



New South Wales

Bayside Local Environmental Plan 2021 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

JAZMIN VAN VEEN

As delegate for the Minister for Planning and Public Spaces

Bayside Local Environmental Plan 2021 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Bayside Local Environmental Plan 2021 (Amendment No 5)*.

2 Commencement

This plan commences on the day on which it is published on the NSW legislation website.

3 Land to which plan applies

This plan applies to land to which *Bayside Local Environmental Plan 2021* applies.

4 Maps

The maps adopted by *Bayside Local Environmental Plan 2021* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this plan.

Schedule 1 Amendment of Bayside Local Environmental Plan 2021

[1] Schedule 1 Additional permitted uses

Omit “23A Clevedon Street and” wherever occurring in clause 5, including the heading.

[2] Schedule 1, clause 9(1)

Omit “75 Gardeners Road, Eastlakes, being Lot 1, DP 1116853 and”.

Insert instead “Lot 51, DP 1216168, 75 Gardeners Road, Eastlakes,”.

[3] Schedule 1, clause 14(1)

Omit the subclause. Insert instead—

- (1) This clause applies to the following land at Coward Street, King Street and Kent Road, Mascot, identified as “10” on the Additional Permitted Uses Map—

- (a) Part Lot 3, DP 230355,
- (b) Lot 5, DP 1276735,
- (c) Lots 100 and 101, DP 1277278,
- (d) Lots 103 and 104, DP 1282564,
- (e) Lots 2 and 4, DP 234489,
- (f) Lot 2, DP 510447.

[4] Schedule 1, clause 18(1)

Omit the subclause. Insert instead—

- (1) This clause applies to the following land adjacent to Qantas Drive, Mascot, identified as “14” on the Additional Permitted Uses Map—

- (a) Part Lot 95, DP 1157632,
- (b) Part Lot 11, DP 213317,
- (c) Lot 17, DP 217443,
- (d) Lot 6, DP 209847,
- (e) Part Lot 9, DP 747022.

[5] Schedule 1, clause 20(1)

Omit “128 Bunnerong Road, Pagewood and 120 Banks Avenue, Eastgardens, being Lot 1, DP 1187426 and Lot 24, DP 1242288 and”.

Insert instead “Lot 100, DP 1250842 and Lot 24, DP 1242288, 128 Bunnerong Road and 120 Banks Avenue, Eastgardens,”.

[6] Schedule 1, clause 22(1)(a)

Omit “Lot 11, DP 1074481”. Insert instead “SP 96651”.

[7] Schedule 1, clause 23(1)

Omit “being Lots 3 and 4,”.

[8] Schedule 1, clause 31(1)

Omit “2 and 2A Princes Highway, Wolli Creek being Lot 3, DP 1148894 and”.

Insert instead “Part Lot 50, DP 1223957, 2 and 2A Princes Highway, Wolli Creek,”.

[9] Schedule 5 Environmental heritage

Omit “Lots 1 and 2,” from Part 1, item no I10.

[10] Schedule 5, Part 1, item no I20

Omit “Lots 1–10,”.

[11] Schedule 5, Part 1, item no I21

Omit “Section B,”.

[12] Schedule 5, Part 1, item no I31

Omit the item. Insert in appropriate order—

Turrella, Wolli Creek	Wolli Creek Aqueduct	27 Lusty Street and 74 Bonar Street	Lot 2, DP 444657; Lot 3, DP 86820; Lots 1 and 2, DP 1221940 (part roadway between Turrella Street and Lusty Street and part bed of Wolli Creek)	State	I31
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[13] Schedule 5, Part 1, item no I33

Omit the item. Insert in appropriate order—

Bardwell Valley	Palm trees	Mawson Street		Local	I33
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[14] Schedule 5, Part 1, item no I32

Omit the item. Insert in appropriate order—

Arnccliffe, Mascot, Wolli Creek	Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) —Western Main Carrier	Valda Avenue (off south side of Kogarah Golf Course)	Lot 1, DP 667322; Lot 2, DP 346521; Lot 2, DP 508308; Lot 1, DP 530513; Lot 5, DP 86820; part of Lot 20, DP 1224233; part of Lot 14, DP 1069479; part of Lots A and B, DP 379449; part of Lots 3 and 4 and part of Lots 44–46, Section 3, DP 1633; part of Lots 2–4, DP 233254; part of Lot 102, DP 630786; part of Lot 7004, DP 93569; part of Lot 1, DP 1240633; part of Part Lot 9 DP 1227769; part of Lots 100 and 101, DP 706647; part of Lot 1, DP 61004; part of Lot 102, DP 701509; part of Lots 12, 16 and 17, Section 1, DP 974988; part of Lot 18, DP 1110158; part of Lots 113 and 114, DP 618350	State	132
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[15] Schedule 5, Part 1, item no 174

Omit the item. Insert in appropriate order—

Botany	Sir Joseph Banks Hotel (circa 1920)	1354 Botany Road (corner of Botany Road and Waratah Street)	Part Lot 1, DP 73950	Local	174
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[16] Schedule 5, Part 1, item no I75

Omit the item. Insert in appropriate order—

Botany	Commercial building	1619 Botany Road	Lot 1, DP 913863	Local	175
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[17] Schedule 5, Part 1, item no I76

Omit the item. Insert in appropriate order—

Botany	Banksmeadow Public School	60 Brighton Street	Lot 12, DP 859010	Local	176
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[18] Schedule 5, Part 1, item no I77

Omit the item. Insert in appropriate order—

Botany	Streetscape—verge plantings of Canary Island Date Palm (<i>Phoenix canariensis</i>)	Brighton Street		Local	177
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[19] Schedule 5, Part 1, item no I78

Omit the item. Insert in appropriate order—

Botany	Former headmaster's residence to Banksmeadow Public School	60 Brighton Street	Lot 11, DP 859010	Local	178
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[20] Schedule 5, Part 1, item no I97

Omit the item. Insert in appropriate order—

Bexley, Bexley North	Bardwell Creek Flora Reserve (south of Bexley Road)	369D and 369F Bexley Road and 98D Preddy's Road	Part Lot 11 and Lots 27–34, Section B, DP 4580; Lots 7–10 and 18–25, Section C, DP 4580; Lot 17, DP 9730; Lot 14, DP 14208; Lot 3, DP 17016; Lot 7, DP 17073; Lots 5, 6 and 8, DP 17225; Lot 7, DP 21406; Lot 2, DP 204870; Lot 4, DP 206746; Lot 6, DP 210027; Lot 1, DP 211151; Lot 4, DP 326997; Lot B, DP 327603; Lots A and B, DP 327604; Lot E, DP 328325; Lot 3, DP 532927; Lot 2, DP 605883; Lot 7008, DP 1031070; Lot 12, DP 1042165	Local	197
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[21] Schedule 5, Part 1, item no I133

Insert “Part of” before “Lot 21, DP 1162915”.

[22] Schedule 5, Part 1, item no I127

Omit the item. Insert in appropriate order—

Bexley, Rockdale	Bexley Primary School	330 Forest Road	Part Lot 131, DP 1053602	Local	1127
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[23] Schedule 5, Part 1, item no I144

Omit the item. Insert in appropriate order—

Bardwell Park, Bardwell Valley, Bexley, Bexley North	Bardwell Creek Flora Reserve (north of Bexley Road)	2A Hillcrest Avenue (part of Bardwell Valley Golf Course) and 390 Bexley Road	Lots 1–3 and part of Part Lot 4, DP 1107669; Lots 122–129, DP 16044; Lots A and B, DP 343197; Lot 18, Section E, DP 376; part of Part Lot 1, DP 651827	Local	1144
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[24] Schedule 5, Part 1, item no I147

Omit the item. Insert in appropriate order—

Bexley, Kogarah	Street plantings	Queen Victoria Street (both sides), R 71 Queen Victoria Street and R 830 Paine Street		Local	1147
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[25] Schedule 5, Part 1, item no I153

Omit the item. Insert in appropriate order—

Bexley	Bexley Park	93–95 Stoney Creek Road	Lot 98, DP 8760; Lot 1, DP 964567	Local	1153
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[26] Schedule 5, Part 1, item no I159

Omit the item. Insert in appropriate order—

Bardwell Park, Bexley North	Stotts Reserve	167 Slade Road	Lots 26–29, 54 and 56–59, DP 16044; Lot 12, DP 19286; Lots 30, 33 and 37, DP 1222255; Lot 200, DP 1222256; Lots 9–13 and 23, DP 1227231	Local	1159
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[27] Schedule 5, Part 1, item no I160

Omit the item. Insert in appropriate order—

Botany, Eastlakes, Pagewood	Botany water reserves	About 200ha between Mascot and Botany extending from the northern shore of Botany Bay to Gardeners Road, including the Lakes and Eastlakes Golf Courses and Mill and Engine Ponds	Lot 2, DP 854374; Lots 1 and 3–5, DP 1144655; Part Lot 1, DP 241650; Lot 100, DP 1232571; Lot 2825, DP 752015; Lot 2, DP 1039418	State	1160
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[28] Schedule 5, Part 1, item no I161

Insert “Lot 1, DP 909015;” before “Lot 7078”.

[29] Schedule 5, Part 1, item no I162

Omit “Lots 1–19.”.

[30] Schedule 5, Part 1, item no I188

Omit “Part Lot 4, Section B, DP 1787; Part Lot 1, DP 566495”
 Insert instead “Lot 4, Section B, DP 1787; Lot 1, DP 566495”.

[31] Schedule 5, Part 1, item no I191

Omit “Part Lot 5”. Insert instead “Lot 5”.

[32] Schedule 5, Part 1, item no I214

Omit the item. Insert in appropriate order—

Botany	Residential building	15–18 The Esplanade	Part of SP 90899	Local	I214
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[33] Schedule 5, Part 1, item no I217

Omit the item. Insert in appropriate order—

Brighton-Le- Sands	Brighton-Le- Sands Houses (Brighton Parade precinct)	3, 5, 9, 11, 23 and 33 Brighton Parade	Lots 5, 10 and 16, DP 15057; Lots 1, 3 and 4, DP 78024	Local	I217
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[34] Schedule 5, Part 1, item no I218

Omit “Lots 1 and 2”. Insert instead “Part of Part Lot 1 and part of Lot 2”.

[35] Schedule 5, Part 1, item no I219

Omit the item. Insert in appropriate order—

Brighton-Le-Sands, Kyeemagh, Monterey, Ramsgate Beach, Sandringham, Sans Souci	Cook Park	East of General Holmes Drive and The Grand Parade		Local	I219
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[36] Schedule 5, Part 1, item no I220

Omit the item. Insert in appropriate order—

Brighton-Le-Sands, Rockdale	Kings Wetland	Kings Road	Lot 194, DP 752056; part of Part Lot 1 and part of Lot 2, DP 194470; Lot 1, DP 229723; Lot 1, DP 214047; Lot 3, DP 525538	Local	I220
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[37] Schedule 5, Part 1, item no I222

Omit “Lot 1”. Insert instead “Lots 1 and 2”.

[38] Schedule 5, Part 1, item no I223

Omit the item. Insert in appropriate order—

Brighton-Le-Sands, Monterey, Ramsgate Beach	Row of <i>Araucaria</i> trees	The Grand Parade between General Holmes Drive and Ramsgate Road (in Cook Park)		Local	I223
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[39] Schedule 5, Part 1, item no I242

Omit “Part Lot 1, DP 186759”. Insert instead “Part of Part Lot 1, DP 1296284”.

[40] Schedule 5, Part 1, item no I243

Omit “Lot 1, DP 666538”. Insert instead “Part of Part Lot 1, DP 1296284”.

[41] Schedule 5, Part 1, item no I246

Omit “190 Russell Avenue”. Insert instead “190–196 Russell Avenue”.

[42] Schedule 5, Part 1, item no I246

Omit “Lot 2, DP 530790; Lot 449, DP 752056”.

Insert instead “Lot 1, DP 1236104”.

[43] Schedule 5, Part 1, item no I257

Omit “DP 859131I”. Insert instead “DP 859131”.

[44] Schedule 5, Part 1, item no I264

Omit the item. Insert in appropriate order—

Rosebery	Commercial building group	891–917 Botany Road	Lot 1, DP 80274; Lots A and B, DP 87517; Lots A–D, DP 103750; Lots 1 and 2, DP 504610; Lots 2–4, DP 598272; Lot 1, DP 784041	Local	I264
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[45] Schedule 5, Part 1, item no I266

Omit the item. Insert in appropriate order—

Rosebery	House group	995–999 Botany Road	Lot 1, DP 917174; Part Lot 1, DP 918245	Local	I266
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[46] Schedule 5, Part 1, item no I267

Omit the item. Insert in appropriate order—

Rosebery	Electricity Substation No 147	1001 Botany Road	Lot 1, DP 232836	Local	I267
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[47] Schedule 5, Part 1, item no I268

Omit the item. Insert in appropriate order—

Rosebery	Former National Bank of Australasia	1005 Botany Road, corner of Botany Road and Coward Street	Lot A, DP 319304	Local	I268
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[48] Schedule 5, Part 1, item no I270

Omit “Lot 1, DP 213130; Lots A and B, DP 349471; Lots A–C and Corner Lot D, DP 440204”.

Insert instead “Lot 1, DP 213130; Lots A and B, DP 349471; Lots A–D, DP 440204”.

[49] Schedule 5, Part 1, item no I285

Omit the item. Insert in appropriate order—

Rosebery	House	110 Coward Street	Lot 1, DP 999395	Local	1285
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[50] Schedule 5, Part 1, item no I288

Omit the item. Insert in appropriate order—

Rosebery	Uniting Church and rectory	118–122 Coward Street	Lot B, DP 155557; Part Lot 1, DP 197503; Lot 2, DP 917174; Lot 1, DP 917524	Local	1288
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[51] Schedule 5, Part 1, item no I319

Omit the item. Insert in appropriate order—

Eastlakes	Christian Fellowship Centre	40 King Street	Lot 14, Section 8, DP 937	Local	1319
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[52] Schedule 5, Part 1, item no I320

Omit the item. Insert in appropriate order—

Eastlakes	House group	62–64 King Street	Lots A and B, DP 304230	Local	1320
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[53] Schedule 5, Part 1, item no I334

Omit the item. Insert in appropriate order—

Kogarah, Monterey	Patmore Swamp	99 President Avenue (part of North Scarborough Park)	Lot 14, DP 20365; Part Lot 1, DP 1177511; Lots 1 and 3, DP 1113262	Local	1334
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[54] Schedule 5, Part 1, item no I338

Omit “Lot 7067, DP 1059870”. Insert instead “Lot 8207, DP 1177420”.

[55] Schedule 5, Part 1, item no I339

Omit the item. Insert in appropriate order—

Ramsgate	Hawthorne Street Reserve/Leo Smith Reserve	65A Barton Street (Scarborough Park, off Hawthorne Street)	Part Lot 1, DP 1177511	Local	1339
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[56] Schedule 5, Part 1, item no I340

Omit the item. Insert in appropriate order—

Ramsgate, Ramsgate Beach	Fig trees	65A Barton Street (South Scarborough Park, immediately north of Ramsgate Road)	Part Lot 1, DP 1177511	Local	I340
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[57] Schedule 5, Part 1, item no I359

Omit “Lot 1, DP 34647; Lot 1, DP 517350”. Insert instead “Part of Lot 1, DP 34647”.

[58] Schedule 5, Part 1, item no I360

Omit the item. Insert in appropriate order—

Mascot	Former bank building	686 Botany Road (corner of Botany and Gardeners Roads)	Lot A, DP 411716	Local	I360
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[59] Schedule 5, Part 1, item no I377

Omit the item. Insert in appropriate order—

Sandringham, Sans Souci	Tram route relics, tram shelter, island and plantings	Clareville Avenue (corner of Russell Avenue)		Local	I377
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[60] Schedule 5, Part 1, item no I379

Omit the item. Insert in appropriate order—

Sans Souci	Cook Park	Riverside Drive	Lot 7098, DP 94128; Lot 7083, DP 94129; Lot 7099, DP 94082	Local	I379
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[61] Schedule 5, Part 1, item no I380

Omit the item. Insert in appropriate order—

Sandringham, Sans Souci	Norfolk Island pine trees	Riverside Drive (between Napoleon and Waldron Streets)		Local	I380
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[62] Schedule 5, Part 1, item no I381

Insert “and 2B Toyer Avenue” after “Rocky Point Road”.

[63] Schedule 5, Part 1, item no I381

Omit “Lot 700”. Insert instead “Lots 700 and 701”.

[64] Schedule 5, Part 1, item no I382

Omit the item. Insert in appropriate order—

Mascot	Ruins of the former Botany Pumping Station	Within the boundary of Sydney (Kingsford Smith) Airport	Part Lot 8, DP 1050923	Local	I382
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[65] Schedule 5, Part 1, item no I383

Omit the item. Insert in appropriate order—

Mascot	Sydney (Kingsford Smith) Airport group	Airport Drive	Part Lot 8, DP 1050923	Local	I383
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[66] Schedule 5, Part 1, item no I385

Omit the item. Insert in appropriate order—

Wolli Creek	Wolli Creek Wetlands	75 Henderson Street and Railway lands	Lot 5, DP 431083; Part Lot 1, DP 775302 (MS 16565 3000 SY); Lots 12 and 13, DP 1149053; part bed of Wolli Creek	Local	I385
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[67] Schedule 5, Part 1, item no I388

Omit “Lot 1, DP 270821”.

Insert instead “Part of Part Lot 1 and Part Lots 2 and 3, DP 270821; part of SP 93440”.

[68] Schedule 5, Part 1, item no I389

Omit the item. Insert in appropriate order—

Bardwell Park, Bardwell Valley, Bexley North, Turrella, Wolli Creek	Wolli Creek Valley	Wolli Creek		Local	I389
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[69] Schedule 5, Part 2

Omit “C2” from the matter relating to “Botany Township Heritage Conservation Area”.
Insert instead “C1”.

[70] Schedule 5, Part 2

Omit “C1” from the matter relating to “Daceyville Garden Suburb Heritage Conservation Area”.
Insert instead “C2”.