain existing smaller scale centres established across the Bayside LGA. This zone is proposed to be applied to all land currently zoned B1 Neighbourhood Centre under the RLEP 2011 and the BBLEP 2013.

Wywalen Lause in RLEP 2011 & BBLEP 2013: B1 Neighbourhood Centre zone

B2 Local Centre

This zone is intended to provide centres that offer a variety of commercial, civic, cultural and residential uses that service the wider community. This zone provides for shoptop housing and other uses such as educational establishments, entertainment facilities, function centres, information and education facilities, office premises, and tourist and visitor accommodation. Such a mix of uses and activities in one location promote walking, cycling and public transport options for more people.

This zone is proposed to be applied to all land currently zoned B2 Local Centre under the RLEP 2011 and the BBLEP 2013. The retention of the zone over this land will provide for the existing and future concentrations of services and infrastructure to support sustainable housing growth. This zone will

cater land for the existing established centres of local centre scale within the Bayside LGA, which have been identified as focal points under the Eastern City District Plan.

Inconsistent land uses between the former LGA's have been evaluated and determined by best planning practice. Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

Equivalent clause in RLEP 2011 & BBLEP 2013: B2 Local Centre zone

B3 Commercial Core

This zone is applied to land for major centres that provide a wide range of uses including large-scale retail, office, businesses, entertainment and community facilities directly connected to major transport routes. These centres are intended to meet the needs of the local community, as well as the needs of the wider district. Land which is zoned Commercial Core may be surrounded by other business zones, such as B4 Mixed Use or B5 Business Development, in order to provide a variety of supporting uses and deliver an appropriate transition from the major centre.

This zone is proposed to be applied to all land currently zoned B3 Commercial Core under the BBLEP 2013. The zone does not exist in the RLEP 2011.

Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification. This zone is proposed to be applied to all land currently zoned B3 Commercial core under the BBLEP 2013.

Linuvalent Jusc in BBL 2013: B3 Commercial Core zone

B4 Mixed Use

This zone is intended for land supporting a vast range of land uses, and to encourage the inclusion of commercial, residential, tourist and visitor and community uses. The residential component in this zone is an important element in revitalising and sustaining local areas, as well as increasing housing diversity close to commercial cores and major transport nodes.

Inconsistent land uses between the RLEP 2011 and the BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

This zone is proposed to be applied to all land currently zoned B4 Mixed Use land under the RLEP 2011 and the BBLEP 2013. Initial capacity studies have indicated that there is significant floor space potential for existing mixed use zones within the Bayside LGA. Mixed use zoning will also provide for more employment opportunities and boost the local economy across Bayside.

Equivalent clause in RLEP 2011 & BBLEP 2013: B4 Mixed Use zone

B5 Business Development

This zone provides for business premises, warehouse and distribution centres, and specialised retail premises that require large floor areas in locations that are close to, and that support the viability of, centres. This zone encourages employment opportunities and supports the directions set out in the *Greater Sydney Regional Plan – A Metropolis of Three Cities* to create better conditions for a stronger economy through investment in business activity centres. This zone is proposed to be applied to all land currently zoned B5 Business Development under the BBLEP 2013. The zone does not exist in the RLEP 2011.

Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

Equivalent cleuse in BBLEP 2013: B5 Business Development zone

B6 Enterprise Corridor

This zone is intended for land where commercial or industrial development is to be encouraged along main roads, such as the Princes Highway. This zone provides for uses such as business premises, hotel or motel accommodation, light industries, hardware and building supplies, garden centres and warehouse or distribution centres. The existing B6 zoned area within the Princes Highway corridor has development potential for long term delivery of flexible, small-scale commercial and creative spaces, while retaining the arterial road corridor focus for uses such as specialised retail premises. This zone is proposed to be applied to all land currently zoned B6 Enterprise Corridor under the RLEP 2011. The zone does not apply to land under the BBLEP 2013.

Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

Equivalent clau ALEP 2011: B6 Business Enterprise Corridor zone

B7 Business Park

This zone is established for land accommodating office and light industrial uses, which include high technology industries. Business park zones form vital economic and employment roles across the district. Specialised functions must be protected for the long term, and competing uses must not override the core activities. Permissible uses in this zone includes ancillary facilities and services such as centre-based child care facilities, respite day care centres, and neighbourhood shops to support daily needs of workers. The existing B7 zoned area within the Mascot Town Centre has capacity to accommodate additional employment growth, and is anticipated to realise future significant commercial development uses. This zone is proposed to be applied to all land currently zoned B7 Business Park under the BBLEP 2013. The zone does not apply to land under the RLEP 2011.

Refer to Planning Proposal Appendix E – Land Use Comparison and Justification Matrix for greater clarification.

Equivalent clause in BBLEP 2013: B7 Business Park zone

IN1 General Industrial

This zone caters for land supporting industrial and warehouses uses, which include general industry, high technology industries, industrial training facilities, and depots.

General industrial zoning is to be carried over from the BBLEP 2013, as it will support and protect employment land for industrial uses, particularly within the international trade gateways of Sydney Airport and Port Botany, as well as Botany Industrial Park. Furthermore, the Eastern City District Plan requires the BLEP 2020 to retain and manage all existing industrial and urban services land. Retaining industrial lands support Planning Priority E9 – growing international trade gateways and Planning Priority E12 – retain and managing industrial and urban services land. This zone is proposed to be applied to all land currently zoned IN1 General Industrial under the BBLEP 2013. The zone does not apply to land under the RLEP 2011.

Refer to Planning Proposal Appendix E – Land Use Comparison and Justification Matrix for greater clarification.

Equivalent clause in BBLEP 2013: IN1 General Industrial zone

IN2 Light Industrial

This zone accommodates a range of light industry, warehouse or distribution centres, depots and other related land uses. The land uses in this zone are to be 'light' in nature, meaning they are to not cause nuisance or adversely affect the surrounding amenity by noise, emissions or odour. This zone does not make provisions for hazardous, heavy or offensive industries.

The Eastern City District Plan requires the retention and management of all existing industrial and urban services land. Therefore, the IN2 Light Industrial zoning is proposed to be applied to all land currently zoned IN2 Light industrial under the RLEP 2011 and BBLEP 2013.

Inconsistent land uses between the current RLEP 2011 and BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

Equivalent clause In FP 2011 & BBLEP 2013: IN2 Light Industrial zone

SP1 Special Activities

This zone is applied to public or private land to facilitate quite specific uses that cannot be, or should not be, accommodated in other zones. This zone is proposed to be applied to all land currently zoned SP1 Special Activities under the BBLEP 2013. This zone does not apply to land under the RLEP 2011

Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

walent wase in BBLEP 2013: SP1 Special Activities zone

SP2 Infrastructure

This zone is intended for land accommodating, or proposing to accommodate community and public infrastructure.

Inconsistent land uses between the current RLEP 2011 and BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

This zone is proposed to be applied to all land currently zoned SP2 Infrastructure under the RLEP 2011 and BBLEP 2013.

Equivalent clause in RLEP 2011 & BBLEP 2013: SP2 Infrastructure zone

SP3 Tourist

This zone is established for land where tourism is considered the focus of a particular location. This is lands such as where a natural/built site or location attracts visitors and the intended future use of the area is prioritised for developing tourist-related uses. Such development may include tourist and visitor accommodation, function centres, information and education facilities, recreation facilities, food and drink premises and other ancillary and compatible land uses.

The extent of the existing SP3 Tourist zoning under the RLEP 2011, as it currently applies to land at Brighton Le Sands, is proposed to be retained in the BLEP 2020.

Refer to Planning Proposal Appendix E – Land Use Comparison and Justification Matrix for greater clarification.

Equivalent clause in RLEP 2011: SP3 Tourist zone

RE1 Public Recreation

This zone is applied to land reserved for a wide range of public recreational areas, and other related land uses, often in the form of open space and local or regional parks. The permissible land uses primarily include uses associated with recreational and community purposes.

Inconsistent land uses between the RLEP 2011 and BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal **Appendix E – Land Use Comparison and Justification Matrix** for greater clarification.

The Bayside LGA accommodates an established diverse range of open space and recreational sporting facilities, including a number of destination and regional open spaces. This zone is proposed to be applied to all land currently zoned RE1 Public Recreation under the RLEP 2011 and BBLEP 2013.

Equivalent Truse in RLEP 2011 Public Recreation zone

RE2 Private Recreation

Private recreational areas enable exclusive recreation-related uses for groups of specific users, as sites are, typically, privately owned. Such uses may include bowling clubs, or other sporting uses, and recreational facilities. Places of public worship are also permitted with consent in the zone.

Inconsistent land uses between the RLEP 2011 and BBLEP 2013 have been evaluated and determined by best planning practice. Refer to Planning Proposal Appendix E – Land Use Comparison and Justification Matrix for greater clarification.

Private Recreation land is included within the BLEP 2020, as there is a significant amount of open space that is owned by government agencies and private landowners. This zone is proposed to be applied to land currently zoned RE2 Private Recreation under the RLEP 2011 and BBLEP 2013.

Equive t clause in RLEP 2011 & BBLEP 2013: RE2 Private Recreation zone

E1 National Parks & Nature Reserves

This zone is proposed to be applied to land currently zoned E1 National Parks & Nature Reserves under the RLEP 2011, which is limited to a small area of land in Botany Bay, at Towra Point. All uses currently authorised under the National Parks and Wildlife Act 1974 will also continue to be permitted without consent in this zone.

Refer to Planning Proposal Appendix E – Land Use Comparison and Justification Matrix for greater clarification.

Equivalent clause in RLEP 2011: E1 National Parks & Nature Reserves zone

W1 Natural Waterways

This zoning is being introduced in the BLEP 2020, since Wolli Creek is currently unzoned under the RLEP 2011. Wolli Creek supports important wetlands, which provide important natural ecosystem functions. The objectives of this zone under the SI LEP include protecting ecological values of natural waterways, and preventing development that could have adverse impacts on the natural values of waterways. The entire length of Wolli Creek is proposed to be zoned W1 Natural Waterways, given the function that Wolli Creek provides to the adjoining wetlands and riparian corridor. Wolli Creek is proposed to be zoned W1 Natural Waterways, in order to limit inappropriate development that could occur if the land was to be zoned W2 Recreational Waterways. The zoning will also reflect the importance of the adjoining Wolli Creek Parklands, North of Wolli Creek, within the Canterbury-Bankstown LGA, which is currently zoned E1 National Parks and Nature Reserves.

Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

No equivalent clause

W2 Recreational Waterways

This zone is intended to accommodate some land uses associated with water-based recreation, boating and water transport.

The W2 Recreational Waterways zoning is being introduced in the BLEP 2020 for several waterways that are currently unzoned. These particular unzoned waterways include:

- · A portion of George's River adjacent to Sandringham;
- Lower reached of the Cooks River where it meets Botany Bay; and
- Muddy Creek

Refer to Planning Proposal Appendix E – Land Use Comparison and Justification Matrix for greater clarification.

No equivalent clause

W3 Working Waterways

This zone accommodates land uses associated with commercial shipping, water-based transport, and maritime industries.

The W3 Working Waterways zoning is included in the BLEP 2020, as the waterways of Bayside Council are an integral part of Sydney's Blue Grid. These waterways support the important trade and gateway role of Port Botany and Sydney Airport.

Therefore, this zone has been proposed to be retained for all land that is currently zoned W3 Working Waterways under the BBLEP 2013.

Refer to Planning Proposal *Appendix E – Land Use Comparison and Justification Matrix* for greater clarification.

Equivalent clause in BELEP 2013: W3 Working Waterways Zone

Clause 2.2 Zoning of land to which Plan applies [compulsory]

This clause indicates that the land use zones under the Plan are shown on the Land Zoning Map.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 2.2

Clause 2.3 Zone objectives and land use table [compulsory]

This clause explains the Land Use Table which specifies the objectives for development and the land uses that are (i) permissible without consent; (ii) permitted with consent; or (iii) prohibited development, for each zone. This clause also requires the consent authority to consider the zone objectives set out in the Land Use Table when determining a Development Application.

Equivalent dause in RLEP 2011 & BBLEP 2013: Clause 2.3

Clause 2.4 Unzoned land [compulsory]

This clause establishes the requirement for development consent for any development on land that is not zoned under the Plan. The consent authority is required to consider the objectives of adjoining zones, and must be satisfied that proposed development is appropriate and compatible with adjoining land uses prior to granting development consent.

Equipment clause in RLEP 2012. 3BLEP 2013: Clause 2.4

Clause 2.5 Additional permitted uses for particular land [compulsory]

This clause allows additional permitted uses on particular land, despite anything contrary to the Land Use Table or another provision in the Plan. Schedule 1 identifies the exclusive properties and lots of land with relevant land uses and conditions which clause 2.5 applies.

nulvalent hee in Rit 1011 & BBLEP 2013: Clause 2.5

Clause 2.6 Subdivision – consent requirements [compulsory]

The purpose of this clause is to clarify the requirements for development consent for the subdivision of land and strata subdivision of a building. This clauses establishes the exception to the subdivision of land on which there is a secondary dwelling and subdividing would result in lot sizes less than the minimum size shown on the Lot Size Map.

This clause also identifies circumstances where a subdivision and strata subdivision of a building may be Exempt or Complying Development under the State Environmental Planning Policy (Exempt and Complying Development Code) 2008.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 2.6

Clause 2.7 Demolition requires consent [compulsory]

This is a model clause prepared by the DPIE. This clause requires development consent for the demolition of buildings and structures, unless identified under Schedule 2 or under the Exempt and Complying Development Codes SEPP 2008.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 2.7

Clause 2.8 Temporary use of land [optional]

This clause permits the temporary use of land for a maximum of 52 days in any 12 month period, when development consent is granted. This time period reflects the existing RLEP 2011 and BBLEP 2013. The consent authority can only grant consent to the temporary use of land if it is satisfied that the use:

- does not prejudice future development of the site;
- · does not adversely impact on adjoining land or the amenity of the neighbourhood;
- does not adversely impact on the environment or increase the risk of natural hazards that may affect the land.

Specific exclusions to the stated 106 day period can be added for sales offices, exhibition homes, builder's site offices.

Equivalent dause in RLEP 2011 & BBLEP 2013: Clause 2.8

LAND USE TABLE

The Land Use Table lists, for each zone:

- · the objectives of the zone;
- development permitted without consent;
- development permitted with consent; and
- prohibited development

The land use table includes mandated zone objectives and land uses by the SI LEP, and cannot be changed by Council. A general rule of retaining the permissibility / prohibition of land uses has been applied in each zone, where appropriate and consistent with the proposed zone objectives. However, in instances of inconsistency between the RLEP 2011 and BBLEP 2013, Council has taken the most suitable approach in applying uses that are consistent with the zone objectives and are most appropriate when considering the local context. Justification for each land use for each zone is listed in *Appendix E — Land Use Comparison and Justification Matrix*.

PART 3 EXEMPT AND COMPEYING

In 2008 the NSW Government introduced a policy for Exempt and Complying Development standards to be used state-wide, under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Other less common types of 'Exempt' or 'Complying' Development are also identified in other state polices such as:

- State Environmental Planning Policy No 64—Advertising and Signage (only applicable to works carried out by the RTA or Railcorp or relating to an Government election)
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Housing for Seniors or people with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007 (the majority of the policy relates to works by a public authority however also wind turbines, solar energy systems)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities)
 2017
- State Environmental Planning Policy (Primary Production and Rural Development) 2019

Under the revised provisions of the *Environmental Planning and Assessment Act 1979*, Council's must include Exempt or Complying Development provisions that are unique to their local areas in the relevant Schedules of new Comprehensive Local Environmental Plans. The provisions must not be inconsistent with and/or duplicate those contained within state policies.

Clause 3.1 Exempt Development [compulsory]

This clause identifies that development listed in Schedule 2 is 'Exempt Development', meaning that it is minor development which does not require approval if it meets the predetermined criteria. Exempt Development must comply with both the development standards in Schedule 2, and the requirements specified in this clause.

Equivalent dause in RLEP 2011 & BBLEP 2013: Clause 3.1

Clause 3.2 Complying development [compulsory]

This clause identifies that development listed in Schedule 3 is 'Complying Development', meaning that it is minor development which requires approval in the form of a Complying Development certificate rather than development consent. Either Council or a private certifier may issue a Complying Development Certificate, provided the development meets the pre-determined criteria. Complying Development must comply with the development standards and conditions of approval detailed in Schedule 3, as well as the requirements specified in this clause.

Equivalent dause in RLEP 2011 & BRLEP 2013: Clause 3.2

Clause 3.3 Environmentally sensitive areas excluded [compulsory]

This clause specifies 'environmentally sensitive areas' where exempt or complying development must not be carried out.

Equivalent Sause in RLEP 2011 & BBLEP 2013: Clause 3.3

PART 4 - PRINCIPAL DEVELOPMENT STANDARDS

Clause 4.1 Minimum subdivision lot sizes [optional]

This clause establishes minimum subdivision lot sizes for certain land in the Bayside LGA. A minimum subdivision lot size is set in accordance with the Lot Size Map. Where a lot of land has an existing dual occupancy or a dual occupancy is proposed, the area of each lot resulting from the subdivision must be equal to or greater than 350sqm. Furthermore, this clause does not apply to the subdivision of land in R2 Low Density Residential where the erection of an attached dwelling or a semi-detached dwelling is proposed.

Equivalent clause in RLEP 2011: Clause 4.1

Clause 4.2 Rural subdivisions

This clause provides flexibility in relation to minimum subdivision lot sizes for rural zoned land, by enabling rural subdivision below the mapped minimum lot size, only where no dwellings will result from subdivision. The intent is to allow the more orderly and economic use of certain rural zoned land. The existing clause in the RLEP 2011 is to be included in the BLEP 2020. This clause does not apply to BBLEP 2013.

Equivalent clause in RLEP 2011: Clause 4.2

Clause 4.3 Height of Buildings [optional]

This clause sets out the objectives for the height of buildings and specifies that a building must not exceed the maximum height shown on the Height of Buildings map for the land. This maintains a

level of order and ensures the established local character of the different areas across the LGA are retained. The clause also includes references to specific height bonus provisions that are applicable to a limited number of sites within the Bayside LGA.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 4.3

Clause 4.4 Floor Space Ratio [optional]

The floor space ratio (FSR) is the ratio of the gross floor area of a development to the site area. This controls the bulk and scale of future development. FSR is a tool used:

- as a measure for potential development density of a site
- to ensure sufficient floor space can be accommodated to meet future residential and commercial needs of the area
- to establish development of buildings that are compatible with the bulk, form and scale of the existing and desired future character of the locality
- to ensure any adverse impacts of development on the amenity and environment of the surrounding areas are minimised

This clause establishes FSR objectives, and requires development to comply with the maximum FSR shown on the FSR Map.

Tulvalent claus ARLEP 2011 & BBLEP 2013: Clause 4.4

Clause 4.4A Exceptions to floor space ratio for residential accommodation [local]

This clause specifies objectives and FSR exceptions to proposed development of low density housing types (dwelling houses, semi-detached dwellings, attached dwellings and dual occupancies) on land identified as 'Area 3' on the FSR Map. This clause has been amended from the BBLEP 2013, and will provide landowners the opportunity to best utilise their properties in a way that is sensitive to the surrounding local character and consistent with the existing streetscape, subject to development consent.

Equivalent clause in BBLEP 2013: Clause 4.4A

Clause 4.5 Calculation of floor space ratio and site area [optional]

This clause sets out the objectives and definition of 'floor space ratio'. This includes the standardised SI LEP method for calculating the site area of development and additional provisions for the purposes of applying FSR to a development site.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 4.5

Clause 4.6 Exceptions to development standards [compulsory]

This clause exists to provide flexibility in planning controls by enabling the consent authority to vary development standards in certain circumstances. This clause details the matters to be addressed and the process that would allow a development proposal to contravene a development standard, such as height or floor space ratio.

The clause identifies that consent will only be granted where compliance within a development standard is considered unreasonable and unnecessary in the circumstances. The proposed development must satisfy the objectives of both the development standard, and the relevant zone.

The concurrence of the Secretary of the DPIE is also required before consent is granted. This concurrence is generally delegated by Council through an independent hearing and assessment panel, unless the proposed development has an overwhelming majority of circumstances. Matters for consideration by the consent authority are listed. The clause identifies particular development standards to which it does not apply.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 4.6

PART 5 - MISCELLANEOUS PROVISIONS

Clause 5.1 Relevant acquisition authority [compulsory]

This clause is a model clause prepared by the DPIE. It generally relates to State Government or Council acquisition for roads, or open space purposes.

The purpose of this clause is for the identification of the relevant public authority for acquiring exclusively reserved land for certain public purposes, in accordance with 3.15 Owner — initiated acquisition of land reserved for public purposes (cf previous s 27) in the Environmental Planning and Assessment Act 1979, and under the Land Acquisition (Just Terms Compensation) Act 1991. This clause supplements existing owner-initiated acquisition procedures where acquisition can be triggered if the owner will suffer hardship, if there is any delay in the land being acquired by the relevant authority.

Land that is to be acquired is identified on the Land Reservation Acquisition map. This clause limits development on land intended for acquisition.

L (valent la RLEP 111 & BBLEP 2013: Clause 5.1

Clause 5.1A Development on land intended to be acquired for public purposes [local]

This clause applies to land identified on the Land Reservation Acquisition Map. The purpose of this clause is to limit development on certain land intended to be acquired for a public purpose by the relevant authority of the State. Development consent is to only be granted for a purpose specified in the table found in this clause.

Equivalent clause in RLEP 2011: Clause 5.1A

Clause 5.2 Classification and reclassification of public land [compulsory]

This clause enables Council to classify or reclassify public land by listing it in Schedule 4 of the BLEP 2020. All Council land (other than public roads or crown reserves) is required to be classified as 'community land' or 'operational land' under the Local Government Act 1993.

<u>Community land</u> is land that is considered important to the community, because of its use or special features. Examples of community land are public open space, or land where other restrictions apply such as a trust deed which creates an obligation to maintain public access. The ongoing use and management of community land is to be set out in a Plan of Management under the *Local Government Act 1993*.

<u>Operational land</u> has no particular restrictions, other than those that may apply to any piece of land under the Plan. This land includes Council depots, and other land owned by a council and used for operational purposes.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 5.2

Clause 5.4 Controls relating to miscellaneous permissible uses [compulsory]

This clause establishes the numerical standards for various permissible uses for certain types of development, namely being bed and breakfast accommodation, home businesses, home industries, industrial retail outlets, farm stay accommodation, kiosks, neighbourhood shops, neighbourhood supermarkets, roadside stalls, secondary dwellings and artisan food and drink (exclusion). This is mandated by the SI LEP, and imposes development standards for these niche land uses. Numerical standards have been determined through a harmonisation process, which included referencing best practice standards applied by adjoining Councils.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 5.4

Clause 5.6 Architectural roof features [optional]

This clause allows the development of architectural roof features to exceed the maximum building height control, if certain specified criteria can be met. This is to accommodate development for roof features of visual interest or decorative form.

Equiv. nt clause in RLEP 2011 & VEP 2013: Clause 5.6

Clause 5.7 Development below mean high water mark [compulsory if land to which plan applies contain tidal waters]

This clause requires development consent for any development that is carried out below the mean high water mark of a body of water subject to tidal influence. The waters surrounding the municipality are tidal and therefore this clause is included in the BLEP 2020.

Equit / clause in RLEP 2011 & BBLEP 2013: Clause 5.7

Clause 5.8 Conversion of fire alarms [compulsory]

This clause applies to a fire alarm system that can be monitored by NSW Fire Brigades, or by a private service provider. The clause outlines development that requires consent and development that is complying development.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 5.8

Clause 5.10 Heritage conservation [compulsory]

This clause is mandated by the SI LEP, and sets out provisions to conserve the environmental heritage of the Bayside LGA. It applies to heritage items, heritage conservation areas, archaeological sites, and places of Aboriginal heritage significance. It identifies when development consent is required, and requires the consent authority to consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned.

Under this clause, the consent authority may require a Heritage Impact Assessment, or Heritage Conservation Management Plan. This clause also allows land uses that may not otherwise be permitted on the site of a heritage item, as an incentive for the conservation of that item. This clause is supported by Schedule 5 and the Heritage Map which identify both the heritage items and heritage conservation areas found within the Bayside LGA.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 5.10

Clause 5.11 Bush fire hazard reduction [compulsory]

This clause enables bushfire hazard reduction authorised by the Rural Fires Act 1997 to be carried out without consent.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 5.11

Clause 5.12 Infrastructure development and use of existing buildings of the Crown

This clause identifies that the Plan does not restrict any development that is permitted under *State Environmental Planning Policy (Infrastructure) 2007*, if it is carried out by or on behalf of a public authority.

Equivalent clause in RLEP 2011 & BBLEP 2013; Clause 5.12

Clause 5.19 Pond-based, tank-based and oyster aquaculture

This clause outlines the key objectives to encourage the development of sustainable oyster, pondbased and tank based aquaculture. This clause specifies the matters that must be satisfied by the consent authority in order for consent to be granted. This is criteria based on site location and operational requirements, subject to the permissible zones found in Part 1 of Schedule 6.

This clause states that the consent authority is not limited to the minimum requirements set out in Part 1 of Schedule 6, and may impose additional conditions deemed necessary for development consent.

Zguivalent clab. «LEP 2011 & BBLEP 2013: Clause 5.19

PART 6 - LOCAL PROVISIONS

6.1 Acid Sulfate Soils [local and model]

This is a model clause prepared by the DPIE. The objective of this model clause is to avoid development resulting in environmental hazards, through the disturbance of acid sulfate soils. This clause sets out requirements for development that involves the disturbance of soil or groundwater, and provides for assessment of certain excavation works on land within an acid sulfate soil area or buffer area identified in the Acid Sulfate Soils Map. Complying Development under the SEPP (Exempt and Complying Development Codes) 2008 (including Complying Development under the Housing Code) cannot be carried out on land identified as Class 1 or Class 2 on the Acid Sulphate Soils Map.

Both the RLEP 2011 and BBLEP 2013 have adopted a provision relating to acid sulfate soils that are consistent with the DPIE's model provision. Development Applications within areas identified on the Acid Sulfate Map will need to consider, and assess, the impact of the development on acid sulfate soils and prepare an acid sulfate soils management plan if a preliminary assessment indicates a management plan is required.

Equivalent clause in RLEP 2011 & BBLEP 2013: Clause 6.1

6.2 Earthworks [local]

This clause sets out the matters that are considered in the assessment of earthworks to ensure the protection of environmental functions and processes, amenity of neighbouring uses, cultural or heritage items, or features within land of the Bayside LGA. This clause permits earthworks of minor nature without requiring separate development consent.

This local provision means that any development application will need to consider the impact of proposed excavation such as soil stability, soil erosion, the structural integrity of adjoining properties and the health and vitality of existing vegetation (trees). Proposed development will also need to be

designed to complement the topography of the land to minimise the need for cut and fill processes and the associated bulk and height.

Equivalent dause in RLEP 2011 & BBLEP 2013: Clause 6.2

6.3 Stormwater and water sensitive urban design [local]

This clause provides specific criteria for the assessment of Development Applications to ensure minimised impacts of urban stormwater on the subject land, adjoining properties and the environmental and water quality of native bushland and the surrounding receiving waters. This includes the requirement to consider water sensitive urban design principles, and the integration of management measures in the proposed development.

Equivalent clause in RLEP 2011: Clause 6.7 Equivalent clause in BBLEP 2013: Clause 6.3

6.4 Terrestrial Biodiversity [local]

This clause is intended for the protection and conservation of terrestrial and aquatic biodiversity found in the Bayside LGA. This clause applies to land identified as "Biodiversity" on the Terrestrial Biodiversity Map. This clause states that the consent authority must consider whether the development is likely to have any adverse impacts on the native ecological and threatened communities on land or detrimentally impact the composition of the land.

This clause establishes the matters of consideration that the consent authority must be satisfied with before granting consent, including whether the development design and form is managed to avoid significant adverse environmental impact, and whether the impact of the development cannot be avoided or minimised by adopting feasible alternatives.

Equivalent clause in RLEP 2011: Clause 6.8 Equivalent clause in BBLEP 2013: Clause 6.4

6.5 Flood Planning [local and model]

This is a model clause prepared by the DPIE which is currently applicable in the Rockdale LGA. The Bayside LEP is to incorporate this local provision across as there are significant parts of the LGA that are impacted. This clause is to apply to the whole LGA to ensure flooding is assessed consistently and that all developments incorporate appropriate measures to:

- · minimise the flood risk to life and property;
- ensure compatibility with the flood hazard of the land; and
- avoid significant adverse impacts on flood behaviour and the environment.

Equivalent clause in RLEP 2011: Clause 6.6

6.6 Flood Plain Risk Management

This clause is proposed to be included in the BLEP 2020 in order to provide for the management of lands that are at primary risk to life in areas outside the Flood Planning Area. This clause ensures the management of proposed development will not introduce significant evacuation or emergency response issues, or adversely impact the operational capacity of emergency response facilities and critical community infrastructure during extreme flood events. This is consistent with the objectives of the NSW Flood Prone Land Policy (2005) and Section 9.1 Local Planning Directions.

Equivalent clause in RLEP 2011 & BBLEP 2013: no equivalent clause

6.7 Riparian land, wetlands and waterways [local]

This clause ensures the protection and maintenance of riparian land, watercourse, waterbodies and waterways found within the Bayside LGA. This clause applies to all watercourses and land within 40 metres of the top of the watercourse. This clause outlines the matters that the consent authority must assess before granting consent. These matters include determining if the proposed development is likely to have adverse impacts on the quality of watercourses and inhabiting species, if any appropriate measures to avoid minimise or mitigate the impacts are to be applied, and whether the impact of the development cannot be avoided by adopting feasible alternatives.

Equival clause in RLEP 2011: Clause 6.9 Equival clause in SBLEP 2013: Clause 6.5

6.8 Limited Development on Foreshore area / Foreshore building line [local and model]

This clause applies to development on land in the foreshore area as shown on the Foreshore Building Line Map. This is a model clause recommended by the DPIE for land in the inner harbour area. Minor modifications have been made to reflect the particular circumstances (concern of sea level rise) arising in the Bayside LGA. The objective of this clause is to ensure that proposed development in the foreshore area does not adversely impact the amenity, scenic quality and natural foreshore processes.

This clause identifies development that is allowed in the foreshore area, and also identifies the matters the consent authority must be satisfied with before granting consent to development in the foreshore area.

Some of the matters of which the consent authority must be satisfied include;

- the appearance of any proposed structure when viewed from the waterway and foreshore are to be compatible with the surrounding area; and
- No adverse environmental harm or potential opportunity for compromised public access by proposed development.

Equivalent clause in RLEP 2011: Clause 6.5 Equivalent clause in BBLEP 2013: Clause 6.7

6.9 Airspace Operations [local and model]

This is a model clause prepared by the DPIE. This clause is intended to ensure the operations of Sydney (Kingsford Smith) Airport is not compromised by any proposed development. This clause relates to development that may project above the Obstacle Limitation Surface (OLS), as shown on the Obstacle Limitation Surface Map for Sydney Airport. The clause states that before consent to such development can be granted, the relevant Commonwealth authority must be consulted, and have no objection to the approval of the proposed development.

Equivalent clause in RLEP 2011: Clause 6.4 Equivalent clause in BBLEP 2013: Clause 6.8

6.10 Development in areas subject to aircraft noise [local and model]

This is a model clause prepared by the DPIE. It is mandated in the SI LEP, and is established to prevent certain noise sensitive developments from being located near Sydney (Kingsford Smith)

Airport and its associated flight paths. This includes land located within Australian Noise Exposure Forecast (ANEF) Contour of 20 or greater. This clause aims to minimise the impact of aircraft noise by requiring appropriate noise attenuation measures in noise sensitive buildings. It requires the consent authority to consider the requirements of the relevant Australian Standard, and whether development will increase the number of dwellings or people affected by aircraft noise before granting consent to any development in the vicinity of the airport.

This clause is included within the Bayside LEP 2020 as land under the RLEP 2011 and BBLEP 2013 is included within the ANEF 2039 contours. The consent authority must also be satisfied that the development will meet interior noise levels prescribed in the *Australian Standard 2021 – 2015*, *Acoustic-Aircraft Noise Intrusion — Building siting and construction* for the purpose of certain land uses in specified noise exposure contours. The intent and operation of this clause is not to change from how it currently applies to land near Sydney Airport, or land identified within the ANEF contour.

nt clause in RLEP 2011: Clause 6.3 avalent muse in BBLEP 2013: Clause 6.9

6.11 Active street frontages [local and model]

This clause promotes uses that attract pedestrian traffic along certain ground floor street frontages and applies to land identified as "Active Street Frontages" on the Active Street Frontage Map. This clause is a model clause provided from the DPIE to enhance public security and passive surveillance, thus overall improving the amenity to the public domain by encouraging pedestrian activity. Active street frontages can also assist in supporting the economic viability of a centre. This clause emphasises that development consent is not to be granted unless the consent authority is satisfied that the proposed development will have an active street frontage.

It is noted that active street frontages are not required for entrances and lobbies, access for fire services and vehicular access of the ground floor of buildings.

In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are uses for the purposes of business or retail premises, or a medical centre.

Equivalent clause in RLEP 2011: Clause 6.11 Equivalent clause in BBLEP 2013: Clause 6.15

6.12 Design Excellence [local]

The purpose of this clause is to seek sustainable outcomes that enhance the public realm through high quality architectural and urban design. in certain locations. This clause applies to certain development involving the construction of a new building, or external alterations to an existing building, on land identified on the Design Excellence Map. Development consent is contingent upon whether the proposed development exhibits design excellence.

Equivalent clause in RLEP 2011: Clause 6.14 Equivalent clause in BBLEP 2013: Clause 6.16

6.13 Location of sex services premises [local and model]

The purpose of this clause is to minimise land use conflicts and adverse amenity impacts on places that are regularly frequented by children. This clause states that the consent authority may not grant

consent unless are satisfied that the premises is appropriately located and separated by at least one local road from;

- land zoned as R2 Low Density Residential, R3 Medium Density Residential or RE1 Public Recreation
- land uses of centre-based child care facilities, community facilities, schools or places of worship

Equivalent clause in RLEP 2011: Clause 6.13 Equivalent clause in BBLEP 2013: Clause 6.17

6.14 Converting serviced apartments to residential flat building [local]

The purpose of this clause is to prevent substandard residential accommodation occurring through the conversion of serviced apartments to a residential flat building. This clause states the subdivision of a building or part of a building from a serviced apartment into a residential flat building under a strata scheme must consider the design quality principles set out in Schedule 1 of the SEPP 65-Design Quality of Residential Apartment Development, and the design principles of the Apartment Design Guide, before consent can be determined.

Equivalent clause in ThEP 2013: Clause 6.10

6.15 Vehicular Access to Certain Land at Hillsdale fronting Denison Street [local]

This clause applies to land at Hillsdale as shown on the Key Sites Map in the BBLEP 2013. The purpose of this clause is to ensure that vehicular access to any development within the Hillsdale Area is to only be provided from Denison Street. The consent authority is to not grant consent if otherwise. This clause is to be included within the BLEP 2020 to protect the character of the Hillsdale area.

Equivalor, Jause in BBLEP 2013: Clause 6.14

6.16 Site area of proposed development in Arncliffe and Banksia Precincts includes dedicated land [local]

This clause states that when applying a floor space ratio under clause 4.5, the site area for the proposed development on land within the Arncliffe and Banksia Precincts is to include land that is dedicated to Council, or a public authority, for a public purpose and would have been part of the site area if it had not been dedicated. This local clause aligns with the *Bayside West Precinct 2036 Plan*, which is identified for urban renewal to provide more open space, infrastructure, homes and jobs.

Equivalent clause in RLEP 2011: Clause 6.15

6.17 Essential Services [local]

This clause states that the consent authority may not grant consent unless satisfied that essential services for the proposed development have been made available and accessible when required. Essential services under this provision include:

- · the supply of water,
- electricity,
- disposal and management of sewage,
- · stormwater drainage or on-site conservation, and
- suitable road and vehicular access

Equivalent clause in RLEP 2011: 6.12

PART 7 - INTENSIVE URBAN DEVELOPMENT AREAS

7.1 Arrangements for designated State public infrastructure [local and model]

This clause ensures satisfactory requirements for the provision of land for designated State public infrastructure. Development consent is to not be granted for residential accommodation in an intensive urban development area, unless the Secretary has certified satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure lands.

Equivalent clause in BBLEP 2013: Clause 7.1

7.2 Public utility infrastructure [local and model]

This clause prevents the development on land in an intensive urban development area, unless Council is satisfied that any public utility infrastructure is appropriately supported and adequate arrangements have been made to ensure the infrastructure is available when required.

Equivalent clause in BBLEP 2013: Clause 7.2

7.3 Relationship between Part and remainder of Plan [local and model]

This clause outlines that in the event of inconsistency, all clauses and provisions under Part 7 Intensive urban development areas will prevail over any other provisions under any Part of this plan.

Equivalent clause in BBLEP 2013: Clause 7.3

SCHEDULES

Schedule 1 Additional Permitted Uses

This schedule supports clause 2.5 "Additional permitted uses for particular land". It lists permitted land uses (in addition to those permitted by the Land use Table) which may be carried out with consent on the nominated land.

walent huse in RLEP 2011 & BBLEP 2013: Schedule 1

Schedule 2 Exempt development

This schedule supports clause 3.1 "Exempt Development", and lists development that may be carried out without development consent or other council approval if the requirements in Part 3 of BLEP 2020, and the relevant criteria in Schedule 2 are satisfied. This schedule is supplementary to SEPPs, which also identify types of development that are Exempt Development. No Exempt Development is proposed to be listed in Schedule 2 of the BLEP 2020, as the Codes SEPP supersedes all former controls listed in the RLEP 2011 and the BBLEP 2013. This avoids confusion and prevent overcomplicating the overall intent of the schedule.

Equivalent clause in RLEP 2011 & BBLEP 2013: Schedule 2

Schedule 3 Complying development

This Schedule supports clause 3.2 "Complying development". Part 1 of the Schedule lists local development which may be approved by Council, or an accredited certifier, provided the requirements of Part 3 of the Plan and the listed criteria are satisfied, and subject to the conditions set out in Part 2 of the Schedule being the same conditions in the SEPP (Exempt and Complying

Development Codes) 2008. Both the RLEP 2011 and BBLEP 2013 do not have any listed local development included under Schedule 3.

Equivalent clause in RLEP 2011 & BBLEP 2013: Schedule 3

Schedule 4 Classification and reclassification of public land

This schedule supports clause 5.2 "Classification and reclassification of public land". It lists Council property that is to be classified or reclassified as either community land or operational land under the *Local Government Act 1993*. No sites are proposed for classification or reclassification in the BLEP 2020.

Equivalent clause in RLEP 2011 & BBLEP 2013: Schedule 4

Schedule 5 Environmental heritage

This schedule supports clause 5.10 "Heritage conservation". Part 1 lists heritage items, and Part 2 lists heritage conservation areas. These heritage items and conservation areas correspond to the areas shown on the proposed Heritage Map. All existing items under RLEP 2011 and BBLEP 2013 have been incorporated into Schedule 5 of the BLEP 2020.

Equipment clause in RLEP 2011 - PBLEP 2013: Schedule 5

Schedule 6 Pond-based and tank-based aquaculture

This schedule supports clause 5.19 "Pond-based, tank-based and oyster aquaculture", and outlines site location and operational requirements for these types of aquaculture uses, which must be satisfied for the consent authority to grant consent.

www.cht. rse in RLE 111 & BBLEP 2013: Clause 5.19

Dictionary

The Dictionary is the Standard Instrument Dictionary, and defines mandated terms used in the BLEP 2020.

The Dictionary includes definitions for heritage related matters such as *Aboriginal object*, and *Heritage conservation are* etc. Definitions and terms relating specifically to the Bayside LGA, such as *Arncliffe Precinct* and *Banksia Precinct*, are also listed. Generally the relevant definitions are very similar to those in the RLEP 2011 and BBLEP 2013.

Quivalent clause in RLEP 2011 & BBLEP 2013: Dictionary