



New South Wales

# **Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S01/00557/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

## **Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek*.

### **2 Aims of plan**

- (1) This plan aims generally to incorporate into *Rockdale Local Environmental Plan 2000* planning provisions for the Wolli Creek Redevelopment Area (shown on the existing map supporting *Rockdale Local Environmental Plan 2000* as the “North Arncliffe Development Area”) by:
  - (a) including the existing planning provisions that apply those parts of the redevelopment area to which *Rockdale Local Environmental Plan No 162* and *Rockdale Local Environmental Plan No 172* apply, and
  - (b) including the existing planning provisions that apply to that part of the redevelopment area bounded by the Illawarra Railway Line, Wolli Creek, the Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) and Thompson Street and to which *Rockdale Local Environmental Plan No 116* applies, and
  - (c) for the remainder of the redevelopment area—implementing the recommendations of the Wolli Creek master planning process undertaken by Rockdale City Council.
- (2) This plan specifically aims to:
  - (a) ensure the Wolli Creek Redevelopment Area develops in an orderly and efficient manner, and
  - (b) provide for increased residential and commercial densities around major transport nodes with high quality urban design, and
  - (c) achieve a minimum of 50/50 modal split of private vehicle to public transport usage for work related trips, and
  - (d) provide for better permeability and access for vehicles and pedestrians both to and within the Wolli Creek area, and

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- (e) retain and protect existing employment generating activities by reducing the propensity for conflicting uses to locate within viable employment precincts, and
  - (f) encourage opportunities for an increased range in employment generating activities, and
  - (g) provide appropriate densities for development that are compatible with the capacity of the future road network, and
  - (h) identify key precincts for various land use activities that together provide a mix of uses across the Wolli Creek Redevelopment Area, and
  - (i) provide for additional open space in locations that take advantage of vistas and heritage items in the area, and
  - (j) require the design of development to be of a high quality from an environmental and social viewpoint, and
  - (k) require future development in the Wolli Creek area to be carried out in accordance with the detailed standards in this plan and with regard to any associated development control plans.

### **3 Land to which plan applies**

This plan applies:

- (a) generally to all land within the City of Rockdale to which *Rockdale Local Environmental Plan 2000* applies, and
- (b) specifically to land in Wolli Creek generally bounded by the Cooks River, Wolli Creek, the Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS), Thompson Street, the Illawarra Railway Line, the Princes Highway, Innesdale Road and Marsh Street, as shown coloured on the map marked “Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek” held at the office of Rockdale City Council,

except land shown uncoloured and marked “DEFERRED MATTER” on that map.

### **4 Amendment of Rockdale Local Environmental Plan 2000**

*Rockdale Local Environmental Plan 2000* is amended as set out in Schedule 1.

## 2006 No 481

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 4)

**[1] Clause 4 Land to which plan applies**

Omit clause 4 (b).

**[2] Clause 8 Definitions**

Insert in alphabetical order in clause 8 (1):

*airline terminal* means a building or place used for the assembly of passengers or goods prior to the transport of those passengers or goods either to or from an airport or an aerodrome.

**[3] Clause 8 (1), definition of “the map”**

Insert in appropriate order:

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

**[4] Clause 8 (1), definition of “tourist facility”**

Insert “, for the purposes of clause 22,” before “means”.

**[5] Clause 10 Adoption of model provisions**

Insert “*airline terminal*,” after “*agriculture*,” in clause 10 (a).

**[6] Clause 11 Zones indicated on the map**

Insert at the end of the matter relating to Residential zones:

2 (d)—*High Density Residential zone*:—coloured pink with red edging and marked “2 (d)”

**[7] Clause 11**

Omit the matter relating to Zone 4 (d).

**[8] Clause 11**

Insert after the matter relating to Reservation zones:

**Mixed Use zones:**

10 (a1)—*Mixed Use (Railway Precinct) zone*:—coloured aquamarine with red edging and marked “10 (a1)”

10 (a)—*Mixed Use zone*:—coloured aquamarine with red edging and marked “10 (a)”

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**[9] Clause 19 Telecommunications facilities**

Omit “or 3 (b)” from clause 19 (4). Insert instead “, 3 (b), 10 (a1) or 10 (a)”.

**[10] Clause 28 Residential zone particulars**

Insert after the matter relating to Zone 2 (c):

**Zone 2 (d) High Density Residential zone**

**1 Objectives of the Zone**

- (a) to take advantage of existing public transport infrastructure at the Wolli Creek railway station by encouraging land within the zone to be developed to its optimum potential in an orderly and efficient manner, but only where high quality design is achieved for the public and future occupants of Wolli Creek, and
- (b) to promote development of the land for predominantly residential purposes, due to its proximity to existing public transport and existing residential areas and the constraints of the local road system, and
- (c) to allow limited development of the land 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, and
- (d) to allow retail development of the land only if it is small in scale and is intended to serve the immediate neighbourhood, and
- (e) to require all new buildings to achieve a high standard of urban design for the general public and occupants’ viewpoints, and
- (f) to require residential development within the zone to include areas of useable open space within their sites where the design and size of the space, and solar access to, will be of benefit to the occupants, and
- (g) to preserve, where possible, reasonable views and outlooks from, and solar access to, existing and prospective residential development in the vicinity, and
- (h) to provide for adequate vehicular and pedestrian circulation and access and to ensure streetscapes will be of a high visual standard, and
- (i) to ensure that future development in the zone will meet environmental requirements relating to flood prone land, stormwater management, waste management, noise and vibration, air and water quality and energy efficiency, and

## 2006 No 481

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

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- (j) to provide for the environmental protection of the Wolli Creek wetlands and Cooks River by requiring development to meet appropriate water quality standards for stormwater, and
- (k) to ensure that development within the zone will have due regard to, and enhance the heritage significance and setting of, any heritage items within or adjacent to the zone through appropriate building design and landscaping.

### 2 Without Development Consent

Exempt development.

### 3 Only With Development Consent

Development for the purpose of:

Backpackers' accommodation; boarding houses; child care centres; commercial premises; community facilities; drainage or flood mitigation works; dwellings; educational establishments; home industries; home occupations; hospitals; housing for older people or people with a disability; light industries; mixed use premises; open space; places of public worship; professional consulting rooms; public buildings; public transport facilities; recreation areas; residential flat buildings; restaurants; roads; shops (where they are only intended to serve the immediate neighbourhood); utility installations other than gas holders or generating works.

### 4 Prohibited

Any development that is not allowed without or only with consent.

## [11] Clause 35A

Insert after clause 35:

### 35A Development in Zone No 2 (d)

- (1) In this clause:

*development site* means an area of land edged heavy black in Diagram 1 in Part 1 of Schedule 2.

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

**(2) Erection of buildings**

Consent must not be granted to the erection of a building on land in Zone 2 (d) unless:

- (a) the combined gross floor area of all buildings to be erected on the development site within which it will be located will not exceed a floor space ratio 2:1, and
- (b) the height of the building will not exceed the height that is specified in Diagram 1 in Part 1 of Schedule 2.

**(3) Development on part of development site**

Consent must not be granted to the erection of a building on part a development site unless the applicant has demonstrated, to the satisfaction of the consent authority, that the whole of the development site can be developed generally in accordance with the provisions of a development control plan applying to the whole of the site. In doing so, the applicant is required to provide documentation that clearly demonstrates or deals with the following:

- (a) the proposed location, height, gross floor area and use of all buildings to be erected on the development site,
- (b) the number and location of car parking spaces and loading facilities proposed to be provided on the development site, the manner in which such car parking and loading facilities will be allocated and the proposed means of vehicular access to and from those facilities,
- (c) the proposed location of outdoor recreation space and landscaped areas that are to be provided on the development site.

**[12] Clause 42 Industrial zone particulars**

Omit the matter relating to Zone 4 (d) (the Industrial (Services and Technology) zone).

**[13] Clause 44 Floor space ratio**

Omit clause 44 (2).

**[14] Clause 45 Development in Zone 4 (d)**

Omit the clause.

**[15] Clause 47 Development in the Industrial zone fronting State or regional roads**

Omit “or 4 (d),”.

## 2006 No 481

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

---

### [16] Part 7A

Insert after Part 7:

## Part 7A Mixed use areas

### Division 1 Mixed Use zones

**Note.** There is no clause 55A of this plan.

#### 55B Mixed Use zone particulars

The following particulars apply for the mixed use zones:

#### Zone 10 (a1) Mixed Use (Railway Precinct) zone

##### 1 Objectives of the Zone

- (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 or structures that can adjust to needs arising from changing uses 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



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- (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 zone, 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 development to include access for people with a disability and subsequently broaden employment, recreational and residential opportunities for people with a disability within the community, and
  - (m) to recognise that land within the zone 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 land within the zone 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

## 2006 No 481

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

### Schedule 1 Amendments

---

- (r) to allow for the staged development of the land, subject to safeguards that will ensure the land is ultimately developed in accordance with other specified objectives, and the 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 land within the zone, 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.

### **2 Without Development Consent**

Exempt development.

### **3 Only With Development Consent**

Development for the purpose of:

backpackers' accommodation; boarding houses; bus stations; car parking areas; child care centres; cinemas; clubs; commercial premises; community facilities; drainage and flood mitigation works; dwelling houses; dwellings; educational establishments; flexible space (as defined in clause 55C); home industries; home occupations; hospitals; hotels; housing for older people or people with a disability; light industries; mixed use premises; motels; open space; places of assembly; places of public worship; professional consulting rooms; public buildings; public transport facilities; recreation areas; recreation facilities

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(as defined in clause 55C); residential flat buildings; restaurants; roads; service stations; shops; showrooms (as defined in clause 55C); telecommunications facilities; utility installations other than gas holders or generating works.

**4 Prohibited**

Any development that is not allowed without or only with consent.

**Zone 10 (a) Mixed Use zone**

**1 Objectives of the Zone**

- (a) to take advantage of the construction of the new Wolli Creek railway station in the locality by requiring the land within the zone to be developed in an orderly and efficient manner to its optimum potential, and
- (b) to maximise the amount of permanent employment within the zone, and
- (c) to permit development for the purpose of bulky goods showrooms on the Princes Highway, but otherwise allow retail development only if it is intended to serve the Wolli Creek area, and
- (d) to allow new buildings only if they will achieve a high standard of urban design, and
- (e) to require residential development 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 land within the zone 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 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 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

## 2006 No 481

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

### Schedule 1 Amendments

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- (j) to ensure that future development 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 will have due regard to the heritage significance and setting of the heritage item known as the Tempe House precinct through appropriate building design and landscaping, and
- (l) to ensure that new development on the corner of the Princes Highway and Gertrude Street opens up and addresses views to Cahill Park and the Cooks River and does not adversely impact on the function and character of Cahill Park, and
- (m) to ensure that development in Gertrude Street and Innesdale Road does not adversely impact on existing residential development on the southern side of Innesdale Road, and
- (n) to provide for the long term traffic access and circulation needs of the Wolli Creek area by limiting access and controlling development on land which will be required for new roads or the widening of existing roads.

### **2 Without Development Consent**

Exempt development.

### **3 Only With Development Consent**

Development for the purpose of:

airline terminals; backpackers' accommodation; boarding houses; bulk stores; bulky goods showrooms; 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 a disability; light industries; mixed use premises; motels; motor showrooms; open space; places of assembly; places of public worship; professional consulting rooms; public buildings; public transport facilities; recreation areas; residential flat buildings; restaurants; roads; service stations; shops (intended to serve the Wolli Creek area); telecommunications facilities; utility installations other than gas holders or generating works; warehouses.

#### 4 Prohibited

Any development that is not allowed without or only with consent.

### Division 2 Special provisions for mixed use development

#### 55C Development in Zone 10 (a1)

(1) In this clause:

*development site* means an area of land identified by a number or a title on the Land Use Diagram.

*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 Diagram* means Diagram 2 in Part 1 of Schedule 2.

*Land Use Diagram* means Diagram 3 in Part 1 of Schedule 2.

*non-residential development* means development otherwise than for the purpose of dwellings, residential flat buildings or flexible space.

*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 or place of like character used for recreation and whether used for gain or not, but does not include a place of assembly.

*showroom* means a building used for the display of goods offered for sale and includes a motor showroom.

*Tempe House precinct* means the heritage item referred to as the "Tempe House precinct" and being the land shown edged heavy black in Diagram 1 at the end of Part 2 of Schedule 1.

*Tempe House site* means the area of land containing and immediately surrounding the Tempe House building and the Chapel being the land shown with broad diagonal hatching on the Land Use Diagram.

*Underground Areas Diagram* means Diagram 4 in Part 1 of Schedule 2.

**(2) Erection of buildings or carrying out of works**

Despite any other provision of this plan, consent must not be granted to the erection of a building or the carrying out of a work on land in Zone 10 (a1) within any development site unless:

- (a) the application is for the development of the whole of the 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 application within the meaning of section 83B 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, and
- (c) the development of the site will be consistent with:
  - (i) the objectives for development of land within Zone 10 (a1) as contained in clause 55B, and
  - (ii) the objectives for development of that site, as indicated in Column 2 of Part 2 of Schedule 2, 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) the development is listed in Column 3 of Part 2 of Schedule 2 as development that may be carried out on the development site, and
- (e) the gross floor area of all buildings on all of the development sites will not exceed 167,504m<sup>2</sup>, and
- (f) the maximum gross floor space for the development site as indicated in Part 3 of Schedule 2 will not be exceeded, and
- (g) either:
  - (i) the minimum non-residential gross floor space for the development site as indicated in Part 4 of Schedule 2, or
  - (ii) a development consent is in force for the development of at least 54,337m<sup>2</sup> of non-residential gross floor area on all land in Zone 10 (a1), and
- (h) the number of underground car parking spaces on land in Zone 10 (a1) will not exceed 2,210, and

- (i) the total retail floor space on land within Zone 10 (a1) will not exceed 14,000m<sup>2</sup> of gross floor area, and
- (j) 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.

**(3) Height controls**

Consent must not be granted to the erection of a building on land within Zone 10 (a1):

- (a) if the height of the building exceeds the height specified on the corresponding part of the Height Control Diagram, 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 am and 3 pm as calculated on 21 June in any year.

**(4) Subdivision of land**

Despite any other provision of this plan, consent must not be granted to the subdivision of any land in Zone 10 (a1) that is within a development site 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 (2), 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 the site at the commencement of this clause.

**(5) Use of buildings or land**

Despite any other provision of this plan, consent must not be granted to allow the use of any building or a work in Zone 10 (a1) that is within a development site 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 (2), and

- (b) unless the use concerned is development indicated in Column 3 of Part 2 of Schedule 2 in relation to the development site within which it is to be located, and
- (c) unless the consent authority is satisfied that the use is consistent with:
  - (i) the development objectives for Zone 10 (a1) as contained in clause 55B, and
  - (ii) the objectives applying to that development site, as indicated in Column 2 of Part 2 of Schedule 2, and
- (d) unless either:
  - (i) the consent authority is satisfied that the minimum non-residential gross floor space for the development site as indicated in Part 4 of Schedule 2 will be met, or
  - (ii) a development consent is in force for development of at least 54,337m<sup>2</sup> of non-residential gross floor area on the land within Zone 10 (a1).

(6) **Road access**

The consent authority shall not consent to any subdivision of land within Zone 10 (a1) 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.

(7) **Parking**

Development for the purpose of underground parking may be carried out, with consent, on land shown stippled in Diagram 4 in Part 1 of Schedule 2 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 any heritage item.
- (8) 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.
- (9) **Savings**

Nothing in this plan prevents the consent authority from separately consenting to development within Zone 10 (a1) for:

  - (a) any purpose which is of a minor or temporary nature and which it is satisfied will not jeopardise the future development 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 Diagram, or
  - (c) alterations to any building or work which has already been constructed in accordance with a consent granted in compliance with subclauses (2) and (3), or
  - (d) the purpose of conserving the Tempe House precinct, to the satisfaction of the Council and the Heritage Council of New South Wales.

**55D Development in Zone 10 (a)**

- (1) In this clause:

***development site*** means an area of land shown edged heavy black in Diagram 5 or 6 in Part 1 of Schedule 2.

***non-residential floor space*** means any gross floor area within a building that is not used as:

  - (a) a dwelling, or
  - (b) access or a common area in conjunction with, and exclusively by, one or more dwellings.

**(2) Building height**

Consent must not be granted to the erection of a building on land within Zone 10 (a) unless the number of storeys within the building will not exceed the maximum specified for that building in *Rockdale Development Control Plan No 62—Wolli Creek* as approved by the Council on 15 March 2006.

**(3) Floor space ratios**

Consent must not be granted to the erection of a building on any land within a development site identified in Diagram 5 in Part 1 of Schedule 2 unless:

- (a) the combined gross floor area of all buildings to be erected on the development site will not exceed the floor space ratio specified for that development site in that Diagram, and
- (b) the combined non-residential floor space within all such buildings will not be less than 40% of the combined gross floor area of those buildings, and
- (c) the combined non-residential floor space within all such buildings that is not used as serviced apartments (including any access or common areas used in conjunction with, and exclusively by, those serviced apartments) will not be less than 32% of the combined gross floor area of those buildings.

**(4) Consent must not be granted to the erection of a building on land within a development site identified in Diagram 6 in Part 1 of Schedule 2 unless:**

- (a) the combined gross floor area of all buildings to be erected on the development site will not exceed the floor space ratio specified for that development site in that Diagram, and
- (b) if the building is situated immediately adjacent to Gertrude Street or the Princes Highway—the ground floor level of the building will be used as non-residential floor space (other than any floor space used to provide access to another floor level).

**(5) Development on part of development site**

Consent must not be granted to the erection of a building on part a development site unless the applicant has demonstrated, to the satisfaction of the consent authority, that the whole of the development site can be developed generally in accordance with the provisions of a development control plan applying to the

whole of the site. In doing so, the applicant is required to provide documentation that clearly demonstrates or deals with the following:

- (a) the proposed location, height, gross floor area and use of all buildings to be erected on the development site,
- (b) the number and location of car parking spaces and loading facilities proposed to be provided on the development site, the manner in which such car parking and loading facilities will be allocated and the proposed means of vehicular access to and from those facilities,
- (c) the proposed location of outdoor recreation space and landscaped areas that are to be provided on the development site.

**(6) Vehicular access and road networks**

Consent must not be granted for development on land shown edged heavy black in Diagram 7 in Part 1 of Schedule 2 if the development will involve the provision of direct vehicular access between that land and those parts of Arncliffe Street, Brodie Spark Drive, the Princes Highway and the local road reservation shown edged with a broken black line in that Diagram.

(7) Consent must not be granted for development on land within Zone 10 (a) shown edged heavy black in Diagram 7 in Part 1 of Schedule 2 unless all vehicular access to that land will be by way of an access road (or a temporary access required until the access road is constructed and connected to an existing road).

(8) Consent must not be granted for development on land shown edged heavy black in Diagram 8 in Part 1 of Schedule 2 unless all vehicular access to the development will be provided from:

- (a) Robert Lane, in the case of land shown stippled on the Diagram, or
- (b) Innesdale Lane, in the case of land shown hatched on the Diagram, or
- (c) Innesdale Road, in the case of land shown cross-hatched on the Diagram.

**[17] Clause 62**

Insert after clause 61:

**62 Development of the land within the Tempe House precinct**

- (1) This clause applies to all of the land within the Tempe House precinct.
- (2) In this clause:

*Tempe House precinct* means the heritage item referred to as the “Tempe House precinct”, being the land shown edged heavy black in Diagram 1 in Part 2 of Schedule 1.

*Tempe House view corridor* means the area of land between Tempe House and the Cooks River foreshores located within the view lines identified in Diagram 3 in Part 1 of Schedule 2.
- (3) Consent must not be granted for any development on land to which this clause applies unless:
  - (a) the consent authority 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, and
    - (ii) the preservation and restoration (or, where in the opinion of the consent 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 consent authority is of heritage significance, and
    - (iii) the retention and embellishment of the Tempe House view corridor, to the extent (if any) that the view corridor may be affected by the proposed development.
- (4) Consent must not be granted to the erection of any building within the Tempe House precinct unless the consent authority is satisfied that the conservation and appropriate use of the Tempe House precinct is dependent on the consent being granted.
- (5) However, nothing in this clause prevents the consent authority from consenting to development of a minor or temporary nature which, in the opinion of the consent authority, does not adversely affect the heritage significance of the Tempe House precinct.

**[18] Schedule 1**

Omit the matter relating to 75 Henderson Street, Turrella from Part 2.

**[19] Schedule 1, Part 2**

Insert in alphabetical order of Address:

Arncliffe Street, 18 and 20	Wolli Creek	Lot 5, DP 86820, Lot 1, DP 530513, Lot 2, DP 508308 and part Argyle Street roadway	Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) aqueduct
Henderson Street, Part 75, Railway Lands, Part	Wolli Creek, Turrella	Part Lot 1, DP 775302, MS 16565 3000 SY, Lot 5, DP 431083 and part bed of Wolli Creek	Wolli Creek Wetlands
Lusty Street, 27 and 27A, Bonar Street, Part 74	Wolli Creek	Lot 1, DP 86820, Lot 2, DP 444657, part roadway between Turrella Street and Lusty Street and part bed of Wolli Creek	Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS), pipeline, aqueduct and bridge
Princes Highway	Wolli Creek	Part Lot 1, DP 1027899 and Part Lot 2, DP 1019205, being the land shown edged heavy black in Diagram 1 at the end of this Part	Tempe House precinct

**2006 No 481**

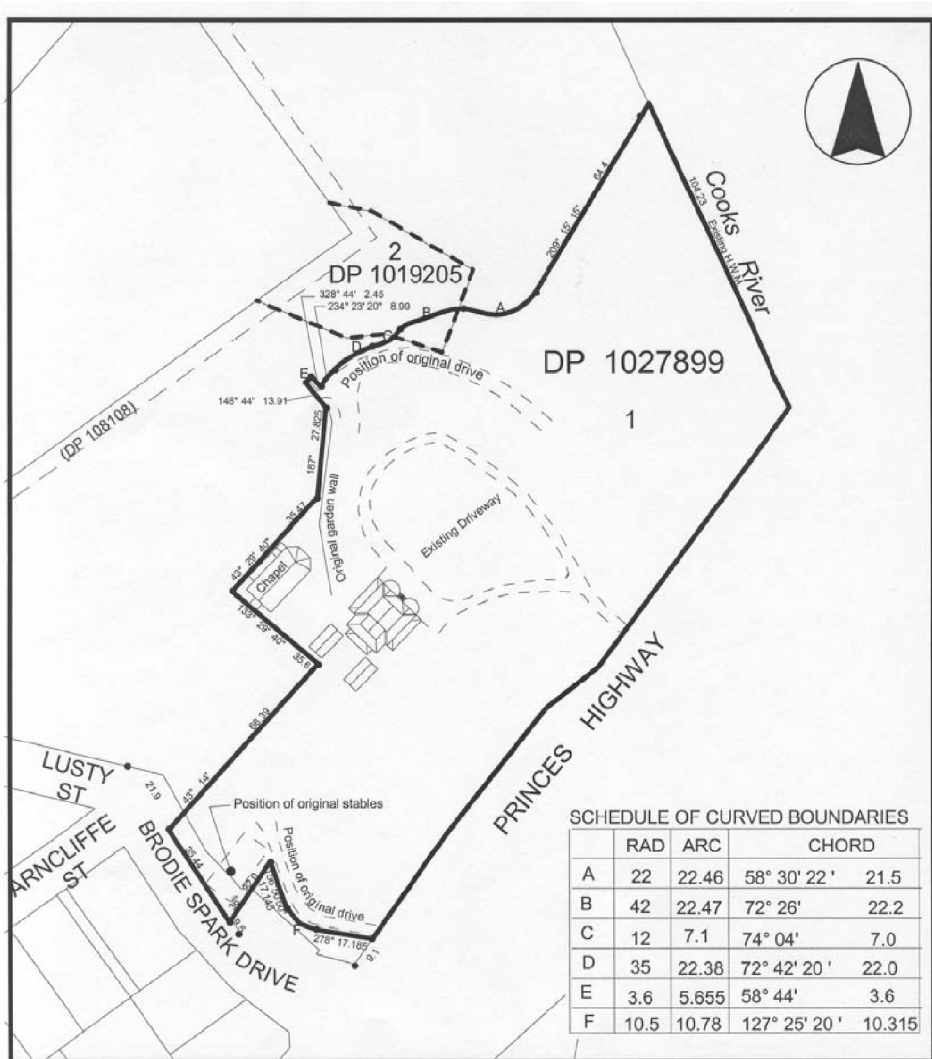
Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

**[20] Schedule 1, Part 2**

Insert at the end of the Part:

**Diagram 1—Tempe House precinct**



[21] Schedule 2

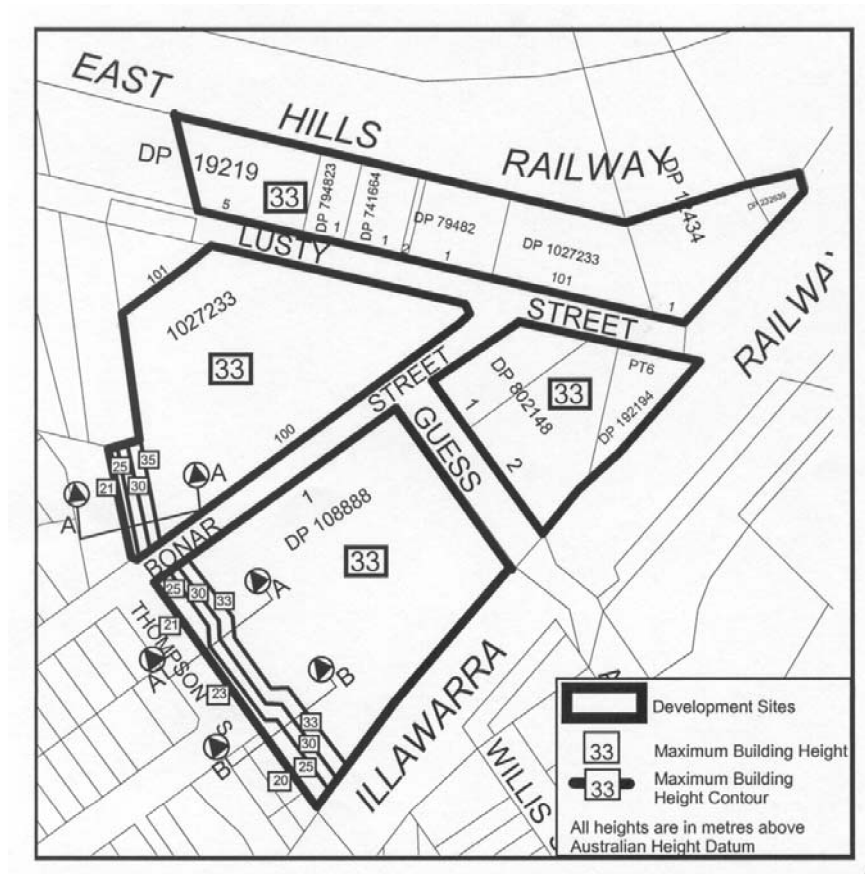
Insert after Schedule 1:

**Schedule 2 Wolli Creek**

(Clauses 35A, 55C and 55D)

**Part 1 Diagrams**

**Diagram 1—Development sites—Zone 2 (d)**



**2006 No 481**

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

**Diagram 2—Height control—Zone 10 (a1)**

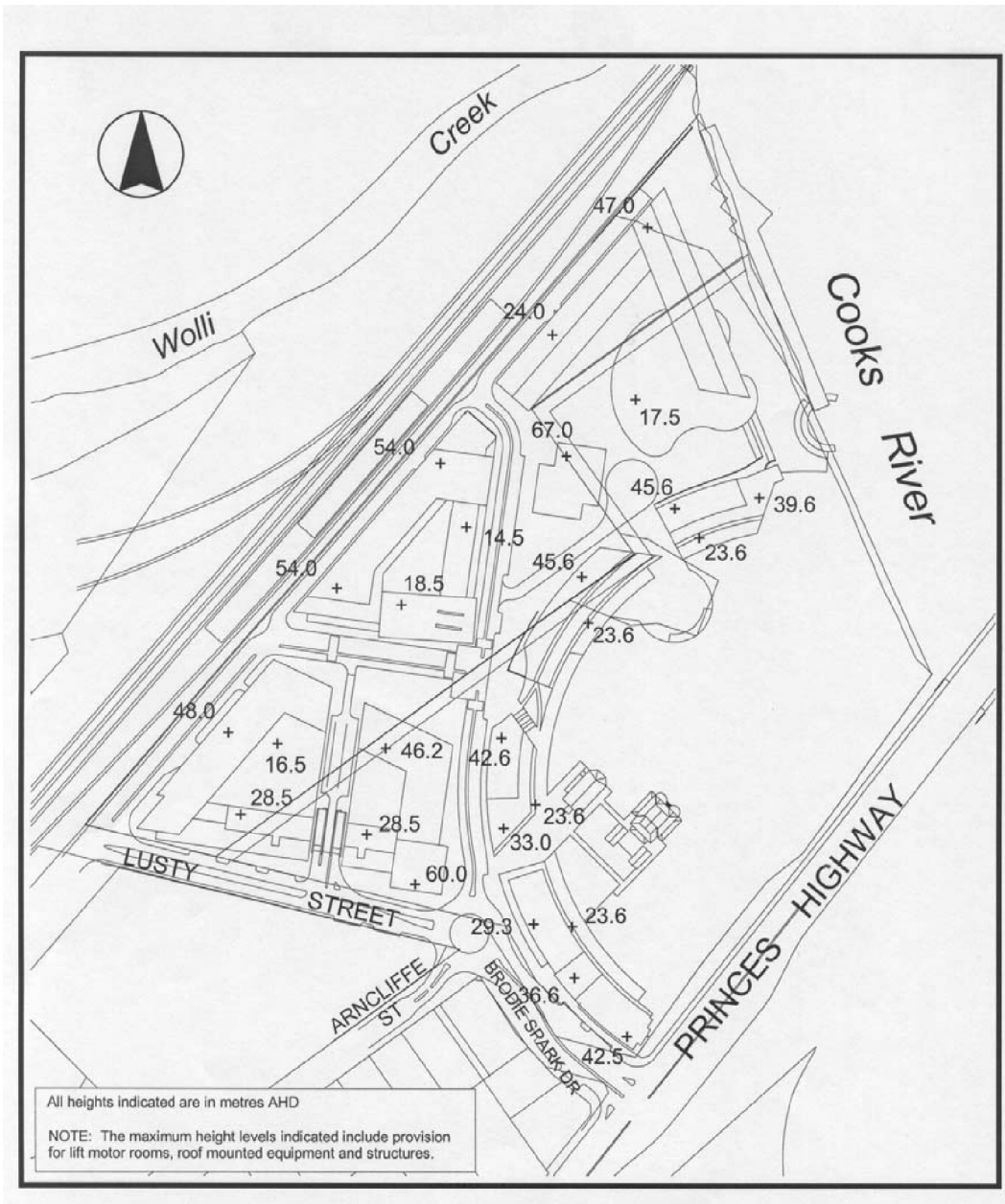
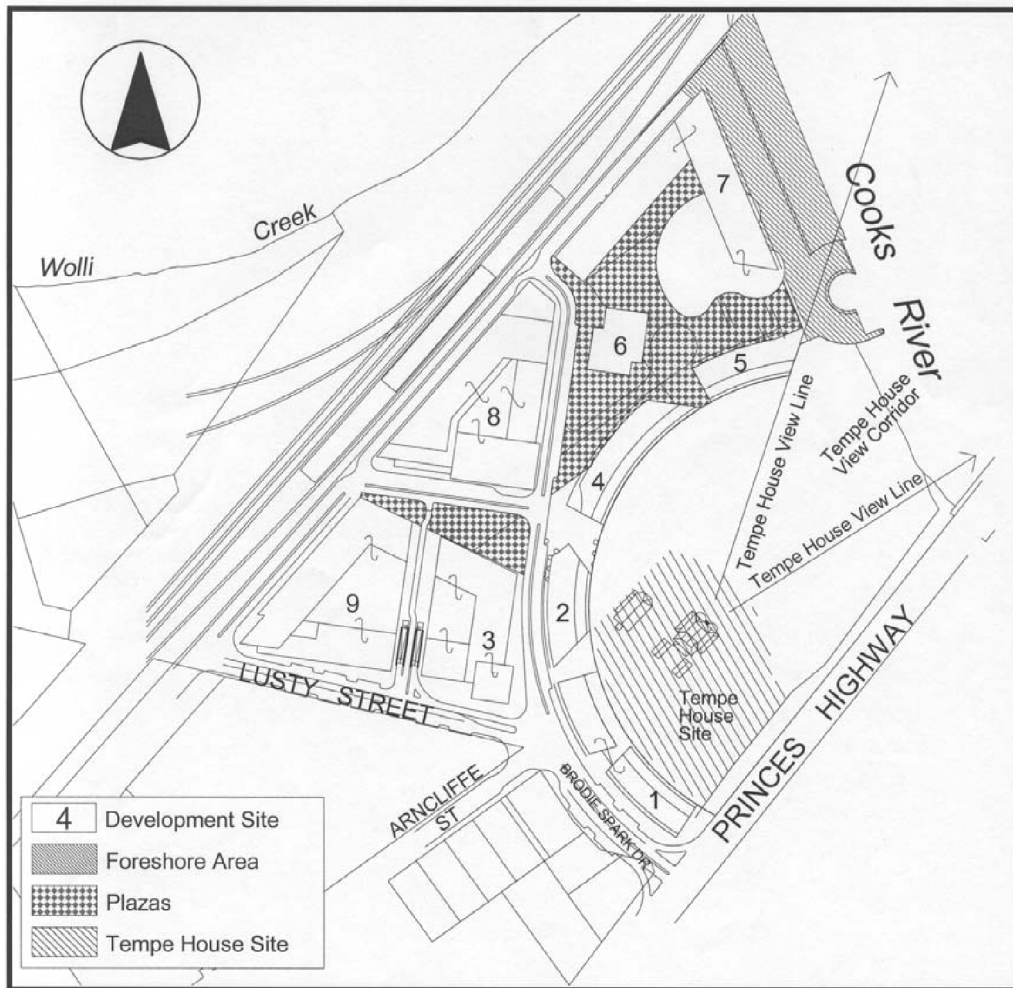




Diagram 3—Land use—Zone 10 (a1)

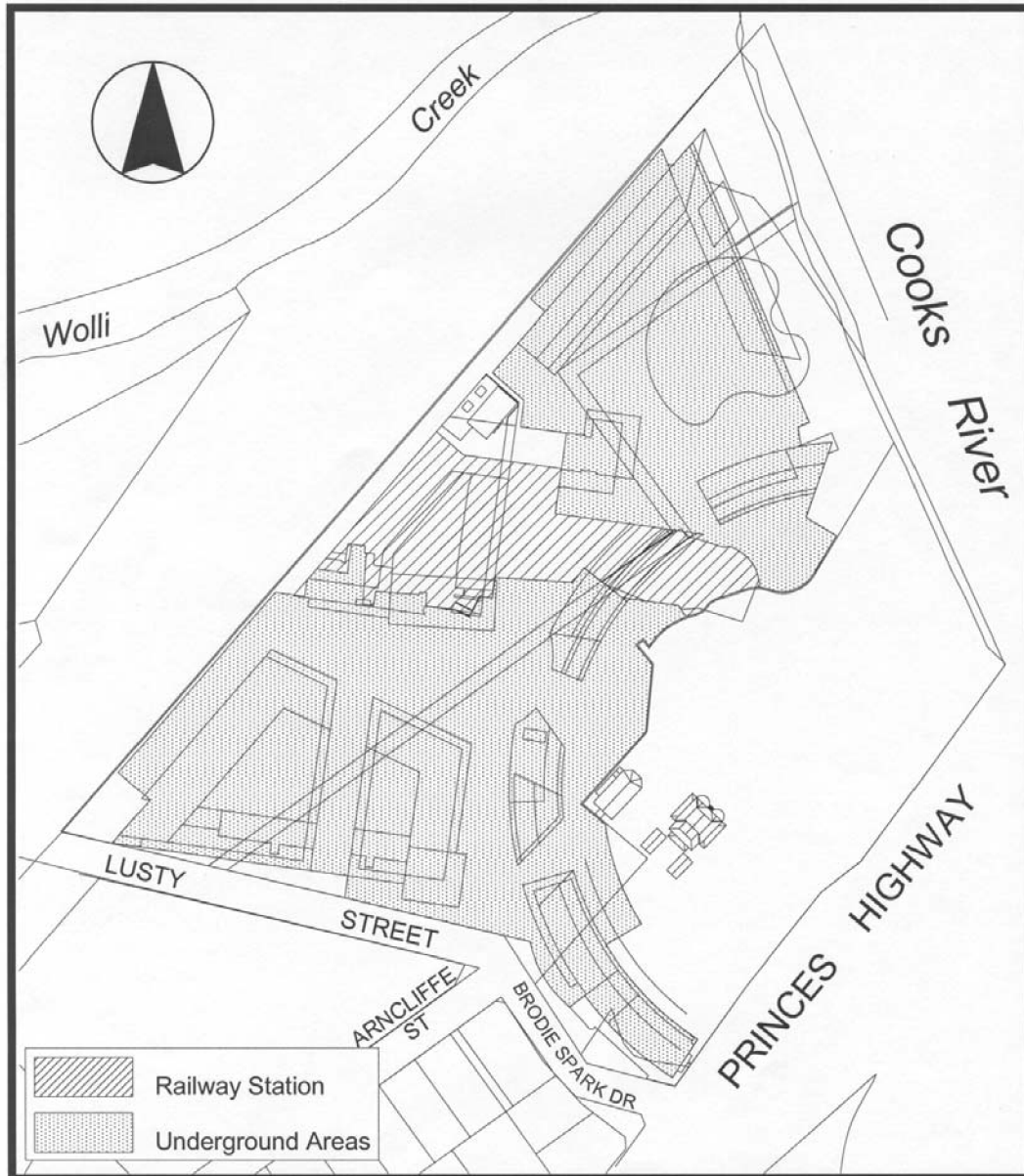


**2006 No 481**

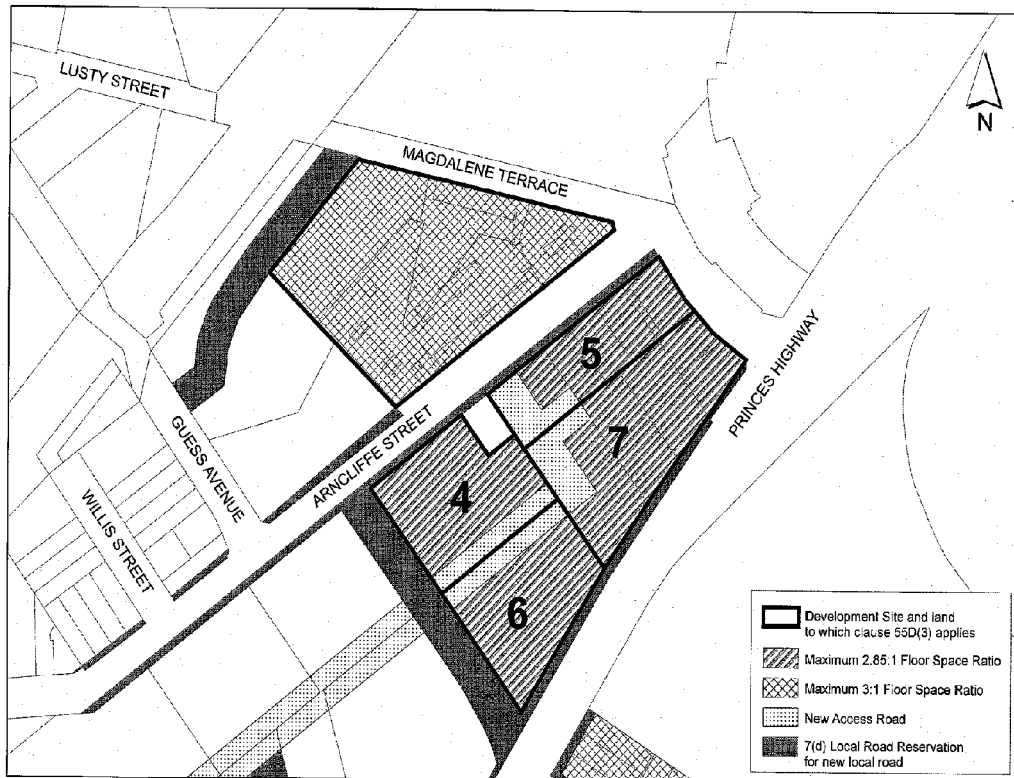
Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

**Diagram 4—Underground areas—Zone 10 (a1)**



**Diagram 5—Development sites—Zone 10 (a) (Western side of Pacific Highway)**



**2006 No 481**

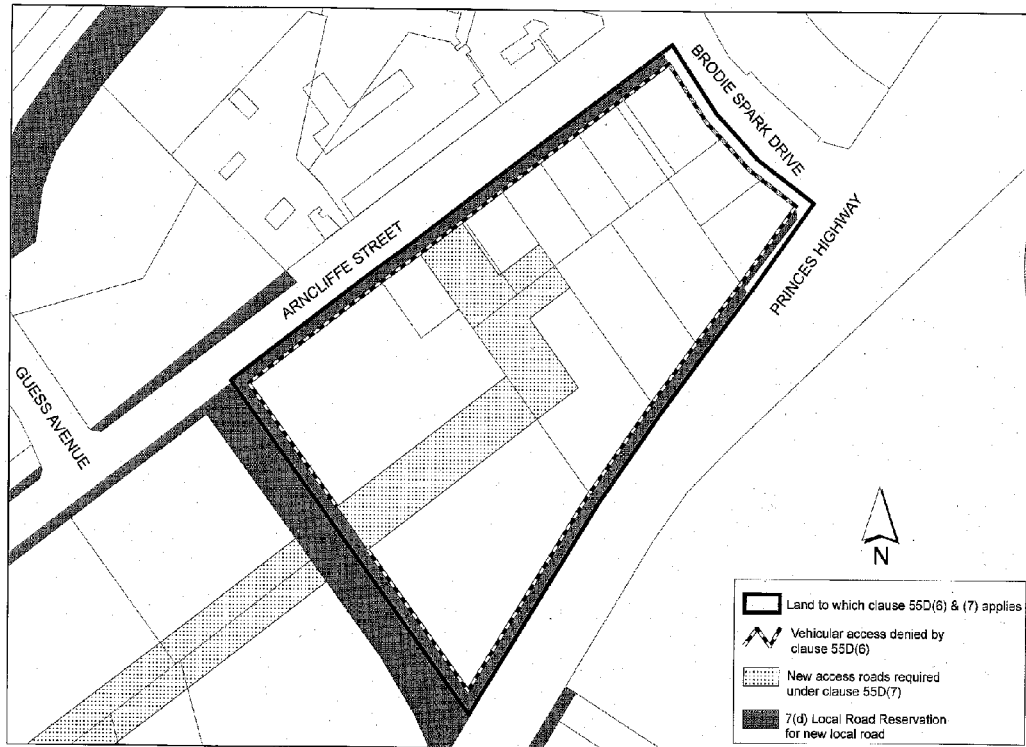
Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

**Diagram 6—Development sites—Zone 10 (a) (Eastern side of Pacific Highway)**



**Diagram 7—Vehicular access—Zone 10 (a) (Western side of Pacific Highway)**



**2006 No 481**

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

**Diagram 8—Vehicular access—Zone 10 (a) (Eastern side of Pacific Highway)**



**Part 2 Particulars for development sites in Zone 10 (a1)**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Development site</b>	<b>Objectives for development of the site</b>	<b>Development that may be carried out on the site</b>
1	<ul style="list-style-type: none"> <li>(a) To ensure development that provides an appropriate backdrop to Tempe House.</li> <li>(b) To ensure that the development provides a significant marker to the precinct from the Princes Highway.</li> <li>(c) To ensure that Tempe House precinct and its environs are adequately considered in the development of the site.</li> <li>(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.</li> <li>(e) To provide opportunities for flexible space.</li> <li>(f) To provide adequate car parking underground.</li> </ul>	Residential development and development for the purpose of hotels; commercial premises; flexible space.
2	<ul style="list-style-type: none"> <li>(a) To provide for predominantly residential development.</li> <li>(b) To provide opportunities for flexible space.</li> <li>(c) To ensure that Tempe House precinct and its environs are adequately considered in the development of the site.</li> <li>(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.</li> </ul>	Any development permissible within Zone 10 (a1).

**2006 No 481**

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Development site</b>	<b>Objectives for development of the site</b>	<b>Development that may be carried out on the site</b>
	<ul style="list-style-type: none"> <li>(e) To ensure that views to the Chapel and the Tempe House environs are obtained from the pedestrian plaza areas through appropriate building design.</li> <li>(f) To provide adequate car parking, principally below street level, in recognition of accessibility to public transport.</li> <li>(g) To enliven the vista between the railway plaza and Tempe House with active retail and community uses.</li> </ul>	
3	<ul style="list-style-type: none"> <li>(a) To provide a landmark building that acts as a gateway to land uses in the Railway precinct.</li> <li>(b) To promote mixed use development incorporating residential, and commercial/retail uses.</li> <li>(c) To provide opportunities for flexible space.</li> <li>(d) To provide active street frontages.</li> <li>(e) To provide opportunities for open air dining along the northern edge of the building facing a pedestrian plaza.</li> <li>(f) To provide adequate car parking principally below street level in recognition of accessibility to public transport.</li> </ul>	Any development permissible within Zone 10 (a1).
4	<ul style="list-style-type: none"> <li>(a) To provide for predominantly residential development.</li> <li>(b) To provide opportunities for flexible space.</li> </ul>	Any development permissible within Zone 10 (a1).



Column 1 Development site	Column 2 Objectives for development of the site	Column 3 Development that may be carried out on the site
	<ul style="list-style-type: none"> <li>(c) To ensure that Tempe House precinct and its environs are adequately considered in the development of the site.</li> <li>(d) To ensure that views to the Chapel and the Tempe House environs are maintained from the pedestrian plaza areas through appropriate building design.</li> <li>(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.</li> <li>(f) To provide an active interface with a public plaza opposite the railway entrance.</li> <li>(g) To provide adequate car parking principally below street level in recognition of accessibility to public transport.</li> </ul>	
5	<ul style="list-style-type: none"> <li>(a) To provide for predominantly residential development.</li> <li>(b) To provide opportunities for flexible space.</li> <li>(c) To ensure that Tempe House precinct and its environs are adequately considered in the development of the site.</li> <li>(d) To ensure that views along the Tempe House view corridor are maintained through appropriate building design.</li> <li>(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.</li> </ul>	Any development permissible within Zone 10 (a1).

**2006 No 481**

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Development site</b>	<b>Objectives for development of the site</b>	<b>Development that may be carried out on the site</b>
6	<p>(f) To provide adequate car parking principally below street level in recognition of accessibility to public transport.</p> <p>(a) To provide a commercial development that represents the landmark commercial building in the Railway precinct.</p> <p>(b) To provide street frontages that achieve an active interface with the pedestrian plaza.</p> <p>(c) To provide adequate car parking principally below street level in recognition of accessibility to public transport.</p>	Any development permissible within Zone 10 (a1).
7	<p>(a) To promote mixed use development incorporating residential, and commercial/retail uses.</p> <p>(b) To encourage development that promotes the public nature of the development site.</p> <p>(c) To provide active street and plaza frontages.</p> <p>(d) To ensure building design has regard to and complements the foreshore setting.</p> <p>(e) To provide for open air dining opportunities along the northern edge of the site facing the water and also along the eastern edge of the development site facing the plaza.</p>	Any development permissible within Zone 10 (a1).

Column 1 Development site	Column 2 Objectives for development of the site	Column 3 Development that may be carried out on the site
8	<ul style="list-style-type: none"> <li data-bbox="550 629 949 728">(f) To provide retail uses at ground level around the edges of the development site.</li> <li data-bbox="550 728 949 826">(g) To provide views to the Cooks River from the plaza area and other public spaces.</li> <li data-bbox="550 826 949 943">(h) To provide access to underground parking for the northern end of land in the Railway precinct.</li> <li data-bbox="550 943 949 1122">(a) To provide for the effective operation of Wolli Creek railway station, including station entry and access, customer services, and administration.</li> <li data-bbox="550 1122 949 1323">(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.</li> <li data-bbox="550 1323 949 1440">(c) To allow for the provision of facilities for persons using the station and any associated transport interchange.</li> <li data-bbox="550 1440 949 1538">(d) To allow covered “air space” development over the railway station.</li> <li data-bbox="550 1538 949 1659">(e) To provide for adequate vehicular and pedestrian access to any development on the site.</li> <li data-bbox="550 1659 949 1753">(f) To promote mixed use development incorporating commercial/retail uses.</li> </ul>	Any development permissible within Zone 10 (a1).

**2006 No 481**

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Development site</b>	<b>Objectives for development of the site</b>	<b>Development that may be carried out on the site</b>
	(g) To provide an active linkage between the carpark and the station entrance along with retail services are provided.	
	(h) To provide opportunities for a hotel located above or immediately adjacent to the railway station.	
	(i) To provide for retail opportunities for the local population and service and retail uses for commercial tenants on the ground floor facing the street and pedestrian plaza.	
	(j) To provide active street frontages.	
	(k) To provide sunlight and air circulation to the station area.	
9	(a) To promote mixed use development incorporating residential and commercial/retail uses.	Any development permissible within Zone 10 (a1).
	(b) To provide opportunities for flexible space.	
	(c) To provide an area of open space in buildings that is available to residents and tenants of the building.	
	(d) 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.	

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Development site</b>	<b>Objectives for development of the site</b>	<b>Development that may be carried out on the site</b>
Foreshore Area (Shown on the Land Use Diagram)	<p>(a) To ensure the future maintenance and stability of the Cooks River foreshore.</p> <p>(b) To facilitate pedestrian and bicycle access along the Cooks River foreshore.</p> <p>(c) To provide for the development of the site as useable open space.</p> <p>(d) To provide for recreational use of the site in conjunction with the development of land within Zone 10 (a1).</p> <p>(e) To provide a landscaped setting for development of land within Zone 10 (a1).</p>	Development for the purpose of flood mitigation works and flood protection works; foreshore restoration; environment protection; open space; recreation; landscaping; underground utility installations; cafés; restaurants; shops; clubs.
Plazas (Shown on the Land Use Diagram)	To encourage development of appropriate pedestrian plazas throughout the precinct to ensure convenient and safe access to the railway station and the waterfront.	Development for the purpose of underground utility installations; landscaping; shops; commercial premises; refreshment rooms; parking; loading docks; roads.
Tempe House Site (shown on the Land Use Diagram)	<p>(a) To provide for the restoration and ongoing maintenance of the “Tempe House” heritage precinct in conjunction with the development of land within Zone 10 (a1).</p> <p>(b) 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.</p>	Any development permissible within Zone 10 (a1), minor or temporary development authorised by clause 62 (5).

**2006 No 481**

Rockdale Local Environmental Plan 2000 (Amendment No 13)—Wolli Creek

Schedule 1 Amendments

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Development site</b>	<b>Objectives for development of the site</b>	<b>Development that may be carried out on the site</b>
	(c) 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.	
	(d) 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.	
	(e) 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.	
	(f) To integrate the Tempe House precinct into the development of the surrounding area, while still preserving its heritage significance.	

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**Part 3 Maximum permitted gross floor space—  
Zone 10 (a1)**

<b>Development site</b>	<b>Area (m<sup>2</sup>)</b>
1	13,494
2	8,609
3	26,010
4	8,620
5	16,611
6	21,017
7	17,130
8	41,795
9	14,218

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**Part 4 Minimum non-residential gross floor  
space—Zone 10 (a1)**

<b>Development site</b>	<b>Area (m<sup>2</sup>)</b>
1	730
2	560
3	7,600
4	—
5	—
6	597
7	2,500
8	41,700
9	650