ROCKDALE PLANNING SCHEME ORDINANCE

deemed to be made under the

ENVIRONMENTAL PLANNING AND ASSESSMENT

ACT, 1979

Reprinted as at 16 December 2005

NEW SOUTH WALES

TOWN AND COUNTRY PLANNING.-- ROCKDALE PLANNING SCHEME ORDINANCE.

Local Government Act, 1919: Part XIIA.

PART I.

Preliminary.

Citation.

1. (1) This Ordinance may be cited as the "Rockdale Planning Scheme Ordinance".

   (2) The Planning Scheme prepared by the Council of the Municipality of Rockdale in respect of all land within the Municipality of Rockdale, in pursuance of section 34 (1) (a) of the Local Government (Areas) Act, 1948, and the Rockdale Planning Scheme (Amendment No. 1) as proclaimed in the Gazette of 27th March, 1975, and the Rockdale Planning Scheme (Amendment No. 2) as proclaimed in the Gazette of 12th October, 1979, are embodied in this Ordinance.

Variation of County of Cumberland Planning Scheme.

2. The Planning scheme referred to in clause 1 (2) varies in certain respects the County of Cumberland Planning Scheme and incorporates all such provisions of that Scheme relating to land within the Municipality of Rockdale as are not inconsistent with the provisions of the Scheme so referred to.

Arrangement.

3. This Ordinance is divided into Parts as follows:

PART I.- Preliminary - cll. 1-6.

PART II.- Reservation and Restriction on Use of Land - cll. 7-21.


PART IV.- Existing Buildings, Existing Works and Existing Use of Land - cll. 25-30.

PART V.- Consents - cll. 31-38.

PART VI.- General Amenity and Convenience - cll. 39-42.
PART VII.- Special Provisions - cl. 43-65AA.

PART VIII.- General - cl. 66-76.

SCHEDULES

Interpretation.

4. (1) In this Ordinance, unless the context or subject matter otherwise indicates or requires-

["Advertising Structure" - omitted LEP 134]

"Airline terminal" means a building or place used for the assembly of passengers or goods prior to the transport of such passengers and goods either to or from an aerodrome. [amended LEP 149]

“Alter”:
(a) in relation to a heritage item, means:
   (i) make structural changes to the outside of the heritage item; or
   (ii) make non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, including changes resulting from painting previously unpainted surfaces; and

(b) in relation to a building or work within a heritage conservation area, means:
   (i) make structural changes to the outside of the building or work; or
   (ii) make non-structural changes to the detail, fabric, finish or appearance of the outside of the building or work, but does not include changes resulting from painting. [inserted LEP 156]

"Amusement centre" means a building or place (other than a club or a hotel) in which there are:
(a) three or more electronically or mechanically operated amusement machines of any kind; or
(b) one or more tables for the playing of pool, snooker, billiards or like games by members of the public. [inserted LEP 148]

"Appointed day" means the day upon which this Ordinance takes effect.

“Archaeological site” means a site described in Part 3 of Schedule 10 and shown by hatching on the heritage conservation map. [inserted LEP 156]
"Attached dual occupancy" means two dwellings within the one building structure attached by party walls where the building has an integrated design and gives the general external appearance of a single dwelling-house. [inserted LEP 127]

"Backpacker accommodation" means a building or part of a building providing temporary accommodation for travellers and tourists who have their principal place of residence elsewhere, and containing two beds or more per room, and communal kitchen, living area and laundry facilities. [inserted LEP 127]

"Boarding-house" includes a house let in lodgings, providing permanent or semi-permanent accommodation, but does not include a motel, guest house or backpacker accommodation. [amended LEP 127]

"Brothel" means premises habitually used for the purpose of prostitution, including premises used by only one prostitute for the purposes of prostitution. [inserted LEP 138]

"Bulk store" means a building or place used for the bulk storage of goods, where the goods stored or to be stored are not required for use in a shop or commercial premises on the same parcel of land or on adjoining land in the same ownership.

"Bulky goods" means large goods which are of such a size and shape as to require -

(a) a large area for handling, storage or display; and

(b) easy and direct vehicular access to enable the goods to be collected by customers after sale,

but does not include food, clothing or produce.

"Bus depot" means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purposes of a bus transport undertaking.

"Bus station" means a building or place used as a terminal for the assembly and dispersal of passengers travelling by bus.

"Bushfire hazard reduction" means a reduction or modification of fuel by burning, chemical, mechanical or manual means.

"Car repair station" means a building or place used for the purpose of carrying out repairs to motor vehicles or agricultural machinery, not being -

(a) body building;

(b) panel beating which involves dismantling; or

(c) spray painting other than of a touching-up character.
"Child care centre" means a building or place used as a child care centre within the meaning of Part VII of the Child Welfare Act, 1939.

"Club" means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purpose whether of the same or of a different kind and whether or not the whole or a part of such building is the premises of a club registered under the Registered Clubs Act, 1976.

"Commercial premises" means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this clause or a building or place used for a purpose elsewhere specifically defined in this clause or for a roadside stall.


“Conservation plan” means a document establishing the heritage significance of a heritage item or a heritage conservation area and identifying conservation policies and management practices that are appropriate to enable that significance to be retained. [inserted LEP 156]

"Council" means the Council of the Municipality of Rockdale.

"County road" means-
(a) any existing road indicated on the scheme map by a continuous red band on white between firm black lines;
(b) any proposed road indicated on the scheme map by a broken red band between broken black lines; and
(c) any proposed widening indicated on the scheme map by a broken red band between a firm black line and a broken black line.

“Demolish” a heritage item or a building, work, relic, tree or place within a heritage conservation area means wholly or partly destroy or dismantle the heritage item or building, work, relic, tree or place. [inserted LEP 156]

"Detached dual occupancy" means two separate dwelling-houses on one allotment. [inserted LEP 127]

"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 one but not more than one dwelling.
"Educational establishment" means a building used as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or a child care centre.

"Extractive industry" means an industry or undertaking, not being a mine, which depends for its operations on the mining of extractive material from the land upon which it is carried on.

"Extractive material" means sand, gravel, clay, turf, soil, rock, stone and similar substances.

"Floor space ratio" means the ratio of the gross floor area of a building to the site area of the land on which the building is erected or proposed to be erected.

"Foreshore scenic protection area" means any land shown on the scheme map by black hatching and any land declared by proclamation to be a Foreshore Scenic Protection Area for the purposes of this Ordinance.

"Generating works" means a building or place used for the purposes of making or generating gas, electricity, or other forms of energy.

"Granny flat development" means two dwellings on one allotment where the gross floor area of one of the dwellings does not exceed 65 square metres. [inserted LEP 127]

"Gross floor area" means the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls, as measured at a height of 1400 millimetres above each floor level, excluding the following:

(a) columns, fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall;

(b) lift towers, cooling towers, machinery and plant rooms and ancillary storage space and vertical air-conditioning ducts;

(c) in the case of dwelling-house or dual occupancy development, where garages are included within the development, 20 square metres of the area of the garage;

(d) for any other development, car parking needed to meet any requirements of the council and any internal access thereto;

(e) space for the loading and unloading of goods. [amended LEP 127]

"Guest house" means a dwelling providing accommodation for commercial purposes for travellers and tourists who have their principal place of residence elsewhere and may also include bed and breakfast establishments and house billeting where -
(a) the operator of the business resides permanently on the premises and provides meals and housekeeping services for the guests;

(b) guest accommodation is provided on a short term basis;

(c) not more than 5 bedrooms of the house are used or are capable of being used for the purpose of guest accommodation.  [inserted LEP 127]

"Health care professional" means a person who renders professional health services to members of the public, and includes--

(a) a chiropodist registered under the Chiropodists Registration Act, 1962;

(b) a chiropractor or an osteopath or a chiropractor and an osteopath registered under the Chiropractic Act, 1978;

(c) a physiotherapist registered under the Physiotherapists Registration Act, 1945; and

(d) an optometrist registered under the Optometrists Act, 1930.

"Height" in relation to a building, means the distance measured vertically from any point on the ceiling of the topmost floor of the building to the natural ground level.  [inserted LEP 127]

"Heliport" means an area or place open to public use which is licensed by the Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

"Heritage conservation area" means land described in Part 2 of Schedule 10 and shown edged heavy black and described as a heritage conservation area on the heritage conservation map and includes buildings, works, relics, trees and places situated on or within that land.  [inserted LEP 156]

“Heritage conservation map” means the map marked “Rockdale Local Environmental Plan No. 156 - Heritage Conservation”, as amended by the maps (or, if sheets of maps are specified, by the specified sheets of the maps) marked as follows:  [inserted LEP 156]

[Note: There is no LEP 156 map and no amending maps at this time]

“Heritage item” means a building, work, relic, tree or place (which may or may not be situated on or within land that is a heritage conservation area) which is described in Part 1 of Schedule 10 or shown as a heritage item on the heritage conservation map (or both so described and shown).  [inserted LEP 156]

“Heritage significance” means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.  [inserted LEP 156]
"Home industry" means industry carried on in a building, not being a dwelling-house or dwelling in a residential flat building, under the following circumstances—

(a) the building does not occupy a floor space exceeding 30 square metres and is erected within the curtilage of the dwelling-house or residential flat building occupied by the person carrying on the industry or on adjoining land owned by such person;

(b) the industry does not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;

(c) the industry does not involve exposure to view from any adjacent premises or from any public place of any unsightly matter; and

(d) the industry does not require the provision of any essential service main of a greater capacity than that available in the locality.

"Home occupation" means an occupation carried on in a dwelling-house or in a dwelling in a residential flat building by the permanent residents of the dwelling-house or dwelling which does not involve any of the following—

(a) the registration of the building under the Factories, Shops and Industries Act, 1962, except where such registration is required by reason only of the installation and use in that dwelling-house or dwelling of not more than one electric motor having a capacity not exceeding 0.37 kilowatts;

(b) the employment of persons other than those residents;

(c) 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, oil or otherwise;

(d) the display of goods, whether in a window or otherwise; or

(e) the exhibition of any notice, advertisement or sign (other than a notice or sign exhibited on that dwelling-house or dwelling to indicate the name or occupation of the resident); or

(f) the use of the dwelling-house or dwelling for the purposes of prostitution. [inserted LEP 138]

"Hospital" means a building used as a hospital, sanatorium, health centre or dispensary, nursing home or home for aged, infirm, incurable or convalescent persons, whether public or private, and includes a shop or dispensary used in conjunction therewith, but does not include an institution.
"Hotel" means any premises specified in a publican's licence issued under the Liquor Act, 1912.

"Housing for older people or people with disabilities" means residential accommodation which is or is intended to be used permanently as housing for the accommodation of older people or people with a disability which may consist of a residential care facility, a hostel or a grouping of 2 or more self-contained dwellings, or a combination of these, but does not include a hospital.  *[inserted LEP 127]*

"Industry" means--

(a) any manufacturing process within the meaning of the Factories, Shops and Industries Act, 1962;

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business; or

(c) the winning of extractive material.

"Institution" means a building used wholly or principally for any of the following uses, namely, as--

(a) a home or other institution for mental defectives;

(b) a mental hospital;

(c) a penal or reformative institution.

"Junk yard" means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials or goods or used for the collecting, dismantling, storage, salvaging or abandonment of automobiles or other vehicles or machinery and for the sale of parts thereof.

"Light industry" means an industry, not being an offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere 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, oil, or otherwise.

"Liquid fuel depot" means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquids.

"Marina" has the meaning ascribed to it in section 490A of the Local Government Act, 1919.

"Main road" means a main road within the meaning of the Main Roads Act, 1924.
"Medium density housing" means development of a parcel of land resulting in 3 or more dwellings where each dwelling has an individual entrance and direct private access to private open space at natural ground level for the exclusive use of the occupants of the dwelling and includes any such development resulting in dwellings commonly known as villas or townhouses, but not a residential flat building. [inserted LEP 127]

"Mine" means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode, or reef whereon wherein or whereby any operation is carried on for or in connection with the purpose of obtaining any metal or mineral by any mode or method, and any place adjoining on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

["Mixed development" - omitted LEP 127]

"Mixed use development" means one or more dwelling attached to or on the same parcel of land as a building used or intended to be used for a non-residential purpose permissible on the land, whether or not that dwelling or dwellings will be used in conjunction with that non-residential use. [inserted LEP 127]

"Motel" means a building or buildings, not being an hotel, a boarding-house or a residential flat building, substantially used for the overnight accommodation of travellers and the vehicles used by them whether or not the building or buildings are also used in the provision of meals to such travellers or the general public.

"Motor showroom" means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not motor vehicle accessories, caravan accessories or boat accessories are sold or displayed therein or thereon.

* "Offensive or hazardous industry" means an industry which, by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings, but does not include panel beating or spray painting.

*Note: Pursuant to clause 7 of S.E.P.P. No. 33, this definition of "offensive or hazardous industry" is superseded by the definitions of "hazardous industry" and "offensive industry" contained in clause 4(1) of that S.E.P.P. [G.G. No. 36 of 13.3.92]

"Parking space" includes any garage or court available for use by vehicles.

"Place of assembly" means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purposes of gain or not, but does not include a place of public worship, an institution or an educational establishment.

"Place of public worship" means a church, chapel or other place of public worship or religious instruction or place used for the purpose of religious training.
"Potential archaeological site" means a site described in Part 4 of Schedule 10 and shown by cross-hatching on the heritage conservation map and includes a site known to the Council to have archaeological potential even if it is not so described and shown. [inserted LEP 156]

"Professional consulting rooms" means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of a dwelling-house and used by not more than 3 legally qualified medical practitioners, by not more than 3 dentists within the meaning of the Dentists Act, 1934, or by not more than 3 health care professionals, who practise therein the profession of medicine, dentistry or health care, respectively, and who, if more than one, practise in partnership, and who employ not more than 3 employees in connection with that practice.

"Prostitution" has the meaning ascribed to it in the Summary Offences Act 1988. [inserted LEP 138]

"Public building" means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or by an organization established for public purposes.

"Public utility undertaking" means any of the following undertakings carried on or permitted or suffered to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act, that is to say--

(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 any reference to a person carrying on any public utility undertaking shall be deemed to include a reference to a council, county council, Government Department, corporation, firm or authority carrying on such undertaking.

"Recreation area" means--

(a) a children's playground;

(b) an area used for sporting activities or sporting facilities;

(c) an area used by the Council to provide recreational facilities for the physical, cultural or intellectual welfare of the community; and

(d) an area used by a body of persons associated together for the purposes of the physical, cultural or intellectual welfare of the community to provide recreational facilities for those purposes,
but does not include a racecourse, a showground or an amusement centre. [amended LEP 148]

"Recreation facility" means a building or place used for indoor recreation, and includes a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of like character used for recreation and whether used for gain or not, but does not include a place of assembly. [inserted LEP 149]

"Refreshment room" means a restaurant, cafe, tea room, eating house or the like.

"Relic" means:

(a) any deposit, object or material evidence (which may consist of human remains) relating to the use or settlement of the area of Rockdale City Council, not being Aboriginal habitation, which is more than 50 years old; or

(b) any deposit, object or material evidence (which may consist of human remains) relating to Aboriginal habitation of the area of Rockdale City Council whether before or after its occupation by persons of European extraction. [old definition omitted, new definition inserted LEP 156]

"Residential flat building" means a building containing 3 or more dwellings, but does not include other forms of residential buildings or development as defined in this Ordinance. [amended LEP 127]

"Road transport terminal" means a building or place used for the principal purpose of the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport such goods and for the parking, servicing and repair of such vehicles.

"Sawmill" means a mill handling, cutting and processing timber from logs or baulks.

"Schedule" means a schedule to this Ordinance.

"Scheme" means the Rockdale Planning Scheme embodied in this Ordinance.

"Scheme map" means the series of maps bound in a book the title sheet of which is marked "Rockdale Planning Scheme" as amended by the map bound in a book the title sheet of which is marked "Rockdale Planning Scheme (Amendment No. 2)" and the maps marked as follows:

Rockdale Local Environmental Plan No. 3.
Rockdale Local Environmental Plan No. 6.
Rockdale Local Environmental Plan No. 8.
Rockdale Local Environmental Plan No. 10.
Rockdale Local Environmental Plan No. 9.
Rockdale Local Environmental Plan No. 13.
Rockdale Local Environmental Plan No. 15 - Sheet 1.
Rockdale Local Environmental Plan No. 17.
Rockdale Local Environmental Plan No. 18.
Rockdale Local Environmental Plan No. 19.
Rockdale Local Environmental Plan No. 24.
Rockdale Local Environmental Plan No. 22.
Rockdale Local Environmental Plan No. 25.
Rockdale Local Environmental Plan No. 32.
Rockdale Local Environmental Plan No. 30.
Rockdale Local Environmental Plan No. 31.
Rockdale Local Environmental Plan No. 34.
Rockdale Local Environmental Plan No. 36.
Rockdale Local Environmental Plan No. 38.
Rockdale Local Environmental Plan No. 39.
Rockdale Local Environmental Plan No. 37.
Rockdale Local Environmental Plan No. 41.
Rockdale Local Environmental Plan No. 35.
Rockdale Local Environmental Plan No. 42.
Rockdale Local Environmental Plan No. 45.
Rockdale Local Environmental Plan No. 46.
Rockdale Local Environmental Plan No. 50.
Rockdale Local Environmental Plan No. 52.
Rockdale Local Environmental Plan No. 51.
Rockdale Local Environmental Plan No. 54.
Rockdale Local Environmental Plan No. 57.
Rockdale Local Environmental Plan No. 59.
Rockdale Local Environmental Plan No. 60.
Rockdale Local Environmental Plan No. 61.
Rockdale Local Environmental Plan No. 63.
Rockdale Local Environmental Plan No. 62.
Rockdale Local Environmental Plan No. 66.
Rockdale Local Environmental Plan No. 65.
Rockdale Local Environmental Plan No. 67.
Rockdale Local Environmental Plan No. 70.
Rockdale Local Environmental Plan No. 71.
Rockdale Local Environmental Plan No. 69.
Rockdale Local Environmental Plan No. 73.
Rockdale Local Environmental Plan No. 75.
Rockdale Local Environmental Plan No. 72.
Rockdale Local Environmental Plan No. 77.
Rockdale Local Environmental Plan No. 78.
Rockdale Local Environmental Plan No. 80.
Rockdale Local Environmental Plan No. 79.
Rockdale Local Environmental Plan No. 81.
Rockdale Local Environmental Plan No. 83.

[Reference to LEP 84 omitted LEP 149]
Rockdale Local Environmental Plan No. 85.
"Service station" means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oils and other petroleum products whether or not the building or place is also used for any one or more of the following purposes--

(a) the sale by retail of spare parts and accessories for motor vehicles;
(b) washing and greasing of motor vehicles;
(c) installation of accessories;
(d) repairing and servicing of motor vehicles involving the use of hand tools provided that such repairing and servicing shall not include top overhaul of motors, body building, panel beating, spray painting, or suspension, transmission or chassis restoration.

"Shop" means a building or place used for the purpose of selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specially defined in this clause or a building or place used for a purpose elsewhere specifically defined in this clause or for a roadside stall.

"Showroom" means a building used for the display of goods offered for sale and includes a motor showroom. [inserted LEP 149]

"Site area", in relation to an allotment of land the subject of an application for consent under this Ordinance, means the area of that land excluding therefrom any land upon which development to which the application relates is not permitted by or under this Ordinance.

"Stock and sale yard" means a building or place used or intended for the purpose of offering animals for sale and includes a public cattle market.

"Storey" means the space within a building between one floor level and the floor level next above or, if there is no floor level above, the ceiling or roof above, but does not include:

(a) space used for car parking, laundries or storerooms, if the ceiling above the space is not more than 1 metre above natural ground level; or
(b) attic space which is part of the dwelling immediately below and is incapable of being used as a separate dwelling; or
(c) plant rooms.

[amended LEP 127]

"The Act" means the Local Government Act, 1919.
"Transport terminal" means a building or place used as an airline terminal, a road transport terminal, a bus station or a bus depot.

"Units for aged persons" means a residential flat building used to house aged persons as defined in the Aged Persons Homes Act 1954, as amended, of the Parliament of the Commonwealth, erected or to be erected by an eligible organisation as defined in that Act, the Housing Commission of New South Wales or any other Department or instrumentality of the Crown.

"Utility installation" means a building or work used by a public utility undertaking but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

"Warehouse" means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.

"Zone" means land referred to in Column I of the Table to clause 22 and shown on the scheme map by distinctive colouring or edging or in some distinctive manner as referred to in such Column for the purpose of indicating the restrictions imposed by Part III on the erection and use of buildings, the carrying out and use of works or the use of land in such zone.

(2) The letters and symbols "W.S. & D." where appearing on the scheme map mean Metropolitan Water Sewerage and Drainage Board purposes.

(2A) The words "aged housing" where appearing on the scheme map mean housing for aged or disabled persons within the meaning of State Environmental Planning Policy No. 5 - Housing for Aged or Disabled Persons.

(3) A reference in this Ordinance--

(a) to a building or place used for a purpose--includes a reference to a building or place intended to be used for the purpose; or

(b) to a map -- is a reference to a map deposited in the office of the Council.

(4) A reference on the scheme map to Zone Nos. 4(b1) and 4(b2) shall be construed as a reference to Zone No. 4(b).

Land to which scheme applies.

5. (1) This Ordinance applies to all land within the Municipality of Rockdale, as shown on the scheme map, with boundaries as indicated on such map.

(2) This Ordinance does not apply to land shown edged heavy black on the map marked "State Environmental Planning Policy No. 31 - Sydney (Kingsford Smith) Airport".
This Ordinance does no apply to land to which Rockdale Local Environmental Plan 2000 applies. [Inserted LEP 2000]

Responsible authorities.

6. (1) In respect of the provisions of this Ordinance relating to--

(a) the acquisition and transfer of land reserved under Division 2 or 3 of Part II for county open space, new county roads and widening of existing county roads;
(b) *
(c) the relocation or alteration of the route of any county road indicated on the scheme map;
(d) controlled access roads; and
(e) any matters in respect of which the Commission is expressly charged with any power, authority, duty or function;

the Commission shall be the responsible authority and shall be charged with the functions of carrying into effect and enforcing such provisions.

(2) The Council shall, subject to this Ordinance, be the responsible authority and shall be charged with the functions of carrying into effect and enforcing the provisions of this Ordinance relating to any power, authority, duty or function other than those enumerated in subclause (1).
PART II.

Reservation and Restriction on Use of Land.

Division 1.

Application of Part.

7. This Part shall apply to all land shown on the scheme map in the following manner, viz.:

- All land coloured light green with red edging with the letter "C" in red superimposed thereon;
- All land coloured yellow with green edging with scarlet lettering superimposed thereon;
- All land coloured light green;
- All land coloured grey between a firm black line and a broken black line and all land coloured grey between broken black lines;
- All land shown by a broken red band between a firm black line and a broken black line and by a broken red band between broken black lines.

Definitions.

8. In this Part, unless the context or subject matter otherwise indicates or requires--

"Built-up land" means all land other than vacant land;

"Vacant land" means land upon which immediately before the appointed day there were no buildings or upon which the only buildings were fences, greenhouses, conservatories, garages, summer-houses, private boathouses, fuel sheds, tool-houses, cycle sheds, aviaries, milking bails, haysheds, stables, fowl-houses, pig sties, barns or the like.

Division 2.

Reservation of land.

9. The several pieces of land specified in Column 1 of the Table to this clause are reserved for the purposes set out opposite such land in Column 2 of the Table.
Buildings, etc., not to be erected on reserved land without consent.

10. (1) Except as provided in subclause (2) a person shall not on land reserved under this Division erect a building or carry out or alter a work of a permanent character or make or alter a permanent excavation other than a building or a permanent work or a permanent excavation required for or incidental to the purpose for which the land is so reserved and a person shall not spoil or waste land so as to render it unfit for the purpose for which it is so reserved.

(2) Where it appears to the responsible authority that the purpose for which the land is reserved under this Division cannot be carried into effect within a reasonable time after the appointed day the owner of such land may with the consent of the responsible authority erect a building or carry out or alter a work of a permanent character or make or alter a permanent excavation.

(3) Any such consent shall be subject to such conditions including conditions with respect to the removal or alteration of the building, work or excavation, or any such alteration of a work or excavation, or the reinstatement of the land or the removal of any waste material or refuse, with or without payment of compensation, as the responsible authority thinks fit.

(3A) A consent shall not be granted under subclause (3) in relation to land reserved for special uses (other than special uses - parking) except with the consent of the Commission.
(4) Nothing in this clause shall operate to prohibit the erection of a fence on any land reserved under this Division or the erection or construction, with the consent of the responsible authority, on such land of any essential utility installation.

(5) Nothing in this clause operates to prohibit the carrying out, on any land reserved under this division for parks and recreation or for county open space, of development permitted in Zone No. 6(a) under Column II or IV of the Table to clause 22.

(6) Nothing in subclause (5) shall operate to permit the carrying out of development for the purpose of a child care centre on land reserved under this Division for county open space.

Division 3.

Application of Division.

11. This Division shall apply only to vacant land and the expression "land" where used in this Division means vacant land.

Reservation of land.

12. The several pieces of land specified in Column 1 of the Table to this clause are reserved for the purposes set out opposite such land in Column 2 of the Table.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indication on scheme map of land reserved.</td>
<td>Purposes for which land is reserved.</td>
</tr>
<tr>
<td>All land shown by a broken red band between broken black lines. All land shown by a broken red band between a firm black line and a broken black line.</td>
<td>New county roads. Widening of existing county roads.</td>
</tr>
</tbody>
</table>
Buildings, etc., not to be erected on reserved land without consent.

13. (1) Except as provided in subclause (2) a person shall not on land reserved under this Division erect a building or carry out or alter a work of a permanent character or make or alter a permanent excavation other than a building or a permanent work or a permanent excavation required for or incidental to the purpose for which the land is so reserved and a person shall not spoil or waste land so as to render it unfit for the purposes for which it is so reserved.

(2) Where it appears to the responsible authority that the purpose for which the land is reserved under this Division cannot be carried into effect within a reasonable time after the appointed day the owner of such land may with the consent of the responsible authority and of the Commissioner for Main Roads erect a building or carry out or alter a work of a permanent character or make or alter a permanent excavation.

(3) Any such consent shall be subject to such conditions with respect to the removal or alteration of the building, work or excavation or any such alteration of a work or excavation or the reinstatement of the land or the removal of any waste material or refuse, with or without payment of compensation, as the responsible authority thinks fit, and to such conditions as the Commissioner for Main Roads requires to be imposed.

(4) Nothing in this clause shall operate to prohibit the erection of a fence on any land reserved under this Division or the erection or construction with the consent of the responsible authority of any utility installation.

Division 4.

Application of Division.

14. This Division shall apply only to land which is built-up land and the expression "land" where used in this Division means built-up land.

Built-up land on proposed routes of roads.

15. (1) This clause shall apply only to the following land, namely, all land shown on the scheme map by a broken red band between a firm black line and a broken black line and by a broken red band between broken black lines.

(2) Land shall not be used without the consent of the responsible authority for any purpose other than the purpose for which the land was used immediately before the appointed day.

(3) The erection of a building shall not be undertaken without the consent of the responsible authority.

Division 5.
Application of Division.

16. This Division shall apply both to vacant land and built-up land.

Restriction on use of land.

17. (1) Land which is reserved under Division 2 or 3 shall not be used without the consent of the responsible authority for any purpose other than the purpose for which it was used immediately before the 12th July, 1946.

(2) Nothing in subclause (1) shall prevent the use of land for a purpose other than the purpose for which it was used immediately before 12th July, 1946, where consent to the first mentioned use has been granted either in accordance with the terms of the Town and Country Planning (General Interim Development) Ordinance or Division 7 of Part XIIA of the Act or the County of Cumberland Planning Scheme Ordinance.

Airspace development over certain land reserved for new county roads.

17A. (1) This clause applies to the land shown cross-hatched on the map marked "Rockdale Local Environmental Plan No. 67".

(2) Nothing in this Ordinance prevents a person, with the consent of the responsible authority, from carrying out development on the land to which this clause applies for any purpose permissible in Zone No. 3(a).

(3) Consent shall not be granted under subclause (2) for any development involving the erection of a building (other than minor alterations to an existing building) or which may prevent the use of the land for the purpose for which it is reserved, without the concurrence of the Roads and Traffic Authority.

(4) When deciding whether concurrence should be granted under subclause (3) the Roads and Traffic Authority shall take into consideration the following matters:

(a) the location and height of any proposed development in relation to existing or proposed structures forming part of a road;

(b) the provision of access for maintenance to existing or proposed structures forming part of a road;

(c) the safety of existing or proposed structures forming part of a road;

(d) traffic safety;

(e) traffic likely to be generated by the development.

Acquisition of land.
18. (1) The owner of any land reserved under Division 2 or 3 upon which the erection of any building or the carrying out or alteration of any work of a permanent character or the making or alteration of any permanent excavation is prohibited except for or incidental to a purpose for which the land is so reserved, or the owner of any land so reserved, in respect of which the responsible authority has refused its consent pursuant to clause 10 (2), clause 13 (2) or clause 17, may, by notice in writing, require the responsible authority to acquire such land.

(2) Upon receipt of such notice the responsible authority shall acquire the land to which the notice relates.

Acquisition of road widenings etc. as part of a development

18A. (1) This clause applies to land which is affected by a reservation under this Part for the purpose of a new local road, new county road, widening of an existing local road or widening of an existing county road.

(2) Notwithstanding the definition of "Site area" in clause 4(1), the responsible authority may, for the purpose of calculating the floor space ratio of a building, or the residential density of a building under clause 59A(2), include as part of the site area any part of the land affected by a reservation referred to in subclause (1), but only with the consent of the owner of that part of the land.

(3) For the purposes only of subclause (2), the part of the site area affected by such a reservation shall be treated as being within the same zone as that part of the site area which it immediately adjoins.

(4) The responsible authority must not use the provisions of subclause (2) to grant consent to development, unless it attaches a condition to the consent requiring the dedication of that part of the site area affected by the reservation for the purpose for which it is reserved.

(5) A condition referred to in subclause (4) may require the dedication of that land at no cost.

Transfer of land.

19. (1) The Commission may and upon such terms and conditions as may be agreed transfer any land which has been acquired by it in pursuance of clause 18 to the Commissioner for Main Roads.

(2) The Commission may, with the consent of the Council or of any public body or trustees, as the case may be, place any land acquired by the Commission, whether under this Scheme or under the County of Cumberland Planning Scheme, for county open space, parks and recreation areas, foreshore reservations or places of natural beauty or advantage, under the care, control and management of such Council, public body or trustees.

Schedule of proposals.
20. (1) The Commissioner for Main Roads may from time to time notify the Commission of a schedule of proposals in relation to proposed county roads in conformity with this scheme which the Commissioner, pursuant to any powers, authorities, duties and functions conferred by any Act, proposes to carry into effect in relation to such land.

(2) Where any such notice has been given the Commission shall not thereafter incur any expense in respect of the acquisition of, or otherwise in relation to, the land which is required in connection with such proposals and shall upon such terms and conditions as may be agreed transfer to the Commissioner any land which has been acquired by the Commission in connection with such proposals before the receipt of such notice.

Saving of former relocation of county roads and rezoning of land

21. (1) The repeal by Rockdale Local Environmental Plan No. 153 of clause 21 of this Ordinance, as in force immediately before the commencement of that plan, does not affect anything done by or under that clause (including a zoning or rezoning of land) that had effect immediately before that commencement.

(2) However, this clause does not negate or alter the effect of the amendment of the definition of "Scheme map" by Rockdale Local Environmental Plan No. 153. [Original clause 21 omitted and new clause 21 inserted, LEP 153].
Part III.

Restrictions on Building and Use of Land.

Erection or use of buildings or works.

22. Subject to the provisions of Parts IV, V, VI and VII, the purposes-

(a) for which buildings or works may be erected, carried out or used without the consent of the responsible authority;

(b) for which buildings or works may be erected, carried out or used only with the consent of the responsible authority, where that consent cannot be refused, and subject to such conditions as may be imposed by the responsible authority;

(c) for which buildings or works may be erected, carried out or used only with the consent of the responsible authority; and

(d) for which buildings or works may not be erected, carried out or used;

in each of the zones specified in Column 1 of the Table to this clause are respectively shown opposite thereto in Columns II, III, IV and V of the Table.
## TABLE

<table>
<thead>
<tr>
<th>Column I</th>
<th>Column II</th>
<th>Column III</th>
<th>Column IV</th>
<th>Column V</th>
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</thead>
<tbody>
<tr>
<td>Zone and colour or indication on scheme map</td>
<td>Purposes for which buildings or works may be erected or carried out or used without the consent of the responsible authority</td>
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<td>Purposes for which buildings or works may not be erected or carried out or used</td>
<td></td>
</tr>
<tr>
<td>Non-urban. Nil.</td>
<td>.........</td>
<td>.........</td>
<td>.........</td>
<td>.........</td>
</tr>
<tr>
<td>Residential. (a) Residential &quot;A&quot;.</td>
<td>Dwelling-houses</td>
<td>Any purpose other than those permitted by Column II or prohibited by Column V.</td>
<td>Amusement centres; bulk stores; caravan parks; car repair stations; clubs; commercial premises; forestry; gas holders; generating works; hotels; industries; institutions; junk yards; liquid fuel depots; medium density housing, other than villas of single-storey construction; mines; motels; motor showrooms; places of assembly; refreshment rooms; residential flat buildings; roadside stalls; sawmills; service stations; shops; stock and sale yards; transport terminals; warehouses. [amended LEP 148, LEP 127]</td>
<td></td>
</tr>
</tbody>
</table>
### TABLE

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<thead>
<tr>
<th>Zone and colour or indication on scheme map</th>
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<td>Purposes for which buildings or works may not be erected or carried out or used</td>
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</tr>
</tbody>
</table>

| (b) * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | |
| (b1) Residential "B1". | Dwelling-houses | Any purpose other than those permitted by Column II or prohibited by Column V. | Amusement centres; bulk stores; caravan parks; car repair stations; clubs; commercial premises; forestry; gas holders; generating works; hotels; industries; institutions; junk yards; liquid fuel depots; mines; motels; motor showrooms; places of assembly; refreshment rooms; residential flat buildings; roadside stalls; sawmills; service stations; shops; stock and sale yards; transport terminals; warehouses. |

[Amended LEP 148, LEP 127]
<table>
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<tr>
<th>Zone and colour or indication on scheme map</th>
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<th>Purposes for which buildings or works may not be erected or carried out or used</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b2) Residential Dwelling-houses</td>
<td>Dwelling-houses</td>
<td>Any purpose other than those permitted by Column II or prohibited by Column V.</td>
<td>Amusement centres; bulk stores; caravan parks; car repair stations; clubs; commercial premises; forestry; gas holders; generating works; hotels; industries; institutions; junk yards; liquid fuel depots; mines; motels; motor showrooms; places of assembly; refreshment rooms; residential flat buildings; roadside stalls; sawmills; service stations; shops; stock and sale yards; transport terminals; warehouses. [amended LEP 148, LEP 127]</td>
</tr>
<tr>
<td>(c)</td>
<td>* * *</td>
<td>* * *</td>
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<tr>
<td>Zone and colour or indication on scheme map</td>
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<td>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</td>
<td>Purposes for which buildings or works may not be erected or carried out or used</td>
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<td>--------------------------------------------</td>
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<td>--------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(c1) Residential &quot;C1&quot;, Light scarlet with dark red edging and lettered 2(c1).</td>
<td>Dwelling-houses</td>
<td>.............</td>
<td>Attached dual occupancy; boarding-houses; detached dual occupancy; educational establishments; granny flat development; home occupations; hospitals; housing for older people or people with disabilities; motels which do not provide meals to the general public; maternity and child welfare centres; medium density housing; open space; places of public worship; professional consulting rooms; public buildings; residential flat buildings; roads; utility installations other than gas holders or generating works. [amended LEP 127]</td>
</tr>
<tr>
<td>Zone and colour or indication on scheme map</td>
<td>Purposes for which buildings or works may be erected or carried out or used <strong>only with</strong> the consent of the responsible authority</td>
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<td>----------------------------------------------------------------------------------------------------------------</td>
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<td>----------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(c2) Residential &quot;C2&quot;. Light scarlet with dark red edging and lettered 2(c2).</td>
<td>Dwelling-houses</td>
<td>............</td>
<td>Attached dual occupancy; boarding-houses; detached dual occupancy; educational establishments; granny flat development; home occupations; hospitals; housing for older people or people with disabilities; motels which do not provide meals to the general public; maternity and child welfare centres; medium density housing; open space; places of public worship; professional consulting rooms; public buildings; residential flat buildings; roads; utility installations other than gas holders or generating works. <strong>[amended LEP 127]</strong></td>
</tr>
</tbody>
</table>
### Table

<table>
<thead>
<tr>
<th>Column I</th>
<th>Column II</th>
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<th>Column IV</th>
<th>Column V</th>
</tr>
</thead>
<tbody>
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<td>Zone and colour or indication on scheme map</td>
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<td>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</td>
<td>Purposes for which buildings or works may not be erected or carried out or used</td>
<td></td>
</tr>
<tr>
<td>(e) Residential Special &quot;E&quot;. Light scarlet with dark red edging and lettered 2(e).</td>
<td>Dwelling-houses</td>
<td>..................</td>
<td>Residential flat buildings; roads; utility installations other than gas holders or generating works.</td>
<td>Any purpose other than those permitted by Column II or Column IV.</td>
</tr>
</tbody>
</table>

[inserted LEP 119]
<table>
<thead>
<tr>
<th>Column I</th>
<th>Column II</th>
<th>Column III</th>
<th>Column IV</th>
<th>Column V</th>
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</thead>
<tbody>
<tr>
<td>Zone and colour or indication on scheme map</td>
<td>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</td>
<td>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</td>
<td>Purposes for which buildings or works may not be erected or carried out or used</td>
<td></td>
</tr>
</tbody>
</table>

   (a) Business General. Light blue.

<p>| | | | Column V |
| | | | Amusement parks; caravan parks; dwellings, dwelling-houses, medium density housing or residential flat buildings other than those within a mixed use development; gas holders; generating works; industries other than light industries; institutions; junk yards; liquid fuel depots; mines; roadside stalls; stock and sale yards. [amended LEP 127] |</p>
<table>
<thead>
<tr>
<th>Zone and colour or indication on scheme map</th>
<th>Purposes for which buildings or works may be erected or carried out or used <em>without</em> the consent of the responsible authority</th>
<th>Purposes for which buildings or works may be erected or carried out or used <em>only with</em> the consent of the responsible authority</th>
<th>Purposes for which buildings or works may not be erected or carried out or used</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) Business Special. Light blue with dark red edging and lettered 3(b).</td>
<td>..........</td>
<td>..........</td>
<td>Banks; commercial premises; financial institutions; motels; office buildings; professional chambers; dwellings, dwelling-houses, medium density housing or residential flat buildings only within a mixed use development. [amended LEP 127]</td>
</tr>
<tr>
<td>Zone and colour or indication on scheme map</td>
<td>Purposes for which building or works may be erected or carried out or used</td>
<td>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</td>
<td>Purposes for which buildings or works may not be erected or carried out or used</td>
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<tr>
<td>-------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>(c) Business Neighbourhood. Dark blue.</td>
<td>Shops in a building or group of buildings to be used wholly or partly as shops having a total floor space not exceeding 500 square metres.</td>
<td>Commercial premises; drainage; Any purpose other than those permitted by Column III or Column IV.</td>
<td>[amended LEP 127]</td>
</tr>
<tr>
<td>Zone and colour or indication on scheme map</td>
<td>Column II</td>
<td>Column III</td>
<td>Column IV</td>
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<tr>
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<td>-----------</td>
</tr>
<tr>
<td>(d) Business Automotive. Light blue with dark red edging and lettered 3(d).</td>
<td>..........</td>
<td>..........</td>
<td>Auto electrician's workshops; automotive spare parts sales; car repair stations; car battery supplies and repairs; dwelling-houses or dwellings attached to and used in conjunction with anything referred to in Schedule 4; motels; motor showrooms; purposes referred to in Schedule 4; service stations; timber yards; utility installations (other than gas holders or generating works). [amended LEP 134]</td>
</tr>
</tbody>
</table>

4. Industrial.
(a) Industrial General.
General.
Nil.
<table>
<thead>
<tr>
<th>Zone and colour or indication on scheme map</th>
<th>Column I</th>
<th>Column II</th>
<th>Column III</th>
<th>Column IV</th>
<th>Column V</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) Industrial Light.</td>
<td>..........</td>
<td>...........</td>
<td>Any purpose other than those prohibited by Column V.</td>
<td>Amusement centres; amusement parks; boarding houses; caravan parks; dwellings, dwelling-houses, medium density housing and residential flat buildings other than those used in conjunction with a non-residential purpose permissible on the land and situated on the same land as that purpose; educational establishments; extractive industries; hospitals; hotels; industries other than light industries; institutions; junk yards; liquid fuel depots; mines; motels; motor showrooms; public buildings; roadside stalls; shops other than those referred to in Schedule 3; stock and sale yards. [amended LEP 148, LEP 127]</td>
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</tr>
<tr>
<td>Column I</td>
<td>Column II</td>
<td>Column III</td>
<td>Column IV</td>
<td>Column V</td>
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<tr>
<td>Zone and colour or indication on scheme map</td>
<td>Purposes for which buildings or works may be erected or carried out or used <em>without</em> the consent of the responsible authority</td>
<td>Purposes for which buildings or works may be erected or carried out or used subject to such conditions as may be imposed by the responsible authority</td>
<td>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</td>
<td>Purposes for which buildings or works <em>may not</em> be erected or carried out or used</td>
<td></td>
</tr>
<tr>
<td>(c) Industrial Local. Purple with dark red edging and lettered 4(c.)</td>
<td>..........</td>
<td>..........</td>
<td>Drainage; open space; purposes referred to in Schedule 4; roads; utility installations other than gas holders or generating works.</td>
<td>Any purpose other than those permitted by Column IV.</td>
<td></td>
</tr>
<tr>
<td>Column I</td>
<td>Column II</td>
<td>Column III</td>
<td>Column IV</td>
<td>Column V</td>
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<td>Purposes for which buildings or works may not be erected or carried out or used</td>
<td></td>
</tr>
<tr>
<td>(d) Industrial Special (Service and Technology). Purple with dark red edging and lettered 4(d).</td>
<td>........</td>
<td>........</td>
<td>Any purpose other than those prohibited by Column V.</td>
<td>Amusement centres; amusement parks; boarding houses; bulk stores; bus depots; caravan parks; car repair stations; commercial premises other than those ancillary to a purpose permissible on the land or which are airport related; dwellings, dwelling-houses, medium density housing and residential flat buildings other than those used in conjunction with a non-residential purpose permissible on the land and situated on the same land as that purpose; educational establishments; extractive industries; gas holders; generating works; hospitals; industries other than light industries; institutions; junk yards; liquid fuel depots; mines; motor showrooms; roadside stalls; road transport terminals; sawmills; service stations; stock and sale yards; warehouses. [Amended LEP 134, LEP 148, LEP 127]</td>
<td></td>
</tr>
</tbody>
</table>
### TABLE - continued

<table>
<thead>
<tr>
<th>Zone and colour or indication on scheme map</th>
<th>Purposes for which buildings or works may be erected or carried out or used</th>
<th>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</th>
<th>Purposes for which buildings or works may not be erected or carried out or used</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Special Uses &quot;A&quot;, Yellow.</td>
<td>...</td>
<td>...</td>
<td>The particular purpose indicated by scarlet lettering on the scheme map, or any purpose ordinarily incidental or subsidiary to that purpose; drainage; housing for older people or people with disabilities on land marked on the scheme map for hospitals, churches, convents, educational establishments, schools, seminaries, home for aged, child welfare hospitals, or housing for aged and disabled; open space; roads; utility installations (other than gas holders or generating works). [amended LEP 127]</td>
</tr>
<tr>
<td>Zone and colour or indication on scheme map</td>
<td>Column II</td>
<td>Column III</td>
<td>Column IV</td>
</tr>
<tr>
<td>-------------------------------------------</td>
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<td>-----------</td>
</tr>
<tr>
<td><strong>(b) Special Uses &quot;B&quot; (Railways).</strong> Blue-purple.</td>
<td>..........</td>
<td>..........</td>
<td>Any purpose.</td>
</tr>
<tr>
<td>Purposes for which buildings or works may be erected or carried out or used <strong>without</strong> the consent of the responsible authority</td>
<td>Purposes for which buildings or works may be erected or carried out or used <strong>only with</strong> the consent of the responsible authority</td>
<td>Purposes for which buildings or works may not be erected or carried out or used</td>
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<td>Column IV</td>
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<td>---------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Zone and colour or indication on</td>
<td>Purposes for which buildings or works may be erected or carried out or used</td>
<td>Purposes for which buildings or works may be erected or carried out or used</td>
<td>Purposes for which buildings or works may be erected or carried out or used</td>
</tr>
<tr>
<td>scheme map</td>
<td>without the consent of the responsible authority</td>
<td>only with the consent of the responsible authority</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>6. Open Space.</td>
<td>Works for the purposes of landscaping, gardening and bushfire hazard</td>
<td>Agriculture; any purpose authorised by Division 2 or 3 of Part XIII of the</td>
<td>Any purpose other than those permitted by Column II or Column IV.</td>
</tr>
<tr>
<td>(a) Recreation</td>
<td>reduction;</td>
<td>Act; buildings for the purposes of landscaping, gardening or bushfire</td>
<td></td>
</tr>
<tr>
<td>Existing.</td>
<td></td>
<td>hazard reduction; child care centres; drainage; forestry; racecourses;</td>
<td></td>
</tr>
<tr>
<td>Dark green.</td>
<td></td>
<td>recreation areas; roads; showgrounds; utility installations other than</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>gas holders or generating works.</td>
<td></td>
</tr>
<tr>
<td>(b) Recreation</td>
<td></td>
<td>Bowling greens; child care centres; community facilities; golf courses;</td>
<td></td>
</tr>
<tr>
<td>Private.</td>
<td></td>
<td>recreation areas; utility installations (other than gas holders or</td>
<td></td>
</tr>
<tr>
<td>Dark green</td>
<td></td>
<td>generating works).</td>
<td></td>
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<tr>
<td>with yellow edging.</td>
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<td>Zone and colour or indication on scheme map</td>
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<tr>
<td>(c) Heritage. Dark green with red edging and lettered H.</td>
<td>Purposes for which buildings or works may be erected or carried out or used without the consent of the responsible authority</td>
<td>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</td>
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<th>Column I</th>
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<tr>
<td>Zone and colour or indication on scheme map</td>
<td>Purposes for which buildings or works may be erected or carried out or used without the consent of the responsible authority</td>
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<td>Purposes for which buildings or works may not be erected or carried out or used</td>
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</table>

Works for the purpose of bushland regeneration, foreshore restoration, environmental protection or restoration, landscaping, gardening or bushfire hazard reduction or which promote the scientific or educational value of the land.  

Buildings for the purpose of any land use referred to in Column II; drainage or flood mitigation works; underground utility installations.  

Any purpose other than those permitted by Column II or Column IV.  

[Inserted LEP 116]
<table>
<thead>
<tr>
<th>Zone and colour or indication on scheme map</th>
<th>Purposes for which buildings or works may be erected or carried out or used</th>
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<th>Purposes for which buildings or works may not be erected or carried out or used</th>
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<tbody>
<tr>
<td>10. Mixed Use. (a) Railway South Precinct. Aqua.</td>
<td>Airline terminals; backpacker accommodation; boarding-houses; bulk stores; bus stations; child care centres; clubs; commercial premises (other than public car parks, within the meaning of the Local Government Act 1993); community facilities; drainage or flood mitigation works; dwellings; educational establishments; home industries; home occupations; hospitals; hotels; housing for older people or people with disabilities; light industries; mixed use development; motels; motor showrooms; open space; places of assembly; places of public worship; professional consulting rooms; public buildings; public transport facilities; recreation areas; refreshment rooms; residential flat buildings; roads; service stations; shops; utility installations other than gas holders or generating works; warehouses.</td>
<td>Any purpose other than those permitted by Column IV.</td>
<td>[Inserted LEP 162]</td>
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<td>Column I</td>
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<td>Zone and colour or indication on scheme map</td>
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<td>Purposes for which buildings or works may be erected or carried out or used subject to such conditions as may be imposed by the responsible authority</td>
<td>Purposes for which buildings or works may be erected or carried out or used only with the consent of the responsible authority</td>
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<tr>
<td>(a1) Railway Precinct. Aqua with dark red edging and lettered 10(a1).</td>
<td>..................</td>
<td>..................</td>
<td>Backpacker accommodation; boarding-houses; bus stations; child care centres; cinemas; clubs; commercial premises; community facilities; drainage and flood mitigation works; dwellings; dwelling-houses; educational establishments; flexible space; home industries; home occupations; hospitals; hotels; housing for older people or people with disabilities; light industries; mixed use development; motels; open space; places of assembly; places of public worship; professional consulting rooms; public buildings; public transport facilities; recreation areas; recreation facilities; refreshment rooms; residential flat buildings; roads; service stations; shops; showrooms; utility installations other than gas holders or generating works.</td>
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<td>Column I</td>
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<td>Purposes for which buildings or works may not be erected or carried out or used</td>
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<td><strong>(b) West Precinct.</strong> Aqua with dark red edging and lettered 10 (b).</td>
<td>..........</td>
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<td>Backpacker accommodation; boarding-houses; child care centres; commercial premises (other than public car parks, within the meaning of the Local Government Act 1993); community facilities; drainage or flood mitigation works; dwellings; educational establishments; home industries; home occupations; hospitals; housing for older people or people with disabilities; light industries; medium density housing; mixed use development; open space; places of public worship; professional consulting rooms; public buildings; public transport facilities; recreation areas; refreshment rooms; residential flat buildings; roads; shops; utility installations other than gas holders or generating works.</td>
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**[Inserted LEP 116]**
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<td>Zone and colour or indication</td>
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<td>(c) South Precinct. Aqua with</td>
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<td>..................</td>
<td>Airline terminals; backpacker accommodation; bulk stores; bus depots;</td>
<td>Any purpose other than those permitted by Column IV.</td>
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<td>dark red edging and lettered</td>
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<td>bus stations; car repair stations; child care centres; clubs; commercial</td>
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<td>10(c).</td>
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<td>premises (other than public car parks, within the meaning of the Local</td>
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<td>Government Act 1993); community facilities; drainage or flood mitigation</td>
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<td>works; dwellings attached to and used in conjunction with a non-residential</td>
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<td>land use permissible on the land; educational establishments; home</td>
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<td>industries; hospitals; hotels; light industries; motels; motor showrooms;</td>
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<td>open space; panel beating workshops; places of assembly; places of public</td>
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<td>worship; professional consulting rooms; public buildings; public transport</td>
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<td>facilities; recreation areas; refreshment rooms; roads; service station;</td>
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<td>shops; utility installations other than gas holders or generating works;</td>
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<td>warehouses.</td>
<td>[Inserted LEP 116]</td>
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</tbody>
</table>
Restrictions on buildings and works.

23. Subject to the provisions of Parts IV, V, VI and VII-

   (a) a person shall not, without the consent of the responsible authority, erect or use a building or carry out or use a work in any zone for any purpose shown opposite that zone in Column III or Column IV of the Table to clause 22;

   (b) a person shall not erect or use a building or carry out or use a work in any zone for any purpose shown opposite that zone in Column V of the Table to clause 22.

Restriction on use of land.

24. Subject to the provisions of Parts IV, V, VI and VII-

   (a) a person shall not without the consent of the responsible authority use land included in a zone, whether forming the site of a building or not, for any purpose for which a building in the same zone may be erected or used only with the consent of the responsible authority;

   (b) a person shall not use land included in a zone whether forming the site of a building or not, for any purpose for which a building in the same zone may not be erected or used.

Consent for subdivision of land.

25. Despite any other provision of this Ordinance, subdivision of land shall not be carried out without the consent of the responsible authority. [Inserted LEP 101].

PART IV.

26-30. * * * *

PART V.

Consents.

Submission of Plans.

31. (1), (2) * * * *

   (3) Where, in pursuance of the Act (except Part XIA) or of an Ordinance made under the Act (except the said Part), an application is made to the Council for its approval to erect a building or work or to open a new road, such application shall, if the matter to which it relates
requires the consent of the responsible authority under this Ordinance, be deemed to be an application for such consent, unless the application does not contain the information and particulars required by subclause (1) and the responsible authority so informs the applicant on or before giving its decision in respect of such application.

32. * * * *

Consideration of certain applications

33. In respect of any application for the consent of the responsible authority whether under this Ordinance or under any provision of the Act for consent or approval to the carrying out of development for a purpose referred to in Column IV of the Table to clause 22, namely-

(a) to the erection of a building, to the carrying out of a work or to the use of land within a Foreshore Scenic Protection Area or within view of any waterway, or adjacent to any county road or main road, railway, public reserve or land reserved for open space or land within Zone No. 6 (a), the responsible authority shall take into consideration the probable aesthetic appearance of such land or of the proposed building or work when used for the proposed purpose and viewed from such waterway, county road or main road, railway, public reserve or any such reserved or zoned land;

(b) to the erection or use of an hotel, motel, service station, car repair station, place of assembly or industrial premises or to the carrying out of any other development likely to cause increased vehicular traffic on any road in the vicinity thereof, the responsible authority shall take into consideration whether, having regard to the proposed use of any such building or development-

(i) adequate vehicular exits and entrances from or to the site have been provided so that vehicles using such entrances and exits will not endanger persons and vehicles using any such road;

(ii) space, sufficient to provide for the parking or standing of such number of vehicles as the responsible authority may determine, is provided on the site or on land adjoining the site not being a public road; and

(iii) * * * * [omitted SEPP (RCRP) 2004]

(iv) adequate space has been provided within the site of the building or development for the loading, unloading and fuelling of vehicles and for the picking up and setting down of passengers;
to the erection of a building, to the carrying out of a work or to the use of a building, work or land for the purpose of a transport terminal the responsible authority shall take into consideration-

(i) * * * *

(ii) the standard of the roads in the locality in relation to the size and weight of the vehicles likely to use the terminal;

(iii) traffic conditions and facilities generally in the vicinity of the approaches to the terminal;

(iv) the means of ingress and egress;

(v) the provision of land other than a public road of space for the parking and standing of vehicles; and

(vi) the layout of buildings on the site in relation to the provision of space for the parking and standing of vehicles, to the provision of space for the loading, unloading or fuelling of vehicles and to the traffic facilities within the site;

Paragraph (c) amended and subparagraph (i) omitted, SEPP (RCRP) 2004

(d) to the erection or use of a residential flat building, the responsible authority shall take into consideration any code for the erection of residential flat buildings adopted by resolution of the Council.

Application of designated development provisions to certain development.

34. (1) In pursuance of section 30 (4) of the Environmental Planning and Assessment Act, 1979, the provisions of sections 84, 85, 86, 87 (1) and 90 of that Act apply to and in respect of development for the purposes of-

(a) a child care centre, home industry, hospital, place of public worship or shop or commercial premises pursuant to clause 60B on land within Zone No. 2(a), 2(b1), 2(b2), 2(c1) or 2(c2); or

(b) a residential flat building,

in the same way as those provisions apply to and in respect of designated development.
(2) Notwithstanding subclause (1), the provisions of section 84 (4) of the Environmental Planning and Assessment Act, 1979, do not apply to or in respect of development referred to in that subclause to the extent that those provisions require the notice referred to in that subsection to contain a statement to the effect that the development application referred to in that notice and the documents accompanying that application may be inspected at the office of the Department.

35. * * * * [Omitted SEPP (RCRP) 2004]

36. * * * * [Clause omitted LEP 171]

37, 38. * * * *
PART VI

General Amenity and Convenience.

Protection of heritage items, heritage conservation areas and relics

39. (1) The following development may be carried out only with the consent of the Council:

(a) demolishing, defacing, damaging or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area; or

(b) altering a heritage item or a building, work or relic within a heritage conservation area by making structural changes to its exterior; or

(c) altering a heritage item or a building, work or relic within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior, except changes resulting from any maintenance necessary for its ongoing protective care which does not adversely affect its heritage significance; or

(d) moving a relic, or excavating land for the purpose of discovering, exposing or moving a relic; or

(e) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area.

(2) Development consent is not required by this clause if the Council is of the opinion that the proposed development would not adversely affect the heritage significance of the heritage item or the heritage conservation area.

(3) When determining a development application required by this clause, the Council must take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area.

(4) Where development consent is required by this clause or involves a heritage item classified in Schedule 10 as being of State or regional significance, the Council must not grant consent until it has considered a conservation plan that assesses the impact of the proposal on the heritage significance of the item and its setting, or of the heritage conservation area.

[Old clause 39 omitted, new clause inserted LEP 156]

Notice of certain heritage development applications

39A. (1) Sections 84, 85, 86, 87(1) and 90 of the Act as in force on 30 June 1998 (which provided for the giving of notice, and for the making and consideration of submissions, about proposed development) apply to the demolishing, defacing or damaging of a heritage item or a building, work, relic, tree or place within a heritage conservation area (and to the erection of a building which, but for clause 39D(2), would be prohibited by this plan) in the same way as those provisions applied to designated development.
Before granting consent to the demolishing, defacing or damaging of a heritage item, the Council must notify the Heritage Council of its intention to do so and take into consideration any comments received from the Heritage Council within 28 days after the notice is sent.

This clause does not apply to the partial demolition of a heritage item or a building or work within a heritage conservation area if, in the opinion of the Council, the partial demolition will be of a minor nature and will not adversely affect the heritage significance of the heritage item or heritage conservation area. [Old clause 39A omitted, new clause inserted LEP 156]

Development of known or potential archaeological sites

39B. (1) The Council may grant consent to the carrying out of development on an archaeological site that has Aboriginal heritage significance (such as a site that is the location of an Aboriginal place or a relic, within the meaning of the National Parks and Wildlife Act 1974) or a potential archaeological site that is reasonably likely to have Aboriginal heritage significance only if:

(a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Director-General of National Parks and Wildlife; and

(b) it has notified the Director-General of its intention to do so and taken into consideration any comments received from the Director-General within 28 days after the notice was sent; and

(c) it is satisfied that any necessary consent or permission under the National Parks and Wildlife Act 1974 has been granted.

(2) The Council may grant consent to the carrying out of development on an archaeological site that has non-Aboriginal heritage significance or a potential archaeological site that is reasonably likely to have non-Aboriginal significance only if:

(a) it has considered an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site prepared in accordance with any guidelines for the time being notified to it by the Heritage Council; and

(b) it has notified the Heritage Council of its intention to do so and taken into consideration any comments received from the Heritage Council within 28 days after the notice was sent; and

(c) it is satisfied that any necessary excavation permit required by the Heritage Act 1977 has been granted.
[Old clause 39B omitted, new clause inserted LEP 156]
Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites

39C. The Council must take into consideration the likely effect of the proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or a potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity.  [Old clause 39C omitted, new clause inserted LEP 156]

Conservation incentives relating to heritage items

39D. (1) Nothing in this Ordinance prevents the Council from granting consent to the use, for any purpose, of a building, work or place that is a heritage item, if the Council is satisfied that:

(a) the proposed use would have little or no adverse effect on the amenity of the area; and

(b) the conservation of the heritage item depends on the Council granting consent to the proposed use.

(2) The Council, when considering an application for consent to erect a building on land on which there is a heritage item, may exclude from its calculation of the floor space of the building to be erected on the land, the floor space of the heritage item for the purpose of determining:

(a) the floor space ratio or the residential density and landscaped area; and

(b) the number of car parking spaces to be provided on the site,

but only if the Council is satisfied that the conservation of the heritage item depends on granting an exclusion under this subclause.  [Old clause 39D omitted, new clause inserted LEP 156]

39E. * * * *  [Clause omitted LEP 156]

Development of "Tempe House" site - heritage considerations

39F. (1) This clause applies to all of the land within lot 1, DP 556189, and lots 2 and 3, DP 225857, known as No. 1 Princes Highway, Arncliffe and which contains the Tempe House precinct.

(2) For the purposes of this clause -

Tempe House precinct means the heritage item referred to as the “Tempe House” precinct in Schedule 10, being the land shown edged heavy black on Sheet 2 of the map marked “Rockdale Local Environmental Plan No. 84”;

Tempe House view corridor means the area of land between “Tempe House” and the Cooks River foreshores located within the view lines identified on Sheet 2 of the map marked “Rockdale Local Environmental Plan No. 149”.

Rockdale Planning Scheme Ordinance
(3) Notwithstanding any other provision of this Ordinance, the council shall not grant consent for any development on land to which this clause applies unless -

(a) it is satisfied that the development will not be incompatible with the historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of any heritage item or its setting; and

(b) the consent is given subject to conditions requiring -

(i) the preservation and restoration of any heritage item situated on the land;

(ii) the preservation and restoration (or, where in the opinion of the responsible authority this is not possible, the detailed recording) of any other building, work, relic, vegetation or landscape feature situated on the land which in the opinion of the responsible authority is of heritage significance; and

(iii) the retention and embellishment of the Tempe House view corridor, to the extent (if any) that view corridor may be affected by the proposed development.

(4) Despite any other provision of this Ordinance, the council shall not consent to the erection of any building within the Tempe House precinct unless the council is satisfied that the conservation and appropriate use of the Tempe House precinct is dependent on the council granting the consent.

(5) Despite the provisions of clause 22 and the Table to clause 22, nothing in this clause or those provisions prevents the council from consenting to development of a minor or temporary nature which, in the opinion of the council, does not adversely affect the heritage significance of the Tempe House precinct.

[Old cl.39F omitted, new cl. inserted LEP 149]

Foreshore Scenic Protection Areas.

40.  (1) The Governor, on the application of the Commission and for the purposes of this Ordinance, may, by proclamation, declare any land adjacent to any harbour or bay to be a Foreshore Scenic Protection Area: Provided that before making any application under this clause the Commission shall consult with the Council.

(2) Where any land has been declared by proclamation to be a Foreshore Scenic Protection Area the Commission shall cause to be prepared and to be sealed with the seal of Commission plans showing such land. One plan shall be attached to the scheme map and one shall be forwarded to the Council.

(3) A person shall not, on land within a foreshore scenic protection area, erect a building having a height in excess of 7.2 metres.
(4) Subclause (3) does not apply -

(a) to land within Zone No. 2 (c1) or 2 (c2); or

(b) to the erection of a building for use for commercial premises or industry.

Foreshore building lines.

41. (1) The responsible authority may be resolution fix building lines (in this clause called "foreshore building lines") in respect of any land fronting any harbour, bay, river or waterway.

(2) A foreshore building line shall, when fixed by the responsible authority, be marked upon a plan or clearly described in the resolution and such plan or resolution shall be open for inspection by the public during the office hours of the responsible authority.

(3) A building shall not be erected between such building line and the harbour, bay, river or waterway in respect of which the line is fixed.

(4) The responsible authority may alter or abolish any such building line where the levels or depth of the allotment or other exceptional conditions of the site make it necessary or expedient to do so.

Preservation of trees.

42. (1) Where it appears to the responsible authority that it is expedient for the purpose of securing amenity or of preserving existing amenities it may for that purpose by resolution make an order (hereinafter referred to as a "tree preservation order") and may by like resolution rescind or vary any such order.

(2) A tree preservation order may prohibit the ringbarking, cutting down, topping, lopping, removing, injuring or wilful destruction of any tree or trees specified in such order except with the consent of the responsible authority and any such consent may be given subject to such conditions as the responsible authority may think fit.

(3) Any such order may relate to any tree or trees or to any specified class, type or description of trees on land described in such order and such land my be described particularly or generally by reference to the municipality or any divisions thereof.

(4) The responsible authority shall forthwith upon the making of a tree preservation order cause notice of the making of such order to be published in the Gazette and in a newspaper circulating in the area in which the land described in the order is situate.

(5) In any proceedings under this clause it shall be sufficient defence to prove that the tree or trees ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed, was or were dying or dead or had become dangerous.

(6) The powers conferred upon the responsible authority by this clause shall not extend to any trees within a State Forest or land reserved from sale as a Timber or Forest Reserve under the Forestry Act, 1916.
PART VII.

Special Provisions.

Exempt and Complying development

42A.  (1) Development of minimal environmental impact listed as exempt development in Rockdale Development Control Plan No. 57 - Exempt and Complying Development as adopted by the Council on 11 August, 1999 is exempt development, despite any other provisions of this Ordinance.

(2) Development listed as complying development in Rockdale Development Control Plan No. 57 - Exempt and Complying Development as adopted by the Council on 11 August, 1999 is complying development if:

(a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and

(b) it is not an existing use, as defined in section 106 of the Environmental Planning and Assessment Act 1979.

(3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by Rockdale Development Control Plan No. 57 - Exempt and Complying Development as adopted by the Council on 11 August, 1999.

(4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in Rockdale Development Control Plan No. 57 - Exempt and Complying Development adopted by the Council on 11 August, 1999, as in force when the certificate is issued.  [Inserted LEP 165]

Minimum size of allotments.

43.  (1) [omitted LEP 127]

(2) Nothing in this ordinance permits a subdivision, in any manner, that creates separate land titles for the two dwellings comprising granny flat development.  [inserted LEP 127]

(3)&(4)  *  *  *  *  

(4A)&(5)  [omitted LEP 127]
(6) Nothing in this clause shall operate to prohibit the erection of a dwelling-house in Zone No. 2(a), 2(b1), 2(b2) on a parcel of land if such parcel was in existence as a separate parcel of land on the appointed day.

(7)&(8) [omitted LEP 127]

(9) A building shall not be erected or used and land shall not be used in Zone No. 4 (b) or 10 (c) for the purpose of an industry, unless the allotment, on which the building is erected or used, or the land being vacant land, has an area of not less than 840 square metres and a frontage of not less than 18 metres to a road. [Amended LEP 116]

(10) Nothing in subclause (9) shall operate to prohibit the erection of a building or the use of land in Zone No. 4 (b) or 10 (c) for the purpose of an industry where the land on which the building is to be erected or which is to be used was in existence as a separate parcel of land on the appointed day. [Amended LEP 116]

(11) An hotel shall not be erected on an allotment of land which has an area of less than 4,000 square metres.

(12) A motel shall not be erected on an allotment of land which has an area of less than 1,850 square metres, and where such allotment has frontage to a main road or county road, a frontage to such road of less than 27 metres.

(13) The following conditions shall apply to a motel to be erected on an allotment of land within Zone No. 2 (c1) or 2 (c2) in addition to any other provision of this Ordinance-

(a) the building or buildings shall not occupy more than the following proportions of the area of the allotment of land-

   (i) in the case of a one-storey building, forty per centum;

   (ii) in the case of a building of two or more storeys, thirty per centum;

(b) the minimum distance of the external walls of any building from the side boundaries or rear boundary of the allotment shall be 3 metres except where an external wall exceeds 3 metres in height, in which case the minimum distance of such wall from the side boundary or rear boundary shall be ascertained by adding to 3 metres a distance equivalent to one-quarter of the height by which the height of such wall exceeds 3 metres.

(14) Nothing in this Ordinance permits the creation of a dwelling house, on land to which Rockdale Local Environmental Plan 123 applies, on any allotment of land which has an area of less than 460 square metres or a width of less than 15 metres at the front alignment of the building. [Inserted LEP 123]

Liquid fuel depots.
44. A liquid fuel depot having an aboveground storage capacity of 455 kilolitres or more of inflammable liquid shall not be established, enlarged or used except with the consent of the responsible authority.  

[Amended SEPP (RCRP) 2004]

Industries in business and local industrial zones.

45. (1) Subject to the provisions of Part IV a building shall not be erected or used and land shall not be used in Zone No. 3 (a) or 4 (c) for the purpose of an industry where-

(a) the total floor space of the building or part of the building or the total area of the land used or proposed to be used for the purposes of the industry is in excess of 465 square metres; or

(b) the total area of the parcel of land upon which the proposed development will be established is in excess of 930 square metres.

(2) The provisions of subclause (1) shall not apply to a service station or a car repair station.

Development in light industrial zone fronting main or county roads.

45A. The responsible authority shall not consent to an application for consent to carry out development on land within Zone No. 4 (b), 4 (d) or 10 (c) having frontage to a main or county road unless-

[Amended LEP 116]

(a) all vehicular access to the land will be by way of a service lane or road other than that main or county road; or

(b) where such alternative vehicular access cannot be reasonably provided, it is satisfied that to grant consent would not result in the interference in the free flow of traffic along the main or county road by reason of vehicles entering or leaving the land, or from parking congestion.
Commercial premises or retailing of bulky goods in light industrial zone.

46. The responsible authority shall not consent to an application for consent to carry out development for the purposes of commercial premises or a shop retailing bulky goods on land within Zone No. 4 (b) unless it is satisfied that-

(a) suitable land for the development is not available in any nearby business centre;

(b) to grant consent would not, by reason of the number of commercial premises or retail outlets which exist or are proposed on land within that zone, defeat the predominantly industrial nature of the zone; and

(c) the proposed development will not detrimentally affect the viability of any business centre.

Development in special industrial zone.

46A. The responsible authority shall not, on land within Zone No. 4 (d), consent to an application to carry out development-

(a) for any purpose, unless it is satisfied that-

(i) any buildings erected on the land will be of a high standard of design and external appearance and will enhance the streetscape of the area;

(ii) adequate landscaping of the land will be achieved and maintained;

(iii) the granting of consent will promote and ensure the orderly development on consolidated sites of all land within that Zone;

(iv) the use of the land for that purpose will not interfere 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, oil or otherwise;

(v) the use of the land for that purpose will not degrade the high visual standards for development within that Zone; and

(vi) the use of land for that purpose will not generate heavy goods vehicle traffic in the immediate vicinity; and

(b) for the purposes of any shop or refreshment room, unless it is satisfied that such a use is intended primarily to service other uses on the land or within that Zone.
Brothels

46B. (1) Despite any other provision of this Ordinance, a building may be erected or used for the purposes of a brothel only if:

(a) it is located within the land shown edged heavy black on the map marked "Rockdale Local Environmental Plan No. 138"; and

(b) it is not located:

(i) within 50 metres' walking distance from land zoned Residential, Special Uses "A" - School, Church or Hospital, or within 50 metres of land used for residential purposes; or

(ii) near or within view from any church, hospital or school or from any other place regularly frequented by children for recreational or cultural activities; or

(iii) abutting or within a property used or partly used for residential purposes; or

(iv) within 50 metres' walking distance of a railway station entrance or exit that is adjacent to a public footpath; or

(v) on land owned by or under the care, control and management of the Council.

(2) When determining an application to carry out development for the purposes of a brothel, the Council must consider the following matters:

(a) whether the operation of the brothel will be likely to cause a disturbance in the neighbourhood when taking into account other brothels operating in the neighbourhood involving similar hours of operation;

(b) whether the operation of the brothel will be likely to cause a disturbance in the neighbourhood because of its size, location, hours of operation, clients or the number of employees and other people working in it;

(c) whether the operation of the brothel will be likely to interfere with the amenity of the neighbourhood;

(d) whether suitable access will be provided to the brothel.

[inserted LEP 138]
Development objectives of the Environmental Protection zone

46C. (1) The objectives of Zone No. 9 are -

(a) to protect environmentally sensitive remnant habitats;
(b) to conserve rare and threatened species;
(c) to increase the community’s awareness of remnant habitats by allowing their use for recreational and educational purposes; and
(d) to require management of remnant habitat areas in a way that conserves, protects and enhances their value as a habitat.

(2) The Council shall not consent to development on land within Zone No. 9 unless it is satisfied that the development will be consistent with the objectives of the zone identified in subclause (1) that are relevant to the proposed development. [Inserted LEP 116]

Development of “Tempe House” site - general considerations

46D. (1) Land to which this clause applies. This clause applies to land within Zone No. 10(a1) or 6(c), being land at Arncliffe bounded by the Princes Highway on the east, Cooks River on the north, the Illawarra Railway Line on the west and Lusty and Arncliffe Streets on the south, as shown coloured aqua with red edging and lettered 10(a1) or dark green with red edging and lettered H on Sheet 1 of the map marked “Rockdale Local Environmental Plan No. 149”.

(2) Definitions. For the purposes of this clause -

- **DCP No. 45**  
  [Definition deleted LEP 172]

- **Development site** means an area of land identified by a number or a title on the Land Use Map;  
  [Definition amended LEP 172]

- **Flexible space** means space within a building that can be used as either residential or commercial space (or a combination of both) by virtue of its design and dimensions;

- **Height**, in relation to a building, means the distance above the Australian Height Datum (AHD) to the topmost point of the building;

- **Height Control Map** means Sheet 1 of the map marked “Rockdale Local Environmental Plan No. 172”;  
  [Definition amended LEP 172]

- **Land Use Map** means Sheet 2 of the map marked “Rockdale Local Environmental Plan No. 172”;  
  [Definition amended LEP 172]
Non-residential development means development for any purpose other than dwellings, residential flat buildings or flexible space;

Tempe House precinct means the heritage item referred to as the “Tempe House” precinct in Schedule 10, being the land shown edged heavy black on Sheet 2 of the map marked “Rockdale Local Environmental Plan No. 84”;

Tempe House Site means the area of land around the Tempe House building and the Chapel being the land shown with broad diagonal hatching on the Land Use Map;

Underground Areas Map means Sheet 4 of the map marked “Rockdale Local Environmental Plan No. 149”.

(3) Development objectives for the Open Space – Heritage Zone. The specific objectives for the development of land within Zone No. 6(c) to which this clause applies are:

(a) to provide for an area of useable and landscaped open space for the users of the development including residents, workers and visitors; and

(b) to provide accessible open space with pedestrian and cycle connections to the Cooks River; and

(c) to maintain a coherent relationship including views between Tempe House and the foreshore; and

(d) to provide for improved pedestrian and cycle linkages through the area which connect to the wider network.

(4) Development objectives for the Mixed Use - Railway Precinct Zone. The specific objectives for the development of land within Zone No. 10(a1) to which this clause applies are:

(a) to encourage a mixture of land uses (such as office, commercial, retail, residential, tourist, and transport), to create a sustainable, vibrant and high-quality precinct that responds to the land’s proximity to major transport infrastructure and the Sydney CBD; and

(b) to maximise the amount of permanent employment on the land and the use of public transport by requiring the provision of a minimum component of non-residential floor space on the land; and

(c) to optimise development of the area, while minimising adverse environmental impact on the river, open space areas and any pedestrian plaza; and

(d) to allow residential development as an integral part of the overall mixed development theme; and
| (e)  | to encourage the provision of spaces and/or structures that can adjust to changing user needs over time, ie flexible space; and |
| (f)  | to provide for a place to accommodate the day-to-day shopping and service needs of the local communities, but not in the form of a regional shopping centre, major supermarket or bulky goods facility; and |
| (g)  | to provide for a range of recreational needs by establishing public access to useable open space and pedestrian plaza areas as a requirement of the development of the land; and |
| (h)  | to ensure access to and use of the Wolli Creek Railway Station and other public transport through building and public domain design and the control of parking within the area; and |
| (i)  | to provide appropriate vehicular and pedestrian access and circulation to adequately service future development, by requiring the provision of new roads and upgrading of the existing road network where necessary within the land to which this subclause applies; and |
| (j)  | to provide for the development of a pedestrian plaza adjacent to the new railway station as the community focus for the area and to encourage uses within the plaza, and land uses around it (such as shops), which generate pedestrian activity; and |
| (k)  | to provide public pedestrian access along the Cooks River foreshore and ensure that access is enhanced through connection with existing pedestrian and open space networks; and |
| (l)  | to encourage the design of developments to include access for people with disabilities and subsequently broaden employment, recreational and residential opportunities for people with disabilities within the community; and |
| (m)  | to recognise that land within the area is flood-prone and potentially contaminated and ensure that future development will be adequately protected from these risks; and |
| (n)  | to ensure that the future development of the area will meet other environmental requirements relating to stormwater management, waste disposal, noise and vibration, air and water quality and energy efficiency; and |
| (o)  | to ensure sufficient solar access to all pedestrian plazas to encourage them to be pleasant and inviting public places with active street frontages; and |
| (p)  | to ensure that adverse wind conditions in streets, public spaces and private open space are minimised through appropriate built form to provide pedestrian comfort in these spaces; and |
(q) to allow “air space” development over the railway station but only where it is compatible with the efficient use of, and provides convenient pedestrian access to, the station and will not adversely impact on the pedestrian plazas; and

(r) to allow for the staged development of the land, subject to safeguards that will ensure the land is ultimately developed in accordance with the specified objectives, land use controls and development requirements; and

(s) to require the conservation and appropriate use of heritage items within the area as an integral part of the development of the area and in particular to ensure the restoration of Tempe House and the adjacent Chapel is carried out at an early stage in the development of the area; and

(t) to allow Tempe House and its site to be used for purposes which are compatible with the House’s heritage significance; and

(u) to require the provision of reasonable public access to Tempe House and its site, consistent with the purposes for which the House will be used; and

(v) to preserve views to and from the Tempe House site, especially between Tempe House and the Cooks River; and

(w) to ensure that the development on the Tempe House site itself, and of land in the vicinity of the site, will respect the heritage significance of the site; and

(x) to allow the erection of new buildings within the Tempe House site, but only if such buildings will be compatible with the heritage significance of the site and consistent with a conservation management plan for the site.

(5) **Erection of buildings or carrying out of works.** Despite any other provision of this Ordinance, the council shall not consent to the erection of a building or the carrying out of a work on land within any development site (as defined in this clause) unless -

(a) the application is for the development of the whole of a development site or consent has already been granted to such an application; and

(b) in the case where the consent is for a “staged development” pursuant to section 80(4) of the Act, the application clearly identifies the location, height, bulk, gross floor area and the principal uses of all proposed buildings on the development site (or sites, as the case may be); and

(c) the development of the site will be consistent with -

   (i) the objectives for development of land within the Mixed Use - Railway Precinct zone as contained in subclause (4) to the extent (if any) that the land is within that zone; and

   (ii) the objectives for development of that site, as indicated in Column 2 of Table A to this clause; and
(iii) the objectives of any development control plan applying at the commencement of this clause to the land on which the development site is located; and

(d) any building or land will be used, or any work will be carried out, only for a purpose or purposes indicated in Column 3 of Table A to this clause in relation to that development site; and

(e) The gross floor area of all buildings on all of the development sites will not exceed 167,504m², and [old paragraph deleted and new clause inserted LEP 172]

(e1) the maximum gross floor space for the development site as indicated in Table B to this clause will be met, and [new paragraph inserted LEP 172]

(e2) either:
   (i) the minimum non-residential floor space for the development site as indicated in Table C to this clause will be met, or
   (ii) a development consent is in force for the development of at least 54,337m² of non-residential gross floor area on land to which this clause applies, and [new paragraph inserted LEP 172]

(e3) the number of underground car parking spaces on land to which this clause applies will not exceed 2,210, and [new paragraph inserted LEP 172]

(f) total retail floor space on land to which this clause applies will not exceed 14,000 square metres of gross floor area; and

(g) practical arrangements to the satisfaction of the council have been made in relation to the provision of services to the development of the site; and

(h) if the development site includes the pedestrian plaza area and foreshore, practical arrangements in accordance with a staging plan have been made to the satisfaction of the council for the provision of landscaping and embellishment of the pedestrian plaza area and foreshore.

State Environmental Planning Policy No. 1—Development Standards does not apply to any requirement made by paragraph (e) or (f).

(6) Height controls. The council shall not consent to the erection of a building on land to which this clause applies -

(a) if the height of the building exceeds the height specified on the corresponding part of the Height Control Map; or

(b) even though the building complies with paragraph (a), if the height of the building, in combination with the heights of existing or future buildings in the area,
will reduce sunlight to major open spaces, plazas or communal private open spaces to less than 2 hours between 9:00a.m. and 3:00p.m. as calculated on 21 June.

State Environmental Planning Policy No. 1—Development Standards does not apply to any requirement made by paragraph (a).

(7) **Subdivision of land.** Despite any other provision of this Ordinance, the council shall not consent to the subdivision of any land within a development site (as defined in this clause) unless -

(a) the subdivision is to be carried out as part of or in conjunction with development for which consent is granted in accordance with subclause (5); or

(b) practical arrangements have been made, to the satisfaction of the council, to meet the requirements for the provision of services applying to the development of the development site, being the requirements specified in any development control plan applying to that site at the commencement of this clause.

[amended LEP172]

(8) **Use of buildings or land.** Despite any other provision of this Ordinance, the council shall not consent to an application involving the use of any building or a work within a development site (as defined in this clause) for any purpose -

(a) unless the erection of that building or the carrying out of the work is or was subject to a consent in accordance with subclause (5); and

(b) unless the purpose concerned is a purpose indicated in Column 3 of Table A to this clause in relation to the site within which it is located; and

(c) unless that purpose is consistent with -

(i) the development objectives for the Mixed Use - Railway Precinct zone as contained in subclause (4); and

(ii) the objectives applying to that development site, as indicated in Column 2 of Table A to this clause; and

(d) unless either:

(i) the minimum non-residential floor space for the development site as indicated in Table C to this clause will be met, or

(ii) a development consent is in force for the development of at least 54,337m² of non-residential gross floor area on land to which this clause applies.

[clause omitted and amended LEP 172]

(e) * * * [paragraph deleted LEP 172]
(9) **Road access.** The council shall not consent to any subdivision of the land to which this clause applies or to the erection of any building on the land, unless practical arrangements have been made via a staging plan, to the satisfaction of the council, for the physical provision of -

(a) an adequate system of road access and traffic circulation on the land; and

(b) adequate road access between the land and the existing road system (including the arterial road system); and

(c) access arrangements and infrastructure in a manner which achieves a high level of amenity, sufficient to service the land as it may be fully developed in accordance with the provisions of this clause.  

[paragraph amended LEP 172]

(10) **Parking.** Development for the purpose of underground parking may be carried out, with consent, on land shown stippled on Sheet 4 of the map marked “Rockdale Local Environmental Plan No. 149” but only if:

(a) all parking spaces are wholly located beneath the finished ground level, or beneath the podium level of any building on the land, and

(b) the consent authority is satisfied that all infrastructure servicing the underground parking area, such as vehicular entrances and exits and ventilation, required to be above finished ground level is as unobtrusive as practicable and does not detract from the heritage significance of land to which this clause applies.

Consent may be granted for above ground parking only if the parking spaces are not above finished ground level and the consent authority is satisfied that conditions of the consent will prevent the spaces from being occupied by the vehicles of railway commuters while they are predominantly absent from land to which this clause applies.

(11) **Savings.** Nothing in this clause prevents the council from separately consenting to development for -

(a) any purpose which is of a minor or temporary nature and which will not jeopardise the future development or use of the land in accordance with the provisions of this clause; or

(b) the purpose of providing infrastructure, utility installations or public facilities within the land, including any roads, the pedestrian plazas or the foreshore open space, in accordance with the Land Use Map; or

(d) alterations to any building or work which has already been constructed in accordance with a consent granted in compliance with subclauses (5) and (6); or

(e) the purpose of conserving the Tempe House precinct, to the satisfaction of the council and the Heritage Council of New South Wales.
## TABLE A

<table>
<thead>
<tr>
<th>Development Site</th>
<th>Objectives for the development of the site.</th>
<th>Purposes for which development may be carried out on the site.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>(a) To ensure development that provides an appropriate backdrop to Tempe House; (b) To ensure that the development provides a significant marker to the precinct from the Princes Highway; (c) To ensure that Tempe House precinct and its environs are adequately considered in the development of the site; (d) To provide for a built form that is complementary in style, design and finish to that on the eastern face of development sites 2, 4 and 5; (e) To provide opportunities for flexible space; and (f) To provide adequate car parking.</td>
<td>Residential; hotel; commercial premises; flexible space.</td>
</tr>
<tr>
<td>2</td>
<td>(a) To provide for predominantly residential development; (b) To provide opportunities for flexible space; (c) To ensure that Tempe House precinct and its environs are adequately considered in the development of the site; (d) To provide for a built form that is complementary in style, design and finish to that on the eastern face of development sites 1, 4 and 5; (e) To ensure that views to the Chapel and the Tempe House environs are obtained from the pedestrian plaza areas through appropriate building design; (f) To provide adequate car parking principally below street level in recognition of accessibility to public transport; and (g) To enliven the vista between the railway plaza and Tempe House with active retail and community uses.</td>
<td>Any purpose permissible within Zone No. 10(a1).</td>
</tr>
<tr>
<td>3</td>
<td>(a) To provide a landmark building that acts as a gateway to uses on the Railway Precinct land; (b) To promote a mixed use development incorporating residential, and commercial/retail uses; (c) To provide opportunities for flexible space; (d) To provide active street frontages; (e) To provide opportunities for open air dining along the northern edge of the building facing a pedestrian plaza; and (f) To provide adequate car parking principally below street level in recognition of accessibility to public transport.</td>
<td>Any purpose permissible within Zone No. 10(a1).</td>
</tr>
<tr>
<td>4</td>
<td>(a) To provide for predominantly residential development; (b) To provide opportunities for flexible space; (c) To ensure that Tempe House precinct and its environs are adequately considered in the development of the site; (d) To ensure that views to the Chapel and the Tempe House environs are maintained from the pedestrian plaza areas through appropriate building design; (e) To provide for a built form that is complementary in style, design and finish to that on the eastern face of development sites 1, 2 and 5; (f) To provide an active interface with a public plaza opposite the railway entrance; and</td>
<td>Any purpose permissible within Zone No. 10(a1).</td>
</tr>
<tr>
<td>Development Site</td>
<td>Objectives for the development of the site.</td>
<td>Purposes for which development may be carried out on the site.</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td>5</td>
<td>(a) To provide for predominantly residential development;</td>
<td>Any purpose permissible within Zone No. 10(a1).</td>
</tr>
<tr>
<td></td>
<td>(b) To provide opportunities for flexible space;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) To ensure that Tempe House precinct and its environs are adequately considered in the development of the site;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d) To ensure that views along the Tempe House view corridor are maintained through appropriate building design;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(e) To provide for a built form that is complementary in style, design and finish to that on the eastern face of development sites 1, 2 and 4; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(f) To provide adequate car parking principally below street level in recognition of accessibility to public transport.</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>(a) To provide a commercial development that represents the landmark commercial building within the Railway Precinct land;</td>
<td>Any purpose permissible within Zone No. 10(a1).</td>
</tr>
<tr>
<td></td>
<td>(b) To provide street frontages that achieve an active interface with the pedestrian plaza; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) To provide adequate car parking principally below street level in recognition of accessibility to public transport.</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>(a) To promote mixed use development incorporating residential, and commercial/retail uses;</td>
<td>Any purpose permissible within Zone No. 10(a1).</td>
</tr>
<tr>
<td></td>
<td>(b) To provide development that encourages uses that will promote the public nature of that space;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) To provide active street and plaza frontages;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d) To ensure building design has regard to and complements the foreshore setting;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(e) To provide for open air dining opportunities along the northern edge of development site 7 facing the water and also along the eastern edge of development site 7 facing the plaza;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(f) To provide retail uses at ground level around the edges of development site 7;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(g) To provide views to the Cooks River from the plaza area and other public spaces; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(h) To provide access to underground parking for the northern end of land within the Railway Precinct.</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>(a) To provide for the effective operation of “Wolli Creek” railway station, including station entry and access, customer services, and administration;</td>
<td>Any purpose permissible within Zone No. 10(a1).</td>
</tr>
<tr>
<td></td>
<td>(b) To allow for the convenient and efficient use of the station by passengers and convenient and efficient access between the station, any associated transport interchange and the surrounding development;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(c) To allow for the provision of facilities for persons using the station and any associated transport interchange;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(d) To allow covered “air space” development over the railway station;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(e) To provide for adequate vehicular and pedestrian access to any development on the site;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(f) To promote a mixed use development incorporating commercial/retail uses;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(g) To provide an active linkage between the carpark and the rail entrance including a provision for retail services;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(h) To provide opportunities for a hotel located above or immediately adjacent to the railway station;</td>
<td></td>
</tr>
</tbody>
</table>
### Column 1
**Development Site.**

### Column 2
**Objectives for the development of the site.**

### Column 3
**Purposes for which development may be carried out on the site.**

<table>
<thead>
<tr>
<th>9</th>
<th><strong>Foreshore Area (Shown on the Land Use Map)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>To promote mixed use development incorporating residential and commercial/retail uses;</td>
</tr>
<tr>
<td>(b)</td>
<td>To provide opportunities for flexible space;</td>
</tr>
<tr>
<td>(c)</td>
<td>To provide an area of open space that is available to residents and tenants of the building; and</td>
</tr>
<tr>
<td>(d)</td>
<td>To provide retail opportunities for the local communities, and service and retail uses for the benefit of commercial occupants on the ground floor facing the street and pedestrian plaza.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>70</th>
<th><strong>Tempe House Site (shown on the Land Use Map)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>To provide for the restoration and ongoing maintenance of the “Tempe House” heritage precinct in conjunction with the development of land within Zone No. 10(a1);</td>
</tr>
<tr>
<td>(b)</td>
<td>To ensure that any development on the site will have regard to the heritage significance of the site in accordance with the provisions of the approved conservation plan;</td>
</tr>
<tr>
<td>(c)</td>
<td>To allow for the adaptive reuse of Tempe House, the adjacent Chapel and their grounds but only for purposes which will be compatible with the heritage significance of the site;</td>
</tr>
<tr>
<td>(d)</td>
<td>To allow the erection of new buildings on the site, but only where such buildings will be essential to the viable use of the site and compatible with the heritage significance of the site;</td>
</tr>
<tr>
<td>(e)</td>
<td>To maximise the visibility of the Tempe House precinct and to preserve views to and from the site, especially between Tempe House and the Cooks River; and</td>
</tr>
<tr>
<td>(f)</td>
<td>To integrate the Tempe House precinct into the development of the surrounding area, while still preserving its heritage significance.</td>
</tr>
</tbody>
</table>

- Works for the purpose of flood mitigation and flood protection, foreshore restoration or environment protection; open space; recreation; landscaping; underground utility installations; cafés; restaurants; shops and clubs.
- Undergraduate utility installations; landscaping; shops; commercial premises; refreshment rooms; parking; loading docks; roads.
- Any purpose permissible within Zone No. 10(a1).
- Any purpose permissible within Zone No. 10(a1) and authorised by clause 39F.

**Table A Column 4 deleted LEP 172**
TABLE B

<table>
<thead>
<tr>
<th>Development Site</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>13,494</td>
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<tr>
<td>2</td>
<td>8,609</td>
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<tr>
<td>8</td>
<td>41,795</td>
</tr>
<tr>
<td>9</td>
<td>14,218</td>
</tr>
</tbody>
</table>

[Table B amended LEP 172]

TABLE C

<table>
<thead>
<tr>
<th>Development Site</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>730</td>
</tr>
<tr>
<td>2</td>
<td>560</td>
</tr>
<tr>
<td>3</td>
<td>7,600</td>
</tr>
<tr>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>5</td>
<td>-</td>
</tr>
<tr>
<td>6</td>
<td>597</td>
</tr>
<tr>
<td>7</td>
<td>2,500</td>
</tr>
<tr>
<td>8</td>
<td>41,700</td>
</tr>
<tr>
<td>9</td>
<td>650</td>
</tr>
</tbody>
</table>

[clause inserted LEP 149] [Table C amended LEP 172]

Development on land at 35 Arncliffe Street, Arncliffe

46DA. (1) Land to which this clause applies. This clause applies to land having frontage to Arncliffe and Lusty Streets, Arncliffe, being Lot 1 in DP 997852, known as No. 35 Arncliffe Street, Arncliffe, as shown coloured aqua on the map marked “Rockdale Local Environmental Plan No. 162”.

(2) Development objectives. The specific objectives for the development of the land to which this clause applies are -
(a) to take advantage of the construction of a new railway station in the locality by requiring the land to be developed in an orderly and efficient manner to its optimum potential; and

(b) to maximise the amount of permanent employment on the land; and

(c) to allow retail development on the land only if it is small in scale and is intended to serve the immediate neighbourhood; and

(d) to allow new buildings only if they will achieve a high standard of urban design; and

(e) to require residential development on the land to include an area of useable open space within the land for the benefit of the occupants; and

(f) to ensure that the use of the land will not result in any significant adverse impacts from or on the uses of other land in the immediate vicinity; and

(g) to ensure that development of the land will not unreasonably restrict or inhibit the future development of adjoining land; and

(h) to promote optimum development while minimising adverse environmental impacts by facilitating the efficient use of and access to the new Wolli Creek railway station and transport interchange and by controlling the amount of car parking within any development; and

(i) to provide for adequate vehicular and pedestrian circulation and access and to ensure streetscapes are of a high visual standard; and

(j) to ensure that the future development of the land will meet environmental requirements relating to flood-prone land, stormwater management, waste management, noise and vibration, air and water quality and energy efficiency; and

(k) to ensure that development on the land will have due regard to the heritage significance and setting of the item of the environmental heritage known as the “Tempe House” precinct through appropriate building design and landscaping.

(3) The Council shall not consent to development on the land to which this clause applies unless it is satisfied that the development will be consistent with the objectives identified in subclause (2) that are relevant to the proposed development.

(4) Comprehensive development application. Despite the other provisions of this Ordinance, the Council must not grant consent to a development application (other than a comprehensive development application) relating to the land to which this clause applies unless -

(a) there is in force in respect of the land a development consent for a comprehensive development application; and
(b) the Council has taken that consent into consideration.

(5) A comprehensive development application required by this clause is a development application that makes development proposals relating to the whole of the land.

(6) **Floor space controls.** The Council must not grant consent for the erection of a building on the land to which this clause applies unless it is satisfied that -

(a) the combined floor space ratio of all buildings to be erected on the land will not exceed 3:1, and

(b) the combined floor space ratio of all such buildings, or all those parts of such buildings, that are not used for a residential purpose will be no less than 1.2:1.

(7) Despite the other provisions of this Ordinance, the Council must not consent to the use of any building on the land to which this clause applies for a residential purpose unless it is satisfied that the granting of the consent will not result in the combined floor space ratio of all buildings, or all those parts of such buildings, erected or proposed to be erected on the land that are not used for a residential purpose being reduced to less than 1.2:1.

(8) For the purposes of subclauses (6) and (7) -

(a) serviced apartments and dwellings that are leased are taken to be used for a residential purpose, and

(b) only those parts of the common areas of buildings that are used partly for a residential purpose and partly for a non-residential purpose that are used exclusively for a residential purpose are to be taken to be used for a residential purpose.

(9) **Staged development.** The Council must not grant consent for a staged development pursuant to section 80 (4) of the Act in relation to the land to which this clause applies unless the development application clearly shows -

(a) the proposed location, height, bulk, gross floor area and external appearance and the proposed uses of all buildings to be erected on the land; and

(b) the number and location of car parking and loading facilities proposed to be provided on the land and the proposed means of vehicular access to and from those facilities; and

(c) the proposed location of outdoor recreation space and landscaped areas that are to be provided on the land.

(10) **Savings.** Nothing in this clause prevents the Council from consenting to development for the purpose of providing infrastructure, utility installations or public facilities within the land.
(11) **Interim development.** Nothing in this clause prevents the Council from consenting to -

(a) the use of the land to which this clause applies; or

(b) the use of any building or work in existence on the land at the date when Rockdale Local Environmental Plan No. 162 commenced; or

(c) minor alterations or additions to any such building or work; or

(d) any other development on the land the Council is satisfied is of a minor or temporary nature,

if the Council is satisfied that the carrying out of such development will not jeopardise the future development or use of the land in accordance with the other provisions of this clause.

[Inserted LEP 162]

**Development of land within the West Precinct at North Arncliffe**

46E. (1) **Land to which this clause applies.** This clause applies to land within Zone No. 10 (b), being land at Arncliffe generally bounded by the Illawarra Railway Line on the east, the East Hills Railway Line on the north and the Southern and Western Suburbs Ocean Outfall Sewer and Thompson Street on the south-west, as shown coloured aqua with dark red edging and lettered 10 (b) on the map marked “Rockdale Local Environmental Plan No. 116 - North Arncliffe - Sheet 1”.

(2) **Definitions.** For the purposes of this clause -

*development site* means an area of land edged heavy black on the Development Sites and Height Control Map;

*Development Sites and Height Control Map* means the map marked “Rockdale Local Environmental Plan No. 116 - North Arncliffe - Sheet 3 - Development Sites and Height Control”;

*Floor Space Map* means the map marked “Rockdale Local Environmental Plan No. 116 - North Arncliffe - Sheet 2 - Floor Space Ratios”;

*height*, in relation to a building, means the distance above the Australian Height Datum (AHD) to the topmost point of the building.

(3) **Development objectives for the West Precinct.** The specific objectives for the development of the land to which this clause applies are -

(a) to take advantage of the construction of a new railway station in the locality by requiring the land to be developed in an orderly and efficient manner to its optimum potential;
(b) to promote the redevelopment of the land for predominantly residential purposes, due to its proximity to existing residential areas and the constraints of the local road system;

(c) to allow limited development for non-residential purposes where it will not significantly impact on the traffic capacity of the road network and will not have an adverse impact on residential development;

(d) to allow retail development on the land only if it is small in scale and is intended to serve the immediate neighbourhood;

(e) to allow new buildings only if they will achieve a high standard of urban design;

(f) to require residential development within the precinct to include areas of useable open space within their sites for the benefit of the occupants;

(g) to preserve, where possible, reasonable views and outlook from, and solar access to, existing and prospective residential development in the vicinity;

(h) to promote optimum development while minimising adverse environmental impacts by facilitating the efficient use of and access to the new Wolli Creek railway station and transport interchange and by controlling the amount of car parking within developments;

(i) to provide for adequate vehicular and pedestrian circulation and access and to ensure streetscapes are of a high visual standard;

(j) to ensure that the future development in the locality will meet environmental requirements relating to flood-prone land, stormwater management, waste management, noise and vibration, air and water quality and energy efficiency;

(k) to provide, in particular, for the environmental protection of the adjacent Wolli Creek wetlands by requiring development to meet appropriate water quality standards for stormwater; and

(l) to ensure that development within the precinct will have due regard to and enhance the heritage significance and setting of adjacent items of the environmental heritage through appropriate building design and landscaping.

(4) The Council shall not consent to development on land to which this clause applies unless it is satisfied that the development will be consistent with the objectives for the West Precinct identified in subclause (3) that are relevant to the proposed development.

(5) **Comprehensive development applications.** Despite the other provisions of this Ordinance, the Council must not grant consent to a development application (other than a comprehensive development application) relating to land to which this clause applies unless -
(a) there is in force in respect of the land a development consent for a comprehensive development application; and

(b) the Council has taken that consent into consideration.

(6) A comprehensive development application required by this clause is a development application that makes development proposals relating to the whole of the land within a development site.

(7) Exceptions. A development application is not required to be a comprehensive development application if:

(a) the Council has adopted a development control plan that provides comprehensive design criteria for the development site within which the development to which the development application relates will be carried out; or

(b) the development to which the development application relates is for the purpose of providing public infrastructure, utility installations or public facilities.

(8) Interim development. A development application is not required to be a comprehensive development application if the Council is satisfied that carrying out the development to which the development application relates will not prevent the future development, in accordance with a comprehensive scheme, of the development site on which the proposed development will be carried out and the proposed development is any one or more of the following:

(a) a new land use that is allowed to be carried out with consent on the land on which it is proposed to be carried out but that does not include the erection of any building,

(b) a use of a building or work of the same kind as was being lawfully carried out when Rockdale Local Environmental Plan No. 116 - North Arncliffe commenced,

(c) minor alterations or additions to any building or work situated on the land on which it is proposed to be carried out when that plan commenced,

(d) any other development that the Council is satisfied is of a minor or temporary nature.

(9) Comprehensive development applications to be referred to the Director. Where the Council receives a comprehensive development application -

(a) it must, within 2 days of its receipt, forward a copy of the application to the Director; and
(b) it must not grant consent to the application unless it has taken into consideration any views of the Director that are received within 30 days of the date on which the copy of the application was forwarded to the Director.

(10) **Erection of buildings.** The Council must not grant consent for the erection of a building on land to which this clause applies unless it is satisfied that -

(a) the combined floor space ratio of all buildings to be erected on a development site will not exceed the floor space ratio specified on the Floor Space Map for the site; and

(b) the height of any buildings to be erected on the land will not exceed the height that is specified on the Development Sites and Height Control Map for the land.

(11) State Environmental Planning Policy No. 1 - Development Standards does not apply to the requirement made by subclause (10) (b) in relation to the height of buildings.

(12) **Staged development.** The Council must not grant consent for a staged development pursuant to section 80 (4) of the Act in relation to land to which this clause applies unless the development application clearly shows -

(a) the proposed location, height, bulk, gross floor area and external appearance and the proposed uses of all buildings to be erected on the land;

(b) the number and location of car parking and loading facilities proposed to be provided on the land and the proposed means of vehicular access to and from those facilities; and

(c) the proposed location of outdoor recreation space and landscaped areas that are to be provided on the land.

[Inserted LEP 116]

**Development of land within the South Precinct at North Arncliffe**

46F. **(1) Land to which this clause applies.** This clause applies to land within Zone No. 10 (c), being land at Arncliffe generally bounded by the Princes Highway on the east, Arncliffe and Lusty Streets on the north, the Illawarra Railway Line on the west and the Southern and Western Suburbs Ocean Outfall Sewer on the south (but excluding land to which Rockdale Local Environmental Plan No. 162 applies), as shown coloured aqua with dark red edging and lettered 10 (c) on the map marked “Rockdale Local Environmental Plan No. 116 - North Arncliffe - Sheet 1”.

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Rockdale Planning Scheme Ordinance
(2) **Definitions.** For the purposes of this clause -

*Floor Space Map* means the map marked “Rockdale Local Environmental Plan No. 116 - North Arncliffe - Sheet 2 - Floor Space Ratios”.

(3) **Development objectives for the South Precinct.** The specific objectives for the development of the land to which this clause applies are -

(a) to provide for the orderly and staged redevelopment of the North Arncliffe locality by preserving the South Precinct for redevelopment in the longer term, should future demand warrant it;

(b) to maintain current employment opportunities within the locality and to allow the establishment of new light industrial, automotive and other employment-generating uses;

(c) to permit development for the purpose of bulky goods retailing within the precinct, but otherwise to allow retail development only if it is small in scale and is intended to serve the immediate neighbourhood;

(d) to provide for the long term traffic access and circulation needs of the North Arncliffe locality by controlling development on land which will be required for new roads or the widening of existing roads;

(e) to ensure that the future development in the locality will meet environmental requirements relating to flood-prone land, stormwater management, waste management, noise and vibration, air and water quality and energy efficiency; and

(f) to ensure that development within the precinct will have due regard to and enhance the heritage significance and setting of adjacent items of the environmental heritage.

(4) The Council shall not consent to development on land to which this clause applies unless it is satisfied that the development will be consistent with the objectives for the South Precinct identified in subclause (3) that are relevant to the proposed development.

(5) **Floor space controls.** The Council must not grant consent for the erection of a building on land to which this clause applies if the floor space ratio of the building will exceed that specified on the Floor Space Map for the land concerned.

[Inserted LEP 116]
Closing of roads.

47.  (1) The responsible authority shall, as soon as practicable after the appointed day and within a period of ten years after that day, apply for the approval of the Governor to publish a notice of resumption of any land comprised in a road or part of a road shown on the scheme map by black diagonal hatching superimposed on a colour and upon the granting of such approval at once proceed to resume the land.

(2) Upon applying for such approval the responsible authority shall forthwith forward by registered post to each owner and occupier of land adjoining or abutting upon the land to be resumed a notice that the purpose of the resumption is to close a road or part of a road to include the land comprising such road or part of a road in the particular zone or reservation indicated by the colour on which the black diagonal hatching is superimposed.

(3) Upon resumption the land resumed shall be deemed to be included in the zone or reservation indicated by such colour.

(4) Where the land is deemed to be included in a zone or reservation in pursuance of subclause (3) and the responsible authority decides to sell or lease the land, it shall give to the owners of the adjoining lands first option of purchase or lease, as the case may be, of parts of the land in fair proportion.

(5) The responsible authority shall not approve of any plan of subdivision of land if the only access to a road of any parcel proposed to be created thereby is to a road marked by black diagonal hatching on the scheme map.

(6) Where the scheme map is amended to show land on the scheme map by black diagonal hatching superimposed on a colour, this clause shall apply in relation to that land as if the reference in subclause (1) to the appointed day were a reference to the day on which the amendment takes effect.

Outdoor advertising

48.  (1) Advertisements allowed without consent. Development for the purpose of an advertisement described in the Table to this clause may be carried out without development consent, but only in accordance with the conditions (if any) imposed by that Table.

(2) Advertisements allowed only with consent. Development for the purpose of an advertisement may be carried out only with consent if it is not permitted without consent and is not prohibited by this clause.
The responsible authority must not consent to development for the purpose of an advertisement unless it is satisfied that the advertisement:

(a) conveys the advertiser’s message or image while complementing and conforming to both the building on which it is displayed and the character of the locality, and

(b) does not adversely affect the amenity of the locality in terms of appearance, size, shape, illumination or overshadowing or in any other way, and

(c) does not lead to visual clutter through the proliferation of signs in the locality.

Despite any other provision of this Ordinance, development may be carried out with consent on any land for the purpose of an advertisement that directs the travelling public to a specific tourist facility or place of scientific, historic or scenic interest, if the responsible authority is satisfied that:

(a) the principal purpose of the advertisement is to direct the travelling public to that building or place; and

(b) the dimensions and overall size of the advertisement are not larger than would reasonably be required to so direct the travelling public.

Despite any other provision of this Ordinance, development may be carried out with consent on any land within Zone No. 6(a) or 6(b) for the purpose of an advertisement that displays the identity of a club the principal object of which is promoting sport or another recreational activity. Such consent may be given even if the advertisement also includes general advertising matter, but only if the identification of the club occupies at least half of the area of the advertisement.

Advertisements prohibited. The following development is prohibited:

(a) development for the purpose of an advertisement on land within Zone No. 5(a), 6(a) or 6(b) is prohibited if it is not otherwise permitted with or without consent by this clause,

(b) development for the purpose of an advertisement within a residential zone, except development:

(i) permitted by subclause (1), or

(ii) for the purpose of advertisements identifying an item of the environmental heritage or the use of a building identified as an item of the environmental heritage, or

(iii) for the purpose of advertisements identifying an existing use, where existing use rights have been established, or
(c) development for the purpose of:

(i) posters on poles or other structures in public places, or

(ii) advertising signage which does not relate to the site on which it is placed or to a site within 400 metres of the advertisement's location, or

(iii) sky signs, or

(iv) temporary signs of a commercial nature on land, whether zoned or unzoned, or

(v) trees used to support advertisements, or

(vi) flashing-lights.

(7) Certain temporary advertisements prohibited. The use of land to display an advertisement for a commercial purpose on a moveable structure, such as a portable stand or a trailer, so that the advertisement can be seen by persons using a public street or any other public place, is prohibited. This subclause does not apply to a motorised vehicle used principally for conveying goods or passengers, or to a trailer attached to such a vehicle, while the vehicle is otherwise lawfully on the formed carriageway of a public street.

(8) Definitions. In this clause:

advertisement means a display by the use of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work.

area of an advertisement in the form of a sign means:

(a) for a sign with only one side occupied by the matter displayed, the area within the outline of that sign, or

(b) for a sign with two sides occupied by the matter displayed, the area within the outline of that sign or, where one side is larger than the other, the area within the outline of the larger side, or

(c) for any other sign, one third of the total surface area of the sign.

tourist facility means an establishment providing holiday accommodation or recreational facilities, or both, on a short-term use basis, and may include:

(a) hotels, motels, guest houses, serviced apartments, holiday cabins, caravan parks, camping grounds or houseboats, and associated recreation facilities, including swimming pools, golf courses, tennis courts and marinas or the like, and
(b) refreshment rooms, and

(c) souvenir shops, art and craft galleries and exhibition centres.

Note: State Environmental Planning Policy No. 64 - Advertising and Signage commenced on 16 March 2001. This Policy will have the effect of modifying the provisions of clause 48 of this Ordinance. In the event of any inconsistency between the policy and this clause, the provisions of the Policy will prevail.

**TABLE**

**ADVERTISEMENTS ALLOWED WITHOUT CONSENT**

<table>
<thead>
<tr>
<th>Description of advertisement</th>
<th>Conditions to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertisement within a site</td>
<td>Such an advertisement must not be displayed on an item of the environmental heritage or on a site within a heritage protection area.</td>
</tr>
<tr>
<td>Advertised being an advertisement which is not visible from outside the site on which it is displayed</td>
<td></td>
</tr>
<tr>
<td>Advertisement on a motor vehicle used principally for conveying goods or passengers</td>
<td>None.</td>
</tr>
</tbody>
</table>
When displayed within Zone No. 2(a), 2(b1), 2(b2), 2(c1), 2(c2) or 2(e), such a sign:
(a) must not be displayed on an item of the environmental heritage; and
(b) must not exceed 0.75 square metre in area.

When displayed within Zone No. 3(a), 3(b), 3(c) or 3(d), such a sign must not be displayed on an item of the environmental heritage and:
(a) if there is no awning on the premises, 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 a shopfront is to be covered by such signs; or
(b) if there is an awning attached to the premises, there may be:
- one or more such signs below the level of the awning; and
- not more than one such sign on an awning fascia; and
- not more than one suspended under-awning sign or projecting wall sign for each 3 metres of the length of a shopfront, 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 ground level.

When displayed within Zone No. 4(b), 4(c) or 4(d), such a sign is not to exceed 10 square metres in area, except when displayed for small shops and other premises (such as banks) that serve the daily needs of persons living or employed within the industrial area. When displayed pursuant to this exception, the conditions for the display of such a sign applying to land within Zone No. 3(a), 3(b), 3(c) or 3(d) apply.

<table>
<thead>
<tr>
<th>Description of advertisement</th>
<th>Conditions to be met</th>
</tr>
</thead>
</table>
| **Business identification sign** | When displayed within Zone No. 2(a), 2(b1), 2(b2), 2(c1), 2(c2) or 2(e), such a sign:  
(a) the identity or a description of the place or premises;  
(b) the identity or a description of any person residing or carrying on an occupation at the place or premises;  
(c) particulars of any occupation carried on at the place or premises;  
(d) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there;  
(e) particulars or notifications required or permitted to be displayed by or under any State or Commonwealth Act;  
(f) particulars relating to the goods, commodities or services dealt with or provided at the place or premises;  
(g) particulars of any activities held or to be held at the place or premises;  
(h) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises. | (a) must not be displayed on an item of the environmental heritage; and  
(b) must not exceed 0.75 square metre in area.  
When displayed within Zone No. 3(a), 3(b), 3(c) or 3(d), such a sign must not be displayed on an item of the environmental heritage and:  
(a) if there is no awning on the premises, 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 a shopfront is to be covered by such signs; or  
(b) if there is an awning attached to the premises, there may be:  
- one or more such signs below the level of the awning; and  
- not more than one such sign on an awning fascia; and  
- not more than one suspended under-awning sign or projecting wall sign for each 3 metres of the length of a shopfront, 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 ground level.  
When displayed within Zone No. 4(b), 4(c) or 4(d), such a sign is not to exceed 10 square metres in area, except when displayed for small shops and other premises (such as banks) that serve the daily needs of persons living or employed within the industrial area. When displayed pursuant to this exception, the conditions for the display of such a sign applying to land within Zone No. 3(a), 3(b), 3(c) or 3(d) apply. |
<table>
<thead>
<tr>
<th>Description of advertisement</th>
<th>Conditions to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertisement displaying a message changed from that displayed by a previously lawful advertisement</td>
<td>Such an advertisement may be displayed within any zone, but must not be displayed without consent on, or within view from, a school, place of public worship, item of the environmental heritage, place of assembly, public building or open space.</td>
</tr>
<tr>
<td>Public notice</td>
<td>Such a notice may be displayed within any zone.</td>
</tr>
<tr>
<td>being a notice for public information displayed by a public authority giving information or directions about services provided</td>
<td></td>
</tr>
<tr>
<td>Real estate sign</td>
<td>Such a sign may be displayed within any zone. Such a sign relating to the letting or the sale by private treaty or auction of residential premises: (a) must not exceed 2.5 square metres in area; and (b) must not have any returns exceeding 180 millimetres. Such a sign relating to commercial or industrial premises must not exceed 4.5 square metres in area.</td>
</tr>
<tr>
<td>being an advertisement that contains only a notice that the place or premises to which it is fixed is or are for sale or letting (together with particulars of the sale or letting) and that is not displayed for more than 14 days after the letting or completion of the sale</td>
<td></td>
</tr>
<tr>
<td>Sign behind the glass line of a shop window</td>
<td>Such a sign may be displayed within any zone.</td>
</tr>
<tr>
<td>Temporary sign</td>
<td>Such a sign may be displayed within any zone. Such a sign: (a) must not be displayed earlier than 28 days before the event to which it relates is to take place; and (b) must be removed within 14 days after that event.</td>
</tr>
<tr>
<td>being an advertisement of a temporary nature that:</td>
<td></td>
</tr>
<tr>
<td>(a) announces any local level event of a religious, educational, cultural, political, social, or recreational character or relates to any temporary matter in connection with such an event; and (b) does not include advertising of a commercial nature except for the name(s) of an event's sponsor.</td>
<td></td>
</tr>
<tr>
<td>Temporary signs may consist of advertisements in the form of banners, bunting, posters, inflatable structures and similar things</td>
<td></td>
</tr>
</tbody>
</table>
A-Frame signs and sandwich boards
being a portable, free standing advertisement displayed on a sign consisting of two boards joined by one edge or joined by any other means

Conditions to be met
None.

[Previous clause 48 omitted, new clause inserted LEP 134].

Restriction on excavations.

49. Where immediately before 27th June, 1951, any land within Zone No. 2 (a), 2(b1), 2(b2), 2(c1) or 2(c2) was used for the purpose of winning extractive materials, no excavation for that purpose shall be made, opened or extended within 15 metres of adjoining land which is within Zone No. 2(a), 2(b1), 2(b2), 2(c1) or 2(c2) and was not, immediately prior to 27th June, 1951, in the same ownership.

Alignment of main roads.

50. The council shall not, without the approval of the Commissioner for Main Roads, cause to be aligned or realigned any main road or any other road which the Commissioner for Main Roads has notified as a proposed main road.

51. * * * * [Omitted SEPP (RCRP) 2004]

Railway sidings.

52. Nothing in this Ordinance shall operate to prohibit the construction and use of any railway siding designed to serve land in Zone No. 4(b).

53. [omitted LEP 127]

Building below high water mark.

54. Notwithstanding the provisions of Part III a building or work shall not, without the consent of the responsible authority, be erected or carried out on any land below high water mark which is within the Municipality of Rockdale.
Service stations or car repair stations.

55. (1) A building or work shall not be erected or used and land shall not be used for the purpose of a service station or car repair station unless -

(a) the site is more than 90 metres from the junction or intersection of a county road or a main road with another county road or a main road;

(b) where the site has frontage to a county road or a main road -

(i) [Omitted SEPP (RCRP) 2004]

(ii) where the site is not a corner lot the frontage to such road is not less than 38 metres or, where the site is a corner lot, the frontage to such road is not less than 30 metres;

(c) where the site has frontage to a road other than a county road or a main road such frontage is not less than 30 metres;

(d) the width of a vehicular crossing over a footpath is not more than 9 metres;

(e) any vehicular crossing over a footpath is not closer than 6 metres to a road intersection;

(f) separate entrances to and exits from the site are provided and such entrances and exits are separated by physical barriers constructed on the road alignment and so identified by suitable signs readily visible to persons using the adjoining road or entering upon or leaving the site;

(g) where the site is a corner lot and if the responsible authority so requires, separate entrances and exits are provided to and from each of the adjoining roads and a physical barrier is erected so that a vehicle entering the site must, when leaving it, use an exit leading only to the road from which entrance was gained.

(2) A building or work shall not be erected or used and land shall not be used for the purpose of a service station unless in addition to the other requirements of this clause -

(a) inlets to bulk fuel storage tanks are so situated on the site as to ensure that tankers, while discharging fuel into such tanks, shall stand wholly within the site;
(b) fuel pumps are within the site and not closer than 3.5 metres to the road alignment;

(c) the layout of the site is such as to facilitate the movement of vehicles entering upon or leaving the site with the flow of traffic on the adjoining road;

(d) vehicular access to or from the site from or to an adjoining road is situated not closer than 25 metres to any traffic lights on such road; and

(e) the site is suitably landscaped to the satisfaction of the responsible authority.

**Drive-in theatres.**

56. A drive-in theatre shall not be erected or used unless the following conditions are complied with -

(a) a vehicular entrance to or exit from a drive-in theatre shall not be located within 90 metres of a county road or a main road;

(b) within the site of a drive-in theatre there shall be a vehicular driveway, at least 60 metres in length and 20 metres in width, leading from the entrance to the site to the ticket office;

(c) the screen of a drive-in theatre shall be so located or protected that no image projected thereon shall be visible and identifiable from a county or a main road;

(d) * * * * [*Omitted SEPP (RCRP) 2004*]

**Controlled access roads.**

57. (1) The Governor may proclaim any county road or any part of a county road to be a controlled access road and in the like manner amend or revoke any such proclamation.

(2) A copy of any proclamation made under subclause (1) shall be published in the Gazette and in a Sydney daily newspaper and shall be served on the responsible authority.

(3) A person shall not enter or leave a controlled access road except by a means of access or route provided for that purpose.

(4) The Council or any person shall not, without the consent of the responsible authority, open, construct, form or lay out any means of access to or from a controlled access road. [*Amended SEPP (RCRP) 2004*]
(5) The responsible authority may erect and maintain fences or posts across any side road or other means of access for the purpose of preventing access to a controlled access road.

(6) A person shall not drive any loose sheep, cattle, horses or other animals on or along a controlled access road.

(7) The provisions of this clause shall not apply to or in respect of any main road which is proclaimed a motorway under Part VAA of the Main Roads Act, 1924.

Restriction of ribbon development.

58. (1) The provisions of this clause shall apply to any county road or to any main road or to any part of a county road or main road to which road or part such provisions are applied by the Governor by proclamation.

(2) The Governor, in respect of any land fronting, adjoining or adjacent to a road to which the provisions of this clause apply, may by proclamation -

(a) prohibit the erection of buildings or any specified class of buildings or buildings intended for use for specified purposes within such distance of the road as may be set out in the proclamation;

(b) direct that, in respect of the erection of buildings or any specified class of buildings or buildings intended for use for specified purposes within such distance of the road as may be set out in the proclamation, unless the Commission certifies to the responsible authority that it is satisfied that either -

(i) the character of the building or the use to which the building is to be put is such as not to be likely to cause traffic congestion on the road; or

(ii) satisfactory arrangements have been made for limiting traffic congestion on the road;

the responsible authority shall as a condition of its consent to the erection of any such building require the provision and maintenance of such means of entrance and egress and of such accommodation for the loading or unloading or parking of vehicles or picking up and setting down of passengers or the fuelling of vehicles as may be determined by the Commission for the purpose of limiting such congestion;

(c) prohibit the making of any permanent excavation within such distance of the road as may be set out in the proclamation;

(d) prohibit the subdivision of any land which provides for the creation of separate parcels of land with a length of frontage to the road less than that specified in the proclamation.
For the purposes of this subclause "Building" has the meaning ascribed to it in paragraph (b) of subsection three of section 342G of the Act.

(3) Any proclamation made under subclause (2) -

(a) may apply generally to all buildings or to all buildings other than those mentioned in the proclamation or particularly to any specified class of buildings or buildings intended for use for specified purposes;

(b) may specify different distances for different buildings or for different classes of buildings or buildings intended for use for different purposes or different distances for different roads or different distances for different parts of the same road.

(4) Any such proclamation may be amended, varied or revoked by a similar proclamation.

(5) A proclamation made under this clause shall be published in the Gazette and in a Sydney daily newspaper.

A copy of any such proclamation shall be served on the responsible authority.

(6) Upon the publication of any proclamation made under subclause (2), the operation of any instrument giving consent or approval under Part XIIA of the Act to the erection of a building or the making of a permanent excavation or the subdivision of land which, if erected, made or carried out after the publication of such proclamation would be in contravention thereof, shall be deemed to have been suspended to the extent of its inconsistency with this clause but such suspension shall not prevent the completion of the erection of a building or the making of a permanent excavation which was substantially commenced but not completed before the publication of such proclamation.

59. [omitted LEP 127]

59A. [omitted LEP 127]

Development on certain land in Brighton-Le-Sands.

59B. (1) This clause applies to the land bounded by Princess Street, Moate Avenue, Gordon Street and Grand Parade, Brighton-Le-Sands.

(2) In the application of clause 59A to land which this clause applies -

(a) Table A to clause 59A shall be construed as if the matter relating to Zone No. 2(c2) were omitted therefrom and the following matter inserted instead:

| 2(c2) | 45 | 60 | 80 |
Table B to clause 59A shall be construed as if the matter relating to Zone No. 2(c2) were omitted therefrom and the following matter were inserted instead:

| 2(c2) | 25 | 35 | 45 |

(3) The responsible authority shall not consent to the erection on land to which this clause applies of a residential flat building containing more than 5 storeys above ground level.

[Note: This clause refers to clause 59A which was omitted by LEP 127. For interpretation purposes the text of clause 59A is included as an Appendix to this Ordinance, following the Schedules.]

Exclusion of medium density housing in certain areas

59C. Nothing in this Ordinance permits development for the purpose of medium density housing on land within Zone No. 2(a) -

(a) shown edged heavy black on the map marked "Rockdale Local Environmental Plan No. 89", deposited in the office of the responsible authority; or

(b) on which an item of the environmental heritage is situated (except where that development is carried out pursuant to clause 39E).

[amended LEP 127]

Land used for commercial or industrial purposes.

60. (1) This clause shall apply to all land having a frontage to a main or county road used or to be used for commercial or industrial purposes whether or not it forms the site of a building.

(2) Notwithstanding anything contained in Part III -

(a) where there is no building on the land or the only building thereon is of a minor character, such land shall not be used for the storage, sale or display of goods or for advertising purposes without the consent of the responsible authority;

(b) where the land forms the site of a building, other than one of a minor character, the land between the road frontage and the building shall not be used for the storage, sale or display of goods or for advertising purposes without the consent of the responsible authority.
Loading and unloading facilities.

60A. (1) The responsible authority shall not consent to the erection or use of any building on land within Zone No. 3(a), 3(b), 3(c), 3(d) or 10(a) unless it is satisfied that adequate provision has been made within the site area for loading and unloading facilities. [Amended LEP 162]

(2) If a building referred to in subclause (1) has access to a rear lane, vehicular access to loading and unloading facilities shall be provided from that land and not otherwise.

(3) Subclause (1) does not apply to the carrying out of minor alterations to a building if, in the opinion of the responsible authority the size and shape of the land render provision of facilities in accordance with this clause impracticable.

Use of existing shop buildings in residential zones.

60B. (1) This clause applies to all land within zone No. 2(a), 2(b1), 2(b2), 2(c1) or 2(c2).

(2) Where an existing building was lawfully constructed for use as a shop on any land to which this clause applies, a person may, with the consent of the responsible authority:

(a) use that building as a shop or commercial premises; or

(b) alter, extend or rebuild that building for use as a shop or commercial premises.

(3) The responsible authority must not grant consent under this clause unless it is satisfied that the development will not:

(a) interfere 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 or otherwise; or

(b) cause traffic or car parking congestion on any street in the vicinity or interfere with the free flow of traffic along any main or county road.

(4) When deciding whether to grant consent under this clause the responsible authority must also consider:

(a) whether the existing building or the land on which it is situated is physically and economically capable of being converted to or redeveloped for residential use in conformity with the zoning of the land; and

(b) whether it would be appropriate or desirable to convert the building or use the land for such a residential purpose; and

(c) the merits (if any) of retaining the existing building; and

(d) the benefits (if any) of encouraging the economic recycling of the existing building.
(5) The responsible authority must not grant consent under this clause to the alteration, extension or rebuilding of an existing building unless:

(a) where the gross floor area of the existing building is 90 square metres or less - the gross floor area of the building, as altered, extended or rebuilt, will not exceed 90 square metres; or

(b) where the gross floor area of the existing building is greater than 90 square metres - the gross floor area of the building, as altered, extended or rebuilt, will not be increased.

Exhibition homes.

61. Nothing in this Ordinance shall operate to prohibit the use, with the consent of the responsible authority, of a dwelling-house within Zone No. 2(a), 2(b1), 2(b2), 2(c1) or 2(c2) as an exhibition home: Provided that the responsible authority shall not, without the concurrence of the Commission, consent to the use of a dwelling-house for such purpose where the dwelling-house has frontage to a main road or county road or to a road connecting with a main road or county road which frontage is wholly or partly within 90 metres measured along the road alignment of such connecting road, of such main road or county road.

Development of open space land.

61A. The responsible authority shall not consent to the carrying out of development on land within Zone No. 6(a), or on land reserved under clause 9 for parks and recreation or for county open space, unless consideration has been given to -

(a) the need for the proposed development of that land;

(b) the impact of the proposed development on the existing or likely future use of the land; and

(c) the need to retain the land for its existing or likely future use.

Drive-in take-away food shops.

62. A drive-in take-away food shop shall not be erected or used unless the following conditions are complied with -

(a) the site has an area of not less than 930 square metres;

(b) where the site has frontage to a county road or main road the frontage to such road is not less than 27 metres;

(c) where the site has frontage to any other road, the frontage to such road is not less than 21 metres;

(d) any vehicular crossing -
(i) is not less than 6 metres in width;

(ii) is not closer than 9 metres to another vehicular crossing on the site;

(iii) is not closer than 7.6 metres to a road intersection;

(e) where the site has frontage to a county road or main road there is provided on
the site parking space for not less than 30 motor vehicles;

(f) where the site has frontage to any other road there is provided on the site parking
for such number of motor vehicles as the responsible authority may
determine.

(g) the site is suitably landscaped to the satisfaction of the responsible authority;

(h) any advertisements displayed on the site but outside the shop do not exceed
two in number.

Floor space of buildings.

63. (1) In each of the zones specified in Column I of the Table to this subclause, the floor
space ratio of a building shall not be greater than that set out opposite such zone in Column II of
the Table.

<table>
<thead>
<tr>
<th>COLUMN I</th>
<th>COLUMN II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zones Nos. 3 (a) and 3(b)</td>
<td>2:1</td>
</tr>
<tr>
<td>Zone No. 3(c)</td>
<td>1:1</td>
</tr>
<tr>
<td>Zone No. 3(d)</td>
<td>0.75:1</td>
</tr>
<tr>
<td>Zones Nos. 4(b) and 4(c)</td>
<td>1.5:1</td>
</tr>
</tbody>
</table>

(2) * * * * *

(3) Notwithstanding the provisions of clause (1) the floor space ratio of any building
erected or to be erected on the land described in Schedule 6 shall not exceed 0.5:1.

(4) Notwithstanding the provisions of subclause (1), the floor space ratio of any building
erected or proposed to be erected on the land specified in Column I of the Table to this subclause
shall not be greater than that shown opposite that land in Column II of the Table.
(5) This clause does not apply to the following land:

Land being on the southeastern side of Wollongong Road, Arncliffe, and being lots 5 and 7, D.P. 1823, and lots 61 and 62, D.P. 709557, as shown coloured light blue on the map marked "Rockdale Local Environmental Plan No. 60".

Land on the northern side of Stoney Creek Road, Bexley, between Preddy's Road and Coveney Street, known as Nos 146 to 180 Stoney Creek Road, Bexley, as shown coloured light blue on the map marked "Rockdale Local Environmental Plan No. 61".

Land within the Brighton-Le-Sands Town Centre fronting:

(a) Bay Street and The Grand Parade, Brighton-Le-Sands, as shown edged heavy black on the map marked "Rockdale Local Environmental Plan No. 92"; and

(b) Moate Avenue and Princess Street, Brighton-Le-Sands, as shown coloured light blue on the map marked "Rockdale Local Environmental Plan No. 99". [amended LEP 99]
Notwithstanding the provisions of subclause (1), the floor space ratio of any building erected or proposed to be erected on any land shown distinctively coloured on Sheet 2 of the map marked "Rockdale Local Environmental Plan No. 93" deposited in the office of the council shall not exceed the floor space ratio specified on that map in relation to that land.

**Floor space of buildings - certain zones.**

**63A. (1)** In this clause -

"building" means a building other than a building used or to be used exclusively as a dwelling, dwelling-house, medium density housing or residential flat building.  
[amended LEP 127]

(2) The responsible authority shall not consent to the erection of a building on an allotment of land within a zone specified in Column I of the Table to this clause if the floor space ratio in respect of the building exceeds the ratio set out, opposite that zone, in Column II of that Table.

| Zone No. 2(b1) | .. | .. | .. | 0.7:1 |
| Zone No. 2(b2) | .. | .. | .. | 0.75:1 |
| Zone No. 2(c1) | .. | .. | .. | 0.9:1 |
| Zone No. 2(c2) | .. | .. | .. | 1.3:1 |

(3) Notwithstanding subclause (2), the floor space ratio of a building erected or proposed to be erected on land to which Rockdale Local Environmental Plan No. 143 applies shall not exceed 0.6:1.  [Inserted LEP 143]

(4) Notwithstanding subclause (2), the floor space ratio of a building erected or proposed to be erected on land to which Rockdale Local Environmental Plan No. 168 applies shall not exceed 0.75:1.  [Inserted LEP 168]

**Development of the Brighton Hotel site.**

**63B. (1)** This clause applies to land having frontage to Bay Street, The Grand Parade and Princess Street, Brighton-Le-Sands, as shown edged heavy black on the map marked "Rockdale Local Environmental Plan No. 55".

(2) Notwithstanding clause 63(1), the floor space ratio of a building erected or proposed to be erected on land to which this clause applies shall not exceed 4:1.
(3) This clause shall cease to have effect after the expiration of 2 years from the date upon which this clause took effect or such later date as the Minister may, before the expiration of that period, notify by order published in the Gazette.

Arcades etc. may be excluded from floor space ratio

63C. Nothing in this Ordinance prevents the responsible authority excluding from the calculation of the floor space ratio of any building any area occupied by an arcade, colonnade, walkway, foyer, court, void or the like, if it is of the opinion that the provision of such an area would contribute to the good design or external appearance of the building or would provide some other benefit in the public interest.
Height of buildings.

64. (1) The responsible authority shall not consent to the erection of a building on an allotment of land unless the proposed building contains, in respect of an allotment of land -

(a) [omitted LEP 127]

(b) in Zone No. 2(a), 2(b1) or 2(b2) - not greater than 2 storeys above ground level; [amended LEP 127]

(c) in Zone No. 2(c1) - not greater than 2 storeys above ground level;

(d) in Zone No. 2(c2) - not greater than 3 storeys above ground level;

(e) described in Schedule 6 - less than 2 storeys above ground level; or

(f) described in Schedule 7 - less than 3 storeys above ground level.

(2) [omitted LEP 127]

Height of buildings on certain land at Princes Highway, Ashton Street and Chandler Street, Rockdale.

64AA. (1) This clause applies to land fronting the Princes Highway, Ashton Street and Chandler Street, Rockdale, known as Nos. 648-652 Princes Highway, Nos. 1-15 Ashton Street, Nos. 10-16 Chandler Street, part of No. 1 Rockdale Plaza Drive and Nos. 20-40 Chandler Street, Rockdale, as shown coloured light scarlet with dark red edging and lettered "2(c2)" or "2(b2)" on the map marked "Rockdale Local Environmental Plan No. 133".

(2) Despite clause 64, the responsible authority may consent to the erection of a residential flat building on land:

(a) in Zone No. 2(b2) - that is 2 storeys in height and, in addition, has an attic storey; and

(b) in Zone No. 2(c2) - that is 3 storeys in height and, in addition, has an attic storey,

but only if the responsible authority is satisfied that overshadowing caused by such a building on adjoining properties will be no greater than that caused by a 2 or 3-storey building, respectively, constructed without the attic storey.

(3) Despite any other provision of this Ordinance, for the purposes of subclause (2), "storey" includes car parking spaces located within or beneath a building where the ceiling or roof of those car parking spaces exceeds 1 metre above the natural ground level. [Inserted LEP 133].
Development requiring contribution.

64A. As a consequence of the carrying out of development in accordance with this Ordinance (as in force at the time the development is carried out), this Ordinance identifies a likely increased demand for public amenities and public services as specified in Schedule 9 and stipulates that dedication or a contribution under section 94(1) of the Environmental Planning and Assessment Act, 1979, or both, may be required as a condition of any consent to that development.

Land affected by aircraft noise.

64B(1) The Council must not grant consent to the carrying out of development for a residential purpose unless the Council has taken into consideration the guidelines provided in AS 2021 regarding noise reduction and construction requirements where the land is within a 20 or higher ANEF contour.

(2) In this clause:

"ANEF" means the Australian Noise Exposure Forecast within the meaning of AS 2021;


"20 or higher ANEF contour" means a noise exposure contour of 20 or higher ANEF shown on a plan or plans of Sydney (Kingsford Smith) Airport and surrounding land prepared by Airservices Australia or any other appropriate Commonwealth public authority, a copy of which is retained in the office of the Council and is available for inspection by the public during office hours.

[Original clause 64B omitted and new clause 64B inserted, LEP 127]

Minimisation of noise penetration in certain other development.

64C. (1) The responsible authority shall not consent to the erection of a building to be used for a purpose referred to in Column I of Table A to this clause on any land specified in Table B to this clause unless it is satisfied that the standard and type of construction to be used in the erection of any such building will result in noise levels in the building, or that part of the building used for a purpose specified, being not greater than the noise level specified in Column II of Table A shown opposite that purpose.
TABLE A

<table>
<thead>
<tr>
<th>COLUMN I</th>
<th>COLUMN II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotels and motels -</td>
<td>55 dB (A)</td>
</tr>
<tr>
<td>habitable rooms</td>
<td>70 dB (A)</td>
</tr>
<tr>
<td>public areas</td>
<td></td>
</tr>
<tr>
<td>Office buildings</td>
<td>65 dB (A)</td>
</tr>
<tr>
<td>Dwellings -</td>
<td></td>
</tr>
<tr>
<td>habitable rooms</td>
<td>50 dB (A)</td>
</tr>
</tbody>
</table>

TABLE B

| Land bounded by Bryant Street, George Street, Pitt Lane and King Lane, Rockdale, as shown coloured light blue on Sheet 1 of the map marked "Rockdale Local Environmental Plan No. 93" deposited in the office of the council. |

(2) The requirements of subclause (1) apply only in relation to noise generated by motor vehicles or aircraft.

**Aircraft noise.**

**64D.** The Council must not grant consent to the carrying out of development for residential purposes on land known as Nos. 7-9 Watkin Street, Rockdale, being lots 4-6, DP 3043, as shown coloured light scarlet on the map marked "Rockdale Local Environmental Plan No. 140" unless it is satisfied that the residential development will comply with the Australian Standard AS2021-1994 Acoustic - Aircraft Noise Intrusion- Building Siting and Construction in relation to interior noise levels. [Inserted LEP 140].

**Aircraft noise levels at Nos. 32, 32A and 34 Wolli Creek Road, Banksia.**

*64E. (1)* This clause applies to Lot 1, DP 933703 and Lots A and B, DP 374332, known as Nos. 32, 32A and 34 Wolli Creek Road, Banksia, as shown coloured light scarlet with dark red edging and lettered "2(c2)" on the map marked "Rockdale Local Environmental Plan No. 147".
Despite any other provision of this Ordinance, the Council must not grant consent to the carrying out of development for residential purposes on the land to which this plan applies unless it is satisfied that the residential development will comply with AS 2021-1994 (Acoustic - Aircraft noise intrusion - Building siting and construction) published by Standards Australia in 1994, in relation to interior noise levels. [Inserted LEP 147].

**Development of land at 203 to 205 Princes Highway, Arncliffe.**

* 64E. (1) This clause applies to part lots 18 and 19 in Deposited Plan 1646, known as Nos. 203-205 Princes Highway, Arncliffe, as shown coloured light scarlet with dark red edging and lettered "2(b2)" on the map marked "Rockdale Local Environmental Plan No. 152".

(2) Despite any other provision of this Ordinance, in respect of the carrying out of development for residential purposes on the land to which this clause applies:

(a) a residential flat building may be erected on land to which this clause applies containing more than two storeys above ground level if no point on the uppermost floor of the building has a height in excess of 7.6 metres above the ground level immediately below that point and no part of the building has a height in excess of 12 metres above the ground level immediately below that part; and

(b) a residential flat building shall not be erected on land to which this clause applies closer than 3 metres to a county road or a main road; and

(c) a residential flat building shall not be erected on land to which this clause applies having a frontage to a county road or a main road of less than 27 metres unless it is erected in conjunction with or as an extension of a residential flat building on part lots 20 and 21 in Deposited Plan 1646, known as No. 201 Princes Highway, Arncliffe. [Inserted LEP 152].

[* Note: Due to an error by Parliamentary Counsel, two separate clauses numbered "64E" have been inserted in the Ordinance].

**Restriction of development in respect of certain road proposals.**

65. Notwithstanding any other provision of this Ordinance, where on the scheme map a proposed new alignment of a road is shown by a broken black line with the words "proposed new alignment" the responsible authority shall not consent to the erection of buildings or the carrying out of works on land between the existing alignment of the road and the proposed new alignment other than minor and not substantial repairs and improvements for the purpose of permitting reasonable preservation and temporary use of a building or work: Provided that where the road proposed to be realigned is a county road or a main road, the responsible authority shall not consent to the carrying out of such repairs and improvements except with the concurrence of the Commissioner for Main Roads.
Development on certain roads.

65A. Where a length of public road shown uncoloured on the scheme map is lawfully closed, no development shall be carried out on the length of public road without the consent of the responsible authority and the concurrence of the Commission.

Development on certain lands.

65AA.(1) Nothing in this Ordinance prevents a person, with the consent of the council, from carrying out development on the land referred to in Column I of the Table to this clause for the purposes specified in Column II of that Table shown opposite that land.

(2) Where under subclause (1) land specified in Column I of the Table to this clause may be developed for the purposes for which land reserved for a purpose or included within a zone specified in Column II may be developed, the provisions of this Ordinance relating to land reserved for a purpose or included within a zone specified in Column I of the Table shall, on and from the date of inclusion of that land in Table, cease to apply to that land and the provisions of this Ordinance relating to land reserved for a purpose or included within a zone specified in Column II of the Table shall thereupon apply to that land.

<table>
<thead>
<tr>
<th>COLUMN I</th>
<th>COLUMN II</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Being lot 601, D.P.610515, Forest Road and Preddys Road, Bexley, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 4&quot; deposited in the office of the council.</td>
<td>Fruit and vegetable shop.</td>
</tr>
<tr>
<td>2. Land within Zone No. 3(b), having frontage to Princes Highway, or Monahan Avenue, Rockdale as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 7&quot; deposited in the office of the council and a copy of which is deposited in the office of the Department.</td>
<td>Any purpose included in Column IV shown opposite Zone No. 3(b) in Column I of the Table to clause 22; dwellings used in conjunction with purposes included in Column IV shown opposite Zone No. 3(b) in Column I of the Table to clause 22; aluminium products showrooms.</td>
</tr>
<tr>
<td>3. Land within Zone No. 4(b), having frontage to Princes Highway and Allen Street, Arncliffe, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 11&quot;, deposited in the office of the council.</td>
<td>Two-storey retail showroom and related car parking, where all vehicular ingress and egress is restricted to Allen Street, Arncliffe.</td>
</tr>
<tr>
<td>COLUMN I</td>
<td>COLUMN II</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>4. Land having frontage to Firth Street, Arncliffe, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 12&quot; deposited in the office of the council.</td>
<td>Any purpose included in Column III or IV of the Table to clause 22 shown opposite Zone No. 3(a) in Column I of that Table.</td>
</tr>
<tr>
<td>5. Land situated on the corner of Kingsland Road South and Bexley Road, Bexley, as shown coloured light scarlet on the map marked &quot;Rockdale Local Environmental Plan No. 13&quot; deposited in the office of the council.</td>
<td>Service station.</td>
</tr>
<tr>
<td>6. Land within the Zone No. 2(a) situated at the corner of Preddys Road and Stoney Creek Road, Bexley, being lot A, D.P. 317977, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 14&quot; deposited in the office of the council.</td>
<td>Retail food store.</td>
</tr>
<tr>
<td>7. Land having frontage to Arncliffe Street, Arncliffe, and being the land shown coloured light blue with dark scarlet edging and lettered 3(d) on Sheet 1 of the map marked &quot;Rockdale Local Environmental Plan No. 15&quot; deposited in the office of the council.</td>
<td>Panel beating and spray painting.</td>
</tr>
<tr>
<td>8. Land within Zone No. 2(a), having frontage to Gladstone Street, Bexley, and known as No. 23A Gladstone Street, Bexley, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 16&quot; deposited in the office of the council.</td>
<td>2-storey residential flat building Class A</td>
</tr>
<tr>
<td>9. Land having frontage to Hattersley Street, Banksia, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 26&quot; deposited in the office of the council.</td>
<td>Light industries.</td>
</tr>
<tr>
<td>10. Land within Zone No. 4(b) known as No. 380 West Botany Street, Rockdale, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 33&quot;.</td>
<td>Hospital and ancillary uses.</td>
</tr>
<tr>
<td>COLUMN I</td>
<td>COLUMN II</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>11. Land within Zone 2(a), having frontage to Forest Road, Bexley, and</td>
<td>Plant hire.</td>
</tr>
<tr>
<td>known as Nos. 558-560 Forest Road, Bexley, and the rear of No. 556</td>
<td></td>
</tr>
<tr>
<td>Forest Road, Bexley, as shown edged heavy black on the map marked</td>
<td></td>
</tr>
<tr>
<td>&quot;Rockdale Local Environmental Plan No. 48&quot;.</td>
<td></td>
</tr>
<tr>
<td>12. Land partly within Zone No. 3(b) and partly within Zone No. 2(a)</td>
<td>Storage and assembly of aluminium products.</td>
</tr>
<tr>
<td>being lots 52 and 53, D.P. 6679, known as Nos. 5-7 Monahan Avenue,</td>
<td></td>
</tr>
<tr>
<td>Rockdale, as shown edged heavy black on the map marked &quot;Rockdale Local</td>
<td></td>
</tr>
<tr>
<td>Environmental Plan No. 56&quot;.</td>
<td></td>
</tr>
<tr>
<td>13. Land within Zone No. 2(a), being lot 88, D.P. 1594, known as No. 62</td>
<td></td>
</tr>
<tr>
<td>Stoney Creek Road, Bexley, as shown edged heavy black on the map marked</td>
<td></td>
</tr>
<tr>
<td>&quot;Rockdale Local Environmental Plan No. 74&quot;.</td>
<td>Shops and dwellings.</td>
</tr>
<tr>
<td>14. Land within Zone No. 4(b), being part lots 13, 14 and 15 and</td>
<td>Motor showrooms.</td>
</tr>
<tr>
<td>lots 36 and 37, D.P. 1123, and known as Nos. 267-271 Princes Highway</td>
<td></td>
</tr>
<tr>
<td>and Nos. 22-24 Hattersley Street, Banksia, as shown edged heavy black</td>
<td></td>
</tr>
<tr>
<td>on the map marked &quot;Rockdale Local Environmental Plan No. 87&quot;.</td>
<td></td>
</tr>
<tr>
<td>15. Land within Zone No. 4(b), being part lot 2, D.P. 223186, and</td>
<td>Junk yards.</td>
</tr>
<tr>
<td>known as No. 35 Arncliffe Street, Arncliffe, as shown edged heavy</td>
<td></td>
</tr>
<tr>
<td>black on the map marked &quot;Rockdale Local Environmental Plan No. 96&quot;.</td>
<td></td>
</tr>
<tr>
<td>16. Land within Zone No. 3(d) known as part of 32-40 Princes Highway,</td>
<td>Shops. [Inserted LEP 102].</td>
</tr>
<tr>
<td>Arncliffe, being part of lot 103, D.P. 746547 and lot 1, section 1,</td>
<td></td>
</tr>
<tr>
<td>D.P. 1633, as shown edged heavy black on the map marked &quot;Rockdale</td>
<td></td>
</tr>
<tr>
<td>Local Environmental Plan No. 102&quot;.</td>
<td></td>
</tr>
<tr>
<td>17. Land within Zone No. 2(a), being lot A, D.P. 364959 and known as</td>
<td>Bus depot. [Inserted LEP 113].</td>
</tr>
<tr>
<td>No. 739 Forest Road, Bexley, as shown edged heavy black on the map</td>
<td></td>
</tr>
<tr>
<td>marked &quot;Rockdale Local Environmental Plan No. 113&quot;.</td>
<td></td>
</tr>
<tr>
<td>COLUMN I</td>
<td>COLUMN II</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>18. Land within Zone No. 4(b), being lot 35,</td>
<td>Motor showrooms.[Inserted LEP 131].</td>
</tr>
<tr>
<td>Section 4, D.P. 1123 and known as No. 26 Hattersley Street, Arndell,</td>
<td></td>
</tr>
<tr>
<td>being lot 53, D.P. 9826, as shown edged heavy black on the map marked</td>
<td></td>
</tr>
<tr>
<td>&quot;Rockdale Local Environmental Plan No. 131&quot;.</td>
<td></td>
</tr>
<tr>
<td>19. Land within Zone No. 2(a) and known as</td>
<td>Offices; consulting rooms including</td>
</tr>
<tr>
<td>No. 25 Stoney Creek Road, Bexley, being lot 53, D.P. 9826, as shown</td>
<td>offices for architects, surveyors,</td>
</tr>
<tr>
<td>edged heavy black on the map marked &quot;Rockdale Local Environmental Plan</td>
<td>solicitors and the like; other</td>
</tr>
<tr>
<td>No. 128&quot;.</td>
<td>commercial purposes which do</td>
</tr>
<tr>
<td></td>
<td>do not involve retailing activities</td>
</tr>
<tr>
<td></td>
<td>but which may contain a small</td>
</tr>
<tr>
<td></td>
<td>portion of showroom facilities.</td>
</tr>
<tr>
<td></td>
<td>[Inserted LEP 128].</td>
</tr>
<tr>
<td>20. Lot 1, D.P. 840863 and known as</td>
<td>Bulky goods, commercial premises</td>
</tr>
<tr>
<td>588 Princes Highway, Rockdale.</td>
<td>and shops (other than those</td>
</tr>
<tr>
<td></td>
<td>retailing food or clothing).</td>
</tr>
<tr>
<td></td>
<td>[Inserted LEP 136].</td>
</tr>
<tr>
<td>21. Lot 101, D.P. 826727 and Part Lot X and</td>
<td>Recreation facilities (being</td>
</tr>
<tr>
<td>Lot Y, D.P. 399728, and known as</td>
<td>buildings or places used for</td>
</tr>
<tr>
<td>328-336 Princes Highway, Banksia.</td>
<td>indoor recreation, billiard</td>
</tr>
<tr>
<td></td>
<td>saloons, table tennis centres,</td>
</tr>
<tr>
<td></td>
<td>squash courts, swimming pools,</td>
</tr>
<tr>
<td></td>
<td>gymnasiums, health studios, bowling alleys, fun parlours or</td>
</tr>
<tr>
<td></td>
<td>any other buildings or places</td>
</tr>
<tr>
<td></td>
<td>of a like character used for</td>
</tr>
<tr>
<td></td>
<td>recreation and whether used for</td>
</tr>
<tr>
<td></td>
<td>the purpose of gain or not, but</td>
</tr>
<tr>
<td></td>
<td>not places of assembly); refreshment rooms ancillary</td>
</tr>
<tr>
<td></td>
<td>to recreation facilities for which</td>
</tr>
<tr>
<td></td>
<td>consent has been granted; sale</td>
</tr>
<tr>
<td></td>
<td>and hire of sporting equipment</td>
</tr>
<tr>
<td></td>
<td>and clothing ancillary to</td>
</tr>
<tr>
<td></td>
<td>recreation facilities for which</td>
</tr>
<tr>
<td></td>
<td>consent has been granted.</td>
</tr>
<tr>
<td></td>
<td>[Inserted LEP 137].</td>
</tr>
<tr>
<td>22. Lot 11, D.P. 857373 and known as</td>
<td>Church and ancillary uses and</td>
</tr>
<tr>
<td>339 Forest Road, Bexley.</td>
<td>child care centre. [Inserted LEP 141].</td>
</tr>
<tr>
<td>23. Part Lots 26 to 30, Lot 54, D.P. 15666, Lot 1, D.P. 189968, Lot</td>
<td>Boarding-houses. [Inserted LEP 144].</td>
</tr>
<tr>
<td>1, D.P. 449986 and Lot 1, D.P. 186598, and known as 171-173</td>
<td></td>
</tr>
<tr>
<td>Bay Street, Brighton-Le-Sands.</td>
<td></td>
</tr>
</tbody>
</table>
Development of certain land zoned or reserved for Special Uses.

65B.(1) This clause applies to -

(a) all land within Zone No. 5(a) (Parking) or reserved under clause 9 for Special Use - Parking; and

(b) any other land within Zone No. 5(a) which is owned by the council.

(2) Nothing in this Ordinance prevents a person, with the consent of the responsible authority, from carrying out development on land referred to in subclause (1) for any purpose.

(3) Consent shall not be granted as referred to in subclause (2) unless the responsible authority is satisfied that such development will not prevent the use of the land for the purpose for which it is zoned or reserved.

Boarding-houses

65BA. Notwithstanding any other provision in this Ordinance, the Council shall not consent to the use of land for the purpose of a boarding-house, within Zone No. 2(a), 2(b1) or 2(b2) unless the land is located within 500 metres of land within Zone No. 3(a).  

Potentially contaminated land

65C.(1) This clause applies to land identified in the Table to this clause.

(2) Before granting a consent in respect of this land, the Council must make an assessment of whether remedial works need to be carried out because of contamination of the land.
In determining whether or not to grant such a consent, the Council must take into consideration any guidelines, protocols or standards known to the Council to have been published by the Environment Protection Authority or the Department of Urban Affairs and Planning (or both) and which are relevant to remediation procedures, the type of contamination on the land or the type of use to which the land was, is, or is proposed to be, put.

When granting a consent, the Council may impose conditions which:

(a) require the investigation, sampling and testing of the land; and

(b) require preparation of a remedial action plan for the land, being a detailed plan for the remediation and validation of the remediation in relation to any part of the land affected by contamination; and

(c) require remediation of the land or any part of it to an appropriate standard; and

(d) prohibit the construction or erection of a building or the carrying out of a work associated with the proposal other than remediation work on any part of the land pursuant to the consent until the Council accepts in writing an independent review verifying the remediation of the land to an appropriate standard.

This subclause does not prevent the imposition of other kinds of conditions on such a consent or limit the extent of the conditions that may be imposed on such a consent.

In this clause:

"appropriate standard" means remediation to a standard appropriate for the intended use in terms of the requirements of the Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites, jointly developed by the Australian and New Zealand Environment and Conservation Council ("ANZECC") and the National Health and Medical Research Council ("NH&MRC"), published in 1992;

"independent review" means the checking of adherence to standards, procedures and protocols employed in a remediation process and the expression of an opinion on the conclusions reached in that process by a person:

(a) who is independent of the person who is carrying out the remediation, or on whose behalf the remediation is being carried out; and

(b) who is recognised by the Environment Protection Authority as satisfying a suitable public standard of competence and expertise (such as is provided by appointment as an environmental auditor under the Victorian Environment Protection Act 1970). [Inserted LEP 118]
### TABLE

1. Land having frontage to Queen Victoria Street and Forest Road, Bexley, known as No. 163 Queen Victoria Street, Bexley, as shown distinctively coloured on the map marked "Rockdale Local Environmental Plan No. 118".

2. Land having frontage to Marshall Street, Kogarah, known as No. 69 Marshall Street, Kogarah as shown coloured light scarlet with dark red edging and lettered "2(b2)" on the map marked "Rockdale Local Environmental Plan No. 123".

3. Land having a frontage to Wollongong Road, Arncliffe, being Lot 1 in Deposited Plan 533631, and known as No. 84 Wollongong Road, Arncliffe, as shown coloured light scarlet with dark red edging and lettered "2(b2)" on the map marked "Rockdale Local Environmental Plan No. 132".

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**Development on certain flood-prone land**

65CA. (1) This clause applies to certain flood-prone land, being the land identified in the Table to this clause.

(2) A person must not erect a building or carry out a work for any purpose on land to which this clause applies except with the consent of the Council.

(3) The Council must not grant consent to development on land to which this clause applies unless it has taken into consideration whether the proposed development would -

(a) adversely impede the flow of flood waters on that land and land in its immediate vicinity; or

(b) imperil the safety of persons on that land and land in its immediate vicinity; or

(c) aggravate or be likely to result in erosion, siltation or the destruction of vegetation; or

(d) cause any adverse effect on the water table of that land or land in its immediate vicinity.

(4) Nothing in this clause prevents the Council from granting consent for reasonable repairs to, the renovation of, alterations to, extensions to, additions to, or a different use of, an existing building, if there will be no resulting increase in flood risk on the land or other land.
The Council may, as a condition of a consent required by this clause -

(a) require the floor level of a building or work to be at a height sufficient, in its opinion, to prevent or reduce the incidence of flooding of that building or work or adjoining land or to protect the safety of persons using the building or work or adjoining land; or

(b) require the development to meet such other requirements or the carrying out of such other works as are necessary, in its opinion, to achieve the objectives of paragraph (a) or the objectives of any floodplain management plan prepared by the Council in accordance with the Floodplain Development Manual, published by the New South Wales Government in 1986, and a copy of which is available for inspection at the office of the Council.

[Inserted LEP 162]

**TABLE**

Land having frontage to Arncliffe and Lusty Streets, Arncliffe, being Lot 1 in DP 997852, and known as No. 35 Arncliffe Street, Arncliffe, as shown coloured aqua on the map marked “Rockdale Local Environmental Plan No. 162”.

[Inserted LEP 162]

Land at Arncliffe generally bounded by the Princes Highway on the east, Wolli Creek on the north and the Southern and Western Suburbs Ocean Outfall Sewer and Thompson Street on the south-west, as shown coloured light blue on the map marked “Rockdale Local Environmental Plan No. 116 - North Arncliffe - Sheet 4 - Flood-Prone Land”. [Inserted LEP 116]

Land at Arncliffe bounded by the Princes Highway on the east, Cooks River on the north, the Illawarra Railway line on the west and Lusty and Arncliffe Streets on the south, as shown coloured dark green with red edging and lettered H or aqua with red edging and lettered 10(a1) on the map marked “Rockdale Local Environmental Plan No. 149 - Sheet 1”. [Inserted LEP 149]

**Development of land at 158-164 Princes Highway, Arncliffe**

65D. (1) This clause applies to the land at 158-164 Princes Highway, Arncliffe, known as lot 6 DP 260755, lot 8 DP 656045 and part lots 5-7 DP 2976 and shown edged heavy black on the map marked "Rockdale Local Environmental Plan No. 119" deposited in the office of Rockdale City Council.

(2) The Council must not consent to the carrying out of development for the purpose of a residential flat building on the land to which this clause applies unless the Council is satisfied that:
(a) the design, siting, scale, height and bulk of, and the material to be used in, the proposed building will result in a building of high architectural merit that reflects the prominent location of the land; and

(b) adequate measures have been taken to mitigate the effects of traffic noise and pollution on the occupants of the proposed building (both inside the building and in areas set aside for the occupants' recreational use); and

(c) the proposed building will be no higher than:

(i) 2 storeys above the ground, in the case of any part of the building that will be adjacent to the eastern or southern boundary of the land; and

(ii) 3 storeys above the ground, in the case of any other part of the building.

(3) Despite subclause (2)(c), the Council may grant a consent referred to in subclause (2):

(a) even though the part of the proposed building that is to be adjacent to the eastern or southern boundary of the land will be 3 storeys above the ground - but only if the Council is satisfied that overshadowing from that part of the building will have no greater adverse impact than if that part were limited to 2 storeys above the ground; and

(b) even though the part of the proposed building that is to be on the north-western corner of the land will be 4 storeys above the ground - but only if the Council is satisfied that the proposed building is of such architectural merit, and so appropriate to the location of the land, as to warrant that consent.

[Inserted LEP 119]

Development on land at 286A and 294-298 Forest Road, Bexley, and No. 159 Frederick Street, Rockdale

65E. (1) This clause applies to the land being part Lots 3 and 4 and Lot 31 DP 1353, Lots A, B and C, DP 327795, Lots X and Y, DP 33367, and Lots A and B, DP 380056, known as 286A and 294-298 Forest Road, Bexley, and No. 159 Frederick Street, Rockdale, shown coloured light blue on the map marked “Rockdale Local Environmental Plan No. 155”.

(2) In this clause:

“bed sitter” means a dwelling in which the living areas are combined in the same room with sleeping areas and includes dwellings commonly referred to as studio dwellings but does not include a dwelling commonly referred to as a loft apartment.

“underground parking” means a car park situated totally underground and below ground level or, where a portion of the car park is located above ground level, the portion is contained entirely within the envelope of a building.
(3) Notwithstanding clause 63(1), the floor space ratio of any building erected or proposed to be erected on land to which this clause applies must not be greater than 2:1. A building must not be erected on land to which this clause applies if the ratio of so much of the gross floor area of the building as is used for all residential purposes to the site area would exceed 1.05:1.

(4) The height of a building or other structure erected on land to which this clause applies must not exceed RL 65.0m AHD. This height is inclusive of all structures such as buildings, vents, chimneys, antennas, and the like.

(5) Notwithstanding any other provisions of this Ordinance, a building erected on land to which this clause applies must not contain bed sitter style accommodation.

(6) A building to be erected on land to which this clause applies must provide all carparking to meet the requirements of the council in the form of on-site underground parking.

(7) A building to be used for residential purposes must not be erected on land to which this clause applies unless natural light to all habitable rooms is to be provided in accordance with the Building Code of Australia.

[Inserted LEP 155]

Development on land at 25 York Street, Rockdale

65F. (1) This clause applies to the land being lots 23-28, Sec A, D.P. 2099, known as 25 York Street, Rockdale, as shown coloured light blue on the map marked "Rockdale Local Environmental Plan No. 151".

(2) Notwithstanding the provisions in the Table to clause 22 relating to Zone No. 3(a), the land to which this clause applies may only be used for the purpose of a library, commercial premises, car parking and community facilities.

(3) A building or other structure to be erected on land to which this clause applies must not exceed 13 metres in height.

[Inserted LEP 151]
PART VIII.

General.

Savings.

66. Nothing in this Ordinance shall be construed as restricting or prohibiting or enabling the responsible authority to restrict or prohibit -

(a) the carrying out of development of any description specified in Schedule 8;
(b) the use of existing buildings of the Crown; or
(c) home occupations carried on in dwelling houses.

Rights, etc., under County of Cumberland Planning Scheme.

67. The revocation, pursuant to section 342L(2)(d) of the Act, of the County of Cumberland Planning Scheme to the extent to which it applies in respect of all land within the Municipality of Rockdale shall not affect -

(a) the preservation, continuance or enforcement of any right, privilege, obligation or liability acquired, accrued or incurred under that Scheme in respect of any land to which this Ordinance applies before such revocation;
(b) the taking of legal proceedings in respect of any offence under that Scheme committed in respect of any land to which this Ordinance applies before such revocation.

Application of Scheme to development incomplete at commencement of Scheme.

68. Nothing in this Ordinance shall prevent the erection of a building or the carrying out of any work and the use of such building or work in accordance with the terms of the Town and Country Planning (General Interim Development) Ordinance or of any permission or modification thereof granted under Division 7 of Part XIXA of the Act and under that Ordinance or under an interim development order which permission has not been revoked, or of any consent granted under the County of Cumberland Planning Scheme if the erection of the building or the carrying out of such work was commenced, but not completed, before the appointed day or is substantially commenced within a period of twelve months after that day.

Application of scheme to development before commencement of Scheme.

69. Any development which was carried out after 12th July 1946, otherwise than in accordance with the terms of the Town and Country Planning (General Interim Development) Ordinance or of Division 7 of Part XIXA of the Act or otherwise than in accordance with the County of Cumberland Planning Scheme and which does not conform with the provisions of this Ordinance shall be deemed to be in contravention of this Ordinance.
Fulfilment of conditions.

70. (1) Where permission to erect any building or to carry out any work or to use any building, work or land or to do any other act or thing has been granted under Division 7 of Part XIIA of the Act or under any Ordinance made under that Part or where any consent for any such purpose has been granted under the County of Cumberland Planning Scheme and conditions have been imposed which are not inconsistent with any provisions of this Ordinance, the conditions shall have effect as if they were conditions imposed under this Ordinance and may be enforced accordingly.

(2) Where, in accordance with the provisions of Part IV, an existing building or an existing work is maintained and used for its existing use or an existing use of land is continued and such use is permissible by virtue of a consent granted under the County of Cumberland Planning Scheme, such consent and any conditions attached thereto may be enforced as if it were a consent granted under this Ordinance, or such conditions were attached to a consent so granted.

Leasing of certain lands.

71. (1) Where the responsible authority has acquired any land for any purpose under this Ordinance and where it appears to the responsible authority that such purpose cannot be carried into effect within a reasonable time after such acquisition, the responsible authority may let such land by way of lease under and subject to the provisions of the Act.

(2) In the case of land acquired for the purpose of a main road or county road, the consent of the Department of Main Roads to the lease shall first be obtained.

(3) In determining the term of any such lease regard shall be had to the time when the land is likely to be required for the purpose for which it was acquired or the time when the purposes of the acquisition are likely to be carried into effect.

(4) Any such lease may authorise the erection of buildings, the carrying out of works and the making of excavations for any purpose but in any case where such purposes are inconsistent with the purposes for which the land is reserved or zoned under this Ordinance, the lease shall require the removal of any such buildings or works or the reinstatement of the land before the end of the term of the lease.

(5) Where the Commission is the responsible authority under the Ordinance it shall, before determining any application under this clause, consult with the Council and shall take into consideration any representations made by the Council in relation thereto.

Classification or reclassification of public land as operational land.

71A. The public land described in Schedule 11 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993. [Inserted LEP 142].
Suspension of Acts, covenants, etc.

72. (1) The operation of section 309 of the Act and of the proclamations made thereunder declaring residential districts is hereby suspended to the extent to which such section and such proclamations are inconsistent with any of the provisions of this Ordinance or with any consent given thereunder.

   (2) In respect of any land included in a zone, the operation of Schedule Seven to the Act is hereby suspended to the extent to which the provisions of such Schedule are inconsistent with any provision of this Ordinance.

   (2A) For the purpose of enabling development to be carried out in accordance with clause 59(2A)(as in force at the time the development is carried out) or in accordance with a consent granted under the Environmental Planning and Assessment Act, 1979, the provisions of section 314(1)(c) of the Local Government Act, 1919, and of Schedule 7 to that Act, to the extent necessary to serve that purpose, shall not apply to any such development.

   (2B) Pursuant to section 28 of the Environmental Planning and Assessment Act, 1979, before the making of Rockdale Local Environmental Plan No. 21, the Governor, pursuant to a recommendation made with the written concurrence of the Minister for Local Government and Lands, approved of subclause (2A).

   (3) In respect of any land which is comprised within any zone, other than within Zone No. 2(a), 2(b1), 2(b2), 2(c1) or 2(c2), the operation of any covenant, agreement or instrument imposing restrictions as to the erection or use of buildings for certain purposes or as to the use of land for certain purposes is hereby suspended to the extent to which any such covenant, agreement or instrument is inconsistent with any provision of this Ordinance or with any consent given thereunder.

   (4) Nothing in subclause (3) shall affect the rights or interests of any statutory authority under any registered instrument.

Plans of subdivision.

73. The Council shall retain and catalogue a copy of every plan of subdivision approved by it and upon registration of such plan in the office of the Registrar General, shall clearly mark on a copy of a map of its area the location of the land to which each such plan relates with reference to the catalogued copy.

74. * * * * * * *
Review.

75. The Council shall, whenever directed by the Commission so to do and in any case within ten years from the appointed day, review the scheme and prepare and submit to the Commission in accordance with the provisions of the Act a town and country planning scheme or schemes varying this scheme.

Development of land shown unzoned on the map

76. (1) This clause applies to all land to which this Ordinance applies that is shown unzoned on the scheme map.

(2) A person may, without the consent of the responsible authority:

(a) carry out development on the land to which this clause applies for the purpose of constructing, installing or maintaining roads or utility installations (other than railways, water or air transport, wharf or river undertakings, gas holders and generating works), and

(b) carry out any ordinarily incidental or ancillary development.

(3) A person may, with the consent of the responsible authority, carry out development on land to which this clause applies for any other purpose.

[Inserted LEP 134]
SCHEDULES

Schedule 1. (Cl.22)

*     *     *     *     *     *     *     *

Schedule 2. (Cl.22)

Beauty salon.
Boot and shoe repairing.
Bread, cake and pastry manufacture.
Dressmaking.
Dry cleaning and dyeing agency.
Hairdressing saloon.
Home Industry.
Lending library.
Maintenance and repair of electrical appliances and fittings.
Professional chambers.
Refreshment room.
Self service coin operated laundry.
Service station.
Tailoring.

Schedule 3. (Cl.22)

Chemist's shop.
Confectionery shop and milk bar.
Fish and chip shop.
Fruit shop.
Newsagent's shop.
Opportunity shop.
Shops retailing bulky goods.
Smallgoods and sandwich shop.
Tobacconist's and hairdresser's shop.
Schedule 4.  

Boot and shoe repairs.  
Bread, cake and pastry manufacture.  
Builder's yard.  
Carrier's establishment.  
Cycle and motor cycle repairs.  
Dental mechanic's workshop.  
Dressmaking.  
Dry cleaning and dyeing processing establishment.  
Electrician's workshop.  
Electrical home appliance repair workshop.  
Instrument repair workshop.  
Laundry.  
Locksmith.  
Office machine and equipment repair.  
Painter's workshop.  
Photographic and film developing.  
Plumber's workshop.  
Printer (jobbing).  
Radio and television mechanic's workshop.  
Signwriter's workshop.  
Tailoring.  
Tool sharpening and grinding workshop.  
Undertaker's establishment.  
Upholstering.  
Veterinary surgeon's establishment.  
Any home industry not specified above.

Schedule 5.  

* * * * * * * *
Schedule 6. (Cl. 63, 64)

Lots 58 to 63 inclusive, Deposited Plan 15391, lots A, B, C, D, E and F, Deposited Plan 16411, lots 111 to 116 inclusive, Deposited Plan 15391, lot 16, and lots 28 to 34 inclusive, Deposited Plan 2032, lots 23 and 24, Deposited Plan 1534, lots A, B and C in File Plan 374279, lots A and B in File Plan 365657, lots A, B and C and R.O.W., Deposited Plan 102921, lots A and B in File Plan 420608 and lot 37, Deposited Plan 6120, having frontages to Rocky Point Road, Ramsgate.

Also lots 1 to 5 inclusive and R.O.W. in Deposited Plan 10338, lots A and B and R.O.W. in File Plan 328129, lots A, B and C and R.O.W. in File Plan 309885, lots A, B and C and R.O.W. in File Plan 419458 and lot E in File Plan 408279, having frontages to Forest Road, Bexley.

Also all that piece or parcel of land commencing at a point on the northeastern boundary of Bexley Road at its junction with the northwestern boundary of a right of way shown in File Plan 333049 and bounded thence on the northwest by that boundary of that right of way and a prolongation thereof through lot 1 in File Plan 168260 to the southwestern boundary of Bayview Street and bounded thence on the northeast, east and southwest by the boundaries of Bayview Street, Forest Road and Bexley Road to the point of commencement and generally having frontages to Forest Road, Bexley.

Also that part of lot D in File Plan 408279 commencing at a point being the western-most corner of lot E in File Plan 408279 and bounded on the southeast by the northeast boundary of the said lot E for 4.572 metres thence on the northeast by the southwestern boundary of a right of way shown in File Plan 408279 for 3.048 metres thence on the northwest by a line bearing southwest for 4.572 metres to the eastern-most corner of lot 5 section 7 Deposited Plan 1030 thence on the southwest by a line bearing southeast for 3.048 metres to the point of commencement and generally having frontages to Forest Road, Bexley.

Schedule 7. (Cl. 64)

Lots 2 and 17, Deposited Plan 5475, but excluding thereout those parts of lots A and B, in File Plan 374332 and that part of lot 7, Deposited Plan 131513, as were formerly comprised in the said lot 17, Deposited Plan 5475, being land in Woodford Street and at the rear of land at Villiers Street and Wolli Creek Road, Rockdale.
1. The carrying out by persons carrying on railway undertakings on land comprised in their undertakings of -

(a) any development required in connection with the movement of traffic by rail, including the construction, reconstruction, alteration, maintenance and repair of ways, works and plant;

(b) the erection within the limits of a railway station of buildings for any purpose;

(c) the erection, reconstruction and alteration of buildings for railway undertaking purposes within Zone No. 5(b) outside the limits of a railway station;

but excluding -

(i) the construction of new railways, railway station and bridges over roads;

(ii) the erection of any buildings on land not included in Zone No. 5(b);

(iii) the erection, reconstruction and alteration of buildings for purposes other than railway undertaking purposes outside the limits of a railway station and the reconstruction or alteration so as materially to affect the design thereof, of railway stations or bridges;

(iv) the formation or alteration of any means of access to a road;

(v) the erection, reconstruction and alteration of buildings for purposes other than railway purposes where such buildings have direct access to a public place.

2. The carrying out by persons carrying on public utility undertakings, being water, sewerage, drainage, electricity or gas undertakings, of any of the following development, being development required for the purpose of their undertakings, that is to say -

(a) development of any description at or below the surface of the ground;

(b) the installation of any plant inside a building or the installation or erection within the premises of a generating station or substation established before the appointed day of any plant or other structures or erections required in connection with the station or substation;

(c) the installation or erection of any plant or other structures or erections by way of addition to or replacement or extension of plant or structures or erections already installed or erected, including the installation in an electrical transmission line of substations, feeder-pillars or transformer housings, but not including the erection of overhead lines for the supply of electricity or pipes above the surface of the ground for the supply of water, or the installation of substations, feeder-pillars or transformer housings of stone, concrete or brickwork;
(d) the provision of overhead service lines in pursuance of any statutory power to provide a supply of electricity;

(e) the erection of service reservoirs on land acquired or in process of being acquired for the purposes thereof before the appointed day, provided reasonable notice of the proposed erection is given to the responsible authority;

(f) any other development except -

(i) the erection of buildings, the installation or erection of plant or other structures or erections and the reconstruction or alteration, so as materially to affect the design or external appearance thereof, of buildings;

(ii) the formation or alteration of any means of access to a road.

3. The carrying out by persons carrying on public utility undertakings, being water transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by water, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except -

(a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof;

(b) the formation or alteration of any means of access to a road.

4. The carrying out by persons carrying on public utility undertakings, being wharf or river undertakings, on land comprised in their undertakings, of any development required for the purposes of shipping or in connection with the embarking, loading, discharging or transport of passengers, livestock or goods at a wharf or the movement of traffic by a railway forming part of the undertaking, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, works and plant, except -

(a) the construction of bridges, the erection of any other buildings, and the reconstruction or alteration of bridges or of buildings so as materially to affect the design or external appearance thereof;

(b) the formation or alteration of any means of access to a road.
5. The carrying out by persons carrying on public utility undertakings, being air transport undertakings, on land comprised in their undertakings within the boundaries of any aerodrome, of any development required in connection with the movement of traffic by air, including the construction, reconstruction, alteration, maintenance and repair of ways, buildings, wharves, works and plant required for that purpose, except -

(a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof;

(b) the formation or alteration of any means of access to a road.

6. The carrying out by persons carrying on public utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by road, including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except -

(a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect the design or external appearance thereof;

(b) the formation or alteration of any means of access to a road.

7. The carrying out by the owner or lessee of a mine, on the mine, of any development required for the purposes of the mine, except -

(a) the erection of buildings (not being plant or other structures or erections required for the mining, working, treatment or disposal of minerals) and the reconstruction, alteration or extension of buildings so as materially to affect the design or external appearance thereof.

(b) the formation or alteration of any means of access to a road.

8. The carrying out of any development required in connection with the construction, reconstruction, improvement, maintenance or repair of any county road or other road, except the widening, realignment or relocation of such road.

9. The carrying out of any development required in connection with the improvement, maintenance or repair of watercourses or drainage works and the construction by the Metropolitan Water Sewerage and Drainage Board of any stormwater channel commenced before the appointed day, provided the Board gives the responsible authority reasonable notice of its intention to construct such stormwater channel.
10. The carrying out by the Metropolitan Water Sewerage and Drainage Board of any development required in connection with the provision, improvement, maintenance and repair of sewers (other than sewage treatment works) upon, below or above the surface of the ground, provided the Board gives the responsible authority reasonable notice of its intention to carry out such development.

Schedule 9. (Cl. 64A)

1. Stormwater drainage: construction and landscaping of stormwater and other drainage structures including drainage swales, retention basins, inlet/outlet systems, culverts and piping systems.

2. Construction and landscaping of local roads.

3. Public carparking and landscaping areas in business centres; construction and embellishment of public carparks and landscaped areas.

4. Community facilities; childcare centres, community meeting rooms and youth centres;

5. Serviced residential land for community facilities.

6. Embellishment of local open space.
SCHEDULE 10 - HERITAGE CONSERVATION (Cl.4(1))

PART 1 - HERITAGE ITEMS

"Tempe House" precinct, 1 Princes Highway, Arncliffe, being all that land shown edged heavy black on the Sheet 2 of the map marked "Rockdale Local Environmental Plan No. 84" deposited in the office of the council and including all buildings, works, relics, vegetation and landscape features on the land.

"Lydham Hall" - 18 Lydham Avenue, Rockdale.
"Wilson's Farm House" - 310 West Botany Street, Rockdale.
"Forsythe" - 57 Hannam Street, Turrella. [Note: Now Bardwell Valley]
"Dappeto" - 171 Wollongong Road, Arncliffe.
"Cairnsfoot" - 14 Loftus Street, Arncliffe. [Note: Actually located at No. 18 Loftus Street, Turrella]
"Teluba" - 19 Segenhoe Street, Arncliffe (part of property 168 Princes Highway).
"Wilga" - 220 Forest Road, Arncliffe.
"Pembroke Cottage" - 9 Bennett Street, Kingsgrove.
"John Downey's Cottage" - 14 Downey Street, Bexley.
"Fairview" - 197 Wollongong Road, Arncliffe.
"Meryton" - 58 Roach Street, Arncliffe.
"Gladstone" and "Wentworth" - 134-136 Forest Road, Arncliffe.
"Dunvegan" - 28 Harrow Road, Bexley. [Note: Now part of No. 10 Albyn Street]
"St. Elmo" - 50 Harrow Road, Bexley.
"Dundry" - 44 Verdun Street, Bexley.
Houses 25 to 33 and 37 Harrow Road, Bexley.
"Glenwood" - 27 Eden Street, Arncliffe. [Note: Now part of Nos. 27-29 Eden Street, known as units 1/27 and 2/27]
"The Bay Street Uniting Church" - 11 Bay Street, Rockdale.
"Old St. David's Church" - Hirst Street, Arncliffe (also known as 2 Edward Street). [Note: Now 2 Edward Street, Turrella]
Arncliffe Public School - 168 Princes Highway, Arncliffe.
Arncliffe Post Office - 38 Firth Street, Arncliffe. [Note: Now known as No. 35 Firth Street]
Arncliffe Railway Station - Firth Street, Arncliffe.
House - 2 Forest Road, Arncliffe. [Note: Actually located at No. 6 Forest Road]
House - 15 Cameron Street, Rockdale. [Note: Now Banksia]
"Lincleden" - 73 Frederick Street, Rockdale.
"Ercildoune" - 274 Forest Road, Bexley.
"Tonbridge" - 33 Gladstone Street, Bexley.
"Roslyn Hall" - 89 Cameron Street, Rockdale. [Note: Known as Nos 85-89 Cameron Street]
"Fontainbleau" - 7 Napoleon Street, Sans Souci.
"Newstead" - 1 Carlton Street, Arncliffe.
"Mill Cottage" - 29-31 John Street, Arncliffe. [Note: Now Bardwell Valley]
"Coburra" - 184 Forest Road, Arncliffe.
"Wambrook" - 26 Grey Street, Carlton.
"Yamba Worra" - 11 Heathcote Street, Rockdale.
"Bexley Fire Station" - 163 Queen Victoria Street, Bexley. [LEP 101] [Note: Units 12/163 and 13/163 only]
"Rosslyn Hospital" - 30 Forest Road, Arncliffe. [LEP 101]
Terraces - 64-68 The Grand Parade, Brighton-le-Sands. [LEP115]
Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) pipeline, aqueduct and bridge - Bonar Street to Wolli Creek, Arncliffe. [LEP 116] [Note: Known as Nos. 27 and 27A Lusty Street and part No. 74 Bonar Street]
Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) aqueduct - Argyle Street to Arncliffe Street, Arncliffe. [LEP 116] [Note: Known as Nos. 18 and 20 Arncliffe Street]
Wolli Creek Wetlands - Wolli Creek, Arncliffe (southern side, between Cooks River and the SWSOOS aqueduct). [LEP 116] [Note: State Rail Authority land and part No. 75 Henderson Street, Turrella]

[Part 1 of Schedule 10 continues next page]
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<th>SUBURB</th>
<th>PROPERTY DESCRIPTION</th>
<th>NAME OF ITEM</th>
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<tbody>
<tr>
<td>Beaconsfield Street, 2-2A</td>
<td>Bexley</td>
<td>Lot C, DP 400028</td>
<td>Bayview Lodge</td>
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<td>Beaconsfield Street, 16A</td>
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<td>Seaforth Park</td>
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<td>Bestic Street, 58</td>
<td>Rockdale</td>
<td>Cnr Lot 1, Sec 11, DP 1677</td>
<td>Rock Lynn</td>
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<td>Bexley Road, 389</td>
<td>Bexley</td>
<td>Lots 1&amp;2, DP 119398 &amp; Lots 1&amp;2 DP 559733</td>
<td>Donnans Reserve</td>
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<td>Bexley Road, 369D &amp; 369F</td>
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<td>Bardwell Creek Flora Reserve (south of Bexley Road)</td>
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<td>Bexley Road, 369E</td>
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<td>Former Quarry</td>
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<td>Broadford Street, 80</td>
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<td>Lot 6, DP 651338</td>
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<td>Bardwell Park and Botanical Gardens</td>
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<td>Caledonian Street</td>
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<td>Carlton Parade, 92</td>
<td>Carlton</td>
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<td>Chandler Street, 23</td>
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<td>Lot B, DP 343582</td>
<td>Banbury Cottage</td>
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<tr>
<td>Clareville Avenue, (cnr Russell Avenue)</td>
<td>Sans Souci</td>
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<td>Tram route alignment, tram shelter, island and plantings</td>
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<tr>
<td>Connemarra Street (opposite Nos 1 &amp; 28)</td>
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<td>Sewer vents</td>
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<td>Dowling Street, 19</td>
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<td>Duncan Street, 23</td>
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<td>Duncan Street, 25</td>
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<td>Stone cottage</td>
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<td>Dunmore Street, North</td>
<td>Bexley</td>
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<td>Street plantings</td>
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<td>Dunmore Street, 1A, 1B, 1C</td>
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<td>Pt Lot 18, Sec 2, DP 1680, Lot 19 DP 1036 &amp; Cnr Lot 20, Sec 2, DP 1036</td>
<td>Christ Church Anglican Church and hall</td>
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<td>Dunmore Street, 18</td>
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<td>Ercildoune</td>
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<td>Fairmont</td>
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<td>Eden Street, 39</td>
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<td>Ethel Street, 12</td>
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<td>Victorian terrace</td>
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<td>Farr Street, 142</td>
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<td>House</td>
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<tr>
<td>Firth Street (laneway between Nos 43 &amp; 44 through to Stanley Street)</td>
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<td>Sec 1, Lot 81, DP 1677</td>
<td>Glenevie Lane</td>
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<td>Fleet Street, 52</td>
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<td>Forest Road, (between St Georges Road and Waratah Street)</td>
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<td>Car Lot 12, DP 580363</td>
<td>St Francis Xavier Catholic Presbytery</td>
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<td>Lot 49, DP 1919</td>
<td>Arncliffe preschool and kindergarten</td>
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<td>Forest Road, 267-269</td>
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<td>Lots 26&amp;27, Sec 3, DP 1114 &amp; Lot 4, DP 951021</td>
<td>St Andrew’s Church</td>
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<td>Forest Road, 330</td>
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<td>Forest Road, 339 - 377</td>
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<td>Lot 11, DP 857373</td>
<td>Original Bexley School buildings</td>
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<td>Lots 81&amp;82, DP 748688</td>
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<td>Forest Road, 496</td>
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<td>Lot 1, DP 660880, Lot A, DP 314295 &amp; Lots A&amp;B, DP 325598</td>
<td>Victoria House</td>
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<td>Forest Road, 747</td>
<td>Bexley</td>
<td>Lot 1, DP 58600 &amp; Lot 1, DP 782491</td>
<td>Original Church building and convent only</td>
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<td>Gladstone Street</td>
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<td>Lot 3, DP 455079</td>
<td>Street plantings</td>
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<td>Gloucester Street, (southern side)</td>
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<td>Lot 53, Sec E, DP 1771 &amp; Lot 54, DP 455079</td>
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<td>Godfrey Street, 7</td>
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<td>Henderson Street, 75 (only part of property)</td>
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<td>High Street, 5</td>
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### Rockdale Planning Scheme Ordinance

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<td>John Street, 40</td>
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<td>Lot 48, DP 222779, Lot 63, DP 627125 &amp; Lot 3, DP 232421</td>
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<td>Kembla Street, 8</td>
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<td>Kingsgrove Avenue, 15</td>
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<td>Brush Cherry (Syzygium Paniculatum)</td>
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<td>Kitchener Street, 34</td>
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<td>Kyle Street, 31</td>
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<td>Mawson Street</td>
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<td>President Avenue, 99</td>
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<td>Hawthorn Street Reserve</td>
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<tr>
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<td>Fig trees</td>
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<td>Princes Highway, 448</td>
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<td>Queen Victoria Street, 131</td>
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<td>Former Bexley Council Chambers (Jack and Jill Kindergarten)</td>
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<td>Ramsgate Road, 107</td>
<td>Ramsgate</td>
<td>Cnr Lots 82&amp;83, DP 2030</td>
<td>Sans Souci Literary Institute</td>
<td>208</td>
</tr>
<tr>
<td>Riverside Drive</td>
<td>Sans Souci</td>
<td></td>
<td>Cook Park</td>
<td>79</td>
</tr>
<tr>
<td>Riverside Drive (between Napoleon and Waldron Streets)</td>
<td>Sans Souci</td>
<td></td>
<td>Norfolk Island pine trees</td>
<td>78</td>
</tr>
<tr>
<td>Roach Street (between Gore Street and Forest Road)</td>
<td>Arncliffe</td>
<td></td>
<td>Walz quarry</td>
<td>12</td>
</tr>
<tr>
<td>Robertson Street, 7</td>
<td>Kogarah</td>
<td>Lot 6, DP 775160 (being Lot 7 in SP 41680)</td>
<td>Stone cottage only</td>
<td>167</td>
</tr>
</tbody>
</table>
### Rockdale Planning Scheme Ordinance

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>SUBURB</th>
<th>PROPERTY DESCRIPTION</th>
<th>NAME OF ITEM</th>
<th>INVENTORY No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Russell Avenue, 190</td>
<td>Dolls Point</td>
<td>Lot 2, DP 530790 &amp; Lot 449, DP 752056</td>
<td>Primrose House</td>
<td>57</td>
</tr>
<tr>
<td>Segenhoe Street, 23</td>
<td>Arndell</td>
<td>Lot A, DP 339374</td>
<td>Victorian house</td>
<td>376</td>
</tr>
<tr>
<td>Segenhoe Street, 25</td>
<td>Arndell</td>
<td>Lot 16, Sec E, DP 2271</td>
<td>Victorian house</td>
<td>376</td>
</tr>
<tr>
<td>Short Street, 65</td>
<td>Carlton</td>
<td>Lot 2, DP 221335</td>
<td>House</td>
<td>R40A</td>
</tr>
<tr>
<td>Short Street, 67</td>
<td>Carlton</td>
<td>Lot 1, DP 221335</td>
<td>House</td>
<td>R40A</td>
</tr>
<tr>
<td>Slade Road, 112</td>
<td>Bardwell Park</td>
<td>Lot 8, DP 22052</td>
<td>Hillsdon’s Nursery</td>
<td>20</td>
</tr>
<tr>
<td>Slade Road, 167</td>
<td>Bexley North</td>
<td>Lot 8, DP 22052</td>
<td>Hillsdon’s Nursery</td>
<td>20</td>
</tr>
<tr>
<td>Stoney Creek Road, 26</td>
<td>Bexley</td>
<td>Lot 71, DP 1594</td>
<td>Stone dwelling</td>
<td>R9BS</td>
</tr>
<tr>
<td>Stoney Creek Road, 95</td>
<td>Bexley</td>
<td>Lot 1, DP 964567 &amp; Lot 98, DP 8760</td>
<td>Bexley Park</td>
<td>38</td>
</tr>
<tr>
<td>The Grand Parade</td>
<td>Brighton-Le-</td>
<td>Lot 1&amp;2, DP 559314</td>
<td>Fry’s Reserve (including railway land)</td>
<td>409</td>
</tr>
<tr>
<td>Sands</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warringah Street, 1 &amp; 1A</td>
<td>Kogarah</td>
<td>Cnr Lot 25, Sec 3, DP 1633</td>
<td>House</td>
<td>375A</td>
</tr>
<tr>
<td>West Botany Street, 20A</td>
<td>Arndell</td>
<td>Cnr Lot 1, DP 229505</td>
<td>Former hospital for women</td>
<td>P60</td>
</tr>
<tr>
<td>West Botany Street, 73</td>
<td>Arndell</td>
<td>Cnr Lot 1, DP 229505</td>
<td>Former hospital for women</td>
<td>P60</td>
</tr>
<tr>
<td>Willison Road, 66</td>
<td>Carlton</td>
<td>Cnr Lot 32, Sec 8, DP 3252</td>
<td>Stone cottage</td>
<td>262</td>
</tr>
<tr>
<td>Willi Creek</td>
<td></td>
<td></td>
<td>Gardiner Park</td>
<td>18</td>
</tr>
<tr>
<td>Willi Creek Road, 15A</td>
<td>Banksia</td>
<td></td>
<td>Gardiner Park</td>
<td>18</td>
</tr>
<tr>
<td>Wollongong Road, 78</td>
<td>Arndell</td>
<td>Lot 2, Sec 1, DP 1434</td>
<td>House</td>
<td></td>
</tr>
<tr>
<td>Wollongong Road, 71A</td>
<td>Arndell</td>
<td>Cnr Lot 7085, DP 93164</td>
<td>Arndell Park and Monument</td>
<td>5 &amp; 315</td>
</tr>
<tr>
<td>Wollongong Road, 117</td>
<td>Arndell</td>
<td>Lot 9, Sec 2, DP 1387</td>
<td>House</td>
<td></td>
</tr>
<tr>
<td>Wollongong Road, 215</td>
<td>Arndell</td>
<td>Lot A, DP 442621</td>
<td>House</td>
<td></td>
</tr>
</tbody>
</table>

[Table inserted LEP 156]
PART 2 - HERITAGE CONSERVATION AREAS

* * * * *

PART 3 - ARCHAEOLOGICAL SITES

* * * * *

PART 4 - POTENTIAL ARCHAEOLOGICAL SITES

* * * * *
### SCHEDULE 11 - CLASSIFICATION OR RECLASSIFICATION OF PUBLIC LAND AS OPERATIONAL LAND (Cl. 71A)

**Bexley**

<table>
<thead>
<tr>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Albyn Street</td>
<td>Lot 17, D.P. 15337, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>15 Albyn Street</td>
<td>Lot 19, D.P. 15337, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>17-19 Albyn Street</td>
<td>Lots 20 and 21, D.P. 15337, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>23 Albyn Street</td>
<td>Lot 1, D.P. 944960, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>405 Bexley Road</td>
<td>Lot 1, D.P. 551493, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>10 Rye Avenue (part of)</td>
<td>Part Lots 5 and 6, DP 455416, as shown coloured light scarlet with dark red edging and lettered &quot;2(b1)&quot; on the map marked &quot;Rockdale Local Environmental Plan No. 160&quot;.</td>
</tr>
<tr>
<td>(former nursery site)</td>
<td></td>
</tr>
<tr>
<td>9-17 Stoney Creek Road</td>
<td>Part of Lots 8-10 and Lots 13-17, D.P. 9826, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
</tbody>
</table>

**Brighton-Le-Sands**

<table>
<thead>
<tr>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moate Avenue</td>
<td>Lot 5, D.P. 235794, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>6 Princess Street</td>
<td>Lot 102, DP 773760, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 158&quot;.</td>
</tr>
<tr>
<td>36 Princess Street</td>
<td>Lots 60-66, D.P. 6770, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
</tbody>
</table>

**Rockdale**

<table>
<thead>
<tr>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 Bay Street</td>
<td>Lot 1, D.P. 84102 and Lot 19, D.P. 59816, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>Address</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1-9 Chapel Street</td>
<td>Lots 1 and 2, D.P. 551369, Lots 1 and 2, D.P. 309448 and Lot 1, D.P. 450104, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>17 Keats Avenue</td>
<td>Lot 101, D.P. 846211, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>18 York Street</td>
<td>Lot 19, Section B, D.P. 2099, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>25 York Street</td>
<td>Lots 23-28, Section A, D.P. 2099, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td>34 York Street</td>
<td>Lot 11, Section B, D.P. 2099, as shown edged heavy black on the map marked &quot;Rockdale Local Environmental Plan No. 142&quot;.</td>
</tr>
<tr>
<td><strong>Turrella</strong></td>
<td></td>
</tr>
<tr>
<td>2A Edward Street</td>
<td>Lot 41, Section A, DP 2996, as shown coloured light scarlet on the map marked &quot;Rockdale Local Environmental Plan No. 157&quot;.</td>
</tr>
</tbody>
</table>
Residential flat buildings - density control.

59A. (1) In this clause -

"landscaped area", in relation to a site area, means that part of the site area not occupied by any building or buildings, except for swimming pools or open air recreation facilities, which part is predominantly landscaped by way of planting of gardens, lawns, shrubs or trees and is available for use and enjoyment by the occupants of the building or buildings erected on the site area, but does not include so much of the site area as is used for driveways, parking areas or drying yards;

"large dwelling" means a dwelling, the floor space of which is more than 85 square metres;

"medium dwelling" means a dwelling, the floor space of which is more than 55 square metres and not more than 85 square metres;

"small dwelling" means a dwelling, the floor space of which is not more than 55 square metres.

(2) The responsible authority shall not consent to the erection of a residential flat building on an allotment of land within a zone specified in Column I of Table A to this clause unless the area of the site area of the allotment is not less than the sum of the areas calculated by multiplying the number of small, medium and large dwellings contained in the residential flat building by the area specified opposite that zone in respect of those dwellings in Columns II, III and IV of that Table respectively.

(3) The responsible authority shall not consent to the erection of a residential flat building on an allotment of land within a zone specified in Column I of Table B to this clause unless the area of the landscaped area of the allotment is not less than the sum of the areas calculated by multiplying the number of small, medium and large dwellings contained in the residential flat building by the area specified opposite that zone in respect of those dwellings in Columns II, III and IV of that Table respectively.
### TABLE A.

<table>
<thead>
<tr>
<th>Zone</th>
<th>COLUMN I</th>
<th>COLUMN II</th>
<th>COLUMN III</th>
<th>COLUMN IV</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Area in respect of a small dwelling (in square metres)</td>
<td>Area in respect of a medium dwelling (in square metres)</td>
<td>Area in respect of a large dwelling (in square metres)</td>
<td></td>
</tr>
<tr>
<td>2(c1)</td>
<td>70</td>
<td>95</td>
<td>130</td>
<td></td>
</tr>
<tr>
<td>2(c2)</td>
<td>50</td>
<td>70</td>
<td>95</td>
<td></td>
</tr>
</tbody>
</table>

### TABLE B.

<table>
<thead>
<tr>
<th>Zone</th>
<th>COLUMN I</th>
<th>COLUMN II</th>
<th>COLUMN III</th>
<th>COLUMN IV</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Area in respect of a small dwelling (in square metres)</td>
<td>Area in respect of a medium dwelling (in square metres)</td>
<td>Area in respect of a large dwelling (in square metres)</td>
<td></td>
</tr>
<tr>
<td>2(c1)</td>
<td>35</td>
<td>50</td>
<td>70</td>
<td></td>
</tr>
<tr>
<td>2(c2)</td>
<td>30</td>
<td>42</td>
<td>55</td>
<td></td>
</tr>
</tbody>
</table>
1. ROCKDALE PLANNING SCHEME


Amended:
27.03.75, GG 50 - Amendment No. 1 - minor changes to Scheme Ordinance.
12.10.79, GG 140 - Amendment No. 2 - major changes to Ordinance & Scheme map.
26.09.80, GG 139 - Order under cl. 2(2) of Sch. 3 of Misc. Acts (Planning) Repeal & Amendment Act, 1979 - repealed several clauses.
19.12.80, GG 191 - Sydney Regional Environmental Plan No. 1 (Dual Occupancy) - affects Residential zones only.
13.03.81, GG 41 - Rockdale Local Environmental Plan No. 1 - re 45 Bay St & 302 Princes Hwy, Rockdale, & 55 President Ave, Kogarah.
29.05.81, GG 75 - RLEP 2 - re 18 Market St, Rockdale.
06.05.81, GG 77 - Erratum to RLEP 2.
28.08.81, GG 128 - RLEP 5 - minor correction re Resid. 2(b2) zones.
04.09.81, GG 134 - RLEP 4 - 601 Forest Rd, Bexley.
11.09.81, GG 137 - RLEP 3 - 389 Princes Hwy, Rockdale.
13.11.81, GG 174 - RLEP 6 - 86-94 Stoney Creek Rd, Bexley.
13.11.81, GG 174 - RLEP 7 - 364-370 Princes Hwy, Rockdale.
27.11.81, GG 178 - RLEP 8 - 15-17 Roach St, Arncliffe.
04.12.81, GG 181 - RLEP 10 - 689-719 Forest Rd & 1 Regent St, Bexley.
11.12.81, GG 185 - RLEP 9 - 34A Margate St, Sans Souci.
05.03.82, GG 33 - Order under cl. 2(2) of Sch. 3 of Misc. Acts (Planning) Repeal & Amendment Act, 1979 - minor changes.
24.09.82, GG 129 - RLEP 11 - 131-133 Princes Hwy & 3-5 Allen St, Arncliffe.
22.10.82, GG 141 - RLEP 12 - 3 Firth St, Arncliffe.
06.05.83, GG 68 - RLEP 14 - 70 Preddys Rd, cnr. Stoney Creek Rd, Bexley.
20.05.83, GG 74 - RLEP 15 - 64 Arncliffe St, Arncliffe; 57 George St, R'dale.
17.06.83, GG 85 - RLEP 16 - 23A Gladstone St, Bexley.
16.09.83, GG 126 - RLEP 17 - major changes to Ordinance and Scheme map.
02.12.83, GG 167 - RLEP 20 - substitute permissible uses for zone 3(b).
06.01.84, GG 4 - RLEP 19 - 139 Princes Highway, Arncliffe.
20.07.84, GG 112 - RLEP 21 - minor changes to Ordinance.
20.07.84, GG 112 - RLEP 23 - 645 Princes Highway, Rockdale.
05.10.84, GG 142 - RLEP 24 - 604 Princes Highway & 69 Chapel Street, Rockdale.
19.10.84, GG 147 - RLEP 22 - minor changes to Scheme Map.
17.05.85, GG 82 - RLEP 25 - minor changes to Ordinance and Scheme map.
02.08.85, GG 112 - RLEP 26 - 116-118 Hattersley Street, Banksia.
13.06.86, GG 94 - RLEP 32 - 50 Bath Street, Monterey.
20.06.86, GG 97 - RLEP 30 - 18 Evans Street, Sans Souci.
11.07.86, GG 110 - RLEP 31 - Pt. No. 6 Princess St & Pt. Saywell Lane, Brighton.
18.07.86, GG 120 - RLEP 29 - Minor changes to Ordinance affecting Business & Industrial Zones.
18.07.86, GG 120 - RLEP 33 - 380 West Botany Street, Rockdale.
25.07.86, GG 123 - RLEP 34 - Area bounded by Barton Street, The Grand Parade, Burlington Street and Chuter Avenue.
05.09.86, GG 139 - RLEP 27 - All Land-Providing a Definition of "Storey" to Ordinance.
17.10.86, GG 165 - RLEP 36 - Rear No. 325 Forest Road, known as No. 2 Broadford Street, Bexley.
ROCKDALE PLANNING SCHEME - AMENDMENTS (Continued)

07.11.86, GG 175 - RLEP 38 - 22 & 24 Connemarra Street, Bexley.
07.11.86, GG 175 - RLEP 40 - 76 Princes Highway, Arncliffe.
21.11.86, GG 179 - RLEP 39 - Rear 31A Caledonian Street, Bexley.
30.01.87, GG 20 - RLEP 41 - 129 Queen Victoria Street, Bexley.
03.04.87, GG 62 - RLEP 35 - 23-23A Regent Street, Bexley.
16.04.87, GG 68 - RLEP 42 - 119 Barton Street, Monterey.
07.08.87, GG 129 - RLEP 45 - Nos. 1A & 1-27 Washington Street and Nos. 115-121 Harrow Road, Bexley.
07.08.87, GG 129 - RLEP 46 - Lot 30 Levey Street and Pt. Lot 25 Marsh Street, Arncliffe in D.P. 4464.
14.08.87, GG 131 - RLEP 43 - Watkin and Caledonian Street, Bexley.
14.08.87, GG 131 - RLEP 47 - All Land Zoned Existing Recreation 6(a).
14.08.87, GG 131 - RLEP 49 - No. 211 Ramsgate Road, Ramsgate.
18.09.87, GG 147 - RLEP 50 - No. 15 Bardwell Road, Arncliffe.
02.10.87, GG 156 - RLEP 48 - No. 558-560 & Rear 556 Forest Road, Bexley.
23.10.87, GG 165 - RLEP 52 - No. 14-22 Edgehill St & No. 11A & 13 Prospect St., Carlton.
27.11.87, GG 184 - RLEP 51 - No. 45 McMillan Ave., Sans Souci.
12.02.88, GG 28 - RLEP 55 - Brighton Hotel site.
18.03.88, GG 56 - RLEP 53 - Light Industrial 4(b1) and 4(b2) zones.
20.05.88, GG 88 - RLEP 54 - No. 142 Kingsland Road, Bexley North & No. 81 Napoleon Street, Sans Souci.
20.05.88, GG 88 - RLEP 56 - Nos. 5-7 Monahan Ave. Rockdale.
29.07.88, GG 123 - RLEP 57 - No. 145 Russell Ave., Sans Souci.
12.08.88, GG 132 - RLEP 59 - 36-38 Ethel St, Carlton; Light Industrial 4(b) zones.
02.09.88, GG 140 - RLEP 44 - All Land; Properties in Schedule 10.
03.02.89, GG 18 - RLEP 60 - 96-106 Wollongong Road, Arncliffe.
03.02.89, GG 18 - RLEP 61 - 146-180 Stoney Creek Road, Bexley.
03.02.89, GG 18 - RLEP 63 - Rear No. 1 Clareville Ave & No. 55 Sandringham Street, Sans Souci.
03.03.89, GG 27 - RLEP 62 - Area bounded by Fontainbleau, Lawson, Meriel & Brantwood Streets, Sans Souci.
03.03.89, GG 27 - RLEP 66 - Nos. 46-48 & Part No. 50 Beach St, Kogarah.
23.03.89, GG 34 - RLEP 65 - No. 582 Princes Hwy, Rockdale.
02.06.89, GG 69 - RLEP 64 - All Land Zoned Open Space 6(a) and Reserved for Proposed Open Space.
07.07.89, GG 82 - RLEP 67 - "Southside Plaza" Site, Rockdale.
14.07.89, GG 83 - RLEP 70 - Nos. 63-139 Turrella St, Turrella.
21.07.89, GG 84 - RLEP 71 - Nos. 13-31 Florence St, Ramsgate.
11.08.89, GG 88 - RLEP 69 - Land bounded by Princes Hwy, Innesdale Rd, Marsh St and Cahill Park, Arncliffe.
11.08.89, GG 88 - RLEP 74 - 62 Stoney Creek Road, Bexley.
01.09.89, GG 92 - RLEP 73 - 17 Ellerslie Road, Bexley.
22.09.89, GG 97 - RLEP 75 - Land bounded by Meriel Street, Fraters Ave., Dorrigo Lane and Southern Freeway Reservation.
24.11.89, GG 114 - RLEP 72 - Dept. of Housing land in Ida Street and Kendall Street, Sans Souci.
24.11.89, GG 114 - RLEP 76 - All land in the Municipality zoned Residential 2(b1).
08.12.89, GG 119 - RLEP 77 - Unnumbered land owned by Council between Nos. 485 & 501 Forest Road, Bexley.
08.12.89, GG 119 - RLEP 78 - Nos. 143 & 145 Turrella Street, Turrella.
08.12.89, GG 119 - RLEP 80 - Nos. 32, 36, 38 Solander Street, Monterey.
25.01.90, GG 14 - RLEP 79 - No. 272 Princes Hwy & No. 1 Spring Street, Bankside.
16.02.90, GG 24 - RLEP 81 - Nos. 669-681 Forest Road, Bexley.
16.02.90, GG 24 - RLEP 83 - Land bounded by Rocky Point Road, Park Road, Campbell & Selmon Street, Sans Souci.
30.03.90, GG 44 - RLEP 82 - Small shops in all residential zones.
ROCKDALE PLANNING SCHEME - AMENDMENTS (Continued)

20.04.90, GG  51 - RLEP 84 - No. 1 Princes Highway, Arncliffe (Tempe House).
04.05.90, GG  57 - RLEP 85 - Nos. 59-71 Wollongong Road, Arncliffe.
01.06.90, GG  71 - RLEP 87 - Nos. 267-271 Princes Hwy & Nos. 22-24 Hattersley Street, Banksia.
07.09.90, GG  111 - SEPP 31 - Sydney (Kingsford Smith) Airport.
28.09.90, GG  120 - RLEP 88 - Nos. 356-368 Forest Road, Bexley.
23.11.90, GG  152 - RLEP 86 - No. 38 Albyn Street, Bexley & Rear lots 19 and 20, D.P. 1036 and Lot 18 D.P. 1680.
08.02.91, GG  28 - RLEP 90 - 140A-150 Ramsgate Road, Ramsgate.
15.02.91, GG  31 - RLEP 91 - 1-8 Cecil Street & 30 Solander Street, Monterey.
22.02.91, GG  RLEP 89 - Urban Consolidation LEP.
03.05.91, GG  67 - RLEP 92 - Brighton Town Centre.
13.09.91, GG  127 - RLEP 95 - 83-85 Villiers Street, Rockdale.
20.09.91, GG  132 - RLEP 96 - 35 Arncliffe Street, Arncliffe.
20.12.91, GG  180 - RLEP 93 - Rockdale Town Centre.
20.12.91, GG  180 - RLEP 97 - 344 West Botany Street, Rockdale.
31.01.92, GG  15 - RLEP 98 - 1-7 The Boulevarde, Brighton-Le-Sands.
05.06.92, GG  66 - RLEP 99 - 36-42 Princes Street, Brighton-Le-Sands.
19.06.92, GG  72 - RLEP 100 - 31-35 Chapel Street, Rockdale.
03.05.91, GG  54 - RLEP 102 - 32-40 Princes Highway, Arncliffe.
18.02.94, GG  37 - RLEP 104 - Part 7-8 and 11-19 Station Street, Kogarah and Part 2-8 Paine Street, Kogarah.
28.01.94, GG  27 - RLEP 112 - 8 Allen Street and 3-9 Ann Street, Arncliffe.
08.04.94, GG  56 - RLEP 113 - 739 Forest Road, Bexley.
08.07.94, GG  22 - RLEP 114 - All land in the Municipality zoned Special Uses 5(a).
13.05.94, GG  68 - RLEP 115 - 64-68 The Grand Parade, Brighton-Le-Sands.
02.09.94, GG  113 - RLEP 122 - 34A and 34B Gladstone Street, Bexley.
28.10.94, GG  145 - RLEP 124 - 316-328 Kingsgrove Road, Kingsgrove; 454-464 Rocky Point Road, Sans Souci.
29.09.95, GG  119 - RLEP 128 - 25 York Street, Rockdale.
06.10.95, GG  122 - RLEP 125 - 119 Barton Street, Monterey.
01.12.95, GG  145 - RLEP 128 - 25 Stoney Creek Road, Bexley.
23.02.96, GG  46 - RLEP 136 - No. 588 Princes Highway, Rockdale.
22.03.96, GG  35 - RLEP 123 - 69 Marshall Street, Kogarah.
17.05.96, GG  61 - RLEP 135 - Bay, Chapel, Aboukir and Cairo Streets, Rockdale.
12.07.96, GG  84 - RLEP 137 - 328-336 Pinces Highway, Banksia.
07.03.97, GG  24 - RLEP 140 - 7-9 Watkin Street, Rockdale.
27.03.97, GG  31 - RLEP 139 - 44-52 Fraters Avenue, Sans Souci.
16.05.97, GG  53 - RLEP 142 - Various Council-owned properties.
25.07.97, GG  83 - RLEP 141 - 339 Forest Road, Bexley.
08.08.97, GG  88 - RLEP 143 - 54-62 Fraters Avenue, Sans Souci.
08.08.97, GG  88 - RLEP 144 - 171-173 Bay Street, Brighton-Le-Sands.
12.09.97, GG  99 - RLEP 120 - Bexley Bypass - various properties.
14.11.97, GG  123 - RLEP 134 - Outdoor advertising.
09.01.98, GG  4 - RLEP 148 - Amusement centres.
22.05.98, GG  81 - RLEP 151 - 25 York Street, Rockdale.
22.05.98, GG  81 - RLEP 154 - 588-590 Princes Highway, Rockdale.
12.06.98, GG  92, RLEP 147 - 32, 32A & 34 Wolli Creek Road, Banksia.
12.06.98, GG  92, RLEP 152 - 203-205 Princes Highway, Arncliffe.
ROCKDALE PLANNING SCHEME - AMENDMENTS (Continued)

19.06.98, GG 94, RLEP 153 - Pt. 383 and 389 and 393 West Botany Street, Rockdale
18.09.98, GG 135, RLEP 138 - Brothels
02.10.98, GG 143, RLEP 127 - Urban Consolidation
11.12.98, GG 171, RLEP 133 - 648-652 Princes Highway, 1-15 Ashton Street and 10-40 Chandler Street, Rockdale
01.04.99, GG 39, RLEP 157 - 2A Edward Street, Turrella
01.04.99, GG 39, RLEP 158 - 6 Princess Street, Brighton-Le-Sands
01.04.99, GG 39, RLEP 163 - 21-31 Bryant Street and 35-45 George Street, Rockdale
30.04.99, GG 53, RLEP 132 - 84 Wollongong Road, Arncliffe
07.05.99, GG 56, RLEP 160 - Part 10 Rye Avenue, Bexley
30.07.99, GG 86, RLEP 162 - 35 Arncliffe Street, Arncliffe
06.08.99, GG 88, RLEP 116 - North Arncliffe
17.09.99, GG 109, RLEP 156 - Heritage Conservation
03.12.99, GG 137, RLEP 155 - 286A & 294-298 Forest Road, Bexley, 159 Frederick Street, Rockdale
03.03.00, GG 32, RLEP 165 - Exempt and Complying Development
25.08.00, GG 109, RLEP 2000 - Generally replaces RPSO for all land in City of Rockdale
15.09.00, GG 121, RLEP 168 - 10-12 Allen Street and 11-13 Ann Street, Arncliffe
24.11.00, GG 152, RLEP 149 - 1 Princes Highway and 3 Lusty Street, Arncliffe
08.03.02, GG 57, RLEP 171 - Omit clause 36
17.12.04, GG 201, SEPP (Repeal of Concurrence and Referral Provisions) 2004 (commenced 28.02.05) - Repeals concurrence and referral provisions
28.10.05, GG 132, RLEP 172 - Tempe House (Discovery Point)