



New South Wales

Rockdale Local Environmental Plan 2000 (Amendment No 29)

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*. (SRE0000059/S69-1)

KRISTINA KENEALLY, M.P.,
Minister for Planning

2008 No 488

Clause 1 Rockdale Local Environmental Plan 2000 (Amendment No 29)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Rockdale Local Environmental Plan 2000 (Amendment No 29)*.

2 Aims of plan

This plan aims to provide for the sustainable redevelopment of the land to which it applies by:

- (a) rezoning the land to Zone 2 (d)—High Density Residential zone, and
- (b) setting the maximum floor space ratios and maximum building heights for buildings on the land, and
- (c) requiring vehicular access to the land, and that the land be adequately protected from flooding, prior to its redevelopment, and
- (d) requiring that the consent authority consider impacts of:
 - (i) remaining industrial premises on residents of proposed dwellings, and
 - (ii) proposed dwellings on the use of remaining industrial premises.

3 Land to which plan applies

- (1) This plan applies to land at Arncliffe and Turrella in Edward Street, Hirst Street, Loftus Street, Bonar Street, Booth Street, Martin Avenue and Wollongong Road in the area of Rockdale City, as shown edged heavy black and distinctively coloured on the map marked “Rockdale Local Environmental Plan 2000 (Amendment No 29)” held by Rockdale City Council.
- (2) This plan does not apply to land shown as “Deferred Matter” on the maps inserted by Schedule 1 [18] of this plan.

4 Amendment of Rockdale Local Environmental Plan 2000

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

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Schedule 1 Amendments

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(Clause 4)

[1] Clause 8 Definitions

Insert in appropriate order in the definition of *the map* in clause 8 (1):

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[2] Clause 28 Residential zone particulars

Omit paragraph (a) of item 1 of the matter relating to Zone 2 (d)—High Density Residential zone.

Insert instead:

- (a) to take advantage of existing public transport infrastructure at the Wolli Creek, Arncliffe and Turrella railway stations 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 the land, and

[3] Clause 35A Development sites in Zone 2 (d)

Insert in alphabetical order in clause 35A (1):

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

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

[4] Clause 35A (1), definition of “development site”

Insert “or 2” after “Part 1”.

[5] Clause 35A (1), definition of “height”

Omit the definition.

[6] Clause 35A (2)

Omit the subclause. Insert instead:

(2) **Floor area and height of buildings in Wollli Creek development site**

Consent must not be granted to the erection of a building on land in the Wollli Creek development site that is within Zone 2 (d) unless the consent authority is satisfied that:

- (a) the combined gross floor area of all buildings to be erected on the site will not exceed a floor space ratio of 2:1, and
- (b) the building will not exceed the maximum building height specified, in metres above Australian Height Datum, for the land in Diagram 1 in Division 1 of Part 1 of Schedule 2 (as measured from the Australian Height Datum to the topmost point of the building).

(2A) **Floor area and height of buildings in Bonar Street Precinct development site**

Consent must not be granted to the erection of a building on land in the Bonar Street Precinct development site unless the consent authority is satisfied that:

- (a) the combined gross floor area of all buildings to be erected on the site will not exceed the maximum floor space ratio specified for the land in Diagram 1 in Part 2 of Schedule 2, and
- (b) the building will not exceed the maximum building height specified, in metres, for the land in Diagram 2 in Part 2 of Schedule 2 (as measured from natural ground level to the topmost point of the building).

(2B) *State Environmental Planning Policy No 1—Development Standards* does not apply so as to allow an exception from, or variation of, any floor space ratio requirement made by this clause.

(2C) In calculating the combined gross floor area referred to in subclause (2A) (a), the consent authority may exclude the gross floor area of any community facility or child care centre to be erected on the site, but only to a maximum of 500 square metres of the combined gross floor area of all community facilities and child care centres to be erected on the site.

(2D) Despite subclause (2A) (b), a building to be erected on land in the Bonar Street Precinct development site may have a height of not more than 3 metres more than the maximum building height specified for the land in Diagram 2 in Part 2 of Schedule 2, but

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only if the consent authority is satisfied that any such variation from the maximum building height specified for the land in that diagram will not have a material adverse effect on the amenity of the occupants of nearby land.

(2E) Subclause (2D) does not apply to a building to be erected on land in the Bonar Street Precinct development site if the maximum building height specified for the land in Diagram 2 in Part 2 of Schedule 2 is 12 metres.

(2F) **Dwellings, shops and commercial premises in Bonar Street Precinct development site**

Consent must not be granted to the erection of a dwelling, or a building to be used as a shop or commercial premises, on land in the Bonar Street Precinct development site unless the consent authority is satisfied that:

- (a) any works necessary to adequately protect the land from flooding have been, or will be, provided, and
- (b) satisfactory vehicular access to the land has been, or will be, provided.

(2G) Consent must not be granted to the erection of a dwelling on land in the Bonar Street Precinct development site that is adjacent to industrial premises unless the consent authority has considered whether or not:

- (a) any residents of the dwelling will be adversely and materially affected by the use of the industrial premises, and
- (b) the use of the industrial premises will be adversely and materially affected by the proximity of the dwelling.

[7] **Clauses 55C (1), 55D (1) and 62 (2)**

Insert "Division 1 of" before "Part 1" wherever occurring in the definitions of *Height Control Diagram*, *Land Use Diagram* and *Underground Areas Diagram* in clause 55C (1), the definition of *development site* in clause 55D (1) and the definition of *Tempe House view corridor* in clause 62 (2).

[8] **Clause 55C (2) (c) (ii) and (d) and (5) (b) and (c) (ii)**

Omit "Part 2" wherever occurring. Insert instead "Division 2 of Part 1".

[9] **Clause 55C (2) (f)**

Omit "Part 3". Insert instead "Division 3 of Part 1".

[10] **Clause 55C (2) (g) (i) and (5) (d) (i)**
Omit “Part 4” wherever occurring. Insert instead “Division 4 of Part 1”.

[11] **Clauses 55C (7) and 55D (3), (4) and (6)–(8)**
Insert “Division 1 of” before “Part 1” wherever occurring.

[12] **Schedule 2, heading**
Omit the heading. Insert instead:

**Schedule 2 Diagrams and other particulars
relating to certain development sites**

[13] **Schedule 2**
Omit “(Clauses 35A, 55C and 55D)”.
Insert instead “(Clauses 35A, 55C, 55D and 62)”.

[14] **Schedule 2, existing Part 1, heading**
Omit the heading. Insert instead:

Part 1 Wolli Creek

Division 1 Diagrams

[15] **Schedule 2, existing Part 2, heading**
Omit the heading. Insert instead:

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

[16] **Schedule 2, existing Part 3, heading**
Omit the heading. Insert instead:

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

[17] **Schedule 2, existing Part 4, heading**
Omit the heading. Insert instead:

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

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Schedule 1 Amendments

[18] Schedule 2, new Part 2

Insert at the end of Schedule 2:

Part 2 Bonar Street Precinct

Diagram 1—Development sites and floor space ratios—Zone 2 (d)



Diagram 2—Height of buildings—Zone 2 (d)

