



Kogarah Council Planning Proposal

Prepared by Kogarah Council

August 2014

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BACKGROUND

Kogarah Local Environmental Plan 2012 (KLEP 2012) represented a conversion of the Kogarah LEP 1998 to the Department of Planning's Standard Instrument LEP and was gazetted in January 2013. That Plan was not a review of the statutory planning controls as it was a conversion of the existing plan to the new Standard Instrument LEP format. At the time of preparing Kogarah LEP 2012 there was no strategic review of zonings and development standards (height, floor space ratio, minimum allotment sizes etc.) and no strategic review of policy relating to employment lands or housing was undertaken.

The Community Strategic Plan, Bright Future, Better Lifestyle 2030 identified the need to provide diverse, sustainable, adaptable and affordable housing options throughout the Kogarah Local Government Area (LGA). Issues such as housing choice, availability and access to public transport and services were all identified as key factors in facilitating positive housing outcomes for current and future residents of the Kogarah LGA. The Community Strategic Plan recognises that housing is not just about a physical roof over heads - it is about lifestyle, wellbeing and creating and maintaining the better lifestyle that our residents value in the City of Kogarah.

Council has now completed the relevant background studies to undertake a strategic review of Kogarah LEP 2012. This Planning Proposal aims to implement the recommendations of the recent studies and Council strategies that have been undertaken, which include the following:

- Kogarah 2031 Housing Strategy
- Kogarah Employment Lands and Economic Development Strategy
- Open Space Review

Council resolved at its meeting on the 28 July 2014 to prepare a Planning Proposal which amends Kogarah Local Environmental Plan (LEP) 2012. The proposed amendments have been prepared as options for additional housing opportunities across the City to meet the future needs of our community. The Planning Proposal proposes to amend zonings and land use tables, introduce height and floor space ratio controls (principal development standards) and review and amend the associated maps.

This Planning Proposal contains an explanation of the intended effect and justification for a proposed amendment to the Kogarah Local Environmental Plan 2012. The Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal applies to the whole Kogarah LGA.

PART I OBJECTIVE OR INTENDED OUTCOMES

This section of the Planning Proposal sets out the objectives or intended outcomes of the Planning Proposal.

The main objectives of the Planning Proposal are to amend Kogarah LEP 2012 to:

- (a) Provide opportunities for the future redevelopment of specific land for dual occupancy development, multi-unit residential development and shop-top housing which:
 - is in close proximity to transport nodes and commercial centres;
 - encourages the use of public transport;
 - provides for diversity and choice in housing across the LGA; and
 - is adequate to assist achieve Council's dwelling target under the State Government's *Metropolitan Strategy* and *draft South Subregional Strategy*
- (b) Include the following specific actions with regard to increasing housing choice:
 - (i) Rezoning land in and around centres to increase residential development capacity.
 - (ii) Introduce the R4 – High Density Residential zone and associated land use tables in areas close to the Kogarah and Hurstville Town Centres to allow increased residential development.
 - (iii) Provide increased development potential (height and floor space ratio) in areas to encourage a range of residential development.
 - (iv) Introduce principal development standards (height of buildings and floor space ratio) for land across the LGA.
 - (v) Provide greater flexibility for dual occupancy development in the R2 – Low Density zone.
 - (vi) Provide greater flexibility for the subdivision of land in the R2 – Low Density zone.
 - (vii) Delete the E4 – Environmental Living zone and associated land use tables.
 - (viii) Introduce a local provision to permit seniors housing in the form of self contained dwellings on large sites in the R2 – Low Density zone.
- (c) Achieve the outcomes of the Kogarah Employment Lands and Economic Development Strategy through the review of height and floor space ratio requirements for existing commercial zones and the introduction of a B6 – Enterprise Corridor zone and associated land use table for sites along the Princes Highway.
- (d) Amend Schedule 1 – Additional Permitted Uses of Kogarah LEP 2012 by rationalising properties identified within the Schedule.
- (e) Amend Schedule 2 – Exempt Development to align Kogarah LEP 2012 with recent amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP).

- (f) Amend Schedule 5 – Environmental Heritage to delete Item No 1117, being the Mortdale Railway Station and car sheds, Illawarra Railway between Coleborne Avenue, Ellen Subway and 195-235 Hurstville Road, Mortdale (Lot 100, DPI141151).
- (g) Rezone rear portion of Lot 4 & 5, DP 7814 (No 279) Rocky Point Road, Sans Souci, which has been sold off by Telstra from SP2- Infrastructure to R2 – Low Density Residential
- (h) Delete the RE2 – Private Recreation zone and associated land use tables from Kogarah LEP 2012.
- (i) Introduce a new E2 – Environmental Conservation zone and land use table in accordance with the Open Space Review.
- (j) Rezone the following that are in the ownership of key infrastructure and educational providers to SP2 - Infrastructure to reflect their current use:

Affected Properties	Proposed Zoning
Block bounded by Palmerston Street, Victor Street, Gladstone Street and Victoria Street, Kogarah	SP2 – Educational Establishments
Nos 30-38 Belgrave Street and Nos 4-10 South Street, Kogarah	SP2 – Health Services Facilities
Nos 70-72 and Nos 80-82 Jubilee Avenue, Nos 91-105 and 109-111 Rocky Point Road and 40-46 & 52 Ercildoune Avenue, Beverley Park	SP2 – Health Services Facilities
Nos 17-19 Broughton Street, Sans Souci	SP2 – Educational Establishments
No 170 Connells Point Road, Connells Point	SP2 – Educational Establishments
29A Greenacre Road, South Hurstville	SP2 – Educational Establishments
Lot 1, DPI22877 & Lot 1, DPI22875 (known as No 30 Maher Street), Hurstville	SP2 – Educational Establishments
Nos 51-69 Woids Avenue, No 50 Bellevue Parade and No 56 Bellevue Parade, Allawah	SP2 – Educational Establishments
Part of No 4 & 10 Water Street, Sans Souci	SP2 – Emergency Services Facilities

- (k) Rezone sites that are in the ownership of Kogarah City Council and/or the Crown which are utilised as open space to Zone REI – Public Recreation in accordance with the recommendations of the Open Space Review.
- (l) Rezone sites that are currently zoned REI – Public Recreation but are not utilised as open space to a more appropriate zone in accordance with the recommendations of the Open Space Review.
- (m) Amend Schedule 4 to reclassify the following land from “community” land to “operational” land:
 - No 1A Stuart Street, Blakehurst (Lot 2, DP794233);
 - 21A Queens Road, Connells Point (Lot E, DP 373733);
 - No 8A Wyong street, Oatley (Lot 15, DP 746853); and

PART 2 EXPLANATION OF PROVISIONS

The Planning Proposal incorporates a number of general amendments to Kogarah LEP 2012.

This section sets out the means through which the objectives described in Part 1 will be achieved, in the form of controls on development in an LEP.

To achieve the objectives outlined in Part 1 this Planning Proposal seeks to amend Kogarah Local Environmental Plan 2012 (KLEP) as follows:

2.1 Amendments to Written Instrument – Kogarah LEP 2012

A number of changes are proposed to Clauses within the written LEP instrument.

Some of these changes relate to amendments to existing clauses, while it is also proposed to insert a number of new clauses, including a new Local Provision which aims to encourage seniors housing in the form of self-contained dwellings so as to increase the supply and diversity of housing that meets the needs of seniors in the R2 – Low Density Residential zone.

Table 1 below provides an overview of the changes proposed to the written instrument, Kogarah LEP 2012:

Table 1: Overview of Amendments to Kogarah LEP – Written Instrument

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
2.1 Land use zones	Delete the following zone/s from KLEP 2012: - E4 – Environmental Living - RE2 – Private Recreation Introduce the following zones into KLEP 2012: - R4 – High Density Residential - B6 – Enterprise Corridor - E2 – Environmental Conservation	Section 2.2 below for further discussion on the land use zones. Appendix 1 for draft Land Use Tables, as amended
2.5 Additional permitted uses for particular land	This clause refers to a Schedule (Schedule 1) at the end of the Plan and states that certain development on certain land nominated in the Schedule is permitted even though the development is not included in the Land Use Table for the zone. There are no changes proposed to Clause 2.5, however significant amendments are	Section 2.5 below for further discussion on the amendments to Schedule 1 – Additional Permitted Uses. Appendix 2 for discussion on

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
	proposed to Schedule I – Additional Permitted Uses.	review of Schedule I and Schedule I as proposed to be amended.
Land Use Table	Make changes to the following Land Use Tables • Zone R2 – Low Density Residential • Zone R3 – Medium Density Residential • Zone IN2 – Light Industrial • Zone SP2 – Infrastructure • Zone RE1 – Public Recreation Introduce into KLEP 2012 Land Use Tables for the following zones: • Zone R4 – High Density Residential • Zone B6 – Enterprise Corridor • Zone E2 – Environmental Conservation	Section 2.3 below for further discussion on the land use tables Appendix I for draft Land Use Tables, as amended.
PART 3 EXEMPT AND COMPLYING DEVELOPMENT		
3.1 Exempt development	This clause allows certain minor development to be undertaken without development consent, in addition to development specified by the Codes SEPP. Schedule 2 – Exempt Development identifies development that was not included in the Codes SEPP that is considered to have minimal environmental impact. There are no changes proposed to Clause 3.1, however amendments are proposed to Schedule 2 – Exempt Development to align with the amendments made to the Codes SEPP in February 2014.	Section 2.6 below for further discussion on the amendments to Schedule 2 – Exempt Development. Appendix 3 for Schedule 2, as amended

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
PART 4 PRINCIPAL DEVELOPMENT STANDARDS		
4.1 Minimum subdivision lot size	This clause indicates the minimum lot size requirements for the subdivision of land. The various minimum lot sizes are shown on the <u>Lot Size Map</u>. The minimum lot sizes currently in Kogarah LEP 2012 are proposed to be amended. The intention of the amendment is to encourage the subdivision of land, to allow for smaller allotments across the LGA. A review of the existing development standards relating to minimum subdivision lot size has been undertaken and it is recommended that the following amendments be made to Clause 4.1 of KLEP 2012 and the associated maps to reflect the following: • Minimum allotment size on land zoned R2- Low Density Residential and are situated on the waterfront – 700 sq. m • Minimum allotment size on land zoned R2- Low Density Residential and are not situated on the waterfront – 550 sq. m • Minimum allotment size on land zoned R3- Medium Density Residential and R4 – High Density Residential – 850 sq. m	Section 2.4 below for further discussion on the amendments to Clause 4.1 Appendix 4 – Draft Kogarah LEP 2012 Clauses for amended clause 4.1

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
4.1A Minimum lot sizes for dual occupancies, multi dwelling housing, residential flat building and seniors housing	This clause identifies the minimum lot sizes required for the relevant types of development. It is proposed to amend Clause 4.1A to remove reference to dual occupancy (attached) and insert Seniors Housing into the Zone R2 - Low Density Residential with the minimum area being 1000sq. m It is proposed to insert a new clause relating to the minimum lot size for dual occupancy development (Refer to Clause 4.1B below).	Appendix 4 – Draft Kogarah LEP 2012 Clauses for amended clause 4.1A
4.1B Minimum lot sizes for dual occupancy	Insert a new clause relating to the minimum lot size for dual occupancy development. The objective of this clause is to provide for housing diversity and affordability in residential zones. The clause introduces a <u>Minimum Lot Sizes for Dual Occupancy Development Map</u> which identifies the minimum lot sizes for dual occupancy development. It is proposed that dual occupancy development will be permitted on lots greater than 650sq. m for allotments in Zone R2 – Low Density Residential and R3 – Medium Density Residential, with the exception of properties fronting the foreshore and within a Heritage Conservation Area (HCA), where the minimum allotment size is 1000sq. m Dual occupancy (detached) will only be permitted on allotments that have 2 road frontages and each dwelling must have frontage to a road.	Section 2.10.4 below for detailed discussion Appendix 4 – Draft Kogarah LEP 2012 Clauses for new clause 4.1B

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
4.1C Minimum subdivision lot size for dual occupancy development	It is proposed to insert a new clause relating to the minimum subdivision requirements for dual occupancy development. The objective of this clause is to ensure that dwellings on lots created by the subdivision of a dual occupancy development do not exceed the maximum permissible FSR for the site.	Appendix 4 – Draft Kogarah LEP 2012 Clauses for new clause 4.1C
4.3 Height of buildings	This clause was previously not adopted by Council. A thorough review of the height requirements for the LGA has been undertaken and it is proposed to now adopt the clause relating to Height of Buildings. Generally, the height of buildings within each zone are proposed to be as follows: R2 – Low Density zone – 8.5m R3 – Medium Density zone – 9m – 21m R4 – High Density zone – 33m B1 – Neighbourhood Centre zone – 9m B2 – Local Centre zone – 21m – 33m B4 – Mixed Use zone – 39m B6 – Enterprise Corridor zone – 21m IN2 – Light Industrial – 10m SP2 – Infrastructure – no height requirements RE1 – Public Recreation zone – no height requirements E2 – Environmental Conservation zone – no height requirements W2 – Recreational Waterways zone – no height requirements It should be noted that for some areas within zones, building heights are proposed to differ. These are outlined in further detail in the Kogarah 2031 Housing Strategy.	Refer to Kogarah 2031 Housing Strategy. Appendix 4 – Draft Kogarah LEP 2012 Clauses for new clause 4.3.

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
4.4 Floor space ratio	This clause was previously not adopted by Council. A thorough review of the Floor space ratio (FSR) requirements for the LGA has been undertaken and it is proposed to now adopt the clause relating to Floor space ratio. Generally, the floor space ratio within each zone are proposed to be as follows: R2 – Low Density zone – consistent with sliding scale requirements which allow a maximum of 0.55:1 (see further discussion in below – refer to clause 4.4A) R3 – Medium Density zone – 0.7:1 – 2:1 R4 – High Density Residential – 4:1 B1 – Neighbourhood Centre zone – 1:1 - 2:1 B2 – Local Centre zone – 1.3:1 – 4:1 B4 – Mixed Use zone – 4:1 - 4.5:1 B6 – Enterprise Corridor zone – 2:1 IN2 – Light Industrial zone – 1:1 SP2 – Infrastructure – no FSR requirements RE1 – Public Recreation zone – no FSR requirements E2 – Environmental Conservation zone – no FSR requirements W2 – Recreational Waterways zone – no FSR requirements It should be noted that for some areas within these zones the FSR differs. A detailed discussion of these areas/sites is included in the Kogarah 2031 Housing Strategy.	Section 2.4.2 below for discussion on FSR and also the Kogarah 2031 Housing Strategy. Appendix 4 – Draft Kogarah LEP 2012 Clauses for new clause 4.4
4.4A Exceptions to floor space ratio for residential accommodation in the R2 – Low Density Residential zone	This is a new clause specific to Kogarah to retain the sliding scale FSR requirements for development in the R2- Low Density Residential zone that are currently contained in Kogarah DCP 2013.	Section 2.4.2 below for further discussion Appendix 4 – Draft Kogarah LEP 2012 Clauses for new clause 4.4A

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
4.5 Calculation of floor space ratio and site area	This clause was previously not adopted by Council. This clause provides a method of calculating FSR in a consistent manner by defining FSR and setting out rules for the calculation of site area for the purposes of applying permitted FSRs. The Department of Planning's LEP Practice Note (PN08-001) requires that this clause be adopted if clause 4.4 is adopted. As it is proposed to adopt Clause 4.4, it is now proposed to insert the Standard Instrument LEP clause with no variations into Kogarah LEP 2012	Appendix 4 – Draft Kogarah LEP 2012 Clauses for new clause 4.5
PART 5 – MISCELLANEOUS PROVISIONS		
5.2 Classification and reclassification of public land	This clause enables Council to classify or reclassify land. All Council owned land is required to be classified as 'community' or 'operational' land and is identified in Schedule 4 of Kogarah LEP 2012. It is proposed to amend Schedule 4 – Classification and reclassification of public land to reclassify three (3) sites which are proposed to be reclassified from "community" to "operational" land.	Section 2.13 for discussion on classification of land Appendix 5 – Reclassification of Council owned land
5.3 Development near zone boundaries	This clause only relates to the land which is required under the Practice Note, being the SP2 Infrastructure zone. This clause allows land zoned SP2 Infrastructure to be developed using land uses of the adjacent zone at a relevant distance, determined by Council. At this stage it is recommended that all other zones be excluded from the clause. It is proposed to review Clause 5.3 to remove reference to Zone E4 –	Appendix 4 – Draft Kogarah LEP 2012 Clauses for draft clause 5.3

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
	Environmental Living and include reference to new zones, being the Zones R4 – High Density Residential and B6 – Enterprise Corridor The Zone E2 – Environmental Conservation has already been included in Clause 5.3(3)(a).	
5.6 Architectural roof features	This clause was previously not adopted by Council This Clause specifies that roof features which are decorative elements are permitted, with consent, even if they exceed the heights shown on the Height of Buildings Map. Any roof features must not include floor space area. It is proposed to now adopt the clause relating to architectural roof features.	Appendix 4 – Draft Kogarah LEP 2012 Clauses for new clause 5.6
PART 6 – ADDITIONAL LOCAL PROVISIONS		
6.7 Location of sex services premises	This Clause aims to ensure that development for the purposes of sex services premises minimises land use conflicts and amenity impacts. The Clause requires separation from residential zones and public transport nodes and prohibits sex services premises near or in view of sensitive land uses such as schools, parks and child care centres. This clause is proposed to be amended by removing reference to Zone E4 – Environmental Living and including reference to Zone R4 – High Density Residential and Zone E2 – Environmental Conservation.	Appendix 4 – Draft Kogarah LEP 2012 Clauses for amended clause 6.7
6.8 Seniors housing: self-contained dwellings	Council is seeking to provide additional opportunities in the waterfront areas to allow self-contained dwellings (as defined by the SEPP – Housing for Seniors or People with a Disability 2004) in all parts of the LGA, without the need for an	Section 2.10.5 for further discussion Appendix 4 – Draft Kogarah

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
	assessment against the locational requirements in the SEPP. This is a new local provision that aims to encourage seniors housing in the form of self-contained dwellings so as to increase the supply and diversity of housing that meet the needs of seniors in the R2 – Low Density Residential zone.	LEP 2012 Clauses for proposed local provision, clause 6.8.
6.9 Development in the Zone B6 – Enterprise Corridor	The introduction of the B6 – Enterprise Corridor aims to ensure that bulky goods retail is clustered at a highly accessible location within close proximity to the Major Centre. Residential uses are also proposed to be permissible in this zone, however as the objective of the B6 – Enterprise Corridor zone is to encourage the redevelopment of commercial/bulky goods retailing development it is proposed to limit the amount of residential permitted in this zone. It is proposed to introduce a local provision to: (a) limit the amount of residential development to no more than 65% of the total gross floor area of the proposed development, and (b) require that developments have a minimum ground floor commercial/retail/bulky goods floor plate of 500 square metres.	Appendix 4 – Draft Kogarah LEP 2012 Clauses for proposed local provision, clause 6.9
SCHEDULES		
Schedule I Additional permitted uses	Schedule I – Additional permitted uses identifies land that certain development is permitted on even though the development is not included in the Land Use Table for the zone. A review of the sites identified in Schedule I has been undertaken.	Section 2.5 below for further discussion Appendix 2 – review of Schedule I – Additional Permitted Uses

Relevant Clause (KLEP 2012)	Proposed Amendment	Refer to
Schedule 2 – Exempt development	Wide ranging amendments were introduced to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) on 22 February 2014. These amendments included additional Exempt and Complying provisions. In accordance with clause 1.9 and 1.10 of the Codes SEPP these amendments have superseded some of the provisions of KLEP 2012, including the Advertising provisions. A review of the Exempt Development provisions contained in Kogarah LEP 2012 has been undertaken to remove duplication.	Appendix 3 – Amendments to Schedule 2 - Exempt Development
Schedule 4 – Classification and reclassification of public land	It is proposed to amend Schedule 4 to include three (3) additional sites under Part 1 (Land classified, or reclassified, as operational land – no interests changed)	Section 2.13 below for further discussion Appendix 5 – Reclassification of Council owned land
Schedule 5 – Environmental Heritage	It is proposed to amend Schedule 5 to delete Item No 1117 Mortdale Railway Station and car sheds, Mortdale being Lot 100, DPI 141151.	Section 2.7 below for further discussion

2.2 Amendments to Land Use Zones – Kogarah LEP 2012

As outlined in Table 1 above the following amendments are proposed to the Land Use Zones:

Delete the following zone/s from KLEP 2012:

- E4 – Environmental Living
- RE2 – Private Recreation

Introduce the following zones into KLEP 2012:

- R4 – High Density Residential
- B6 – Enterprise Corridor
- E2 – Environmental Conservation

The following zones are proposed to be deleted for the reasons outlined below:

2.2.1 Deletion of the Zone E4 – Environmental Living zone

A review of the current E4 – Environmental Living zone has been undertaken as part of the development of the Kogarah 2031 Housing Strategy.

The E4 – Environmental Living zone was introduced into the conversion of KLEP 1998 to the Standard Instrument LEP as a solution to identifying land previously identified under KLEP 1998 as Waterfront Scenic Protection Area (WSPA) and Foreshore Scenic Protection Area (FSPA), which prohibited dual occupancy development.

The prohibition to dual occupancy development in the previous Foreshore Scenic Protection Areas (FSPA) and Waterfront Scenic Protection Areas (WSPA) was introduced in 2004 in response to previous dual occupancy development that had been undertaken in accordance with the then State Policy – Sydney Regional Environmental Plan No 12 – Dual Occupancy (SREP 12).

When dual occupancy development was first introduced through SREP 12 it was essentially unconstrained. This resulted in community concern because of both the large number of dual occupancies being built and the poor design outcomes that were often involved.

The preparation of Kogarah LEP 2013 represented a conversion of the then Kogarah LEP 1998, and as such a review of dual occupancy development controls was not undertaken at that time.

The future ability of our community to age-in-place will depend on the availability of alternative housing types across the LGA and policies to support alternative housing types would allow older residents to redevelop their land to provide a more suitable form of accommodation, whilst not being financially prohibitive.

As well as an ageing population, younger residents and first home buyers are also creating pressure on the LGA's housing stocks. Changing perspectives in housing density are creating a shift in housing demand – research undertaken in other LGAs

indicates that the motive for residents to redevelop their land for dual occupancy has changed.

Also, in the past 20 years, Sydney property prices have risen considerably, placing increased pressure on first home buyers, young families and older people looking to downsize and have funds left over for their retirement.

There is an increasing demand for dual occupancy development in all areas across the LGA and Council is now proposing to permit dual occupancy development in those areas which were previously classified as FSPA and WSPA (zoned E4 – Environmental Living under KLEP 2013).

As a result the E4 – Environmental Living zone is proposed to be removed and replaced with the R2 – Low Density Residential zone, which permits dual occupancies, subject to sites meeting the minimum allotment requirements.

The Land Zoning Map (LZM) has been amended to reflect this change.

2.2.2 Deletion of the Zone RE2 – Private Recreation Zone

Under Kogarah LEP 2012, the RE2 – Private Recreation zone applies to one site in South Hurstville, being 29A Greenacre Road (former South Hurstville Bowling Club). The subject site has been recently sold to the Catholic Archdiocese of Sydney, and they intend to redevelop the site for use as an educational establishment.

It is considered appropriate that the zone should reflect the future use of the site and as such it is proposed to rezone No 29A Greenacre Road, South Hurstville to SP2 – Educational Establishment.

Accordingly, the RE2 – Private Recreation zoning is now redundant and it proposed to be deleted from Kogarah LEP 2012.

The Land Zoning Map (LZM) has been amended to reflect this change.

2.2.3 Introduction of the Zone R4 – High Density Residential zone

The R4 – High Density Residential zone is generally intended for areas where primarily high density housing is to be provided. Other additional uses that provide facilities or services to residents are also included.

Council is proposing to apply the R4 – High Density Residential zone to land surrounding the Kogarah and Hurstville Town Centres, where residents can readily access services and public transport.

The zone aims to revitalise areas for high density living, close to public transport, hospitals, employment opportunities and shopping. This will ensure that more people can live in walking distance of such centres and, with more people living in such centres, a more lively and active atmosphere can be created in these centres.

In the R4 zone, residential flats are appropriate and encouraged to create a more dense urban form than the other residential zones. It is proposed in the R4 – High Density zone to have heights up to 33m and a floor space ratio (FSR) of 4:1.

The zone also allows other housing options, such as multi-dwelling housing and uses compatible with the residential neighbourhood including child care centres, neighbourhood shops and places of public worship.

A copy of the Land Use Table for the Zone R4 – High Density Residential zone is included at **Appendix I – Draft Land Use Tables**.

The areas proposed to be zoned R4 – High Density Residential are identified in the Figures below.

Kogarah Town Centre

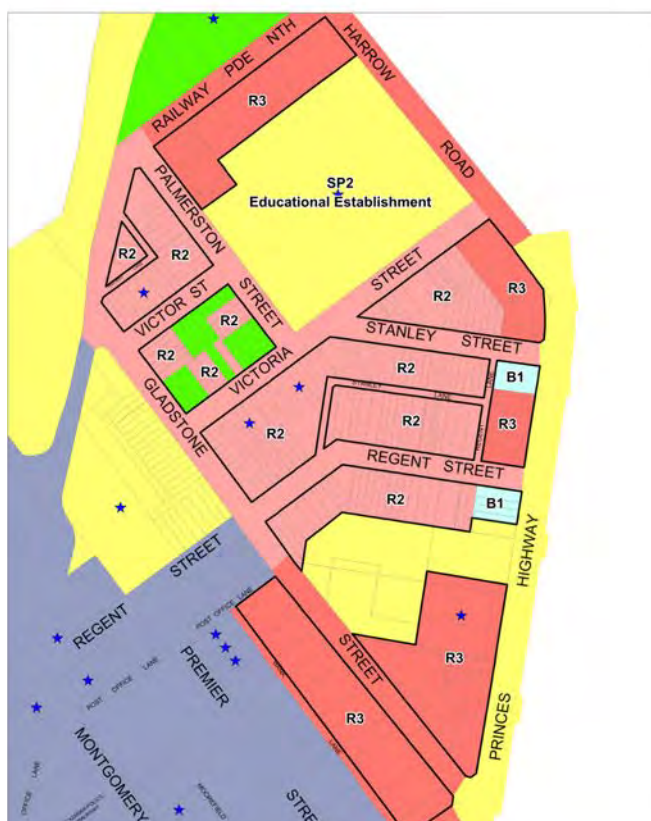


Figure 1: Existing zoning KLEP 2012 (Kogarah)

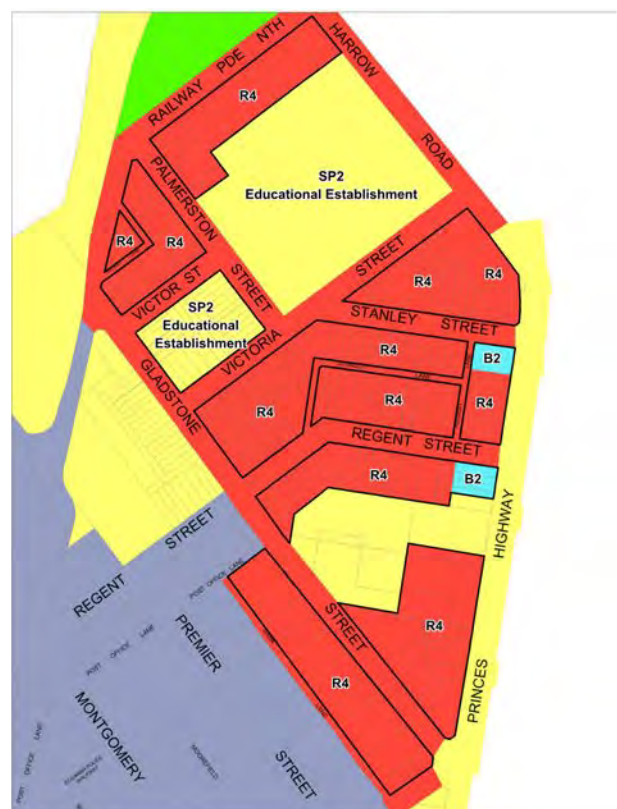


Figure2: Proposed R4 – High Density Residential Zone (Kogarah)

Hurstville Town Centre

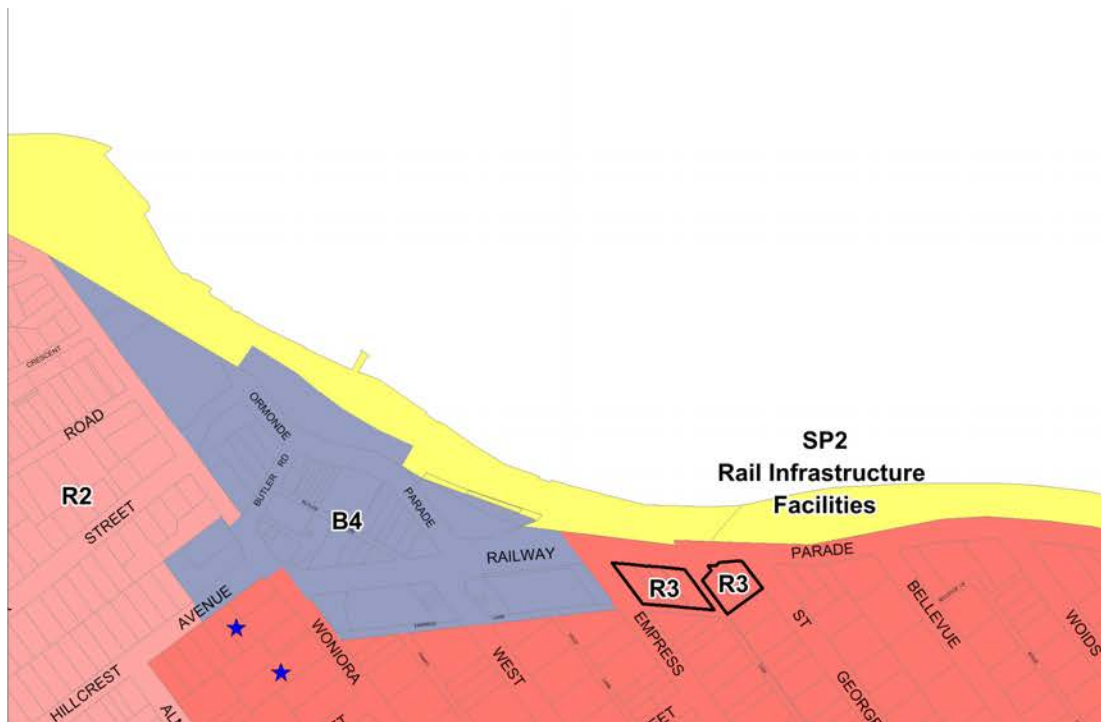


Figure 3: Existing zoning KLEP 2012 (Hurstville)

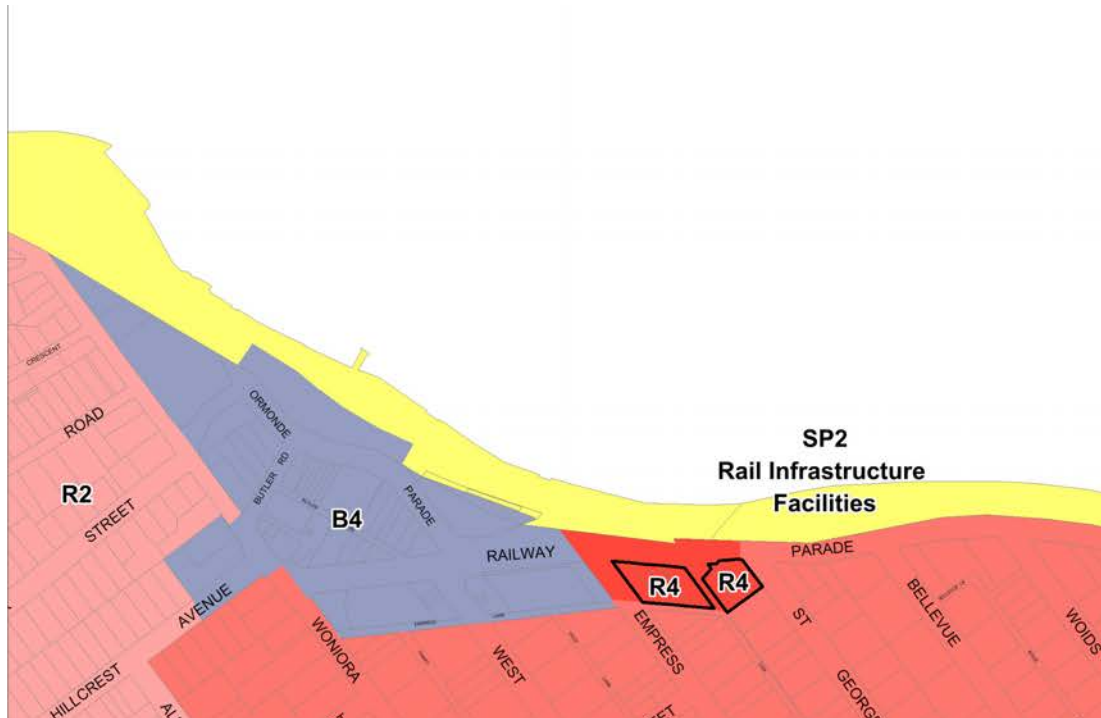


Figure 4: Proposed R4 – High Density Residential zone (Hurstville)

2.2.4 Introduction of the Zone B6 – Enterprise Corridor

Consistent with the *Kogarah Employment Lands and Economic Development Strategy*, prepared by SGS Economics and Planning completed in March 2013, it is proposed to introduce a Zone B6 - Enterprise Corridor zone along the Princes Highway between Westbourne Street and Jubilee Avenue, plus half of the block (the former 'White Castle' site) between Francis and Westbourne Streets (Action 5.1).

The B6 - Enterprise Corridor zone enables a mix of employment uses including business, office and light industrial as well as bulky goods retailing.

A B6 Enterprise Corridor in the Standard Instrument LEP is a zone that allows employment uses (usually low value), is suited to main road type areas, away from centres and can allow residential. The objectives of the zone are:

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.

It is considered that the proposed B6 - Enterprise Corridor zone will ensure that the existing non-conforming uses currently situated along the Princes Highway become permissible within the zone, while encouraging a mix of compatible business uses and reinforcing the corridor as a commercial/employment precinct with residential development above.

It will also ensure that bulky goods retail is clustered at a highly accessible location within close proximity to the Major Centre. Residential uses are also proposed to be permissible in this zone, however as the objective of the B6 – Enterprise Corridor zone is to encourage the redevelopment of commercial/bulky goods retailing development it is proposed to limit the amount of residential permitted in this zone.

It is proposed that the built form in this zone be large floor plate commercial at ground floor with residential development stepped up and away from the Highway frontage (maximum height of 21m). The overall FSR is proposed to be 2:1.

A minimum of 0.7:1 commercial floor space will be required to ensure that the objectives of the zone are realized. In this regard, it is proposed to introduce a local provision to limit the amount of residential development to no more than 65% of the total gross floor area of the proposed development:

6.9 Development in Zone B6 – Enterprise Corridor

(1) The objectives of this clause is to provide for the viability of development in the Zone B6 Enterprise Corridor and to maintain opportunities for business and retail types that are suited to high exposure locations while ensuring that centres remain the focus for business and retail activity.

- (2) This clause applies to land in Zone B6 Enterprise Corridor.
- (3) Development consent must not be granted to the erection of a building on land in Zone B6 Enterprise Corridor unless the consent authority is satisfied that no more than 65% of the gross floor area of the building will be used as shop top housing.
- (4) Development consent must not be granted for development of a land use, other than shop top housing, that would result in an individual unit floor plate with a gross floor area of less than 500 square metres.

A copy of the Land Use Table for the Zone B6 – Enterprise Corridor is included at **Appendix I – Draft Land Use Tables**.

The area proposed to be zoned B6 – Enterprise Corridor is identified in the Figures below.

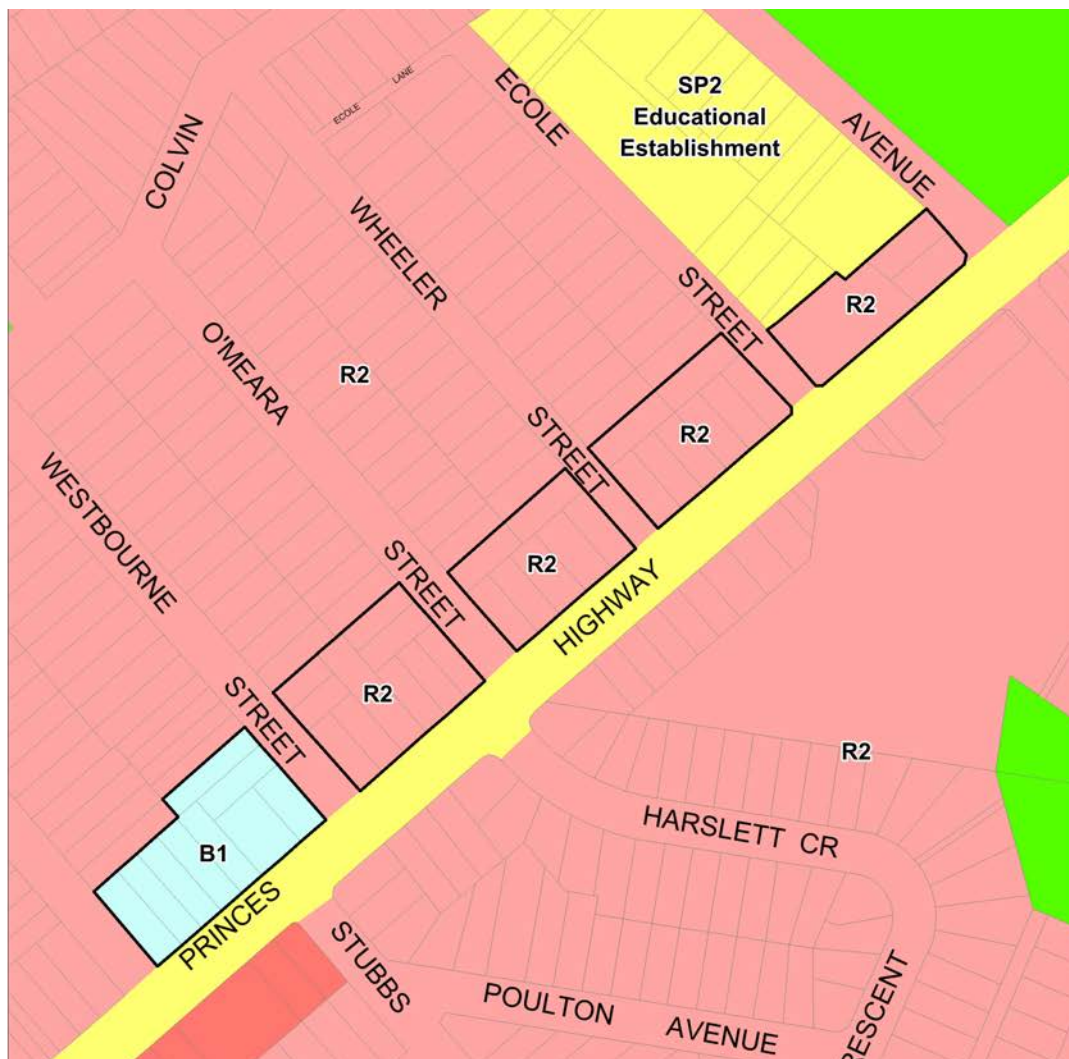


Figure 5: Existing zoning KLEP 2012 (Princes Highway Enterprise Corridor)



Figure 6: Proposed B6 – Enterprise Corridor

2.2.5 Introduction of Zone E2 – Environmental Conservation

Council has become aware of a private property within the LGA that has been identified as containing significant high quality vegetation/bushland.

In order to ensure that this existing high quality vegetation is protected, it is proposed to introduce a Zone E2 – Environmental Conservation zone into the Kogarah LEP 2012. The objective of this zone is:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

The following uses are proposed to be permitted with consent in Zone E2:

- Environmental facilities
- Flood mitigation works
- Information and education facilities
- Jetties
- Roads

Environmental protection works are proposed to be permitted without consent. All other land uses will be prohibited.

A copy of the Land Use Table for the Zone E2 – Environmental Conservation is included at **Appendix I – Draft Land Use Tables**.

The area proposed to be zoned E2 – Environmental Conservation is identified in the Figures below.



Figure 7: Existing zoning KLEP 2012



Figure 8: Proposed E2 – Environmental Conservation zone

2.3 Amendments to Land Use Tables – Kogarah LEP 2012

As part of the review of Kogarah LEP 2012, a review has been undertaken with respect to the permissible and prohibited land uses within each of the existing zones.

The existing land use tables within KLEP 2012 represented a direct conversion of the land uses from the previous planning instrument Kogarah LEP 1998.

It is considered that the changes proposed are minor and are summarised in Table 2 below. The land use tables, as proposed to be included in Kogarah LEP 2012 are included at Appendix I.

Table 2: Review of existing land use tables

Zone	Proposed Amendment	Discussion
Zone R2 – Low Density Residential	Delete <i>dual occupancies (attached)</i> from Permitted with consent and replace with <i>dual occupancies</i>	Dual occupancy development, both attached and detached are proposed to be permitted in the R2 – Low Density Residential zone. Clause 4.1B provides a despite provision which restricts development for the purposes of a dual occupancy (detached) unless the lot has 2 road frontages and each dwelling has frontage to a road. In this regard, they are restricted to corner sites or sites with rear lane access.
	Insert <i>health consulting rooms</i> in Permitted with consent	health consulting rooms is defined as <i>premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.</i> It is considered that the use is consistent with the objectives of the zone.
	Insert <i>seniors housing</i> in Permitted with consent	Seniors housing has been inserted as a permitted use so as to allow the development proposed to be permitted by the local provision. Seniors housing is otherwise permitted in the R2 zone in accordance with the requirements of the SEPP
Zone R3 – Medium	Delete <i>dual occupancies (attached)</i>	See comment above related to dual occupancy development

Zone	Proposed Amendment	Discussion
Density Residential	from Permitted with consent and replace with <i>dual occupancies</i>	
Zone B1 – Neighbourhood Centre	No changes proposed	
Zone B2 – Local Centre	No changes proposed	
Zone B4 – Mixed Use	No changes proposed	
Zone IN2 – Light Industrial	Delete <i>child care centres</i> and <i>respite day care centres</i> from Prohibited	These uses are considered appropriate in the zone and are now proposed to be permitted in the IN2 zone
Zone SP2 - Infrastructure	Insert <i>public administration building</i> in Permitted with consent	public administration building is defined as a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station. This land use has been included as it is considered consistent with the objectives of the zone.
	Insert <i>commercial premises</i> in Permitted with consent	This land use has been included as it is considered consistent with the objectives of the zone. There are existing a number of commercial uses within this zone (for example, Railway Lands at Kogarah which would otherwise become an existing use over this zone).
Zone RE1 – Public Recreation	Insert <i>registered club</i> in Permitted with consent	This land use has been included as it is considered consistent with the objectives of the zone and would only be permitted in accordance with a Plan of Management.

2.4 Amendments to Part 4 – Principal development standards

2.4.1 Minimum subdivision lot size

The intention of the amendment is to encourage the subdivision of land, to allow for smaller allotments across the LGA.

Clause 4.1 – Minimum subdivision lot size of Kogarah LEP 2012 sets out the minimum lot sizes that apply to the subdivision of land. It allows Council to state the minimum allotment sizes for specific types of development within specific zones.

Previously, in the conversion of KLEP 1998 to the SILEP (Kogarah LEP 2012), Council included the minimum subdivision lot sizes as a conversion across from provisions contained in the relevant Development Control Plans. These ranged from 600sqm – 850sqm in the E4 – Environmental Living zone, 500sqm – 600sqm in the R2 – Low Density Residential zone and 850sqm – 950sqm in the R3- Medium Density Residential zone.

The subdivision requirements increased within the range above, depending on the adjoining zone. The existing requirements also included a minimum lot depth and a minimum lot width.

Kogarah's current requirements are generally more onerous than other Council areas across Metropolitan Sydney. As outlined above, in the past 20 years, Sydney property prices have risen considerably, and the values of land throughout the Kogarah LGA have increased considerably.

A review of the existing development standards relating to minimum subdivision lot size has been undertaken and it is recommended that the following amendments be made to Clause 4.1- Minimum subdivision lot size of KLEP 2012 and the associated maps to reflect the following:

- Minimum allotment size on land zoned R2- Low Density Residential and are situated on the waterfront – 700sqm (Q)
- Minimum allotment size on land zoned R2- Low Density Residential and are not situated on the waterfront – 550sqm (K)
- Minimum allotment size on land zoned R3- Medium Density Residential and R4 – High Density Residential – 850sqm (S)

It is also proposed that if the allotment is a battle-axe lot or other lot with an access handle, then the area of the access handle and any right of carriageway will not be included in calculating the allotment size, and this area will need to be in addition to the minimum allotment size.

The new requirements will provide opportunities for land owners with larger blocks to subdivide their land. Any development on the subdivided allotment would still

need to comply with FSR, setback and height requirements. A copy of the clause, as proposed, is included at **Appendix 4 – Draft Kogarah LEP 2012 Clauses**.

2.4.2 Floor Space Ratio (FSR)

Kogarah LEP 2012 does not include floor space ratios (FSR). At the time of preparing Kogarah LEP 2012, Council resolved not to include FSR as a development standard in the LEP due to:

- the use of building envelope controls for some centres;
- the complexity of mapping FSR for areas such as Kogarah Town Centre where there was a difference in the definition of gross floor area from the standard instrument definition; and
- the flexibility afforded by retaining the FSR in a Development Control Plan.

Subsequently, the Department of Planning allowed KLEP 2012 to be made without the inclusion of FSR.

The gazettal of Environmental Planning and Assessment Amendment Act 2012 on 1 March 2013 included changes to the purpose, status and content of DCPs.

Specifically, the Amendment Act returns the status of DCPs as a guideline and confirms the status of LEPs as the primary statutory planning document for an area – providing permissibility of land uses in a particular zone and principle development standards (for example, height, floor space ratios and subdivisions standards).

With the current review of Kogarah LEP 2012 and the development of the Kogarah 2031 Housing Strategy, it was considered appropriate to include FSR as a development standard in the LEP, consistent with the Standard Instrument LEP.

FSR – R2 Low Density Residential Zone

Kogarah Development Control Plan 2013 (Kogarah DCP 2013) contains a sliding scale FSR for development in the R2 – Low Density Residential zone. The sliding scale FSR calculator allows a maximum FSR of 0.55:1 for sites <651sqm, and is reduced as the site area of the allotment increases (For example a 1500sqm site has a FSR of 0.35:1).

The only area currently zoned R2 – Low Density Residential where the sliding scale does not apply is within the Bellevue Estate, which is bounded by Bellevue Parade, Russell Lane, Burraneer Close and First Avenue, Hurstville. The majority of the allotments in this precinct are narrow sites with an average site area of approximately 300sqm. In developing the FSR controls for this precinct, it was considered appropriate to provide a bonus 0.05:1 FSR (maximum FSR of 0.6:1) to enable adequate internal amenity and functional building design. It is proposed to retain the 0.6:1 maximum FSR for those sites within the Bellevue Estate.

Accordingly, it is proposed to include a specific clause into Kogarah LEP 2012 that retains the current FSR requirements in the R2- Low Density Residential zone:

4.4A Exceptions to floor space ratio for residential accommodation in the R2 – Low Density Residential zone

- (1) *The objectives of this clause are as follows:*
- (a) *to ensure that the bulk and scale of development is compatible with the size of the allotment,*
 - (b) *to promote good residential amenity.*
- (2) *This clause applies to land zoned R2 – Low Density Residential*
- (3) *Despite clause 4.4(2) the maximum floor space ratio for residential accommodation is not to exceed the floor space ratio applicable to the site area of the land on which the development is situated.*

Site Area	Maximum Floor Space Ratio
<650 square metres	0.55:1
650- 800 square metres	$[\frac{[(\text{lot area} - 650) \times 0.3] + 357.5}{\text{lot area}}]:1$
801- 1000 square metres	$[\frac{[(\text{lot area} - 800) \times 0.2] + 402.5}{\text{lot area}}]:1$
1001-1500 square metres	$[\frac{[(\text{lot area} - 1000) \times 0.15] + 442.5}{\text{lot area}}]:1$
>1500 square metres	$[\frac{[(\text{lot area} - 1500) \times 0.1] + 517.5}{\text{lot area}}]:1$

- (4) *Despite clause 4.4A(3) the maximum floor space ratio for residential accommodation for land identified as Area 1 on the Floor Space Ratio Map is not to exceed 0.6:1.*

2.5 Amendments to Schedule 1 – Additional Permitted Uses

As outlined in **Table 1** above, Schedule 1 – Additional permitted uses identifies land that certain development is permitted on even though the development is not included in the Land Use Table for the zone.

Schedule 1 generally reflected those properties which were subject to the previous Clause 22A of Kogarah LEP 1998, which permitted villas, townhouses, terrace houses and detached dual occupancy development in the Residential 2(a) zone under specific conditions. Prior to the amendment, these types of development were not permitted in the Residential 2(a) zone.

Kogarah LEP 2012 represented a conversion of the then current requirements in Kogarah LEP 1998 and Schedule 1 generally reflected those sites under which development would have been permitted in accordance with Clause 22A of LEP 1998.

Council has now undertaken a detailed review of those provisions contained in Schedule 1 and a detailed discussion relating to each property is included in **Appendix 6 – Review of Schedule 1 – Additional Permitted Uses**.

A summary of the amendments are listed in Tables 3- below.

2.5.1 Amendments to Schedule 1, Clauses 1 -15

The sites identified in Clauses 1-15 represented those sites that were existing non-conforming uses (for example, hotel or motel accommodation in the R2 – Low Density zone). The majority of these sites were converted across from KLEP 1998 and represent sites which had existed prior to the gazettal of KLEP 1998.

The majority of sites identified are now proposed to be rezoned and as such the current uses will be permitted in the zone.

A summary table and detailed discussion relating to each of the sites is included at **Appendix 6**.

The recommendations relating to each property is summarised in Table 3 below:

Table 3: Review of Schedule 1, Clauses 1-15

Address	Summary	Recommendation
1. Use of certain land at 36 Bunyala Street, Blakehurst	Proposed to be rezoned from R2 – Low Density Residential to R3 – Medium Density Residential. Motel use is permitted in the R3 zone.	Remove from Schedule 1
2. Use of certain land at 916-918 King Georges Road, Blakehurst	Existing zoning to be retained. Additional permitted use is proposed to be retained.	Retain in Schedule 1
3. Use of certain land at 513 Princes Highway, Blakehurst	Proposed to be rezoned from R2 – Low Density Residential to R3 – Medium Density Residential. Hotel or motel accommodation is permitted in the R3 zone.	Remove from Schedule 1
4. Use of certain land at 47, 47A, 47B, 47C, 47D and 47E Terry Street, Blakehurst	Proposed to be rezoned from R2 – Low Density Residential to R3 – Medium Density Residential. Multi-dwelling housing will be permitted in the R3 zone.	Remove from Schedule 1
5. Use of certain land at 59, 59A and 59B Terry Street, Blakehurst	Existing R2 – Low Density zoning is to be retained however it is unlikely that the subject sites will be redeveloped for multi-dwelling housing on the	Remove from Schedule 1

Address	Summary	Recommendation
	consolidated sites.	
6. Use of certain land at 63-67 Terry Street, Blakehurst.	Existing R2 – Low Density zoning is to be retained however it is unlikely that the subject sites will be redeveloped for multi-dwelling housing on the consolidated sites.	Remove from Schedule I
7. Use of certain land at 71-73 Jubilee Avenue, Carlton	Proposed to be rezoned from R2 – Low Density Residential to B6 – Enterprise Corridor. Vehicle sales or hire will be a permitted use in the B6 zone.	Remove from Schedule I
8. Use of certain land at 2-4 Short Street, Kogarah	Subject site is zoned R3 – Medium Density Residential. Health services facilities are permitted under the Infrastructure SEPP (ISEPP).	Remove from Schedule I
9. Use of certain land at 66 Letitia Street, Oatley.	The subject site is zoned R2 – Low Density Residential and has a tennis court in the rear yard, which may have previously been used for commercial purposes The use is a prohibited use in the R2 and there is no evidence to suggest that the tennis court is currently being used for commercial purposes.	Remove from Schedule I
10. Use of certain land at 11, 11A, 11B and 15 Wonoona Parade East and 5A Ada Street, Oatley	Proposed to be rezoned from R2 – Low Density Residential to R3 – Medium Density Residential. Multi-dwelling housing will be permitted in the R3 zone.	Remove from Schedule I
11. Use of certain land at 3 and 3A Torwood Street and 12 Dalkeith Street, Sans Souci	The subject sites are currently zoned R2 – Low Density Residential. No 12 Dalkeith Street is a heritage listed property and is unlikely to be redeveloped. Nos 3A is a substantial dwelling which appears to have been recently renovated. It is unlikely that these sites will be consolidated and redeveloped for	Remove from Schedule I

Address	Summary	Recommendation
	multi-dwelling housing.	
12. Use of certain land at 7 Greenacre Road, South Hurstville	Proposed to be rezoned from R2 – Low Density Residential to R3 – Medium Density Residential. Multi-dwelling housing will be permitted in the R3 zone.	Remove from Schedule I
13. Use of certain land at 16A, 18 and 18A Rickard Road, South Hurstville	Proposed to be rezoned from R2 – Low Density Residential to R3 – Medium Density Residential. Multi-dwelling housing will be permitted in the R3 zone.	Remove from Schedule I
14. Use of certain land at 12-16 The Mall and 53 Tavistock Road, South Hurstville	Proposed to be rezoned from R2 – Low Density Residential to R3 – Medium Density Residential. Multi-dwelling housing will be permitted in the R3 zone.	Remove from Schedule I
15. Use of certain land at 1-3 William Street, South Hurstville	Proposed to be rezoned from R2 – Low Density Residential to R3 – Medium Density Residential. Multi-dwelling housing will be permitted in the R3 zone.	Remove from Schedule I

2.5.2 Amendments to Schedule I, Clause 16

Schedule I, Clause 16 allows certain land to be used as a business premises, office premises, residential flat building and shops in zones where these land uses are generally prohibited.

The existing clause was converted across from Kogarah LEP 1998 in the preparation of the conversion Standard Instrument LEP (Kogarah LEP 2012).

A review of Schedule I, Clause 16 has been undertaken and it is now proposed to include “restaurant or café” to the list of permitted uses as it is considered that this use is consistent with the other uses identified and would allow for appropriate redevelopment of those sites identified.

A number of additional properties are proposed to be included into Clause 16, Schedule I. These are properties that are currently purpose built business premises, but are within a zone where the existing land use is prohibited.

Table 4 below summarises the proposed changes to Schedule I, Clause 16:

Table 4: Review of Schedule I, Clause 16

Address	Recommendation
(a) 97 Noble Street, Allawah, being Lot 50, DP 7182	Site has been redeveloped - delete from Schedule I
(b) 30 Jubilee Avenue, Carlton, being Lot 1, DP577628 (c) 32 Jubilee Avenue, Carlton, being Lot 2, DP577628	Retain in Schedule I
(d) 39 Jubilee Avenue, Carlton, being Lot 6, Section B, DP 10377, (e) 41 Jubilee Avenue, Carlton, being Lot 7, Section B, DP 10377, (f) 43 Jubilee Avenue, Carlton, being Lot 8, Section B, DP 10377, (g) 45 Jubilee Avenue, Carlton, being Lot 9, Section B, DP 10377,	Sites are proposed to be rezoned to permit the uses identified – delete sites from Schedule I.
(h) 55 Jubilee Avenue, Carlton, being Lot 5, DP 170245 (i) 115 Connells Point Road, Connells Point, being Lot E, DP302306 (j) 40 Bellevue Parade, Hurstville, being Lot 43, Section 7, DP2793 (k) 13-15 Gray Street, Kogarah, being Lots 1 and 2, DP770957 (l) 71 Gray Street, Kogarah, being Lots 6-8, Section B, DP976627 (m) 4A Wyee Street, Kogarah Bay, being Lot A,	Retain in Schedule I

Address	Recommendation
DP383186 (n) 59 Rosa Street, Oatley, being Lot I, DPI080827 (o) 281 Rocky Point Road, Sans Souci, being Lots I and 2 SP65139 (p) 283 Rocky Point Road, Sans Souci, being Lots I and 2, SP67532 (q) 393 Rocky Point Road, Sans Souci, being Lot D, DP25589 (r) 395-399 Rocky Point Road, Sans Souci, being Lot D, DP25589 (r1) 401-403 Rocky Point Road, Sans Souci, being Lots B and C, DP25589 (s) 64 Blakesley Road, South Hurstville, being Lot 8, Section 3, DP5453 (t) 64 Blakesley Road, South Hurstville, being Lot I, DP947432 (u) 100 Connells Point Road, South Hurstville, being Lot I, DPI03456 (v) 911 King Georges Road, South Hurstville, being Lot B, DP324694	
129 Laycock Road, Hurstville Grove, being Lot I, DPI78839 29 – 31 Rocky Point Road, Kogarah, being Pt: 61 DP: 6615	Additional sites to be included in Schedule I. Site is currently used as a “restaurant or café” and should be identified in the Schedule. Both sites are currently used as shops.

2.5.3 Deletion of Clause 17 in Schedule I

Clause 17 of Schedule I identified certain sites where development for the purpose of multi-dwelling housing is permitted. A review of the sites identified by this clause has been undertaken and it is recommended that the clause be deleted.

Table 5 below summarises the recommendations for each of the sites listed in Clause 17, Schedule I:

Table 5: Clause 17, Schedule I

Address	Recommendation
(a) 36 Bunyala Street, Blakehurst, being Lot 4, DP 516331	The Kogarah 2031 Housing Strategy recommends rezoning of the subject site to R3 and Hotel/motel accommodation is a permitted use in the R3 zone. Recommendation: Remove property from Schedule I
(b) 243 West Street, Blakehurst, being Lot 7, DP 25945	The subject site is currently zoned R2 – Low Density Residential and the site is 958m² and adjoins a detached dual occupancy development. It is considered that the subject site will have development potential for dual occupancy development under the proposed dual occupancy provisions. Recommendation: Remove property from Schedule I
(c) 69 Homedale Crescent, Connells Point, being Lot 213, DP 635022	There is a significant, relatively new dwelling on the subject site, which is adjoined by townhouses on either side of the property boundary. The subject site is approximately 930m² and would allow redevelopment for a dual occupancy development. It is considered that the current value of the property and dwelling would negate the redevelopment of the site for multi-dwelling housing (townhouses) Recommendation: Remove property from Schedule I
(d) 56 The Boulevard, Sans Souci, being Lot 1, DP 326110	The Kogarah 2031 Housing Strategy recommends rezoning of the subject site to R3 and Hotel/motel accommodation is a permitted use in the R3 zone. Recommendation: Remove property from Schedule I

2.5.4 Amendments to Schedule 1, Clause 18

This clause replaced the requirements relating to sites identified for villa developments in the conversion of KLEP 1998 to the SILEP, Kogarah LEP 2012 and identifies those sites in the R2 – Low Density Residential zone where multi-dwelling housing up to 5m in height is permitted on sites where there is at least a 20m frontage.

A review of Clause 18 in Schedule 1 has been undertaken and Table 5 below summarises the recommendation for each of these sites. A detailed discussion of each site is included at **Appendix 2**.

Table 6: Review of Schedule 1, Clause 18

Schedule Reference	Address	Recommendation
(a) – (e)	Nos 107 & 109 Jubilee Avenue, & Nos 113-121 Rocky Point Road, Beverley Park	Delete sites from Schedule 1
(f) – (h)	139 – 155 Rocky Point Road, Beverley Park	Delete sites from Schedule 1
(i) & (t)	1A Cooleen Street & 925-927 King Georges Road, Blakehurst	Delete sites from Schedule 1
(j), (k), (af) & (ag)	1-3 Heath Road & 22-22A Terry Street, Blakehurst	Delete sites from Schedule 1
(l), (n), (o), (am), (an), (ao) & (aq)	1-5 James Street, 6-16 Vaughan Street & 1-7 Water Street, Blakehurst.	Delete sites from Schedule 1
(m), (p), (ac), (ad), (ae) & (al)	2-8 James Street & 2-8 Stuart Street & 2-4 Vaughan Street, Blakehurst	Delete sites from Schedule 1
(q), (r), (s), (ah), (ai), & (aj)	913- 919 King Georges Road & 24 – 30 Terry Street, Blakehurst	Retain sites in Schedule 1
(ai) & (ak)	Nos 36 – 46 Terry Street, Blakehurst	Retain sites in Schedule 1
(u), (v), (w), (y), (z) & (ap)	945 – 953 King Georges Road; 9-11 Lynwood Street and 2 Walton Street, Blakehurst	Retain sites in Schedule 1
(x), (aa) & (ab)	969 King Georges Road & 9-11 Phillip Street, Blakehurst	Delete sites from Schedule 1
(ar)	433-435 Princes Highway Blakehurst	Delete sites from Schedule 1

Schedule Reference	Address	Recommendation
(as)	314-316 Princes Highway, Carss Park	Delete sites from Schedule I
(at), (au) & (aw)	Nos 143-149 Connells Point Road & 92-94 Greenacre Road, Connells Point	Retain sites in Schedule I
(av)	151 Connells Point Road, Connells Point	Delete sites from Schedule I
(ax)	67 & 69 Hillcrest Avenue, Hurstville Grove	Retain sites in Schedule I
(bb)	1-9 Hillpine Avenue, Kogarah	Retain sites in Schedule I
(bc)	61 Park Road, Kogarah Bay	Delete sites from Schedule I
(bd)	30 & 32 Coleborne Avenue, Mortdale	Delete sites from Schedule I
(be)	120-122 Railway Parade, Mortdale	Delete sites from Schedule I
(bf) & (bg)	11-17 Ada Street, Oatley	Delete sites from Schedule I
(bh)	23 Frederick Street, Oatley	Delete sites from Schedule I
(bi)	1-5 Mimosa Street, Oatley	Retain sites in Schedule I
(bj)	8-10 Rosa Street, Oatley	Delete sites from Schedule I
(bk) & (bl)	30 – 34 Rosa Street & 38-42 Rosa Street, Oatley	Delete sites from Schedule I
(bm) & (br)	1 Dalkeith Street & 81-85 Ramsgate Road, Sans Souci	Retain sites in Schedule I
(bv) & (bw)	2 & 2A Torwood Street, Sans Souci	Retain sites in Schedule I
(bn)	9-11 Endeavour Street, Sans Souci	Retain sites in Schedule I
(bo), (bp), (bq), (bt) & (bu)	2, 2A & 2B Myers Street & 405 – 411 Rocky Point Road, Sans Souci	Retain sites in Schedule I
(bs)	293-295 Rocky Point Road, Sans Souci	Retain sites in Schedule I
(bx) & (by)	42-44 Halstead Street, South Hurstville	Retain sites in Schedule I

Schedule Reference	Address	Recommendation
(bz) & (ca)	3 & 5 Resthaven Road, South Hurstville	Delete sites from Schedule I
(cb)	8 & 10 Resthaven Road, South Hurstville	Retain sites in Schedule I
(cc) & (cd)	1-5 Rickard Road and 4-6 William Street, South Hurstville	Delete sites from Schedule I

2.5.5 Amendments to Schedule I, Clause 19

Clause 19 of Schedule I represented a conversion of Clause 22A(8) of KLEP 1998 which permitted development for the purposes of villas or townhouses (or both) or detached dual occupancy to be carried out, with consent, on an allotment of land zoned R2 - Low Density Residential with a minimum area of 1500m². The provision also permits the subsequent subdivision of the land.

In converting across the requirements of Clause 22A(8) to the SILEP (Kogarah LEP 2012), Council identified those sites with an area of at least 1500m² with multi dwelling housing and dual occupancy (detached) as additional permitted uses.

A review of these sites has been undertaken and Table 6 below summarises the recommendations for each of these sites. A detailed discussion of each site is included at **Appendix 2**.

Table 7: Review of Schedule I, Clause 19

Address	Recommendation
(a) 46–48 Princes Highway, Beverley Park, being Lot 102, DP 880129	Retain in Schedule I - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(b) 124 Princes Highway, Beverley Park, being Lot 1, DP 814106	Retain in Schedule I - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(c) 36 Bunyala Street, Blakehurst, being Lot 4, DP 516331	Remove site from Schedule I
(d) 16–24 Cheddar Street, Blakehurst, being Lot 150, DP 1110271	Remove site from Schedule I

Address	Recommendation
(e) 26 Heath Road, Blakehurst, being Lot 45, DP 853686	Remove site from Schedule 1
(f) 394 Princes Highway, Blakehurst, being Lot 1, DP 703471	Remove site from Schedule 1
(g) 408 Princes Highway, Blakehurst, being Lot D, DP 362178	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(h) 699 Princes Highway, Blakehurst, being Lot 11, DP 617346,	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(i) 200 West Street, Blakehurst, being Lot 1, Section 5, DP 7754,	Remove site from Schedule 1
(j) 17 Planthurst Road, Carlton, being Lot 143, DP 2022	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(k) 251 Princes Highway, Carlton, being Lot 202, DP 746731	Remove site from Schedule 1
(l) 14 Gnarbo Avenue, Carss Park, being Lot 145A, DP 396249	Remove site from Schedule 1
(m) 52 Gnarbo Avenue, Carss Park, being Lot 1164, DP 866621	Remove site from Schedule 1
(n) 137 Terry Street, Connells Point, being Lot D, DP 16990	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1

Address	Recommendation
(o) 5 Denman Street, Hurstville, being Lot 12, DP 236321,	Remove site from Schedule 1
(p) 15 Greenbank Street, Hurstville, being Lot 16, DP 662877	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(q) 27 Hurstville Road, Hurstville, being Lot 31, DP 666112,	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(r) 62 English Street, Kogarah, being Lot 1, DP 810707	Remove site from Schedule 1
(s) 11 Hamer Street, Kogarah Bay, being Lot B, DP 340038,	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(t) 40 Oatley Parade, Oatley, being Lot B, DP 363683,	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(u) 44 Oatley Parade, Oatley, being Lot B, DP 381842,	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(v) 54 Oatley Parade, Oatley, being Lot B, DP 382279	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(w) 9 Belmont Avenue, Penshurst, being Lot 7, DP 11194	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1
(x) 42 Dudley Street, Penshurst, being Lot 90, DP 5885,	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1

Address	Recommendation
(y) 671 King Georges Road, Penshurst, being Lot 1, DP 312949	Remove from Schedule 1
(z) 721A and 721B King Georges Road, Penshurst,	Remove from Schedule 1
(aa) 24 Penshurst Avenue, Penshurst, being Lot 2, DP 320644	Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1

2.5.6 Deletion of Clause 20, Schedule 1

Clause 20 in Schedule 1 identifies those sites that permit development of detached dual occupancy development to be carried out, with consent, on corner allotments in the R2 – Low Density zone with a minimum lot size of 650sqm, as long as each allotment resulting from subdivision will have a frontage of at least 12m and each building will face a public street of minimum width 8m.

The provision also allows for the Torrens title or Strata title subdivision of the dual occupancy development subject to meeting the above requirements.

This clause represented the conversion of the previous Clause 22A(10) of Kogarah LEP 1998.

Council has reviewed the requirements relating to the minimum lot size for dual occupancy development. As part of the review Council is proposing to introduce a new clause into Kogarah LEP 2012 (Clause 4.1B - Minimum lots sizes for dual occupancy) which requires that dual occupancy (detached) will be permitted on allotments that have 2 road frontages and each dwelling must have frontage to a road.

As such, Clause 20 will be redundant and is proposed to be deleted.

2.6 Amendments to Schedule 2 – Exempt Development

Schedule 2 – Exempt Development identifies those development types that at the time of preparing Kogarah LEP 2012 were not included in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP). These included:

- Advertising structures and signs
- Display of goods and signs on footpaths
- Outdoor dining (associated with food and drink premises) on public footpaths
- Private markets, fairs and fetes.

Wide ranging amendments were introduced to the Codes SEPP on 22 February 2014. These amendments included additional Exempt and Complying provisions. The main change was the introduction of exempt provisions relating to Advertising structures and signs.

Under the Standard Instrument format, Schedule 2 of an LEP must not include or replicate the same development types that are covered by the Codes SEPP (PN 09-001).

The following provisions of Kogarah LEP 2012 Schedule 2 – Exempt Development are now superseded by the Codes SEPP:

- Advertising structures and signs have now been generally replaced with Division 2 Advertising and Signage Exempt Development Code; and
- Footpaths – outdoor dining (associated with food and drink premises) has now been replaced with Subdivision 20A Footpaths—outdoor dining.

It is proposed to retain the following provisions relating to advertising and signage in Kogarah LEP 2012, as these signage types do not appear to be covered as exempt development under the SEPP:

- Advertising structures and signs – Zone RE1 Public Recreation
- Advertising structure and signs – inflatable promotional signs
- Advertising structures and signs – newsagent placards

A copy of Schedule 2 – Exempt Development, as proposed to be amended is included at **Appendix 3 – Schedule 2 – Exempt Development**.

2.7 Amendment to Schedule 5 – Environmental Heritage

On 16 October 2013, Council received notification from the Heritage Council of NSW with respect to the removal of the Mortdale Railway Station and car shed from the State Heritage Register.

It is proposed to amend Schedule 5 to delete Item No. 1117 Mortdale Railway Station and car sheds, Mortdale being Lot 100, DP1141151.

The removal of this property is to align with a recent amendment made to the State Heritage Register (NSW Government Gazette No. 107). Council has been requested to remove the item from Schedule 5 by the Heritage Council of NSW.

Accordingly, it is recommended that Mortdale Railway Station and car shed, Mortdale being situated on the Illawarra Railway, between Coleborne Avenue, Ellen Subway and No.'s 195-235 Hurstville Road (Lot 100, DP 1141151) be deleted from Schedule 5 and the Heritage Map be amended accordingly.

2.8 Amendments to Kogarah LEP 2012 Map Series

The maps associated with the written instrument are proposed to be amended as follows:

2.8.1 Amendments to existing maps

Table 8: Amendments to Existing KLEP Map Series

Map Series	Amendment
Land Zoning Map (LZN)	Series of maps to be amended to: • Delete Zone E4 – Environmental Living & Zone RE2 – Private Recreation; • Introduce Zone R4 – High Density, Zone B6 – Enterprise Corridor and Zone E2 – Environmental Conservation. • Identify zoning changes as outlined in the body of the report.
Lot Size Map (LSN)	Series of maps to be amended to reflect amendments to the minimum subdivision lot size requirements as outlined in the body of the report.
Land Reservation Acquisition Map (LRA)	The map is proposed to be amended to reflect the proposed changes to the strategic Open Space Link from Denman Street Reserve to Quarry Reserve. In this regard, the map is

Map Series	Amendment
	proposed to be amended to: - Delete Nos 56 and 58 Hillcrest Avenue; and - Include part of No 3 Denman Street (Part AL: A DP 191431)
Heritage Map (HER)	Delete Item No 1117, being Mortdale Railway Station and car sheds.
Acid Sulfate Soils Map (ASS)	No changes are proposed
Flood Planning Map (FLD)	No changes are proposed
Foreshore Building Line Map (FBL)	No changes are proposed
Kogarah Town Square Precinct Map (KTS)	This map related to the Advertising and Signage provisions in Schedule 2 – Exempt Development. These provisions are now redundant as they have been replaced by provisions in the Codes SEPP. As such the map is no longer required.

2.8.2 Introduction of new maps

Table 9: New Maps

Map Series	Map
Lot Size for Dual Occupancy Development Map (LSD)	Map will identify the minimum allotment size for dual occupancy development as outlined in the body of the report.
Height of Buildings Map (HOB)	Map will identify the height of buildings
Floor Space Ratio Map (FSR)	Map will identify the floor space ratio

2.9 Release of Population and Dwelling Projections for NSW

In June 2014, the Department of Planning and Infrastructure (NSW State Government) published updated Population, Household and Dwelling Projections for NSW, with detailed breakdowns for each LGA. This information provides a detailed assessment on how our population is expected to change over the next 20 years. (Refer to: <http://www.planning.nsw.gov.au/en-us/deliveringhomes/populationandhouseholdprojections.aspx> for detailed information)

The projections are based on assumptions by demographers that take into account recent and current trends for births, deaths and migration.

2.9.1 Population Projections

Table 10 below shows population projections for the Kogarah LGA from 2011 to 2031. Based on these projections the total population growth in the Kogarah LGA will be 17,450 people over the 20 years to 2031:

Table 10: Population Projections – Kogarah (NSW State Government 2014)

2011	2016	2021	2026	2031	Total Change	% Change (Total)	Annual Change (%)
58,900	62,950	66,850	71,500	76,350	17,450	29.6%	1.3%

2.9.2 Dwelling Projections

The NSW State Government has also formulated dwelling projections that show the number of dwellings which would be needed to provide private housing for all projected households. The projections assume that one household occupies one dwelling and an additional adjustment has been made to account for those dwellings that may be unoccupied.

It should be noted that the dwelling projections are not targets established under the Metropolitan Strategy, nor are they a projection of future dwelling construction

Table 11 below indicates the projected number of dwellings to house the projected population. It is estimated that 7,350 additional dwellings would be required to be constructed in Kogarah over the 20 year period. That equates to approximately 370 new dwellings per year (from 2011).

Table 11: Dwelling Projections - Kogarah (NSW State Government 2014)

Year	2011	2016	2021	2026	2031	Total Dwellings
Dwellings	22,550	24,150 (+1600)	26,000 (+1,850)	27,900 (+1,900)	29,900 (+2000)	7,350

2.10 Implementing the Kogarah 2031 Housing Strategy

The *Kogarah 2031 Housing Strategy* (the Strategy) has been prepared to identify additional housing opportunities across the Kogarah Local Government Area (LGA) because the NSW State Government requires that all councils accommodate a share of Sydney's future housing needs.

The Strategy has been prepared in response to the NSW State Government's *Metropolitan Plan for Sydney and the Draft South Subregional Strategy – Planning to 2031* (NSW Department of Planning & Infrastructure).

The current draft Metropolitan Strategy (NSW State Government) sets a comprehensive strategic approach to ensure that the housing needs of Sydney will be delivered. The Strategy has set a target of at least 545,000 new dwellings across Sydney by 2031. This is a significant expansion on previous Metropolitan Strategies.

The draft Metropolitan Strategy also sets minimum housing targets for the subregions. Kogarah is still part of the South Subregion, along with Sutherland Shire, Hurstville, Rockdale and Canterbury.

The dwelling targets for the South Subregion are identified in the Table below¹:

Subregion	2021 Minimum Housing Targets	2031 Minimum Housing Targets
South	22,000	42,000

Council's Housing Strategy also responds to the issues identified by the community in the Community Strategic Plan to ensure a suitable range of housing choice is available locally.

Kogarah 2031 Housing Strategy seeks to ensure a reasonable supply of new housing, suited to the needs of our current and future community's requirements is available over the period from 2015 to 2031, in line with the State Government's requirements in accordance with the draft *Metropolitan Strategy for Sydney 2031*.

Kogarah 2031 Housing Strategy seeks to provide housing that provides increased choice for our current and future residents. Through changes to the planning framework (zoning and development standards), opportunities are identified in appropriately located areas to achieve the draft Housing Strategy's five (5) key objectives, which are:

1. *Housing across the City of Kogarah designed so that it provides choice, is affordable and is suited to the needs of our community.*
2. *Local centres within the City of Kogarah are distinctive and vibrant, providing opportunities for small businesses to flourish throughout the city.*
3. *Kogarah City residents can get to where they need to go in a way that is accessible, safe and efficient.*
4. *Development in Kogarah maintains and enhances the character and amenity of our neighbourhoods, town centres and local centres.*

¹ Draft Metropolitan Strategy for Sydney to 2031 (March 2013) Extract of Table 3 Minimum housing targets by subregion (pg 30)

5. *Comply with State Government requirements for housing targets throughout the Sydney Metropolitan Area.*

2.10.1 Proposed Rezoning – Kogarah 2031 Housing Strategy

It is proposed to amend Kogarah LEP 2012 by rezoning sites and including height and floor space ratio (FSR) as identified in the following table, consistent with the recommendations of the Kogarah 2031 Housing Strategy.

It should be noted that currently Kogarah LEP 2012 does not contain principal development standards relating to height and FSR. The table below indicates the current height and FSR controls which are currently contained in Council's Comprehensive DCP 2013 as a reference.

Detailed discussion relating to each of the proposed rezonings is included in the Kogarah 2031 Housing Strategy which is attached separately. The Kogarah 2031 Housing Strategy contains maps indicating relevant information, including the current zoning under Kogarah LEP 2012, proposed zoning, proposed height and proposed floor space ratio (FSR).

Table 12 below provides a summary of those sites proposed to be rezoned in accordance with the Kogarah 2031 Housing Strategy:

Table 12: Proposed Rezoning: Kogarah 2031 Housing Strategy

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Woids Avenue Allawah Precinct				
Rezone Nos 79-97 Noble Street and Nos 100 – 114 Woids Avenue, Allawah from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1
Rocky Point Road Beverley Park Precinct				
Rezone Nos 113 – 145 Rocky Point Road and Nos 107-109 Jubilee Avenue, Beverley Park from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR	9m	0.55:1	15m	1.5:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
requirements.				
Blakehurst Centre Blakehurst Precinct				
Rezone Nos 308-316 Princes Highway, Carss Park from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	12m	1:1
Rezone Nos 340 Princes Highway and No 2 Miowera Street, Carss Park from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	12m	1:1
Rezone Nos 36-40 Bunyala Street, Nos 390 – 394A Princes Highway and Nos 4-12A Torrens Street, Blakehurst from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1
Rezone Nos 9-13 Phillip Street and Nos 969 – 973 King Georges Road, Blakehurst from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1
Rezone No 979 King Georges Road, Blakehurst from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> and increase height and FSR requirements	12.2m	N/A	21m	2.5:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone Nos 591- 629 Princes Highway, Blakehurst from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> and increase height and FSR requirements	12.2m	N/A	21m	2.5:1
Rezone Nos 637 – 659 Princes Highway, Blakehurst from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> and increase height and FSR requirements	12.2m	N/A	21m	2.5:1
Rezone Nos 2-8 Stuart Street, Nos 2-4 Vaughan Street and Nos 2-8 James Street, Blakehurst from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1
Rezone Nos 1-5 James Street, Nos 6-16 Vaughan Street and Nos 1-7 Water Street, Blakehurst from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1
Blakehurst Waterfront Blakehurst Precinct				
Rezone Nos 424-436, Nos 448-454, Nos 468-474, Nos 723 – 741 Princes Highway, Blakehurst from E4 – Environmental Living to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	21m	2:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Terry Street Blakehurst Precinct				
Rezone No 32 Terry Street, Blakehurst from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m	0.7:1	8.5m	0.55:1
Rezone No 2A Faye Avenue, Blakehurst from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	9m	0.7:1	8.5m	0.55:1
Rezone Nos 2-10 Heath Road and Nos 14-20 Terry Street, Blakehurst from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m	0.7:1	8.5m	0.55:1
Rezone No 513 Princes Highway, Blakehurst from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1
Andover Street Carlton Precinct				
Rezone Nos 27 – 43 Andover Street, Carlton from R2- Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Enterprise Corridor Carlton Precinct				
Rezone Nos 71-73 Jubilee Avenue and No 251 Princes Highway, Carlton from R2- Low Density Residential to <u>B6 – Enterprise Corridor</u> and increase height and FSR requirements.	9m	0.55:1	21m	2:1
Rezone Nos 261-273 Princes Highway and No 1 Wheeler Street, Carlton from R2- Low Density Residential to <u>B6 – Enterprise Corridor</u> and increase height and FSR requirements.	9m	0.55:1	21m	2:1
Rezone Nos 275-277 Princes Highway, No 2 Wheeler Street and No 36 O'Meara Street, Carlton from R2- Low Density Residential to <u>B6 – Enterprise Corridor</u> and increase height and FSR requirements.	9m	0.55:1	21m	2:1
Rezone Nos 285-295 Princes Highway, Nos 31-33 O'Meara Street, and Nos 32-34 Westbourne Street, Carlton from R2- Low Density Residential to <u>B6 – Enterprise Corridor</u> and increase height and FSR requirements.	9m	0.55:1	21m	2:1
Rezone No 297 Princes Highway, Carlton from B1 – Neighbourhood Centre to <u>B6 – Enterprise Corridor</u> and increase height and FSR requirements.	12.2m	N/A	21m	2:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Jubilee Avenue Carlton Precinct				
Rezone Nos 39-45 Jubilee Avenue from R2 – Low Density Residential to <u>B1 – Neighbourhood Centre</u> zone and include height and FSR requirements.	9m	0.55:1	9m	1:1
Princes Highway Centre Carlton Precinct				
Rezone No 305 – 311 Princes Highway, Carlton from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> and increase height and FSR requirements.	12.2m	N/A	21m	2.5:1
Rezone No 313-323 Princes Highway, Carlton from R2 – Low Density Residential to <u>B2 – Local Centre</u> and increase height and FSR requirements.	9m	0.55:1	21m	2.5:1
Rezone No 325-345 Princes Highway, Carlton from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> and increase height and FSR requirements.	12.2m	N/A	21m	2.5:1
Rezone Nos 351-367 Princes Highway and No 68A Park Road, Carlton from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> and increase height and FSR requirements.	12.2m	N/A	21m	2.5:1
Rezone Nos 373 - 385 Princes Highway, Carlton from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> and increase height and FSR requirements.	12.2m	N/A	21m	2.5:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone No 55 Park Road, Carlton from R2 – Low Density Residential to <u>B2 – Local Centre</u> and increase height and FSR requirements.	9m	0.55:1	21m	2.5:1
Rezone No 220 Princes Highway, Carlton from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> and increase height and FSR requirements.	12.2m	N/A	21m	2.5:1
Rezone Nos 59-61 Park Road, Carlton from R2 – Low Density Residential to <u>B2 – Local Centre</u> and increase height and FSR requirements.	9m	0.55:1	21m	2.5:1
Rezone Nos 1-21 Wyuna Street & Nos 2-6 Lacey Street, Carlton from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	9m-21m	2:1
Hurstville Centre Hurstville Precinct				
Rezone Nos 546-558 Railway Parade, Hurstville from R3 – Medium Density Residential to <u>R4 – High Density Residential</u> and increase height and FSR requirements.	12.2m	1:1	33m	4:1
Rezone Nos 87-89 Woniara Road, Nos 1-7A Gallipoli Street, Nos 8 – 18 Alma Street and Nos 4-8 Maher Street, Hurstville from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
76 Whitfield Parade Hurstville Grove Precinct				
Rezone No 76 Whitfield Parade, Hurstville Grove from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	9m	0.7:1	8.5m	0.55:1
Kogarah North Kogarah Precinct				
Rezone Nos 21 – 71 Gladstone street, Nos 24-38 Gladstone Street, Nos 59-69 Princes Highway, Nos 21-37 Princes Highway, Nos 1-11 Princes Highway, Nos 125-133 Harrow Road, Nos 2-22 Railway Parade North and Nos 2 – 14 Palmerston Street, Kogarah from R3 – Medium Density Residential to <u>R4 – High Density Residential</u> and increase height and FSR requirements	12m-14m	1.1m ² /m ² site area/ sqm of dwelling	33m	4:1
Rezone Nos 57-97 Regent Street, Nos 38-85 Regent Street, Nos 2-24 Victoria Street, Nos 16-22A Gladstone Street, Nos 2-24 Stanley Street, Nos 1-11 Stanley Street, Nos 24B – 40 Victoria Street, Nos 2-10 Victor Street, Nos 5-21 Palmerston Street, Nos 2-4 Gladstone Street and Nos 26-30 Railway Parade, Kogarah from R2 – Low Density Residential to <u>R4- High Density Residential</u> and increase height and FSR requirements	9m	0.55:1	33m	4:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone Nos 41-45 Princes Highway, Kogarah from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> zone and increase height and FSR requirements.	24.5m	N/A	33m	4:1
Rezone Nos 13-19 Princes Highway, Kogarah from B1 – Neighbourhood Centre to <u>B2 – Local Centre</u> zone and increase height and FSR requirements.	23m	N/A	33m	4:1
Kogarah South Kogarah Precinct				
Rezone Nos 1-5 Blake Street, Kogarah (Kogarah RSL Land) from R3 – Medium Density Residential to <u>B4 – Mixed Use</u> zone and increase height and FSR requirements.	12m	1:1	39m	4:1
Rezone Nos 13-57 Ocean Street, Kogarah from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> (area is within the Kogarah South Heritage Conservation Area) and include height and FSR requirements.	9m	0.55:1	8.5m	0.55:1
Princes Highway Kogarah Precinct				
Rezone Nos 209-225 Princes Highway from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	15m	1.5:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone No 243 Princes Highway from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	15m	1.5:1
Lacey Street Kogarah Bay Precinct				
Rezone Nos 76-78 Harslett Crescent and Nos 48C – 50 Lacey Street from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m	0.7:1	8.5m	0.55:1
Oatley Centre Oatley Precinct				
Rezone Nos 63 – 65 Railway Lands, Oatley from SP2 – Rail Infrastructure Facilities to <u>B2 – Local Centre</u> and include height and FSR requirements.	N/A	N/A	12m	2.5:1
Rezone Nos 77 Railway Lands, Oatley from SP2 – Rail Infrastructure Facilities to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	N/A	N/A	8.5m	0.55:1
Rezone No 11A Letitia Street from R2 – Low Density Residential to <u>B2 – Local Centre</u> and include height and FSR requirements consistent with the remainder of the Oatley	12m	1:1	12m	2.5:1
Rezone Nos 11-15 Wonoona Parade East, Oatley from R2 – Low Density Residential to <u>R3- Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	9m	0.7:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone Nos 2 – 28 Rosa Street, Nos 38 – 40 Frederick Street, Nos 1 – 27 Ada Street and Nos 12-16 Wonoona Parade East, Oatley from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone Nos 30 - 62 Rosa Street, Nos 25 – 31 Neville Street, Nos 27A – 59 Ada Street and Nos 23-29 Frederick Street Oatley from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	9m	0.7:1
Ramsgate Centre Ramsgate Precinct				
Rezone No 2 Dalkeith Street from R3 – Medium Density Residential to <u>B2 – Local Centre</u> and increase height and FSR requirements consistent with the B2 – Local Centre requirements for Ramsgate Centre.	15m	2.5:1	21m	2.5:1
Rocky Point Road Sans Souci Precinct				
Rezone No 505 Rocky Point Road, Sans Souci from E4 – Environmental Living zone to <u>B1 – Neighbourhood Centre</u> zone (consistent with adjoining zone), and include height and FSR requirements.	9m	0.55:1	15m	2:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone Nos 495 – 503 Rocky Point Road, Sans Souci and No 10 Wellington Street, Sans Souci from E4 – Environmental Living to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	15m	1.5:1
Rezone Nos 475 – 479 Rocky Point Road and No 2 Nelson Street, Sans Souci from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone Nos 455 – 467 Rocky Point Road, Sans Souci from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone No 56 and the front portion of Nos 52 – 54 The Boulevarde, Sans Souci from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone the rear portion of No 50 The Boulevarde, Sans Souci from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	9m	0.7:1	8.5m	0.55:1
Rezone No 1 Plimsoll Street, Sans Souci from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	9m	0.7:1	8.5m	0.55:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
South Hurstville Centre South Hurstville Precinct				
Rezone Nos 16-20 Hurstville Road, South Hurstville from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m	0.7:1	8.5m	0.55:1
Rezone Nos 1-5 William Street, South Hurstville from R2 – Low Density to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone Nos 4-6 William Street and Nos 1-5 Rickard Road, South Hurstville from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone No 31 Joffre Street and No 32 Culwulla Street, South Hurstville from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and increase height and FSR requirements.	9m	0.55:1	21m	2:1
Rezone No 51-55 Connells Point Road, South Hurstville from R3 – Medium Density Residential to <u>B2 – Local Centre</u> and increase height and FSR requirements.	12.2m	1:1	21m	2.5:1
Rezone Nos 4-6 Allen Street, South Hurstville from R3 – Medium Density Residential to <u>B2 – Local Centre</u> and increase height and FSR requirements.	9m	1.3m ² /m ² site area/ sqm of dwelling	21m	2.5:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone No 2 Rickard Road, South Hurstville from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone Nos 16A-18A Rickard Road, South Hurstville from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone No 1 Greenacre Road, South Hurstville from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone Nos 36-40 Greenacre Road, South Hurstville from R2 –Low Density Residential to <u>R3 Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone Nos 91-99 Connells Point Road, South Hurstville from R2 – Low Density Residential to <u>R3 Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone Nos 35-41 Grosvenor Road, South Hurstville from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	15m	1.5:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone Nos 76-86 Connells Point Road, Nos 1-21 The Mall, Nos 55-55A Tavistock Road, and Nos 2-14 The Esplanade, South Hurstville from R2 – Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	12m	1:1
Rezone Nos 92-94 Connells Point Road, South Hurstville from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1
Rezone Nos 96-100 Connells Point Road, South Hurstville from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1
Rezone Nos 4-6 Resthaven Road, South Hurstville from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1
Rezone Nos 104-106 Connells Point Road, South Hurstville from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1
Rezone Nos 10-16 The Mall and No 53 Tavistock Road, South Hurstville from R2 - Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	12m	1:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone No 863 King Georges Road, South Hurstville from R2 - Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone No 875A – 875C King Georges Road, South Hurstville from R2 - Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone No 12-16 Resthaven Road, South Hurstville from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1
Rezone No 7 Resthaven Road and No 12 The Appian Way, South Hurstville from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1
Rezone No 48 Greenacre Street and No 99 Connells Point Road, South Hurstville from R2 – Low Density Residential to R3 – Medium Density Residential and include height and FSR requirements.	9m	0.55:1	9m	0.7:1
Rezone Nos 47-47E Terry St, Blakehurst from R2 - Low Density Residential to <u>R3 – Medium Density Residential</u> and include height and FSR requirements.	9m	0.55:1	9m	0.7:1

Sites Proposed to be Rezoned	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Rezone No 57 Terry St, Blakehurst from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1
Rezone No 69 Terry St, Blakehurst from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1
Rezone No 228 Woniara Road, South Hurstville from R3 – Medium Density Residential to <u>R2 – Low Density Residential</u> and include height and FSR requirements	9m	0.7:1	8.5m	0.55:1
Rezone No 32 Terry Street, Blakehurst from R3 – Medium Density Residential to R2 – Low Density Residential and include height and FSR requirements.	5m – 9m	0.7:1	8.5m	0.55:1

2.10.2 Review of FSR and Heights in Commercial Centres – Kogarah 2031 Housing Strategy

2.10.2.1 Review of B4 – Mixed Use Zone

Significant redevelopment has been undertaken in the Kogarah and Hurstville Town Centres over the last 10-15 years. The majority of larger sites zoned B4 – Mixed Use have been developed to their maximum capacity, however there are still a number of sites that have not been redeveloped to their maximum potential.

A review of the development standards (height and density) in the Kogarah Town Centre and Hurstville Town Centre has been undertaken to ensure that there are opportunities for redevelopment of these remaining sites, close to the major employment generators. Redevelopment of these sites will also provide an opportunity for housing that is more affordable than other suburbs within the LGA.

Table 13 below provides an overview of the height and FSR requirements for areas within the B4 – Mixed Use zone:

Table 13: Height and FSR in the B4 – Mixed Use zones

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Kogarah Town Centre Area zoned B4 – Mixed Use				
Kogarah Town Centre - Core Centre	6m-26m	1.6:1 – 4:1	39m	4.5:1
Properties fronting Railway Parade and Regent Street	10m-12m	1.6:1 – 2:1	9-15m	2.5:1
Railway Parade South (between Gray Street & English Street)	15m – 17m	1.8:1-3:1	39m	4:1
Site bounded by Princes Highway, Gray Avenue & Rocky Point Road	15m	2:1	21m	2:1
Hurstville Town Centre Area zoned B4 – Mixed Use				
Hurstville Town Centre	Up to 27m on specific sites	Variable depending on the site	39m	4.5:1

2.10.2.2 Review of B1 – Neighbourhood Centre zone and B2 – Local Centre zone

A review of land in existing commercial centres has been undertaken to identify opportunities for increases in dwelling density and heights. The draft South Subregional Strategy identifies *that increasing residential densities within the walking radius of smaller local centres can make these places more vibrant and provide much needed housing choice for the ageing and changing population.*

A review of the development controls in existing commercial centres has identified that in the majority of centres the current controls are not economically viable, which has resulted in limited redevelopment in these centres- thus limited housing opportunities have been provided. In some centres, it is also proposed that the zone be changed in order to better reflect the future role of the centre.

The proposed changes aim to encourage redevelopment of sites in existing commercial centres, through the provision of shop-top housing and smaller, more affordable residential dwellings.

Table 14 below provides an overview of the height and FSR requirements for areas within the B1 – Neighbourhood Centre and B2 – Local Centre zone:

Table 14: Height and FSR for the B1 and B2 zones

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Allawah Commercial Centre Area zoned B2 – Local Centre				
Nos 440 – 462 Railway Parade and Nos 2-2A Lancelot Street, Allawah	9m	1.75:1	21m	2.5:1
Beverley Park Area zoned B1 – Neighbourhood Centre				
No 33-55 Rocky Point Road, Beverley Park	12.2m	N/A	15m	2:1
Andover Street – Carlton Precinct Area zoned B1 – Neighbourhood Centre				
Nos 45-55 Andover Street, Carlton	10m	N/A	15m	2:1
Railway Parade - Carlton Precinct Area zoned B2 – Local Centre				
Nos 280 – 310 Railway Parade & Nos 2-10 Jubilee Avenue, Carlton	9m	1.75:1	21m	2.5:1
Nos 314 – 338 Railway Parade, Carlton	9m	1.75:1	21m	2.5:1
Nos 340-356 Railway Parade and Nos 2-4 Garfield Street, Carlton	9m	1.75:1	21m	2.5:1
Carss Park Centre – Carss Park Precinct Area zoned B1 – Neighbourhood Centre				
Nos 292 – 294 Princes Highway, Nos 2-16 Carwar Avenue and Nos 1-11 Carwar Avenue, Carss Park	12.2m	N/A	12m	1.8:1

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Waitara Parade - Hurstville Grove Precinct Area zoned B1 – Neighbourhood Centre				
No 30 Jellicoe Street, No 31 Seymour Street and No 18 Waitara Parade, Hurstville Grove	9m	1:1	9m	1:1
Kogarah South – Kogarah Precinct Areas zoned B1 – Neighbourhood Centre				
Nos 28 – 36 Princes Highway, Kogarah	12.2m	N/A	15m	2:1
Kyle Bay Centre – Kyle Bay Precinct Area zoned B1 – Neighbourhood Centre				
25 Kyle Parade, Kyle Parade	9m	N/A	9m	1.3:1
Mortdale Centre – Mortdale Precinct Area zoned B2 – Local Centre				
Nos 80 Railway Lands, 1 Subway Road and Nos 85-105 Railway Parade Mortdale	9m	1:1	21m	2.5:1
Oatley Centre – Oatley Precinct Area zoned B2 – Local Centre				
Nos 8-22 Oatley Avenue, Nos 4-30 Frederick St and Nos 13-15 Letitia St, Oatley	12.2m	N/A	12m	2.5:1
Nos 3-19 Frederick Street Nos 26-34 Oatley Avenue, and No 23 Letitia Street, Oatley	12.2m	N/A	12m	2.5:1
Nos 16-18 Letitia Street and No 32 Frederick Street, Oatley	12.2m	N/A	12m	2.5:1
Nos 20-26 Letitia Street, Oatley	12.2m	N/A	12m	2.5:1
Oatley Centre – Oatley Precinct Area zoned B1 – Neighbourhood Centre				
No 200 Hurstville Road, Oatley	N/A	N/A	12m	1.5:1
Hillcrest Avenue – Penshurst Precinct Area zoned B1 – Neighbourhood Centre				
Nos 79 – 83A Hillcrest Avenue, Penshurst	9m	N/A	9m	1.8:1

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Penshurst Centre – Penshurst Precinct Area zoned B2- Local Centre				
Nos 1-25 The Strand, Nos 2-26 The Strand and Nos 1-3 Laycock Road, Penshurst	12.2m	N/A	21m	2.5:1
Ramsgate Commercial Centre Area zoned B2 – Local Centre				
Ramsgate Centre	15m-18m	2:1	21m	2.5:1
Rocky Point Road - Sans Souci Precinct Area zoned B1 – Neighbourhood Centre				
No 8 Water Street and No 507 Rocky Point Road, Sans Souci	15m	N/A	15m	2:1
Sans Souci Centre - Sans Souci Precinct Area zoned B1 – Neighbourhood Centre				
Nos 331-333 Rocky Point Road and No 1A Newcombe Street, Sans Souci	12.2m	N/A	15m	2:1
Nos 335 – 363 Rocky Point Road, Sans Souci	12.2m	N/A	15m	2:1
Nos 341-347 Rocky Point Road, Sans Souci (rear portion of SP6966 and Lot 41, DP703108)	12.2m	N/A	8.5m	0.55:1
Nos 365 – 381 Rocky Point Road, Sans Souci	12.2m	N/A	15m	2:1
South Hurstville Centre – South Hurstville Precinct Area zoned B2 – Local Centre				
Nos 797-789 King Georges Road, South Hurstville	9m	1:1	12m	1:1
Nos. 799-801 King Georges Road, No 18 Greenacre Road, Nos 59-65 Connells Point Road, South Hurstville	9m	1:1	21m	2.5:1
Nos. 803-835 King Georges Road, 33A Grosvenor Road, 66-68 Connells Point Road and 2-4 The Mall, South Hurstville	9m	1:1	21m	2.5:1

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
No 57 Connells Point Road and No 838 King Georges Road, South Hurstville	9m	1:1	21m	2.5:1
Nos 42-58 Connells Point Road, 840A-848 King Georges Road and 48-50 Allen Street, South Hurstville	9m	1:1	21m	2.5:1
No 1 Allen Street, No 850-864 King Georges Road, South Hurstville	9m	1:1	21m	2.5:1
Nos 1-13 Connells Point Road, South Hurstville	9m	1:1	12m	2:1

2.10.3 Review of FSR and Heights in the R3 – Medium Density Residential zone – Kogarah 2031 Housing Strategy

A review of land in existing R3 – Medium Density zones has been undertaken to identify opportunities for increases in dwelling density and heights.

The proposed changes aim to encourage redevelopment of remaining sites in this zone and also to encourage the redevelopment of older sites to newer, modern and accessible apartment buildings, with lift access.

Table 15 below provides an overview of the height and FSR requirements for those sites zoned R3 – Medium Density Residential that have not been identified in the Table above:

Table 15: Review of FSR and Heights in the R3 Zone

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Railway Parade – Allawah Precinct Allawah				
Land currently zoned R3 – Medium Density Residential bounded by Andover Street, Railway Parade, Bellevue Parade, Woids Avenue, Meade Street, Norman Street and Balfour Street, Allawah	12m – 14m	N/A Density requirements equate to 0.9:1.	15m – 21m	1.5:1 – 2:1
Blakehurst Centre – Blakehurst Precinct Blakehurst				
Nos 318-338 Princes Highway, Blakehurst	9m	N/A Density requirements equate to 0.48:1	12m	1:1
Princes Highway Centre – Carlton Precinct Carlton				
Nos 399-417 Princes Highway, 21 Plant Street, 22 Paris Street, Carlton	10m	N/A Density requirements equate to 0.77:1	12m-15m	1:1 – 1.5:1
Nos 192-216 Princes Highway, 68-72 Park Road, 1-3 John Street and 1-5 Lacey Street, Carlton	9m	N/A Density requirements equate to 0.48:1	9m -21m	2:1
Nos 166-190 Princes Highway, Carlton	9m-12m	N/A Density requirements equate to 0.77:1	9m – 21m	2:1

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
Railway Parade – Carlton Precinct Carlton				
Land currently zoned R3 – Medium Density Residential bounded by English Street, Neilsen Avenue, Andover Street and Railway Parade, Hurstville	12m – 14m	N/A Density requirements equate to 0.9:1.	15m – 21m	1.5:1 – 2:1
Carss Park Centre – Carss Park Precinct Carss Park				
Nos 463 – 467 Princes Highway and 10 Dwyer Street, Carss Park	9m	N/A Density requirements equate to 0.48:1	12m	0.7:1
Hurstville Centre – Hurstville Precinct Hurstville				
Land zoned R3 – Medium Density Residential bounded by Bellevue Parade, First Avenue, Cole Street, Woniora Road, Alma Street and Railway Parade	2 – 7 storeys	0.8:1 – 1.7:1	15m – 21m	1.5:1 – 2:1
Kogarah South – Kogarah Precinct Kogarah				
No.'s 1-11 Gray Street, No. 1 Queens Avenue and No. 2-6 Ocean Street, Kogarah	12m	1:1	21m	2:1
No.'s 1A-11 Ocean Street, Nos 3-7 Queens Avenue and No.'s 2-8A Bowns Road, Kogarah	12m	1:1	21m	2:1
No.'s 1-9 Bowns Road, No.'s 3-9 Bellevue St and No.'s 2-6 Blake St, Kogarah	12m	1:1	21m	2:1
No.'s 7-11 Blake Street, No.'s 15-23 Bellevue St and No.'s 14-22 English Street, Kogarah	12m	1:1	21m	2:1

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
No.'s 13-39 Gray Street, Kogarah	15m	N/A	21m	2:1
No.'s 43-69 Gray Street, Kogarah	15m	N/A	15m	1.5:1
No.'s 4-6 Queens Avenue and No.'s 12-60 Ocean Street, Kogarah	15m	N/A	9m-15m	1.2:1
No.'s 1-15 Chapel St, No.'s 2-10 Short Street and No.'s 42-48 Gray Street, Kogarah	12m	1.3:1	15m	1.5:1
No.'s 50 – 56 Chapel Street and No.'s 161-179 Princes Highway and No.'s 58-60 Gray Street, Kogarah	12m-15m	1.3:1 – 2:1	21m	2:1
No. 71 Gray Street, No.'s 183-189 Princes Highway, Kogarah	12m	1:1	21m	2:1
Princes Highway – Kogarah Precinct Kogarah				
Nos 227-241 Princes Highway, Kogarah	15m	1.5:1	15m	1.5:1
Oatley Centre – Oatley Precinct Oatley				
Land zoned R3 – Medium Density Residential bounded by Hurstville Road, Rosa Street, Neville Street and Oatley Avenue, Oatley.	9m-12m	N/A Density requirements equate to 0.77:1 - 0.9:1.	12m	1:1
Ramsgate Centre – Ramsgate Precinct Ramsgate				
No.'s 2-8 Targo Road and Nos 66-68 Ramsgate Road, Ramsgate	9m	0.8:1	15m	1.5:1

Centre	Existing Height (DCP)	Existing FSR (DCP)	Proposed Height (LEP)	Proposed FSR (LEP)
No.'s 4-10 Dalkeith Street, Ramsgate	9m	0.8:1	15m	1.5:1
No. 2A Torwood Street and No.'s 259-271 Rocky Point Road, Ramsgate	12m	1:1	15m	1.5:1
Rocky Point Road - Sans Souci Precinct Sans Souci				
No.'s 431A-451 Rocky Point Road, Sans Souci	9m	N/A	9m	0.7:1
South Hurstville Centre – South Hurstville Precinct South Hurstville				
Land zoned R3 – Medium Density Residential bounded by Woniora Road, Joffre Street, King Georges Road, Blakesley Road and Kairawa Street, South Hurstville	5m – 12m	N/A Density requirements equate to 0.48:1 - 0.9:1	9m – 21m	0.7:1 – 2:1
Land zoned R3 – Medium Density Residential on the western side of King Georges Road, bounded generally by Terry Street, The Mall, Tavistock Road, The Esplanade, Greenacre Road and Hurstville Road, South Hurstville	5m – 12m	N/A Density requirements equate to 0.48:1 - 0.9:1	9-15m	0.7:1 – 1.5:1

2.10.4 Providing increased opportunities for dual occupancy development

The future ability of our community to age-in-place will depend on the availability of alternative housing types across the LGA and policies to support alternative housing types would allow older residents to redevelop their land to provide a more suitable form of accommodation, whilst not being financially prohibitive.

The proposed changes will open up opportunities for a wider range of dual occupancy development across the LGA, including development for dual occupancy on large blocks on the waterfront.

The proposed provisions will permit attached dual occupancy development on lots zoned R2 – Low Density Residential and R3 – Medium Density Residential with an area 650sqm or greater, with the exception of those properties in the foreshore areas and heritage conservation areas, where the minimum lot size requirement is 1000sqm.

A copy of the Minimum Lot Sizes for Dual Occupancy Development Map is included at **Annexure 6**.

For the majority of sites, attached dual occupancy development will be permitted. Council will also permit detached dual occupancy development on sites that have frontage to two streets. The permitted floor space ratio and building height controls will be the same as allowed for single dwellings.

Subdivision of the dwellings will also be permissible. This allows landowners to realise the capital expenditure involved in developing a dual occupancy. This is particularly desirable for older residents who, by subdividing and building a dual occupancy can partially realise the capital tied up in the family home.

2.10.5 Introduction of Local Provision relating to Seniors Housing

In Kogarah, housing designated for seniors is constructed under State Environment Planning Policy – Housing for Seniors and People with a Disability (SEPP HSPD). The SEPP HSPD provides for a range of housing types including *self contained dwellings*²

The current provisions of the SEPP HSPD require that housing for seniors, including self contained dwellings, meet certain locational requirements – these requirements generally preclude large development sites in and around the foreshore and waterfront areas.

As a result opportunities for older people who choose to move from their own large home in the foreshore or waterfront areas to smaller appropriately constructed homes are limited, and residents are forced to move out of the LGA to other LGAs.

Population data indicates that:

- Our population is ageing (14.5% of Kogarah City's residents are aged 65+ years) and we have a greater proportion of older residents as compared to Greater Sydney (2.4% of Kogarah City's residents are aged 85+ as compared to Greater Sydney (1.8%))
- Almost half of Kogarah's households are 1 or 2 person households (49.3%).

² Under the SEPP HSPD a **self-contained dwelling** is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.

- Kogarah's existing housing stock consists predominantly of separate houses (55.7%), as compared to medium (16.1%) and high density housing (27.6%)
- 38.2% of households within Kogarah City with a mortgage were making high loan repayments of \$2,600 or more per month
- 11.9% of Kogarah City's households (2011) were experiencing housing stress compared to 11.5% in Greater Sydney.

Council is seeking to include a local provision into Kogarah LEP 2012 to encourage seniors housing in the form of self-contained dwellings so as to increase the supply and diversity of housing that meet the needs of seniors in the R2 – Low Density Residential zone.

It is proposed that self-contained dwellings, as defined under the SEPP HSPD will be permitted in Zone R2 – Low Density Residential where a development meets the following requirements:

- (a) **Site size:** The size of the site must be at least 1000m²
- (b) **Height:** The height of all buildings in the proposed development must be 8.5 metres or less
- (c) **Density and scale:** The density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less
- (d) **Parking:** A minimum of 1 car space is to be provided for each dwelling.

The draft clause, as proposed to be incorporated into Kogarah LEP 2012 is outlined below:

6.8 Seniors housing: self-contained dwellings

- (1) *The objective of this clause is to encourage seniors housing in the form of self-contained dwellings so as to increase the supply and diversity of housing that meets the needs of seniors in the R2 – Low Density Residential zone.*
- (2) *For the purposes of this clause **Seniors** are any of the following:*
 - (a) *people aged 55 or more years,*
 - (b) *people who are resident at a facility at which residential care (within the meaning of the Aged Care Act 1997 of the Commonwealth) is provided,*
 - (c) *people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.*
- (3) *Council must not consent to a development application for seniors housing in the form of self-contained dwellings in Zone R2 – Low Density Residential unless the proposed development complies with the standards specified below:*

- (e) **Site size:** The size of the site for a group of self-contained dwellings must be at least 1000m²;
 - (f) **Site frontage:** The site frontage must be at least 20 metres wide measured at the building line;
 - (g) **Height:** The height of all buildings in the proposed development must be 8.5 metres or less;
 - (h) **Density and scale:** The density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less;
 - (i) **Parking:** A minimum of 1 car space is to be provided for each dwelling; and
 - (j) The standards specified in Schedule 3 – Standards applying to self-contained dwellings of the **State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004**
- (5) Despite clause 4.1 land on which development has been carried out under this clause may be subdivided with the consent of the consent authority.
- (6) A consent authority must not consent to a development application made pursuant to this Clause unless:
- (a) a condition is imposed by the consent authority to the effect that only those persons referred to in subclause (2) may occupy any accommodation to which the application relates, and
 - (b) the consent authority is satisfied that a restriction as to user will be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the application relates to those persons referred to in subclause (2).

2.11 SP2 – Infrastructure Zone Review

Council, in preparing the conversion of KLEP 1998 to the SILEP (Kogarah LEP 2012) sought the Department of Planning's support in zoning certain sites SP2 – Infrastructure.

These included:

- i. Land that was zoned Special Uses 5(a) under KLEP 1998 identified as key infrastructure, being rezoned SP2 Infrastructure: this applies to St George Private and Public Hospitals; Kogarah Fire Station; Calvary Hospital and key utility infrastructure sites including water supply, electricity distribution infrastructure and telecommunications infrastructure;

- ii. Land zoned Special Uses 5(b) – Special Uses (Railway) being zoned SP2 Infrastructure consistent with Planning Direction 10-001;
- iii. Land zoned Special Uses 5(a) under KLEP 1998 and currently used as an educational establishment (both private and public).
- iv. All other existing land zoned Special Uses 5(a), including churches and church properties, child care centres, community facilities, aged housing and others being rezoned to either the adjacent zone or a compatible zone to reflect the land use, subject to land owners confirming that this change in zoning complies with the requirements of SEPP 55.

As a result, a direct conversion of the zoning of land meeting the above requirements was undertaken in the conversion of KLEP 1998 to Kogarah LEP 2012.

A review has now been undertaken to identify additional sites that are in the ownership of key infrastructure and educational providers to ensure that land in their ownership is correctly identified as SP2 – Infrastructure.

Table 16 below identifies those additional properties which are proposed to be rezoned to SP2 – Infrastructure. Maps and discussion relating to each of the affected properties is included at **Appendix 7**.

Table 16: SP2 Infrastructure Zonings

Affected Properties	Reason	Current Zoning	Proposed Zoning
Block bounded by Palmerston Street, Victor Street, Gladstone Street and Victoria Street, Kogarah	In the ownership of Minister for Education and Training	R2 – Low Density Residential and RE1 – Public Recreation	SP2 – Educational Establishments
No.'s 30-38 Belgrave Street and No.'s 4-10 South Street, Kogarah	Health Administration Corporation (St George Private Hospital)	B4 – Mixed Use zone	SP2 – Health Services Facilities
No.'s 70-72 and No.'s 80-82 Jubilee Avenue, No.'s 91-105 and 109-111 Rocky Point Road and 40-46 & 52 Ercildoune Avenue, Beverley Park	Part of Calvary Hospital	R2 – Low Density Residential	SP2 – Health Services Facilities
No.'s 17-19 Broughton Street, Sans Souci	Part of St Finbar's Primary School, Sans Souci	R2 – Low Density Residential	SP2 – Educational Establishments

Affected Properties	Reason	Current Zoning	Proposed Zoning
No. 170 Connells Point Road, Connells Point	Part of Connells Point Public School	R2 – Low Density Residential	SP2 – Educational Establishments
No. 29A Greenacre Road, South Hurstville	In the ownership of Catholic Education Office	RE2 – Private Recreation	SP2 – Educational Establishments
Lot 1, DPI22877 & Lot 1, DPI22875 (known as No. 30 Maher Street), Hurstville	Part of Hurstville Public School	R2 – Low Density Residential	SP2 – Educational Establishments
No.'s 51-69 Woids Avenue, No. 50 Bellevue Parade and No. 56 Bellevue Parade, Allawah	St George Christian School	R2 – Low Density Residential	SP2 – Educational Establishments
Part of No. 4 Water Street, Sans Souci	Public Infrastructure – Water Police/ Maritime Services	RE1 – Public Recreation	SP2 – Emergency Services Facilities

Council has also been recently made aware of the sale of land that is currently zoned SP 2- Infrastructure, being the rear portion of Lots 4 & 5, DP 7814 (No 279) Rocky Point Road, Sans Souci. The subject site was previously in the ownership of Telstra and was vacant land to the rear of the existing telephone exchange on Rocky Point Road.

A verbal request has been made by the now owner of the site to have the land rezoned to R2 – Low Density Residential, which is consistent with the adjoining land. It is considered that this request is appropriate and as such it is recommended that the land be rezoned to R2 – Low Density Residential.

2.12 Review of Open Space Lands

There are a number of open space and natural environment areas that, after being investigated through a land use audit, are proposed to be rezoned to reflect their current or most suitable land use and their ownership status.

The review of open space can be divided into three (3) categories:

1. Land that is currently used as open space, but is not zoned as RE1 – Public Recreation. The majority of the land identified in this category is already in Council's ownership however some sites are in the ownership of the Crown.
2. Land currently zoned RE1 – Public Recreation that is proposed to be rezoned to another, more appropriate zone.

3. Land currently zoned RE2 – Private Recreation that is proposed to be rezoned to another, more appropriate zone.

2.12.1 Land proposed to be zoned RE1 – Public Recreation

This category includes sites that are currently used and maintained as open space, but are not zoned as open space (RE1 – Public Recreation) under Kogarah LEP 2012.

These sites are identified on Council's open space land register as recognised parks and public reserves (usually with park/reserve names) however the current zoning does not reflect the use.

Table 17 below identifies those sites proposed to be rezoned to RE1 - Public Recreation to provide consistency with the existing land use. Further discussion relating to each site, including maps indicating the existing zone under KLEP 2012 and proposed zoning are included in the Open Space Review (2014) which is attached separately.

Some of these sites are also proposed to be reclassified and these will be discussed under the reclassification component of the Planning Proposal.

Table 17: Land Proposed to be Zoned RE1

Location	Current zoning	Proposed Zoning
PJ Ferry Reserve No. 147B Bellevue Parade, Allawah (Lot 34, Sec 5, DP2792)	R2 – Low Density Residential	RE1 – Public Recreation
Burgess Street Reserve 22R Targo Road, Beverley Park Lot C, DP 360949	R2 – Low Density Residential	RE1 – Public Recreation
Moore Park No. 22A Ferry Avenue, Beverley Park Lot 159, DP 19288	R2 – Low Density Residential	RE1 – Public Recreation
Moore Park No. 33 Lobb Crescent, Beverley Park Part Lot 160, DP 19098	R2 – Low Density Residential	RE1 – Public Recreation
Dover Park No. 422A Princes Highway, Blakehurst Lot 7314, DP 1153780	W2 – Recreational Waterways	RE1 – Public Recreation
West Street Reserve No. 212A West Street, Blakehurst Lot 2, DP 547806 Lot E, DP 16495 Lot D, DP 16495	R2 – Low Density Residential	RE1 – Public Recreation

Location	Current zoning	Proposed Zoning
Lower West Street Reserve No. 177 Bellevue Parade, Carlton Lot 20, DP 527191	IN2 – Light Industrial	RE1 – Public Recreation
Carss Bush Park No. 999 Beach Street, Blakehurst Part Lot 1, DP 177114 Part Lot 4, DP 668319 Part Lot 1, DP 10109360	R2 – Low Density Residential	RE1 – Public Recreation
Tilley Reserve No. 4 Andover Street, Carlton Lot 108, DP 1916 Road	R3 – Medium Density Residential	RE1 – Public Recreation
Duggan Park 71A Greenacre Rd (LOT: 411 DP: 593759); 71P Greenacre Rd (LOT: 421 DP: 839908); 73A Greenacre Rd (LOT: 431 DP: 600544); 83 Greenacre Rd (LOT: 48 DP: 68400); 83A Greenacre Rd (LOT: 471 DP: 591227); 83B Greenacre Rd (LOT: 502 DP: 598400); 83C Greenacre Rd (LOT: 522 DP: 598002); 85 Greenacre Rd (LOT: 49 DP: 6840); 85A Greenacre Rd (LOT: 501 DP: 596285); 20A Homedale Cres (LOT: 642 DP: 710281); 22A Homedale Cres (LOT: 632 DP: 600012); 28A Homedale Cres (LOT: 601 DP: 597739); 2B Homedale Cres (LOT: 33 DP: 867976); 6A Homedale Cres (LOT: 691 DP: 1045748); 75R Greenacre Rd (LOT: 441 DP: 739600); 77R Greenacre Rd (LOT: 451 DP: 598565); 779R Greenacre Rd (LOT: 461 DP: 591498); 12R Homedale Cres (LOT: 2 DP: 614036); 16R Homedale Cres (LOT: 23 DP: 618082); 12R Homedale Cres (LOT: 2 DP: 591621); 26R Homedale Cres (LOT: 612 DP: 616832); 93R Greenacre Rd (LOT: 532 DP: 607094); 95R Greenacre Rd (LOT: 2 DP: 613499)	R3 – Medium Density Residential	RE1 – Public Recreation

Location	Current zoning	Proposed Zoning
No. 243A Connells Point Road, Connells Point (Lot 4, DP 572695)	E4 – Environmental Living	REI – Public Recreation
Queens Road Reserve No. 251A Connells Point Road, Connells Point (Lot B, DP 364195)	E4 – Environmental Living	REI – Public Recreation
Arrowsmith Park No. 740 King Georges Road, Hurstville Part lot 3 & 4, DP 136481 Road	R2 – Low Density Residential	REI – Public Recreation
Empress Reserve No. 8 George Street, Hurstville (Lot 4, DP 660854)	R2 – Low Density Residential	REI – Public Recreation
St Georges Parade Reserve No. 19 St Georges Parade, Hurstville Lot 14, Sec 1, DP 2751	R3 – Medium Density Residential	REI – Public Recreation
Woniora Gardens No. 588 Railway Parade, Hurstville (Lot 2, DP 880679)	B4 – Mixed Use	REI Public Recreation
Elizabeth Corry Reserve End of Wyee Street , Kogarah Bay	R2 – Low Density Residential	REI – Public Recreation
Ellen Subway Gardens, Mortdale Part Lot 10, Sec 1, DP 1884; Part Lot 1, DP 1181159; Road	B2 – Local Centre R2 – Low Density Residential	REI – Public Recreation
Charles Street Reserve, Oatley Roadway	E4 – Environmental Living	REI – Public Recreation
Lapham Reserve No. 2A Beverley Crescent, Penshurst Lot 1, DP 181450	E4 – Environmental Living	REI – Public Recreation
Anderson Park No. 75 Vista Street, Sans Souci (Lot 1, DP 181450/Part Road)	E4 – Environmental Living	REI – Public Recreation

Location	Current zoning	Proposed Zoning
The Boulevarde Reserve, Sans Souci Road	Part E4 – Environmental Living and R2 – Low Density Residential	REI – Public Recreation
Claydon Reserve No.'s 47-49 Ramsgate Road, Sans Souci (Part Lot 7, DP 11558, Part Lot 6, DP 11558, Part Road, Part Water)	E4 – Environmental Living and W2 – Recreational Waterways	REI – Public Recreation
Len Renyolds Reserve No. 255 The Promenade, Sans Souci (Lot 7045, DP 1127660 and Part Road)	E4 – Environmental Living	REI – Public Recreation
Northcote Street Reserve No. 87 The Promenade, Sans Souci (Lot 651, DP 1000210)	E4 – Environmental Living	REI – Public Recreation
Grosvenor Road Reserve No. 6 Grosvenor Road (Lot 107, DP 1999) and No. 11 Tavistock Road (Lot B, DP 346012), South Hurstville	R2 - Low Density Residential	REI – Public Recreation
Ma An Shan Friendship Park No.'s 143-147 West Street, South Hurstville Lot 1 & 2, DP 206385 and Lot 58, Sec 2, DP 5453	R2 - Low Density Residential	REI – Public Recreation

2.12.2 Land proposed to be rezoned from REI – Public Recreation

The following sites are parcels of land that are currently zoned **REI – Public Recreation** that Council is proposing to rezone to another, more appropriate zone for the reasons listed below:

(a) Elizabeth Street Reserve, Allawah (section of roadway)

This portion of land forms part of the road reserve with car parking and several trees. The parcel is not used as open space and adjoins a section of roadway currently zoned R2 – Low Density Residential.

It is proposed that this parcel be rezoned to R2 – Low Density Residential, consistent with the adjoining road.



Figure 9: Existing zoning (KLEP 2012)

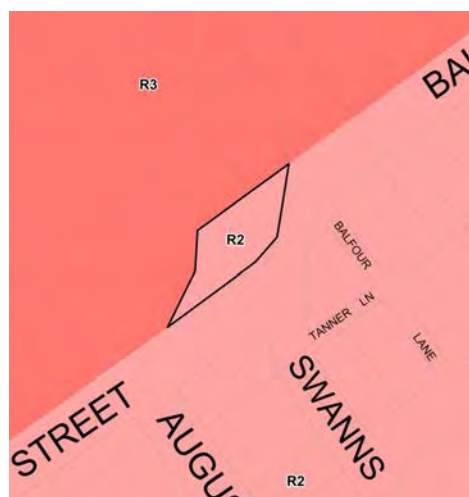


Figure 10: Proposed zoning (KLEP 2012)

(b) 1A Stuart Street, Blakehurst (Lot 2, DP 794233)

This is a 338m² parcel of land that is an isolated foreshore lot that was acquired by Council to form a Regional Open Space Corridor that included Ray Street Reserve and adjoining private lands under the County of Cumberland Plan (1951).

The NSW Government has since abandoned the acquisition of land along this section of the foreshore for the creation of a regional open space corridor in this location and as such the property is now an isolated parcel of land with no public access, other than from the water.

The adjoining sites, which are in private ownership were previously zoned 6(b) – Regional Open Space under Kogarah LEP 1998. After consultation with the Department of Planning (the acquisition authority for these sites), the 6(b) – Regional Open Space zoning was abandoned and the adjoining sites zoned E4 – Environmental Living in the Kogarah LEP 2012.

The parcel is landlocked and is only accessible from the water. It is recommended that the parcel be rezoned to R2 – Low Density Residential, consistent with the adjoining zoning.

It is also proposed to reclassify the land from “community” to “operational” land and consider disposal of the land.

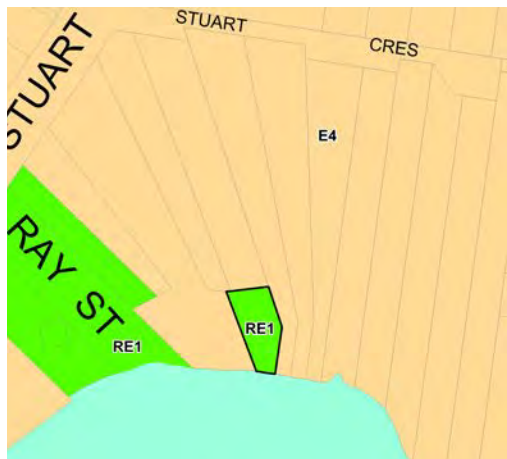


Figure 11: Existing zoning (KLEP 2012)

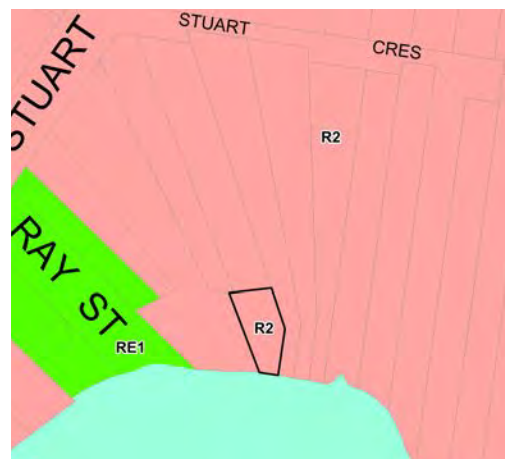


Figure 12: Proposed zoning (KLEP 2012)

(c) 52 Waratah Street, Blakehurst (Part Lot 19, DP 663247)

This land forms part of the Kyle Williams Home Trust at No. 52 Waratah Street, Blakehurst and is in private ownership. The subject site contains a dwelling which is identified as an item of Environmental Heritage in Kogarah LEP 2012.

The site is approximately 2.43ha, with the majority of the site heavily vegetated. The site adjoins Kyle Williams Reserve (in Council ownership), which is also heavily vegetated and contains Ecologically Endangered Communities (EECs).

The majority of vegetation in the eastern portion of the site is sandstone derived with the main species being *Angophora costata*, *Corymbia gummifera*, *Eucalyptus pilularis* and *Eucalyptus piperia*.

Vegetation within the western portion of the site is similar to Sandstone Gully Forest/Rainforest above floodable areas grading to Swamp Oak Forest and Mangroves along the foreshore.

Two (2) EECs occur on the site, these include the Swamp Oak Floodplain Forest and Southern Sydney Sheltered Forest³. A Development Application is currently with Council for use of the site as a Group Home/Respite Day Care Facility.

In order to protect the remainder of the site from further redevelopment in the future, it is recommended that the portion of the site currently zoned RE1 – Public Recreation be rezoned to E2 – Environmental Conservation zone (Refer to Figure 14 below).

The objective of this zone is to:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

³ Flora and Fauna Assessment prepared by Travers Bushfire and Ecology (February 2014) prepared for the Development Application for Group Home/Respite Day Care Centre

The permitted land uses also differ significantly between the zones, with the E2 – Environmental Conservation zone being more restrictive than the RE1 – Public Recreation zone. Table 12 below provides a comparison between the RE1 and E2 zones (Note: text in black represents land uses that must be included in the E2 zone):

Comparison of RE1 – Public Recreation zone and E2 – Environmental Conservation zone

RE1 – Public Recreation Zone	E2 – Environmental Conservation Zone
I Objectives of zone • To enable land to be used for public open space or recreational purposes. • To provide a range of recreational settings and activities and compatible land uses. • To protect and enhance the natural environment for recreational purposes. 2 Permitted without consent Building identification signs; Business identification signs; Environmental protection works 3 Permitted with consent Boat launching ramps; Car parks; Child care centres; Community facilities; Emergency services facilities; Environmental facilities; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Water recreation structures 4 Prohibited Any development not specified in item 2 or 3	I Objectives of zone • To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. • To prevent development that could destroy, damage or otherwise have an adverse effect on those values. 2 Permitted without consent Environmental protection works 3 Permitted with consent Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Roads 4 Prohibited Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

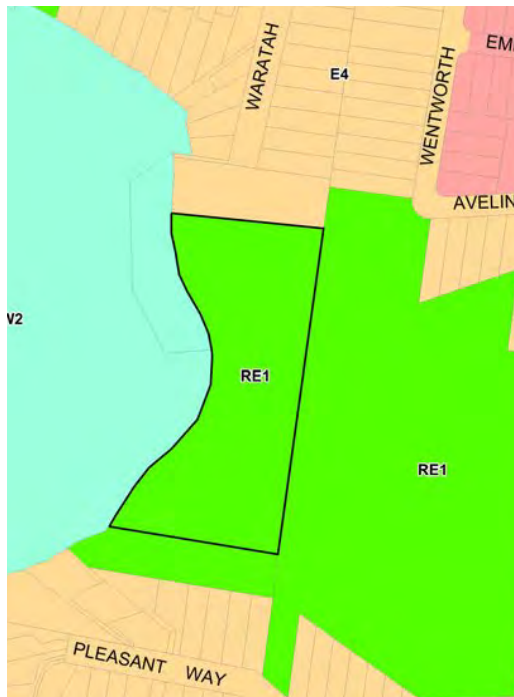


Figure 13: Existing zoning (KLEP 2012)



Figure 14: Proposed zoning (KLEP 2012)

(d) 21A Queens Road, Connells Point (Lot E, DP373733)

No 21A Queens Road, Connells Point was acquired by Council to form a foreshore link to Redin Place Reserve. The continuation of the foreshore link however has now been abandoned and the lot remains as an isolated parcel of open space, only accessible from the water.

The subject site is currently leased to the adjoining land owners at No. 15 and No. 21 Queens Road, as an extension to their private open space and provides these properties with waterfront access. The subject site contains landscaping, steps and two (2) private jetties.

The parcel is landlocked and is only accessible from the water. It is recommended that the parcel be rezoned to R2 – Low Density Residential, consistent with the adjoining zoning.

It is also proposed to reclassify the land from “community” to “operational” land and consider disposal of the land.

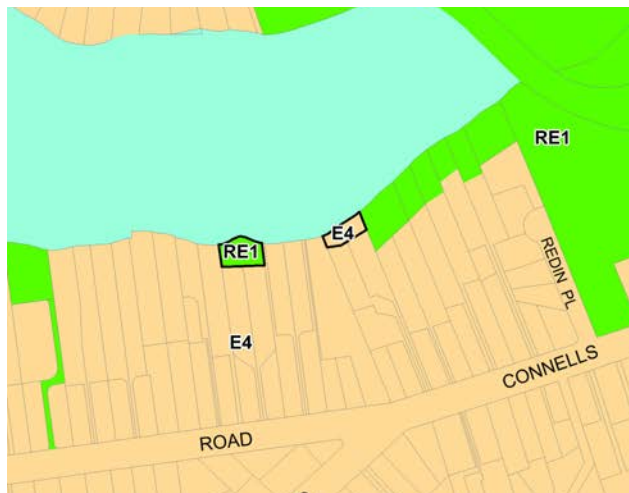


Figure 15: Existing zoning (KLEP 2012)



Figure 16: Proposed zoning (KLEP 2012)

(e) Nos 4 & 10 Water Street, Sans Souci (Sans Souci Park) (Lot 507 & 519 DP 752056)

No. 4 Water Street currently contains a building adjacent to Water Street, which houses the Water Police and Maritime Services/Department of Fisheries. The remainder of the site contains a boat mooring facility and waterway. The site is non-Council owned land in the ownership of the Crown and is currently zoned RE1 – Public Recreation.

No. 10 Water Street currently houses the Sans Souci Bathers Pavilion, which is listed as an item of Environmental Heritage in Kogarah LEP 2012 and forms part of Sans Souci Park.

The site is non-Council land however Council has care and control of the land. The majority of the site is currently zoned RE1 – Public Recreation. The remainder of the area currently zoned RE1 is waterway.

It is proposed to amend the zoning relating to these sites to better reflect the current land uses and geography.

In this regard, it is proposed that the area of land containing the building at No. 4 Water Street be rezoned to SP2 – Emergency Services Facilities and the remainder of the site W2 – Recreational Waterways.

It is proposed to retain the REI zone for the portion of land at No. 10 Water Street that contains the Sans Souci Bathers Pavilion building and rezone the portion that is water to W2 – Recreational Waterways.





Figure 18: Existing zoning (KLEP 2012)

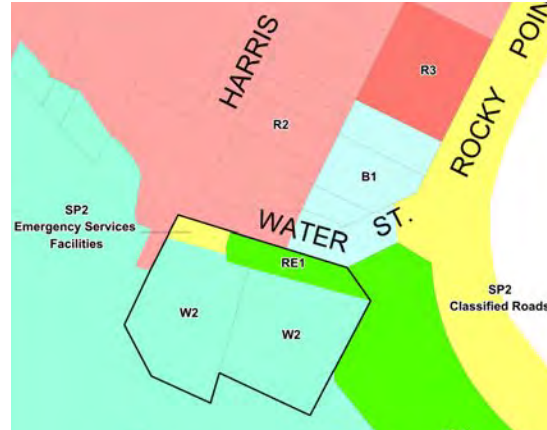


Figure 19: Proposed zoning (KLEP 2012)

(f) No 8A Wyong Street, Oatley (Lot 15, DP 746853)

No. 8A Wyong Street is open space that is situated between two dwellings and adjoins the railway reserve however there is no access from this parcel of land onto the adjoining reserve. The land previously contained playground equipment, however this was removed due to its age and lack of use.

The subject site is currently zoned E4 – Environmental Living and the area has been identified as low usage as open space. Council currently maintains the site (grass mowing) and there is no equipment or furniture situated in the park.

The subject site does not provide any community benefit in that it does not provide linkages to other existing open space. It is considered appropriate to convert the zoning to R2 – Low Density Residential and reclassify the parcel from “community” to “operational” land and consider disposal of the land.

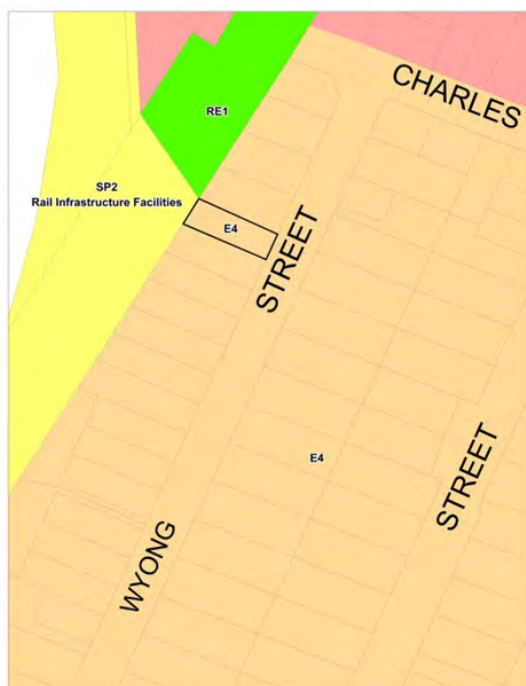


Figure 19: Existing Zoning (KLEP 2012)

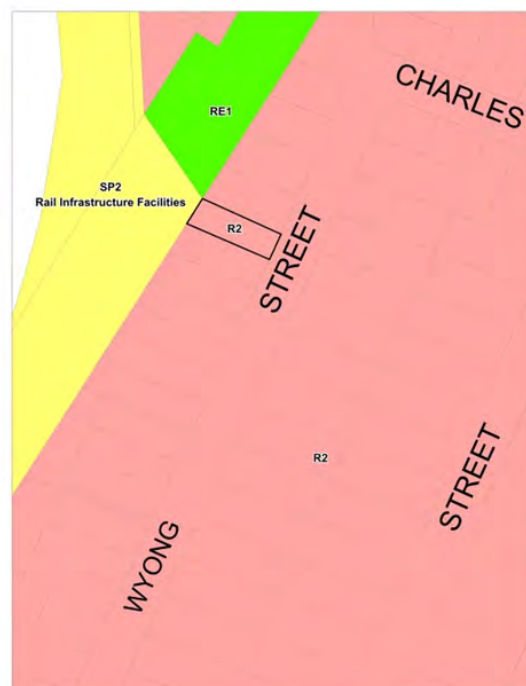


Figure 20: Proposed Zoning (KLEP 2012)

2.12.3 Land proposed to be rezoned from RE2 – Private Recreation

29A Greenacre Road, South Hurstville (Lot 4, DP 790242)

The subject site was previously the South Hurstville Bowling Club but has been recently sold to the Catholic Archdiocese of Sydney. It is currently zoned RE2 – Private Recreation.

It is considered that the long term use of the site will be an educational establishment and as such the zone should reflect the future use.

It is recommended that the site be rezoned to SP2 – Educational Establishment.

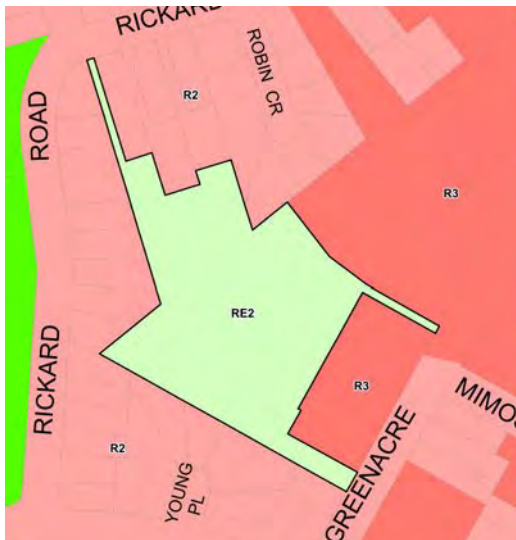


Figure 21: Existing zoning (KLEP 2012)



Figure 22: Proposed zoning (KLEP 2012)

2.9.4 Strategic Open Space Link from Denman Street Reserve to Quarry Reserve

A number of properties in Hillcrest Avenue and Denman Street have been identified as necessary to allow creation of a link from Poulton Park / Quarry Reserve through to Hillcrest Avenue (Denman Street Reserve) and that notional link is currently identified in Kogarah LEP 2012 and previously in Kogarah LEP 1998.

Denman Street Reserve is a small local park on the corner of Hillcrest Avenue and Denman Street. The proposal recommends reconfiguring the existing open space zoning which is intended to provide an important strategic open space link from Hillcrest Avenue to Quarry Reserve. Council already owns a portion of the open space linkage, and it is proposed to rezone additional land in order to create a wider open space link which would increase visibility from the street and public surveillance of the open space.

Accordingly, the following zoning amendments are proposed in this locality:

- Rezone No 48 Hillcrest Avenue being part Lot I, DP 301462, part Lot I, DP 302286, part Lot I, DP 1091946 Lot I DP 1091946 which is in Council's ownership and is currently used as open space from R2- Low Density Residential to REI – Public Recreation.
- No 54 Hillcrest Avenue (Lot B DP 442009) is a triangular portion of land owned by Council and zoned R2 – Low Density Residential. It is proposed to rezone this site to REI – Public Recreation to enhance public access through this area by making use of Council's land, and enabling REI – Public Recreation zonings to be removed from some of the surrounding privately owned land.
- Rezone No 56 Hillcrest Avenue (Part Lot A, DP 442009) which is currently zoned REI – Public Recreation to R2 – Low Density Residential. The affected

land is in private ownership (approximately 72m²) and is not required as part of the proposed open space linkage.

- Rezone part of No 58 Hillcrest Avenue (Part Lot 9, DP 6816) which is currently zoned REI – Public Recreation to R2 – Low Density Residential. The affected land is in private ownership (approximately 9m²) and is not required as part of the proposed open space linkage.
- Reconfigure the zoning on No 1 Denman Street (Part Lot 7 DP 666115) which is predominantly zoned R2 – Low Density Residential with a REI – Public Recreation strip running diagonally through the site. It is proposed to reconfigure the zoning of the site to zone a portion at the rear as REI – Public Recreation and retain the remainder of the site as R2 – Low Density Residential.
- Rezone a small portion (approximately 25m²) in the north east corner of 3 Denman Street (Part AL: A DP 191431) from R2 – Low Density Residential to REI – Public Recreation.
- Rezone a small portion to the rear of No 5 Denman Street (Part Lot 12, DP 236321), adjoining the storm water channel (approximately 23m²) from R2 – Low Density Residential to REI – Public Recreation to provide a viable pedestrian link.

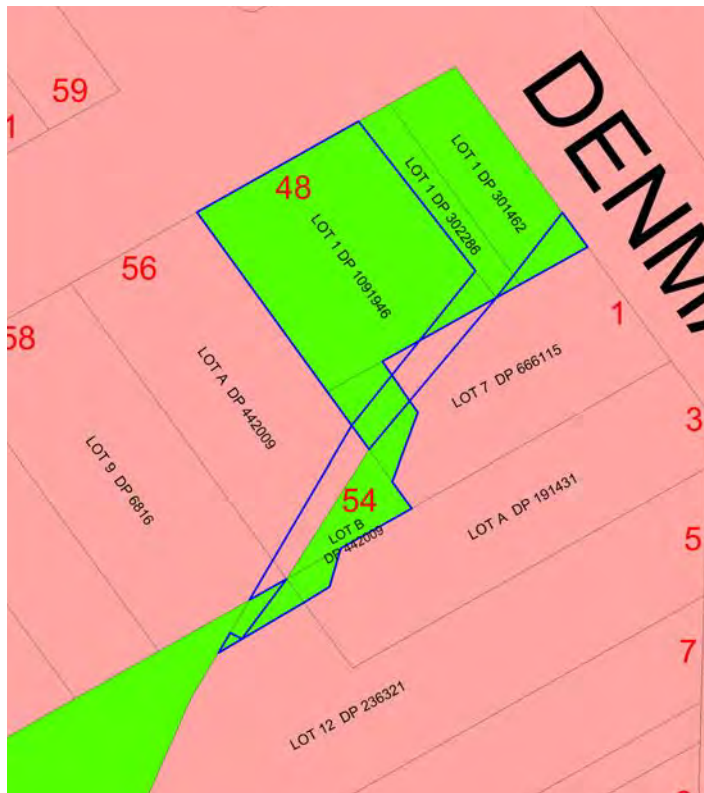


Figure 23: Proposed amendments to zoning



Figure 24: Existing zoning (KLEP 2012)



Figure 25: Proposed zoning (KLEP 2012)

2.13 Classification of Land

Council is required by the *Local Government Act 1993* to classify all land vested in it (public land) as either 'community' or 'operational'. Land automatically becomes 'community' land if it is not otherwise classified within 3 months of being acquired by Council.

The purpose of classification is to identify land that should be kept for use by the general public (community), such as parks, and land which need not (operational), such as a works depot or car park. The major consequence of classification is that it determines the ease or difficulty with which land may be sold, leased or licensed.

Land classified as community land must not be sold (except in very limited situations) and there are limits on how long Council may lease or license community land. No such restrictions apply to land classified as operational land.

Reclassification is the process whereby the classification of public land is changed from 'operational' to 'community' or from 'community' to 'operational'.

Clause 5.2 of the SILEP relates to the classification and reclassification of public land and land to which this clause applies is identified in Schedule 4. It should be noted that land that is already classified as "community" or "operational" does not need to be included in Schedule 4. It only needs to be included where it is Council's intention to change the classification of that land.

Table 18 below identifies land which is proposed to be reclassified from “community” to “operational” and the reasons for this reclassification. Maps of each of the sites are included in **Appendix 5**.

Table 18: Reclassification of Land from “Community” to “Operational”

Site Description	Current Zone	Proposed Zone & Use	Potential Financial Benefit
1A Stuart Crescent, Blakehurst (Lot 2, DP 794233)	RE1	Proposed to be rezoned to R2 – Low Density Residential. Isolated foreshore lot which is only accessible via private property or the water. Potential sale of the site to adjoining owner to provide waterfront access	Classification to operational allows for the sale to adjoining owner. Potential sale would generate revenue for Council.
No. 21A Queens Road, Connells Point (Lot E, DP: 373733)	RE1	Proposed to be rezoned to R2 – Low Density Residential. Isolated foreshore lot which is only accessible via private property or the water. Currently the land is leased to the adjoining owners at No 15 and No 21 Queens Road.	Classification to operational allows for the continuation of the lease or sale to the adjoining owners. Potential sale would generate revenue for Council.
No. 8A Wyong Street, Oatley (LOT: 15 DP: 746853)	E4	Proposed to be rezoned to R2 – Low Density Residential. Subject site adjoins the railway reserve to the rear of the site however there is no direct access to the reserve. The parcel is adjoined by residential dwellings and provides no link to existing open space corridors.	Classification to operational allows for sale of the site. Potential sale would generate revenue for Council.

In accordance with s29 of the Local Government Act 1993 (LGA), Council must arrange a public hearing where it is proposed to reclassify community land to operational land:

29 *Public hearing into reclassification*

- (1) A council must arrange a public hearing under section 68 of the Environmental Planning & Assessment Act 1979 in respect of a proposal in a draft local environmental plan to reclassify community land as operational land as if it had received and decided to deal with a submission as referred to in that section that the land be so reclassified.*
- (2) A council must, before making any resolution under section 32, arrange a public hearing in respect of any proposal to reclassify land as operational land by such a resolution.*

As part of the exhibition of the Planning Proposal, it is proposed that a public hearing will be arranged to comply with the requirements of s29 of the LGA.

PART 3 JUSTIFICATIONS

3.1 Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The amendments outlined in the planning proposal are the result of a number of detailed studies/strategy documents that have been prepared over the last 18 months, including:

- Kogarah 2031 Housing Strategy
- Kogarah Employment Lands and Economic Development Strategy (SGS:2013)
- Open Space Review (KCC:2014)

3.1.1 Kogarah 2031 Housing Strategy

Planning for housing across the City of Kogarah is an important part of Council's responsibilities. The Sydney metropolitan area is growing, with the population steadily increasing and demographics shifting. These changes are consequently impacting on the City of Kogarah.

We have an ageing population but still have growth in new families. Providing housing to suit the needs of our population as they move through different life stages is needed. This includes opportunities for young people and young families to set up their own homes in the area, and for older residents to downsize to smaller dwellings. Even without any increase in population there would still be demand for new housing as peoples' housing needs change over time, with children leaving home and wanting to stay locally or parents wishing to down size and still be close to longstanding friends and family.

Council is proposing a new plan for the City which is intended to create a framework that will deliver housing to meet the needs of Kogarah's current population and the needs of future generations. The aim of the plan is to ensure that there is a sufficient supply of different housing types over the next 20 years to meet the needs of our growing community.

Refer to **Kogarah 2031 Housing Strategy**

3.1.2 Kogarah Employment Lands and Economic Development Strategy (SGS:2013)

SGS Economics and Planning was commissioned by Kogarah City Council (funding received from the NSW Department of Planning) to complete an employment lands study and economic development strategy to inform the Standard Instrument LEP. A number of analytical tasks were conducted as a part of this study including a policy review, economic profiling, an audit of current employment lands, demand forecasting, stakeholder consultation and feasibility testing.

The following key points were identified through the economic profile:

- There were a total of 15,800 jobs located in Kogarah as of 2006.
Kogarah LGA is specialised in the health and finance sectors with the majority of jobs in 'Health Care and Social Assistance' (33.7%) and the 'Financial and Insurance Services' industry (13.2%).
- **Kogarah LGA is forecast to meet its Subregional employment capacity target:** Kogarah LGA's employment is projected to increase by a total of 5,747 jobs from 2006 to 2031 and 5,588 jobs from 2011 to 2036. The projected employment level for 2031 is above the additional employment capacity target of 4,000 jobs to 2031 which was specified for the LGA in the draft South Subregional Strategy.
- **Employment is driven heavily by several big players** including the St George bank, St George Public and Private Hospitals, St George TAFE, the Australian Taxation Office (ATO) office in Hurstville and police stations in Hurstville and Kogarah centres. Together these employers comprise approximately 63% of total employment in Kogarah LGA.
- **Employment self-containment and self-sufficiency rates are low:** Kogarah LGA has a low self-containment rate of 16.6% compared to other LGAs in the St George-Sutherland Sydney Statistical District (SSD). More than two-thirds (70.8%) of Kogarah's residents are employed in the surrounding LGAs (Hurstville, Rockdale, Sutherland Shire and Botany Bay) and City of Sydney. The self-sufficiency rate of 23.5% (local jobs filled by local residents) in the Kogarah LGA is also lower than the other St George-Sutherland region LGAs. This is likely to result from a mismatch between locally available jobs and the skills of the local labour force.
- Compared to other subregions, **Kogarah has a lower share of home based workers.** The number of home based workers in Kogarah in 2006 represented 2.8% of the total employed residents in the LGA, with the highest incidence of home based work occurring in the "professionals" occupation (35%). This is slightly lower than the rate in St George-Sutherland SSD (3%) and also lower than the average share of 4.2% across the Sydney SD.
- **Growth in employment in Kogarah LGA is likely to be driven by the health (3,205 jobs), public administration (803 jobs) and education (432 jobs) sectors.**
- **Employment land prices have remained relatively stable since a peak in 2009.**
- Median sales prices for commercial properties range between \$850,000 - \$950,000, while median prices for commercial strata have stayed between \$500,000 - \$600,000 since a peak in 2006 (\$700,000).

Key Findings for the Kogarah LGA

The following provides an overview of the key findings drawn from the analysis undertaken by SGS:

a. Kogarah LGA serves a local convenience retail role

Kogarah LGA serves a relatively limited retail role compared to neighbouring LGAs.

Kogarah also lacks a prominent food retailing precinct, such as an 'eat street' or night-time restaurant strip, particularly compared to the Hurstville LGA.

As such, the Kogarah LGA, and more specifically Kogarah Town Centre has a more local role in the retail hierarchy of the St George- Sutherland region.

Viewed in isolation, there appears to be an undersupply of higher order retail and supermarket retail in Kogarah - two (2) to three (3) additional supermarkets, depending on their size, could be supported in the LGA.

b. Kogarah commercial office market is dominated by several big players and smaller suburban type tenants, but there are vacancies and weak demand

The Westpac/St George Bank in Kogarah Town Centre and the ATO office in Hurstville centre are major office employers in each centre. The location of the ATO office in Hurstville was a strategic decision (i.e. no strong link to the local population) and was not due to any favourable office market features, while the bank has an historical link to the region. The ATO has since indicated closure of that office.

c. Growth in employment in LGA is likely to be driven by the health, public administration and education

The top three (3) industries of forecast growth are expected to be in 'Health Care and Social Assistance' (3,205 jobs), 'Public Administration and Safety' (803 jobs) and 'Education and Training' (432 jobs). These industries are local population servicing industries, with the exception of the ATO.

The top three (3) Broad Land Use Categories (BLC) of forecast growth are expected to be Special uses (health related), Retail Main Street and Dispersed Activities (education & health).

d. There will be negative growth in urban services (local industrial type development), light manufacturing and business park type uses

Although the financial industry is currently a large employer in the LGA, this is mainly due to the location of the Westpac/St George Bank in Kogarah Town Centre. Consultation indicated that this use is self-contained and that

there are no synergies flowing to other finance sector jobs in Kogarah from the presence of the headquarters.

e. Kogarah's employment precincts have capacity to cater for the forecast future growth but there are some precincts that might need to be considered for expansion

Analysis indicates that there is existing capacity in the majority of local neighbourhood centres which indicates that there is no strong pressure to expand these centres.

The Kogarah Town Centre is facing the greatest shortage in capacity which is being driven by growth in medical industries. Hurstville is also facing a shortage driven by health care and public administration industries, however it is considered that nearby neighbourhood centres (eg Carlton, Allawah) could accommodate the spill over demand.

f. Kogarah LGA could support an additional two (2) to three (3) supermarkets

There is demand for around 21,000m² of supermarket and grocery floorspace in the Kogarah LGA. The land audit undertaken by SGS found that there is currently 13,472m² supermarket and grocery floorspace in the LGA, which represents an undersupply of approximately 7,500m².

This indicates that either some supermarket and grocery expenditure is currently being captured by surrounding LGAs (Hurstville Central, Rockdale Plaza, Sylvania Southgate) or that this demand is being met by the existing floorspace within the Kogarah LGA (which would mean existing supermarkets are trading at higher turnover levels).

At any rate, the analysis indicates that two (2) to three (3) additional supermarkets, depending on their size, could be supported in the LGA.

g. Kogarah Town Centre is not an important higher-order retail destination, but serves important civic functions

The Kogarah Town Centre is not a retail based centre like Hurstville Central Business District (CBD) and Rockdale Town Centre. Both the Hurstville and Rockdale LGAs have a much stronger retail offer than Kogarah and it would be difficult to compete with these centres in attracting higher order retail development.

Rather than being a major shopping destination, the Kogarah Town Centre is important as a health and education destination, as well as being a destination for office employment.

However, there is the potential to attract more restaurants to stimulate the night-time economy in the Kogarah Town Centre. The amenity of the Kogarah Town Centre and presence of the hospitals and St George TAFE, as

well as the local population indicate that the fundamentals are there for a night-time economy.

In terms of office development, most demand is for medical suites and smaller locally-oriented professional tenants, such as accountants and legal firms. There is not a strong market for new office development and Kogarah is not as prominent in the office market as Hurstville centre. Nevertheless, Kogarah Town Centre is a more attractive proposition for office development than Rockdale centre.

Growth in Kogarah Town Centre is likely to be driven by future hospital expansions and other associated medical uses.

h. Smaller centres serve a local convenience role

The smaller neighbourhood centres in the LGA all provide convenience retail and serve relatively small local catchments.

The smaller centres are characterised by a number of smaller fragmented landowners, which may create issues for future development.

i. Carlton industrial area is the primary industrial precinct in Kogarah LGA

Carlton industrial area is the primary industrial precinct in the LGA, with smaller industrial areas in South Hurstville and Blakehurst as well as isolated light industrial uses scattered around the LGA.

The Carlton industrial area comprises automotive services, warehousing and some light manufacturing.

The draft South Sub-regional strategy indicates that Carlton, Blakehurst and South Hurstville are 'Category 1' industrial areas and should be retained for industrial purposes.

j. The Princes Highway has potential to be an enterprise corridor but retail/commercial floorspace would only be feasible if provided in a mixed use development

The Princes Highway contains clusters of retail/commercial uses interspersed along the corridor, mainly on the northern side, between Jubilee Oval to the North and Carss Park in the south. Some of these are non-conforming uses in residentially zoned land.

From a strategic planning perspective there is an imperative to consolidate and expand existing retail along major transport corridors to create enterprise corridors. The legitimacy of enterprise corridors as employment lands is based on their function to cater to retail type uses that are not suited to centres, such as those requiring a very large floorplate and access for large trucks.

King Georges Road and Rocky Point Road were considered unsuitable for enterprise corridor uses as most existing commercial clusters already had relevant commercial zones and those uses that were zoned residential were too few and isolated to form a corridor.

Feasibility testing and consultation with real estate agents indicates that for retail/commercial space in enterprise corridors to be feasible it would need to be provided as part of a mixed-use development; where the residential component of the development effectively subsidises the retail floorspace.

The Strategy document identifies a series of broad strategies and actions. These have been considered and where appropriate, are proposed to be implemented as part of this Planning Proposal

Refer to **Appendix 9 – Kogarah Employment Lands and Economic Development Strategy (SGS:2013)**

3.1.3 Open Space Review (2014)

Kogarah has approximately 178 hectares of its local government area (approximately 15% of the total LGA) zoned as open space. Of this, 71 hectares are natural bushland areas, 64 hectares are sports fields, while the remainder is landscaped, open space.

Kogarah's indoor and outdoor facilities are vital to supporting the community needs of a growing population and pressures from medium and high density living. Kogarah City is facing increasing pressures in catering for the open space and recreation demands of the community, due to a combination of current and expected population growth occurring across the Sydney metropolitan region and LGA, and increasing interest in recreation and a variety of activities especially for health and well-being benefits.

There are limited opportunities to significantly increase the amount of open space in the City of Kogarah. The solution for providing passive and active open space for an increasing and changing population therefore relies primarily on strategies to increase the diversity, quality and accessibility of existing open space.

There are a number of open space and natural environment areas that after being investigated through a land use audit, are proposed to be rezoned to reflect their current or most suitable land use and their ownership status.

There are a number of open space and natural environment areas that after being investigated through a land use audit are proposed to be rezoned to reflect their current or most suitable land use and their ownership status.

The review of open space can be divided into three (3) categories:

- I. Land that is currently used as open space, but is not zoned as REI – Public Recreation. The majority of the land identified in this category is already in Council's ownership however some sites are in the ownership of the Crown.

2. Land currently zoned RE1 – Public Recreation that is proposed to be rezoned to another, more appropriate zone.
3. Land currently zoned RE2 – Private Recreation that is proposed to be rezoned to another, more appropriate zone.

Based on the land use audit and rezoning recommendations, the total area zoned for open space and recreation in Kogarah City, is proposed to increase from 179.6 ha to 182.7 ha.

Refer to the **Open Space Review 2014**

2. *Is the planning proposal the best means of achieving the objectives or intended outcome or is there a better way?*

The planning proposal is the best and only way of achieving Council's intended outcomes. It is necessary to make a formal amendment to Kogarah LEP 2012 to implement land rezonings, incorporate development standards relating to height and FSR and to make other amendments to planning controls.

3. *Is there a net community benefit?*

Yes: The proposed amendments to the Standard Instrument LEP will enable Council to use the same planning language as other Council's across the State, making it easier for its community to understand the LEP provisions which apply in the City of Kogarah.

The planning proposal aims to incorporate principal development standards and rezone land to provide greater opportunities for housing choice, with particular consideration of the needs of the ageing population. The planning proposal also aims to ensure that the centres within the City are distinctive and vibrant and provide opportunities for employment.

3.2 Relationship to strategic planning framework

4. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

The planning proposal is consistent with the following regional and sub-regional strategies:

Metropolitan Plan for Sydney 2036

The Metropolitan Strategy for Sydney to 2031: City of Cities - A Plan for Sydney's Future provided the framework to manage Sydney's growth and development to 2031. It outlined a shared vision to guide the activities of State agencies and local government in the Metropolitan Region.

In March 2010, the Department of Planning announced the first five year review of the Metropolitan Strategy. The resulting Metropolitan Plan for Sydney 2036 integrates the strategies, objectives and actions of the Metropolitan Strategy - City of Cities: A Plan for Sydney's Future, and the Metropolitan Transport Plan 2010: Connecting the City of Cities.

The updated Metropolitan Plan ensures that Sydney continues to have a relevant, sustainable plan which endeavours to respond to recent housing and employment growth challenges, including the global financial crisis, housing affordability and climate change.

The Metropolitan Plan proposes nine directions, with relevant strategies which have identified as significant focus areas for Sydney for the next 25 years. These directions address social issues, such as planning for a growing and ageing population, ensuring a wider mix of housing types and costs, improving the capacity of Sydney for housing growth, and to invest in transport and other necessary infrastructure to improve Sydney's quality of living. Economic directions include increasing job growth and the diversity of employment throughout the Sydney region to strengthen Sydney's economy.

The Draft South Subregional Strategy

The Draft South Subregional Strategy is an intermediate step in translating the 2005 "Metropolitan Strategy, City of Cities: A Plan for Sydney's Future" to a local level. The Metropolitan Strategy recognises that some issues extend beyond Local Government boundaries and require a subregional planning approach. The south subregion is divided into six distinct localities (Canterbury, Hurstville, Kogarah, Marrickville, Rockdale and Sutherland Shire), each having a significant role to play in achieving the goals and aims of the strategy.

The strategy identifies a hierarchy of town centres, types of employment areas, residential dwelling targets and strategies for accommodating growth in each local government area. Council will be required to ensure that this growth can be accommodated in appropriate locations.

A key action of the current Strategy is for the City of Kogarah to make provision for approximately 2,500 additional dwellings to 2031. This target has been based on the population projections of the 2005 Metrostrategy.

However, the revised requirements under the more recent Metropolitan Plan for the South Subregion stand at 58,000 additional dwellings between 2006 and 2036 and it is anticipated to rise on finalisation of the *Metropolitan Plan for Sydney 2036*. Whilst these updated target have not been applied to individual LGAs, it is anticipated that Kogarah will need to contribute a greater number than the dwellings identified in the current draft South Subregional Strategy.

The draft Strategy also requires Council to accommodate 4,000 additional jobs within the Kogarah LGA, the majority of these (2,500) focused in the Kogarah Town Centre.

The zoning and development standards proposed will result in sufficient additional dwellings to meet the housing targets of the current Draft South Subregional Strategy.

The draft LEP responds to the directions in the Metropolitan and Sub-Regional Strategies by focusing on creating opportunities for residential development that will create greater housing choice, and specifically cater for the ageing population.

5. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

Bright Future, Better Lifestyle: Community Strategic Plan 2030 is Council's Community Strategic Plan (CSP), representing the aspirations of the people who live, visit and work in the City of Kogarah and setting out the strategic direction which Council will follow in achieving the needs of our community for the next 15 years to 2030.

Bright Future Better Lifestyle, Kogarah 2030, was developed in partnership and close consultation with the community and clearly highlighted the need to plan for the changing needs of our community into the future, including a strategic approach to housing.

The Community Strategic Plan identified the need to provide diverse, sustainable, adaptable and affordable housing options throughout the Kogarah Local Government Area (LGA).

Issues such as housing choice, availability and access to public transport and services were all identified as key factors in facilitating positive housing outcomes for current and future residents of the Kogarah LGA. The Strategic Plan recognises that housing is not just about a physical roof over heads - it is about lifestyle, wellbeing and creating and maintaining the better lifestyle that our residents value in the City of Kogarah.

In developing a plan for additional housing opportunities, Council has undertaken extensive research and investigation into housing trends, policies and our local housing needs, to ensure that the housing options we develop will suit our community's expectations

The Planning Proposal responds to the issues identified by the community in the Community Strategic Plan and helps to achieve the following key goals and strategies:

I. A Clean, Green and Sustainable City

Goal 1.1 Kogarah's natural areas, including our waterways, local air quality, bushland and foreshore areas are protected and enhanced.

1.1.2 Ensure that future land use planning and management enhances and protects open space, biodiversity and natural heritage

2. A Liveable and Connected City

Goal 2.1 Development in Kogarah maintains and enhances the character and amenity of our neighbourhoods, town centres and local centres.

- 2.1.1 Ensure new development responds to the character of our neighbourhoods and streetscapes.
- 2.1.2 Ensure development responds to environmentally sustainable practices of design.
- 2.1.3 Recognise and enhance our significant heritage through quality urban planning and design.
- 2.1.4 Establish new links and open space corridors.

Goal 2.2 Housing across the City of Kogarah designed so that it provides choice, is affordable and is suited to the needs of our community.

- 2.2.1 Make available diverse, sustainable, adaptable and affordable housing options through effective land use planning.
- 2.2.2 Provide a mixture of housing types that allow residents to meet their housing needs at different stages of their lifecycle, within the City.
- 2.2.3 Support the location of new higher density development close to our Centres, where there are appropriate services, amenities and public transport.

Goal 2.3 Kogarah City residents can get to where they need to go in a way that is accessible, safe and efficient.

- 2.3.4 Provide appropriate levels of public parking in our centres.

Goal 2.4 Kogarah City Residents are able to walk and cycle safely and conveniently throughout the City.

- 2.4.1 Develop and enhance walking and cycling networks around the City.
- 2.4.2 Promote and support walking and cycling as a viable transport option.
- 2.4.3 Promote and facilitate pedestrian and cyclist safety throughout the City.
- 2.4.4 Maintain and improve pedestrian connectivity in all of our neighbourhoods.

3. A Thriving & Prosperous City

Goal 3.1 Kogarah Town Centre is recognised as the major medical, financial and educational precinct in the St George Region.

- 3.1.1 Monitor existing planning controls to ensure quality outcomes are achieved for the long term benefit of the Centre.

Goal 3.2 Local centres within the City of Kogarah are distinctive and vibrant, providing opportunities for small businesses to flourish throughout the city.

- 3.2.1 Support and facilitate local centre development programs which contribute to distinctive, vibrant and commercially viable centres.

Goal 3.3 Kogarah City has a dynamic and resilient business community that provides employment and training opportunities that meet the needs of local residents.

- 3.3.1 Create opportunities for sustainable local employment.
3.3.3 Prepare and implement an economic strategy for the City.
3.3.4 Support and facilitate opportunities for Home Bases Businesses to grow and prosper.

6. *Is the Planning Proposal consistent with applicable State Environmental Planning Policies (SEPPs)?*

The Planning Proposal has been assessed against all relevant State Environmental Planning Policies (SEPP). Based on this assessment, Council has concluded that the Planning Proposal is consistent with the applicable SEPPs, as shown in the table in **Appendix 8**.

7. *Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?*

An analysis of the consistency with the s117 Directions has been undertaken and is included in **Appendix 9**.

3.3 Environmental, Social and Economic Impact

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

No. There is no likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal.

All of the land that is proposed to be rezoned to allow increased residential densities is currently zoned residential and is urban land. The Planning Proposal aims to introduce the E2 – Environmental Conservation zone to land at No. 52 Waratah Street, Blakehurst.

The site is approximately 2.43ha, with the majority of the site heavily vegetated. The site adjoins Kyle Williams Reserve (in Council ownership), which is also heavily vegetated and contains Ecologically Endangered Communities (EECs).

The majority of vegetation in the eastern portion of the site is sandstone derived with the main species being *Angophora costata*, *Corymbia gummifera*, *Eucalyptus pilularis* and *Eucalyptus piperia*.

Vegetation within the western portion of the site is similar to Sandstone Gully Forest/Rainforest above floodable areas grading to Swamp Oak Forest and Mangroves along the foreshore.

Two (2) EECs occur on the site, these include the Swamp Oak Floodplain Forest and Southern Sydney Sheltered Forest.

4. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

There is no likelihood of adverse environmental impact as a result of this Planning Proposal.

5. *How has the planning proposal adequately addressed any social and economic impacts?*

The Planning Proposal identifies land for housing, employment and open space to meet the projected needs of the City of Kogarah over the next 20 years, in response to the needs identified in the various strategic documents relevant to the area. It particularly responds to the key demographic characteristics of the City – ageing population, affordability and decreasing household size.

In addition, the Planning Proposal will introduce Principal Development Standards (height and FSR) into Kogarah LEP 2012, making the LEP consistent with all other Standard Instrument LEPs across the State, making it easier for the community, developers and other stakeholders to understand the planning controls provisions which apply in the local government area.

3.4 State and Commonwealth Interests

6. *Is there adequate public infrastructure for the planning proposal?*

It is not considered that the Planning Proposal will create the need for additional public infrastructure. The provision of additional dwellings as envisaged in the Housing Strategy will gradually increase the population over the next 20 years.

Council during the exhibition of the Planning Proposal intends to liaise with the key public infrastructure providers, including RMS, Energy Australia and Sydney Water to ensure that there is existing and future capacity of key infrastructure to meet the needs of the future population.

The projected timeframe to 2031 is also anticipated to allow agencies time to increase infrastructure where and when required.

7. *What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?*

Consultation with appropriate State and Commonwealth public authorities has not yet been undertaken. Council will engage with any relevant public authority in accordance with the Gateway Determination.

This section of the planning proposal will be completed following consultation with those public authorities identified in the Gateway Determination.

Part 4 – Mapping

The Planning Proposal and its associated Annexures are supported by relevant and accurate mapping where appropriate. Mapping has been carried out consistently with the requirements of Standard technical requirements for LEP maps.

Part 5 – Community Consultation

The Planning Proposal will be placed on public exhibition in accordance with the Gateway Determination.

As a minimum, it is proposed that the community will be notified of the exhibition of the draft Planning Proposal in accordance with the Engagement Strategy as outlined below:

STAKEHOLDERS	PROPOSED ACTION
General Community	▪ Detailed information included prominently on Council's website with facility for the community to provide comments through the website portal. ▪ Exhibition posters and information placed at Council's Customer Service Centre, local libraries and Council's Child Care Centres.
Affected Landowners	▪ A special edition of Kogarah Life (Council's newsletter) with detailed information on the draft Planning Proposal including a feedback form delivered to all residential properties and businesses in the LGA. ▪ A letter sent to all non-owner occupied residents advising them of the exhibition and the special Kogarah Life edition (so that they can request a copy) and directing them to the information on Council's website. The letter to also advise of the exhibition locations and the dates for close of submissions.
Councillors	▪ Memo sent to all Councillors at least one week prior to the commencement of the exhibition period advising them of the exhibition dates and other relevant information.

Media

- Copies of all of the information available in Councillors Room.
- Director – Planning & Environmental Services and Coordinator Strategic Planning available to discuss the contents of the draft plan on a request basis.
- Media Release sent to Local Paper prior to the commencement of the exhibition.
- Advertisement in the local paper and other relevant newspapers (NESB) at the commencement of the exhibition and during the exhibition of the Planning Proposal (2 advertisements in total).

Government Agencies

- Letters sent to relevant Government Agencies, in accordance with the Department's requirements with relevant information attached.

Planning & Infrastructure

- Email to the Regional Office advising of the commencement of the exhibition and link to relevant website.

Internal Council Departments

- Email sent to all relevant staff advising of the commencement of the exhibition period.

Part 6 – Project Timeline

This is outlined in the table below:

Milestone	Timeline Start	Timeline Finish
Anticipated commencement date (date of Gateway determination)	August 2014	August 2014
Anticipated timeframe for the completion of required technical information	N/A	
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	N/A	
Commencement and completion dates for public exhibition	October 2014	November 2014
Dates for public hearing (if required)		November 2014
Timeframe for consideration of public submissions	December 2014	February 2015
Report to Council post exhibition	February 2015	March 2015
Amendments to Planning Proposal post exhibition	March 2015	April 2015
Date of submission to the Department to finalise the LEP	April 2015	April 2015
Timeframe for Parliamentary Counsel's Opinion and drafting of LEP	April 2015	April 2015

Appendix I Draft Land Use Tables

Note: Text identified in **red** are the proposed Council changes
Text identified in **blue** is taken from the Standard Instrument LEP and cannot be altered or is new text proposed by Council (for example: Objectives of the zone)

Zone R2 Low Density Residential

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Car parks; Child care centres; Community facilities; Dual occupancies (~~attached~~); Dwelling houses; Environmental protection works; Flood mitigation works; Group homes; **Health consulting rooms**; Hospitals; Places of public worship; Public administration buildings; Recreation areas; Residential care facilities; Respite day care centres; Roads; Semi-detached dwellings; **Seniors housing**

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

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

2 Permitted without consent

Nil

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Car parks; Child care centres; Community facilities; Dual occupancies ~~(attached)~~; Dwelling houses; Environmental protection works; Flood mitigation works; Group homes; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing

4 Prohibited

Any development not specified in item 2 or 3

Zone R4 High Density Residential

Direction.

The following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

Roads

1 Objectives of zone

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

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Car parks; Child care centres; Community facilities; Exhibition homes; Flood mitigation works; Group homes; Home based child care; Home businesses; Multi-dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Shop top housing; Tourist and visitor accommodation

4 Prohibited

Any development not specified in item 2 or 3

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To allow residential development that contributes to the social vitality of the neighbourhood centre and does not detract from the business function of the zone.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Business premises; Child care centres; Community facilities; Medical centres; Neighbourhood shops; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Caravan parks; Eco-tourist facilities; Electricity generating works; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Heliports; Home occupations (sex services); Resource recovery facilities; Sex services premises; Transport depots; Vehicle body repair workshops; Vehicle sales or hire premises; Warehouse or distribution centres; Waste disposal facilities

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Caravan parks; Eco-tourist facilities; Electricity generating works; General industries; Heavy industrial storage establishments; Heavy industries; Helipads; Heliports; Home occupations (sex services); Resource recovery facilities; Sex services premises; Transport depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to economic growth and employment opportunities.
- To encourage development that contributes to an active, vibrant and sustainable town centre.
- To provide opportunities for residential development, where appropriate.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Caravan parks; Dwelling houses; Eco-tourist facilities; Electricity generating works; General industries; Heavy industrial storage establishments; Heavy industries; Home occupations (sex services); Resource recovery facilities; Secondary dwellings; Transport depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities

Zone B6 Enterprise Corridor

Direction 1.

The following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

Roads

Direction 2.

The following objective must be included if any type of residential accommodation is permitted in this zone:

- To provide for residential uses, but only as part of a mixed use development.

1 Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.
- To provide for residential uses, but only as part of a mixed use development.

2 Permitted without consent

Home occupations

3 Permitted with consent

Amusement centres; Animal boarding or training establishments; Bulky goods premises; [Business premises](#); Child care centres; [Community facilities](#); Entertainment facilities; Function centres; [Garden centres](#); [Hardware and building supplies](#); [Hotel or motel accommodation](#); Kiosks; [Landscaping material supplies](#); [Light industries](#); Markets; Neighbourhood shops; Office premises; [Passenger transport facilities](#); [Plant nurseries](#); Registered clubs; Restaurants or cafes; Roads; Service station; Shop top housing; Tourist and visitor accommodation; Vehicle sales or hire premises; Veterinary hospital; [Warehouse or distribution centres](#); Wholesale supplies; Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cellar door premises Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Food and drink premises; Forestry; Freight

transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Industrial retail outlet; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Sewage treatment plants; Sex services premises; Signage; Transport depots; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water storage facilities; Water treatment facilities; Water supply systems; Wharf or boating facilities

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To support and encourage a range of local services that provide for the needs of the local community.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Industrial training facilities; Light industries; Neighbourhood shops; Roads; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; ~~Child care centres~~; Eco-tourist facilities; Educational establishments; Electricity generating works; Function centres; General industries; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Hospitals; Kiosks; Pubs; Residential accommodation; ~~Respite day care centres~~; Shops; Tourist and visitor accommodation

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Nil

3 Permitted with consent

Car parks; Child care centres; **Commercial premises**; Community facilities; Depots; Environmental facilities; Environmental protection works; Markets; Places of public worship; **Public administration buildings**; Recreation areas; Respite day care centres; Roads; Signage; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Building identification signs; Business identification signs; Environmental protection works

3 Permitted with consent

Boat launching ramps; Car parks; Child care centres; Community facilities; Emergency services facilities; Environmental facilities; **Flood mitigation works**; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); **Registered club**; Respite day care centres; Restaurants or cafes; Roads; Signage; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Building identification signs; Business identification signs; Camping grounds; Car parks; Community facilities; Environmental facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Restaurants or cafes; Roads; Tourist and visitor accommodation

4 Prohibited

Any development not specified in item 2 or 3

Zone E4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boat sheds; Car parks; Child care centres; Community facilities; Dwelling houses; Educational establishments; Flood mitigation works; Hospitals; Jetties; Places of public worship; Public administration buildings; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings

4 Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone E2 Environmental Conservation

Direction.

The following must be included as either “Permitted without consent” or “Permitted with consent” for this zone:

Environmental protection works

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Roads

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone W2 Recreational Waterways

1 Objectives of zone

- To protect the ecological, scenic and recreation values of recreational waterways.
- To allow for water-based recreation and related uses.
- To provide for sustainable fishing industries and recreational fishing.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Environmental facilities; Environmental protection works; Jetties; Kiosks; Marinas; Moorings; Roads; Water recreation structures

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Seniors housing; Warehouse or distribution centres; Any other development not specified in item 2 or 3

APPENDIX 2 – REVIEW OF SCHEDULE 1– ADDITIONAL PERMITTED USES

Schedule 1, Clauses 1 – 15 (Refer to Section 2.2.1)

Clause	Map Reference	Recommendation
1. Use of certain land at 36 Bunyala Street, Blakehurst <i>This clause applies to land at 36 Bunyala Street, Blakehurst, being Lot 4, DP 516331.</i> <i>Development for the purpose of hotel or motel accommodation is permitted with development consent.</i>		The subject site is currently used as a motel and is zoned R2 – Low Density Residential. Submission made to consider rezoning of the site from R2 – Low Density to R3 – Medium Density Residential The subject site is in close proximity to the Blakehurst Commercial Centre and is well serviced by public transport The Housing Strategy recommends rezoning of the subject site to R3 and Hotel/motel accommodation is a permitted use in the R3 zone. Recommendation: Remove property from Schedule 1

Clause	Map Reference	Recommendation
2. Use of certain land at 916–918 King Georges Road, Blakehurst <i>(1) This clause applies to land at 916–918 King Georges Road, Blakehurst, being Lot 22, DP 575236 and Lot 252, DP 1999.</i> <i>(2) Development for the purpose of a shop is permitted with development consent if the ratio of the gross floor area of the buildings to the area of the lot on which the buildings are erected does not exceed 0.27:1.</i>		The subject site is an existing fruit shop which is currently zoned R2 – Low Density Residential. It is proposed that the existing zoning be retained and as such it is recommended that the subject site be retained in Schedule I. Recommendation: Retain in Schedule I

Clause	Map Reference	Recommendation
3. Use of certain land at 513 Princes Highway, Blakehurst (1) This clause applies to land at 513 Princes Highway, Blakehurst, being Lots A, B and C, DP 384408 and Lot 4, DP 370571. (2) Development for the purpose of hotel or motel accommodation is permitted with development consent.		The subject site is currently utilised as a motel and is zoned R2 – Low Density Residential. The Housing Strategy recommends rezoning of the subject site to R3. Hotel/motel accommodation is a permitted use in the R3 zone. Recommendation: Remove property from Schedule 1

Clause	Map Reference	Recommendation
4 Use of certain land at 47, 47A, 47B, 47C, 47D and 47E Terry Street, Blakehurst <i>(1) This clause applies to land at 47, 47A, 47B, 47C, 47D and 47E Terry Street, Blakehurst, being Lots 2–7, DP 30809.</i> <i>(2) Development for the purpose of multi dwelling housing is permitted with development consent if the development includes the consolidation of 6 lots to create 1 lot.</i>		The subject sites are bounded by an existing R3 – Medium Density Residential zone to the east and open space to the west. The requirements within the Schedule permit the sites to be redeveloped for multi-dwelling housing. The Housing Strategy recommends rezoning of the subject site to R3. Multi-dwelling housing is a permitted use in the R3 zone. Recommendation: Remove property from Schedule 1

Clause	Map Reference	Recommendation
5 Use of certain land at 59, 59A and 59B Terry Street, Blakehurst <i>(1) This clause applies to land at 59, 59A and 59B Terry Street, Blakehurst, being Lots 1–3, DP 522109.</i> <i>(2) Development for the purpose of multi dwelling housing is permitted with development consent if the development includes the consolidation of 3 lots to create 1 lot.</i>		The R2 – Low Density Residential zone is proposed to be retained for these sites however it is unlikely that they will be redeveloped as the sites have recently been redeveloped with new substantial dwelling houses and it is unlikely that they will be consolidated. Recommendation: Remove property from Schedule 1

Clause	Map Reference	Recommendation
6 Use of certain land at 63–67 Terry Street, Blakehurst (1) This clause applies to land at 63–67 Terry Street, Blakehurst, being Lots 1–3, DP 362520. (2) Development for the purpose of multi dwelling housing is permitted with development consent if the development includes the consolidation of 3 lots to create 1 lot.		The R2 – Low Density Residential zone is proposed to be retained for these sites however it is unlikely that they will be redeveloped as the sites have recently been redeveloped with new substantial dwelling houses and it is unlikely that they will be consolidated. Recommendation: Remove property from Schedule 1
7 Use of certain land at 71–73 Jubilee Avenue, Carlton (1) This clause applies to land at 71–73 Jubilee Avenue, Carlton, being part of Lots 10 and 11, DP 625850. (2) Development for the purpose of vehicle sales or hire premises is permitted with development consent.		The subject site is currently a vacant car yard and is being utilised for the sale of vintage and antique furniture/items. The subject site is currently zoned R2 – Low Density Residential. The Housing Strategy recommends rezoning of the subject site to B6 – Enterprise Corridor. The existing Schedule 1 use of vehicle sales or hire premises will be permitted in the zone, along with other commercial type/bulky goods uses. Recommendation: Remove the subject sites from Schedule 1

Clause	Map Reference	Recommendation
8 Use of certain land at 2–4 Short Street, Kogarah <i>(1) This clause applies to land at 2–4 Short Street, Kogarah, being Lot 1, DP 999803 and Lot 1, DP 196315.</i> <i>(2) Development for the purpose of health services facilities is permitted with development consent.</i>		The subject sites are currently zoned R3 – Medium Density Residential. In accordance with the ISEPP, a health service facility may be permitted with consent on land in a prescribed zone. The ISEPP identifies the R3 zone as a prescribed zone and as such the use is permitted in the zone. Accordingly, the provisions are redundant and it is recommended that the subject sites be removed from Schedule I. Recommendation: Remove the subject sites from Schedule I.

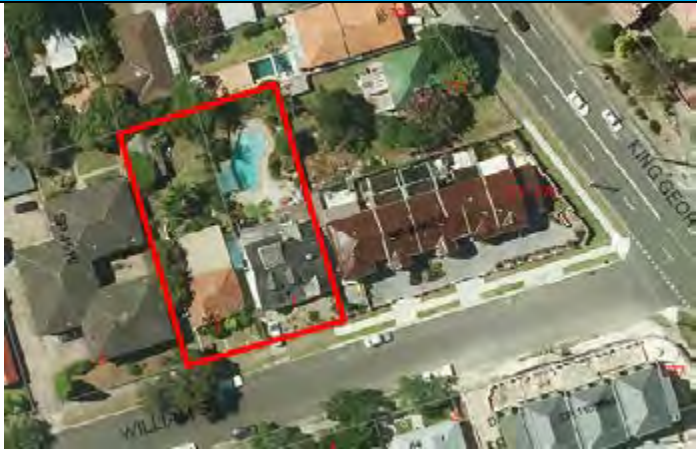
Clause	Map Reference	Recommendation
9 Use of certain land at 66 Letitia Street, Oatley <i>(1) This clause applies to land at 66 Letitia Street, Oatley, being part of Lot 12, Section I, DP 2150.</i> <i>(2) Development for the purpose of recreation facilities (outdoor) is permitted with development consent.</i>		The subject site is zoned R2 – Low Density Residential and has a tennis court in the rear yard, which may have previously been used for commercial purposes Under KLEP 198, the site was identified as a commercial tennis court and in the conversion to the SILEP the subject site was incorporated into the Schedule as a recreation facility (outdoor). It is unknown whether the subject site is still being utilised as a commercial tennis court. The use is a prohibited use in the R2 – Low Density zone and there is no evidence to suggest that the tennis court is currently being used for commercial purposes. It is recommended that the subject site be removed from the Schedule. <i>Recommendation: Remove property from Schedule 1</i>

Clause	Map Reference	Recommendation
10 Use of certain land at 11, 11A, 11B and 15 Wonoona Parade East and 5A Ada Street, Oatley <i>(1) This clause applies to land at 11, 11A, 11B and 15 Wonoona Parade East and 5A Ada Street, Oatley, being Lots 1 and 2, DP 1004995, Lots A and B, DP 310662 and Lot 11, Section G, DP 2150.</i> <i>(2) Development for the purpose of multi dwelling housing is permitted with development consent if the development includes the consolidation of 5 lots to create 1 lot.</i>		The subject sites are currently zoned R2 – Low Density Residential. The requirements within the Schedule permit the sites to be redeveloped for multi-dwelling housing. The Housing Strategy recommends rezoning of the subject site to R3. Multi-dwelling housing is a permitted use in the R3 zone. Recommendation: Remove properties from Schedule 1

Clause	Map Reference	Recommendation
11 Use of certain land at 3 and 3A Torwood Street and 12 Dalkeith Street, Sans Souci <i>(1) This clause applies to land at 3 and 3A Torwood Street and 12 Dalkeith Street, Sans Souci, being Lots 1–3, DP 21753.</i> <i>(2) Development for the purpose of multi dwelling housing is permitted with development consent if the development includes the consolidation of 3 lots to create 1 lot.</i>		The subject sites are currently zoned R2 – Low Density Residential. No 12 Dalkeith Street is a heritage listed property and is unlikely to be redeveloped. Nos 3A is a substantial dwelling which appears to have been recently renovated. It is unlikely that these sites will be consolidated and redeveloped for multi-dwelling housing. It is recommended that the sites be removed from Schedule 1. Recommendation: Remove properties from Schedule 1.

Clause	Map Reference	Recommendation
12 Use of certain land at 7 Greenacre Road, South Hurstville (1) This clause applies to land at 7 Greenacre Road, South Hurstville, being Lot 4, DP 662882. (2) Development for the purpose of multi dwelling housing is permitted with development consent		The subject site is bounded by an existing R3 – Medium Density Residential zone. The requirements within the Schedule permit the sites to be redeveloped for multi-dwelling housing. The Housing Strategy recommends rezoning of the subject site to R3. Multi-dwelling housing is a permitted use in the R3 zone. Recommendation: Remove property from Schedule 1
13 Use of certain land at 16A, 18 and 18A Rickard Road, South Hurstville (1) This clause applies to land at 16A, 18 and 18A Rickard Road, South Hurstville, being Lot 72, DP 236239 and Lots 1 and 2, DP 524246. (2) Development for the purpose of multi dwelling housing is permitted with development consent if the development includes the consolidation of 3 lots to create 1 lot.		The subject sites are bounded by an existing R3 – Medium Density Residential zone. The requirements within the Schedule permit the sites to be redeveloped for multi-dwelling housing. The Housing Strategy recommends rezoning of the subject sites to R3. Multi-dwelling housing is a permitted use in the R3 zone.

Clause	Map Reference	Recommendation
		<i>Recommendation: Remove property from Schedule 1</i>
<i>14 Use of certain land at 12–16 The Mall and 53 Tavistock Road, South Hurstville</i> <i>(1) This clause applies to land at 12–16 The Mall and 53 Tavistock Road, South Hurstville, being Lots A–D, DP 350898.</i> <i>(2) Development for the purpose of multi dwelling housing is permitted with development consent if the development includes the consolidation of 4 lots to create 1 lot.</i>		The subject sites are bounded by an existing R3 – Medium Density Residential zone. The requirements within the Schedule permit the sites to be redeveloped for multi-dwelling housing. The Housing Strategy recommends rezoning of the subject sites to R3. Multi-dwelling housing is a permitted use in the R3 zone. <i>Recommendation: Remove property from Schedule 1</i>

Clause	Map Reference	Recommendation
15 Use of certain land at 1–3 William Street, South Hurstville <i>(1) This clause applies to land at 1–3 William Street, South Hurstville, being Lots 56 and 57, DP 6862.</i> <i>(2) Development for the purpose of multi dwelling housing is permitted with development consent if the development includes the consolidation of 2 lots to create 1 lot.</i> <i>(3) Development consent must not be granted under subclause (2) if the carrying out of the proposed development would, in the opinion of the consent authority, restrict the potential for residential accommodation on any lot adjoining the consolidated lot.</i>		The subject sites are bounded by an existing R3 – Medium Density Residential zone. The requirements within the Schedule permit the sites to be redeveloped for multi-dwelling housing. The Housing Strategy recommends rezoning of the subject sites to R3. Multi-dwelling housing is a permitted use in the R3 zone. <i>Recommendation: Remove properties from Schedule 1</i>

Schedule I, Clause I7 (Refer to Section 2.5.3)

Property	Map Reference	Recommendation
(a) 36 Bunyala Street, Blakehurst, being Lot 4, DP 516331		The subject site is currently used as a motel and is zoned R2 – Low Density Residential. Submission made to consider rezoning of the site from R2 – Low Density to R3 – Medium Density Residential The subject site is in close proximity to the Blakehurst Commercial Centre and is well serviced by public transport The Housing Strategy recommends rezoning of the subject site to R3 and Hotel/motel accommodation is a permitted use in the R3 zone. Recommendation: Remove property from Schedule I

Property	Map Reference	Recommendation
(b) 243 West Street, Blakehurst, being Lot 7, DP 25945		The subject site is currently zoned R2 – Low Density Residential and the site is 958m2 and adjoins a detached dual occupancy development. It is considered that the subject site will have development potential for dual occupancy development under the proposed dual occupancy provisions. Recommendation: Remove property from Schedule 1

Property	Map Reference	Recommendation
(c) 69 Homedale Crescent, Connells Point, being Lot 213, DP 635022		There is a significant, relatively new dwelling on the subject site, which is adjoined by townhouses on either side of the property boundary. The subject site is approximately 930m2 and would allow redevelopment for a dual occupancy development. It is considered that the current value of the property and dwelling would negate the redevelopment of the site for multi-dwelling housing (townhouses) Recommendation: Remove property from Schedule 1

Property	Map Reference	Recommendation
(d) 56 The Boulevard, Sans Souci, being Lot 1, DP 326110		The subject site is currently zoned R2 – Low Density Residential and adjoins a R3 – Medium Density zone. The Housing Strategy recommends rezoning of the subject site to R3 and multi-dwelling accommodation is a permitted use in the R3 zone. Recommendation: Remove property from Schedule 1

Schedule I, Clause 18 (Refer to Section 2.5.4)

Address	Map Reference	Discussion & Recommendation
Nos 107 & 109 Jubilee Avenue, & Nos 113-121 Rocky Point Road, Beverley Park Schedule I, CI18(a)–(e)		These sites have been reviewed as part of the Housing Strategy and it is recommended that they be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 1.5:1 and a height of 15m. Recommendation: Delete sites (a) – (e) from Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 139 – 155 Rocky Point Road, Beverley Park Schedule 1, Cl.18(f)-(h)		These sites have been reviewed as part of the Housing Strategy and it is recommended that they be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 1.5:1 and a height of 15m. Recommendation: Delete sites (f) – (h) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
No 1A Cooleen Street & Nos 925-927 King Georges Road, Blakehurst Schedule I, Cl.18(i) & (t)		No 1A Cooleen & No 925 King Georges Road have relatively new dwellings and it is considered unlikely that these sites will develop under the existing villa provisions. Recommendation: Delete sites (i) & (t) from Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 1-3 Heath Road & 22-22A Terry Street, Blakehurst Schedule I, CII8(j), (k), (af) & (ag)		No 22 Terry Street has a relatively new two storey dwelling and it is considered unlikely to redevelop under the current villa provisions. No 22A Terry Street and No 1 Heath Road could not be redeveloped without consolidation with an adjoining site. It is considered that this is unlikely to occur. No 3 Heath Road is large enough to meet the proposed dual occupancy requirements and as such has development potential as an individual site. As it is unlikely that any of these sites will be redeveloped under the villa provisions, it is recommended that they be deleted from Schedule I. Recommendation: Delete sites (j), (k), (af) & (ag) from Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 1-5 James Street, 6-16 Vaughan Street & 1-7 Water Street, Blakehurst. Schedule 1, Cl.18(l). (n), (o), (am), (an), (ao) & (aq)		These sites have been reviewed as part of the Housing Strategy and it is recommended that they be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 1.5:1 and a height of 15m. Recommendation: Delete sites (l), (n), (o), (am), (an), (ao) & (aq) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 2-8 James Street & 2-8 Stuart Street & 2-4 Vaughan Street, Blakehurst Schedule 1, Cl.18(m), (p), (ac), (ad), (ae) & (al)		These sites have been reviewed as part of the Housing Strategy and it is recommended that they be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 1.5:1 and a height of 15m. Recommendation: Delete sites (m), (p), (ac), (ad), (ae) & (al) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 913- 919 King Georges Road & 24 – 30 Terry Street, Blakehurst Schedule I, Cl.18(q), (r), (s), (ah), (ai), & (aj)		The majority of the sites have potential to be redeveloped under the villa provisions, with the exception of No 30 Terry Street, which adjoins a relatively new attached dual occupancy development. In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (q), (r), (s), (ah), (ai), & (aj) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 36 – 46 Terry Street, Blakehurst Schedule I, Cl18(ai) & (ak)		The majority of the sites have potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (ai) & (ak) in Schedule I, Clause 18

Address	Map Reference	Discussion & Recommendation
Nos 945 – 953 King Georges Road; 9-11 Lynwood Street and 2 Walton Street, Blakehurst Schedule I, Cl.18(u), (v), (w), (y), (z) & (ap)		The majority of the sites have potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (u), (v), (w), (y), (z) & (ap) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 969 King Georges Road & 9-11 Phillip Street, Blakehurst Schedule I, Cl.18(x), (aa) & (ab)		These sites have been reviewed as part of the Housing Strategy and it is recommended that they be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 1.5:1 and a height of 15m. Recommendation: Delete sites (x), (aa) & (ab) from Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 433-435 Princes Highway Blakehurst Schedule I, Cl.18(ar)		No 433 Princes Highway has been recently redeveloped as a new two storey dwelling thereby isolating No 435 Princes Highway, as it does not meet the minimum frontage requirements. No 435 Princes Highway is on 2 allotments and therefore has redevelopment potential as two dwellings. As it is unlikely that any of these sites will be redeveloped under the villa provisions, it is recommended that they be deleted from Schedule I. Recommendation: Delete site (ar) from Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 314-316 Princes Highway, Carss Park Schedule 1, Cl.18(as)		These sites have been reviewed as part of the Housing Strategy and it is recommended that they be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 1:1 and a height of 12m. Recommendation: Delete sites (as) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 143-149 Connells Point Road & 92-94 Greenacre Road, Connells Point Schedule I, Cl.18(at), (au) & (aw)		The existing housing stock is unlikely to be redeveloped for villas as a number of sites have already been redeveloped for new dwellings. Although it is unlikely that the remaining undeveloped sites will be developed as villas, in order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (at), (au) & (aw) in Schedule I, Clause 18.

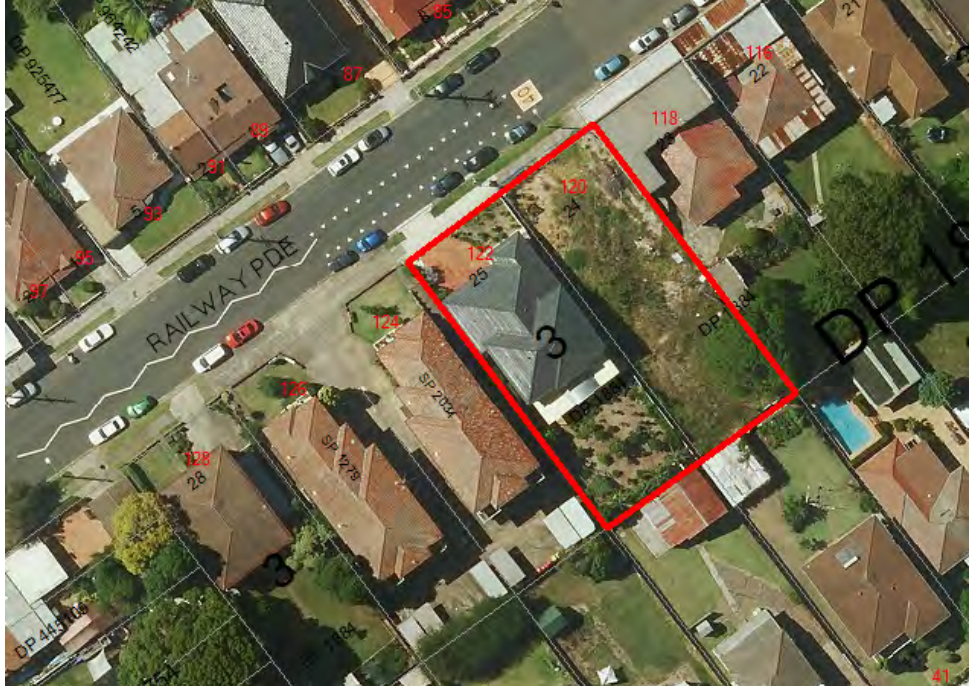
Address	Map Reference	Discussion & Recommendation
No 151 Connells Point Road, Connells Point Schedule I, Cl.18(av)		The subject site has been redeveloped as villas. No further development potential Recommendation: Delete site (av) from Schedule I, Clause 18.

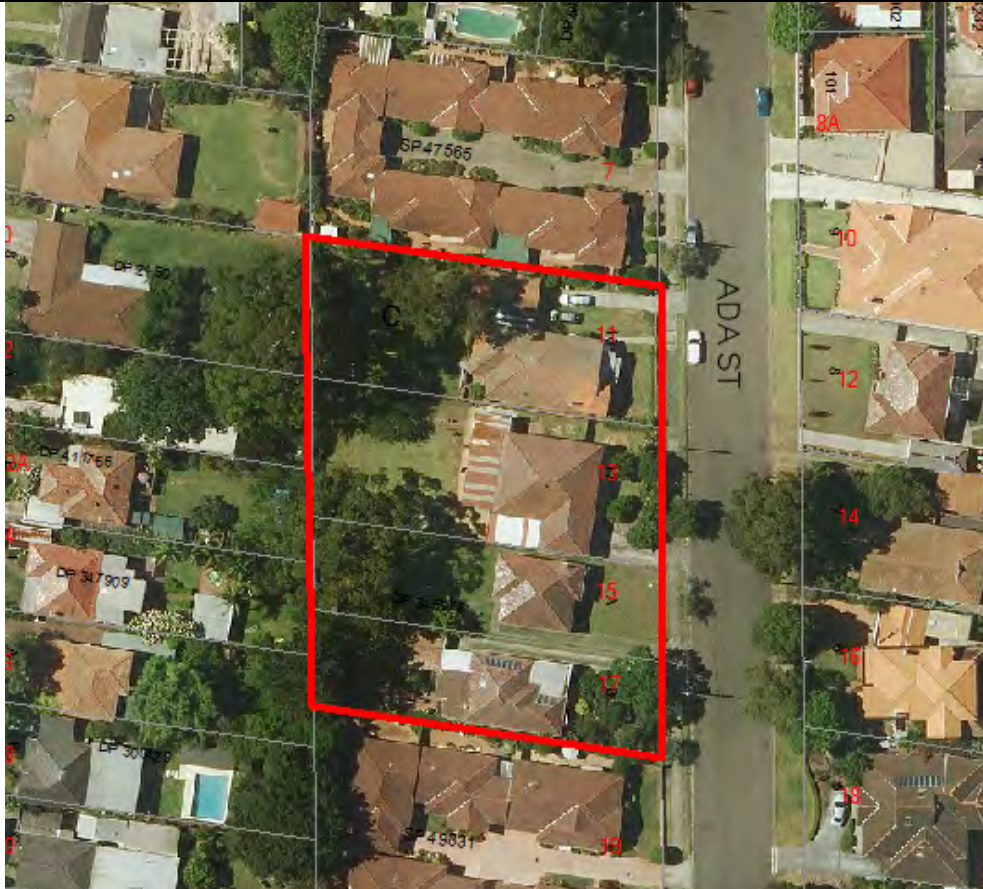
Address	Map Reference	Discussion & Recommendation
Nos 67 & 69 Hillcrest Avenue, Hurstville Grove Schedule I, Cl.18(ax)		The majority of the sites have potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (ax) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 1-9 Hillpine Avenue, Kogarah Schedule I, Cl.18(bb)		The majority of the sites have potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (bb) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
No 61 Park Road, Kogarah Bay Schedule 1, Cl.18(bc)		This site has been reviewed as part of the Housing Strategy and it is recommended it be rezoned from R2-Low Density Residential to B2 – Local Centre. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 2.5:1 and a height of 21m. Recommendation: Delete site (bc) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
No 30 & 32 Coleborne Avenue, Mortdale Schedule I, Cl.18(bd)		No 32 Coleborne Avenue has been redeveloped as a detached dual occupancy and No 30 Coleborne Avenue is a large corner site, which has potential to be redeveloped as a detached dual occupancy. It is unlikely that these sites will be redeveloped under the villa provisions and as such it is recommended that that be removed for Schedule I, Clause 18. Recommendation: Delete sites (bd) from Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 120-122 Railway Parade, Mortdale Schedule I, Cl.18(be)		This site has been reviewed as part of the Housing Strategy and it is recommended it be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 1:1 and a height of 12m. Recommendation: Delete sites (be) from Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 11-17 Ada Street, Oatley Schedule 1, Cl.18(bf) & (bg)		These sites have been reviewed as part of the Housing Strategy and it is recommended it be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 0.7:1 and a height of 9m. Recommendation: Delete sites (bf) & (bg) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
No 23 Frederick Street, Oatley Schedule I, Cl.18(bh)		This site has been reviewed as part of the Housing Strategy and it is recommended it be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 0.7:1 and a height of 9m. Recommendation: Delete sites (bh) from Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 1-5 Mimosa Street, Oatley Schedule 1, Cl.18(bi)		The subject sites are older dwellings, with two (2) sites being in the same ownership. It is considered that the subject sites have the potential to be redeveloped under these provisions. In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (bi) in Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 8-10 Rosa Street, Oatley Schedule 1, Cl.18(bj)		These sites have been reviewed as part of the Housing Strategy and it is recommended it be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 0.7:1 and a height of 9m. Recommendation: Delete sites (bj) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 30 – 34 Rosa Street & 38-42 Rosa Street, Oatley Schedule 1, Cl.18 (bk) & (bl)		These sites have been reviewed as part of the Housing Strategy and it is recommended it be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 0.7:1 and a height of 9m. Recommendation: Delete sites (bk) & (bl) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 2 and 2A Torwood Street Sans Souci Schedule 1, Cl.18 (bv) & (bw)		The sites have the potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (bv) & (bw) in Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 9-11 Endeavour Street, Sans Souci Schedule I, Cl.18 (bn)		These sites have the potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (bn) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 2, 2A & 2B Myers Street & 405 – 411 Rocky Point Road, Sans Souci Schedule I, Cl.18(bo), (bp), (bq), (bt) & (bu)		These sites have the potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (bo), (bp), (bq), (bt) and (bu) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 293-295 Rocky Point Road, Sans Souci Schedule I, Cl.18 (bs)		These sites have the potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (bs) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 42-44 Halstead Street, South Hurstville Schedule I, Cl.18(bx) & (by)		These sites have the potential to be redeveloped under the villa provisions In order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (bx) & (by) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 3 & 5 Resthaven Road, South Hurstville Schedule 1, Cl.18(bz) & (ca)		No 3 Resthaven Road has recently been redeveloped as an attached dual occupancy. It is unlikely to be redeveloped under the villa provisions. No 5 has now been isolated and would not comply with the minimum frontage requirements for villa development under the LEP. The Housing Strategy has also recommended that No 7 Resthaven Road be down zoned from R3 – Medium Density Residential to R2 – Low Density Residential Recommendation: Delete sites (bz) & (ca) from Schedule 1, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 8 & 10 Resthaven Road, South Hurstville Schedule I, Cl.18(cb)		The existing housing stock is unlikely to be redeveloped for villas as a number of sites have already been redeveloped for new dwellings. Although it is unlikely that the remaining undeveloped sites will be developed as villas, in order to retain the existing development potential on these sites, it is recommended that these sites be retained. Recommendation: Retain sites (cb) in Schedule I, Clause 18.

Address	Map Reference	Discussion & Recommendation
Nos 1-5 Rickard Road & 4-6 William Street, South Hurstville Schedule 1, Cl.18(cc) & (cd)		These sites have been reviewed as part of the Housing Strategy and it is recommended it be rezoned from R2- Low Density Residential to R3 – Medium Density Residential. The proposed zone is proposed to allow multi-dwelling housing and residential flat buildings with a FSR of 0.7:1 and a height of 9m. Recommendation: Delete sites (cc) & (cd) from Schedule 1, Clause 18.

Schedule I, Clause 19 (Refer to Section 2.5.5)

Property	Map Reference	Recommendation
(a) 46–48 Princes Highway, Beverley Park, being Lot 102, DP 880129		Currently, a purpose built motor showroom exists on No 46-48 Princes Highway. The building has an existing height of approximately 11m, not including plant and is setback approximately 17m-20m from the rear boundary. The proposed development site is surrounded by the rear yards of properties which front Ocean Street and Battye Avenue. Owners of the site have made a submission requesting a greater height and FSR than what is proposed for the immediate precinct. It is also considered that increasing the height and FSR would significantly impact on the properties that directly adjoin the site. In this regard, the proposed request is not supported. It is recommended that the subject site be retained in Schedule I <i>Retain in Schedule I - Development for the purposes of multi-dwelling housing is permitted with development consent, but</i>

Property	Map Reference	Recommendation
		<i>only if the floor space ratio does not exceed 0.7:1</i>
(b) 124 Princes Highway, Beverley Park, being Lot 1, DP 814106		The subject site is currently zoned R2 – Low Density Residential and contains the St George Leagues Club. Although, it is unlikely that the subject site will be redeveloped for multi-dwelling housing, it is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Recommendation: Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(c) 36 Bunyala Street, Blakehurst, being Lot 4, DP 516331		The subject site is currently used as a motel and is zoned R2 – Low Density Residential. Submission made to consider rezoning of the site from R2 – Low Density to R3 – Medium Density Residential The subject site is in close proximity to the Blakehurst Commercial Centre and is well serviced by public transport The Housing Strategy recommends rezoning of the subject site to R3 and Hotel/motel accommodation is a permitted use in the R3 zone. Recommendation: Remove from Clause 19, Schedule 1

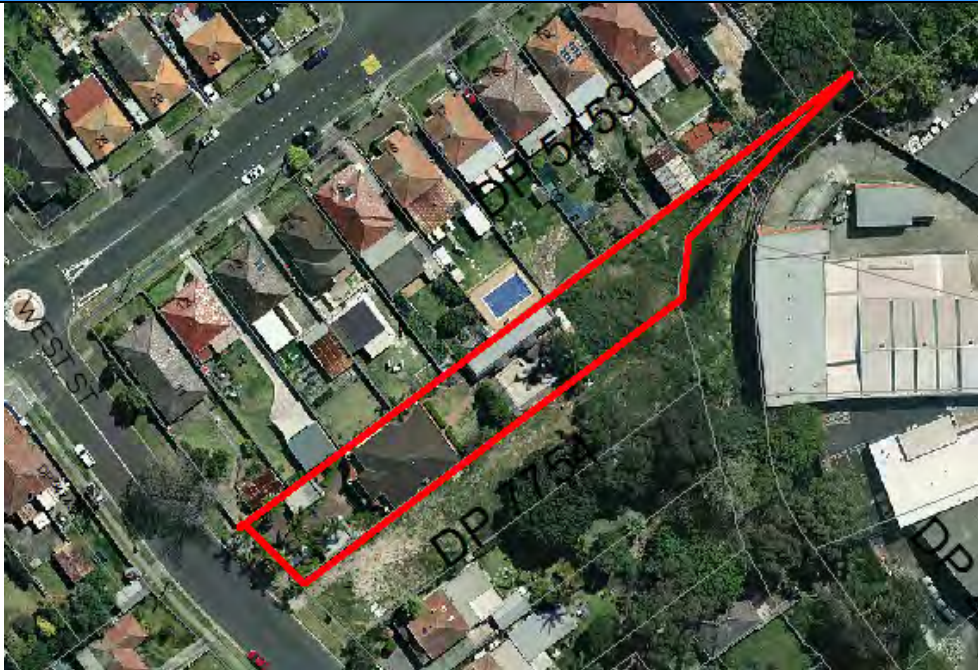
Property	Map Reference	Recommendation
(d) 16–24 Cheddar Street, Blakehurst, being Lot 150, DP 1110271		The subject site currently forms part of the Aged Housing/Nursing Home development in Cheddar Street. Although the site is a significant development site, it is unlikely to be redeveloped for multi-dwelling housing in accordance with the current requirements. Redevelopment of the site could still occur under the Seniors Living SEPP. <i>Recommendation: Remove from Clause 19, Schedule 1</i>

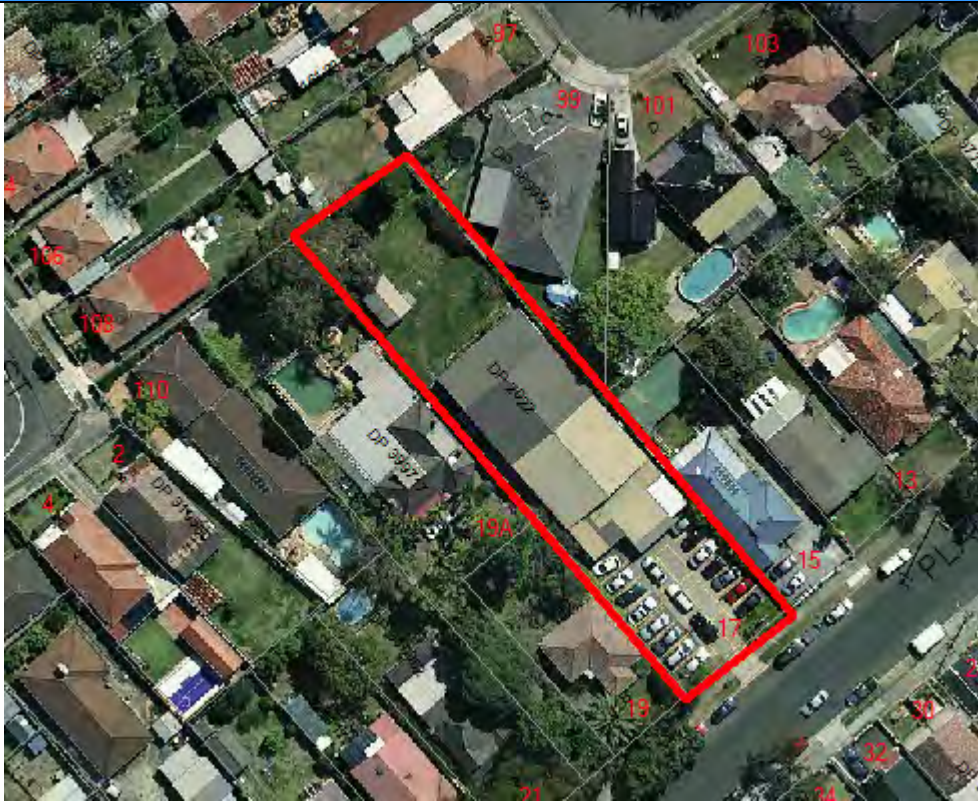
Property	Map Reference	Recommendation
(e) 26 Heath Road, Blakehurst, being Lot 45, DP 853686		This site is owned by the Department of Housing is already developed for villas and as such it is unlikely to be redeveloped <i>Recommendation: Remove from Clause 19, Schedule 1</i>

Property	Map Reference	Recommendation
(f) 394 Princes Highway, Blakehurst, being Lot 1, DP 703471		The subject site is currently used as the Blakehurst Aged Care Facility. The subject site is in close proximity to the Blakehurst Commercial Centre and is well serviced by public transport The Housing Strategy recommends rezoning of the subject site to R3 and Hotel/motel accommodation is a permitted use in the R3 zone. <i>Recommendation: Remove from Clause 19, Schedule 1</i>

Property	Map Reference	Recommendation
(g) 408 Princes Highway, Blakehurst, being Lot D, DP 362178		The subject site contains an older style single storey brick dwelling. It is considered that the site would have redevelopment potential, subject to vehicular access being granted from the Princes Highway. Under the proposed changes to the LEP, the subject site would also have redevelopment potential for land subdivision and dual occupancy development (attached). It is considered that the current provisions requiring 30% site coverage and 27m frontage are not viable to promote redevelopment of the subject site. It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(h) 699 Princes Highway, Blakehurst, being Lot 11, DP 617346,		The subject site contains a dwelling house and currently has access via the Princes Highway. The subject property is currently on the market and it has been identified that ROW access exists via an access handle fronting Hatfield Street. Under the proposed changes to the LEP, the subject site would also have redevelopment potential for land subdivision and dual occupancy development (attached). It is considered that the current provisions requiring 30% site coverage and 27m frontage are not viable to promote redevelopment of the subject site. It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(i) 200 West Street, Blakehurst, being Lot 1, Section 5, DP 7754,		The subject site contains a significant two storey dwelling house. It is considered that multi-dwelling housing is not considered appropriate due to the constraints on the site. Under the proposed controls for dual occupancy, development for the purposes of dual occupancy (attached) will be permissible (subject to compliance with the flood affectation requirements. Subdivision of the land will also be permitted under the proposed subdivision requirements. <i>Recommendation: Remove from Clause 19, Schedule 1</i>

Property	Map Reference	Recommendation
(j) 17 Planthurst Road, Carlton, being Lot 143, DP 2022		The subject site contains a single storey building which is being utilised as a place of worship. The site has access from Planthurst Road and is approximately 1640m². Under the proposed changes to the LEP, the subject site would also have redevelopment potential for land subdivision and dual occupancy development (attached). Although, it is unlikely that the subject site will be redeveloped for multi-dwelling housing, it is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Recommendation: Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(k) 251 Princes Highway, Carlton, being Lot 202, DP 746731		The Housing Strategy recommends rezoning of the subject site to B6 – Enterprise zone and mixed commercial/bulky goods/residential development is proposed to be permitted up to 6 storeys at 2.5:1. Development for residential purposes will also be permitted as part of a mixed use development in this zone. Recommendation: Remove from Clause 19, Schedule 1

Property	Map Reference	Recommendation
(l) 14 Gnarbo Avenue, Carss Park, being Lot 145A, DP 396249		The subject site contains a significant two storey dwelling with access via a 3m access handle. The site is approximately 1650m2 and under the proposed provisions could be further subdivided and potentially be redeveloped for dual occupancy development. It is unlikely that the site would be redeveloped in accordance with these provisions and as such it is recommended that the property be removed from Clause 19, Schedule 1. Recommendation: Remove from Clause 19, Schedule 1

Property	Map Reference	Recommendation
(m) 52 Gnarbo Avenue, Carss Park, being Lot 1164, DP 866621		The subject site contains a significant two storey dwelling which takes up a significant portion of the site, adjacent to Carss Bush Lookout. The site is approximately 1850m2 and under the proposed provisions could be further subdivided and potentially be redeveloped for dual occupancy development. It is unlikely that the site would be redeveloped in accordance with these provisions and as such it is recommended that the property be removed from Clause 19, Schedule 1. Recommendation: Remove from Clause 19, Schedule 1

Property	Map Reference	Recommendation
(n) 137 Terry Street, Connells Point, being Lot D, DP 16990,		This site is a significant development site which is currently underdeveloped. The site has frontage to Terry Street and then opens up to the rear of the site. The site is approximately 2300m². It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(o) 5 Denman Street, Hurstville, being Lot 12, DP 236321,		The subject site contains a significant dwelling which takes up a significant portion of the site. The site is approximately 1700m2 and under the proposed provisions could be further subdivided and potentially be redeveloped for dual occupancy development. It is unlikely that the site would be redeveloped in accordance with these provisions and as such it is recommended that the property be removed from Clause 19, Schedule 1. Recommendation: Remove from Clause 19, Schedule 1

Property	Map Reference	Recommendation
(p) 15 Greenbank Street, Hurstville, being Lot 16, DP 662877		The subject site is within the O'Briens Estate Heritage Conservation Area and the existing dwelling is identified as an Intrusive Item. The site is approximately 1700m² It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(q) 27 Hurstville Road, Hurstville being Lot 31, DP666112		The subject site currently contains a child care centre with access from Hurstville Road and is located adjacent to the old quarry. The site is approximately 1650m². Under the proposed changes to the LEP, the subject site would also have redevelopment potential for land subdivision and dual occupancy development (attached). It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(r) 62 English Street, Kogarah being Lot 1, DP810707		The subject site contains a relatively new two storey building. The building has a significant footprint and the existing development would be consistent with the requirements for multi-dwelling housing. It is considered that the subject site is unlikely to be redeveloped for multi-dwelling housing and as such it is recommended that the property be removed from Clause 19, Schedule 1. <i>Recommendation: Remove from Clause 19, Schedule 1</i>

Property	Map Reference	Recommendation
(s)11 Hamer Street, Kogarah Bay being Lot B, DP340038		The subject site contains a federation style single storey dwellings and Council has recently approved alterations and additions to the existing dwelling house. The subject site is approximately 1630m2. Under the proposed changes to the LEP, the subject site would also have redevelopment potential for dual occupancy development (attached) and possibly land subdivision. It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(u) 44 Oatley Parade, Oatley being Lot B, DP38		The subject site contains a significant dwelling with access via a 3m access handle fronting Oatley Parade. The site abuts the railway line and is adjoined to the north by No 40 Oatley Parade, which is proposed to be included in Schedule 1 as an additional development site (multi-dwelling housing) The site is approximately 1510m2 and under the proposed provisions could be redeveloped for dual occupancy development. It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(v) 54 Oatley Parade, Oatley being Lot B, DP382279	 The map shows an aerial view of a residential area. A red rectangle highlights the subject site, which is a large lot with a swimming pool and a house. The lot is labeled '54' and 'DP382279'. Surrounding properties are labeled with their DP numbers and lot numbers: DP 382279 (Lot 54), DP 382279 (Lot 55), DP 382279 (Lot 56), DP 382279 (Lot 57), DP 382279 (Lot 58), DP 382279 (Lot 59), DP 382279 (Lot 60), DP 382279 (Lot 61), DP 382279 (Lot 62), DP 382279 (Lot 63), DP 382279 (Lot 64), DP 382279 (Lot 65), DP 382279 (Lot 66), DP 382279 (Lot 67), DP 382279 (Lot 68), DP 382279 (Lot 69), DP 382279 (Lot 70), DP 382279 (Lot 71), DP 382279 (Lot 72), DP 382279 (Lot 73), DP 382279 (Lot 74), DP 382279 (Lot 75), DP 382279 (Lot 76), DP 382279 (Lot 77), DP 382279 (Lot 78), DP 382279 (Lot 79), DP 382279 (Lot 80), DP 382279 (Lot 81), DP 382279 (Lot 82), DP 382279 (Lot 83), DP 382279 (Lot 84), DP 382279 (Lot 85), DP 382279 (Lot 86), DP 382279 (Lot 87), DP 382279 (Lot 88), DP 382279 (Lot 89), DP 382279 (Lot 90), DP 382279 (Lot 91), DP 382279 (Lot 92), DP 382279 (Lot 93), DP 382279 (Lot 94), DP 382279 (Lot 95), DP 382279 (Lot 96), DP 382279 (Lot 97), DP 382279 (Lot 98), DP 382279 (Lot 99), DP 382279 (Lot 100).	The subject site contains a substantial dwelling with access via a 3m access handle fronting Oatley Parade. The site abuts the railway line and is adjoined to the south by multi-dwelling housing (townhouses – SEPP5) and to the east by a detached dual occupancy development The site is approximately 1580m2 and under the proposed provisions could be redeveloped for dual occupancy development. It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 Recommendation: Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not

Property	Map Reference	Recommendation
(w)9 Belmont Avenue, Penshurst being Lot 7, DP111194		The subject site is situated within the Penshurst Heritage Conservation Area and is identified as a contributory item. The subject site contains a significant two storey dwelling and in ground swimming pool Accordingly, it is recommended that the property be removed from Clause 19, Schedule 1 and the owners be notified in writing of Council's intention. <i>Recommendation: Remove from Clause 19, Schedule 1</i>

Property	Map Reference	Recommendation
(x) 42 Dudley Street, Penshurst being Lot 90, DP 5885		The subject site contains a dwelling house fronting the street and what appears to be a secondary dwelling to the rear of the block. The site is approximately 2000m² and under the proposed provisions could be further subdivided and potentially be redeveloped for dual occupancy development. Although it is unlikely that the site would be redeveloped it is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Recommendation: Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Property	Map Reference	Recommendation
(y) 671 King Georges Road, Penshurst, being Lot I, DP312949		The subject site is within the Penshurst Heritage Conservation Area and is currently utilised as a car park for the adjoining heritage listed property, which is the Revival Life Centre. The site is approximately 1680m² It is considered that the subject site is unlikely to be redeveloped for multi-dwelling housing and as such it is recommended that the property be removed from Clause 19, Schedule 1. <i>Recommendation: Remove from Clause 19, Schedule 1</i>

Property	Map Reference	Recommendation
		These properties are in the same ownership and appear to be landlocked, with no vehicular access from any adjoining street. Currently, both sites are heavily vegetated and have a major drainage easement dissecting the properties, making it difficult to redevelop the properties for multi-dwelling housing. It appears that a boundary adjustment/land subdivision was undertaken in the late 1990s and since this time the properties fronting King Georges Road have been sold, thereby removing access to these properties. For these reasons, it is considered that the subject sites are unlikely to be redeveloped for multi-dwelling housing and as such it is recommended that the properties be removed from Clause 19, Schedule 1. Recommendation: Remove from Clause 19, Schedule 1

Property	Map Reference	Recommendation
(aa) 24 Penshurst Avenue, Penshurst, being Lot 2, DP 320644		This site has specific DCP controls relating to redevelopment as a multi-dwelling development. It is considered appropriate that the site retain the current redevelopment potential of multi-dwelling housing, with the height restricted to 9m and an FSR being permitted up to 0.70:1 <i>Recommendation: Retain in Schedule 1 - Development for the purposes of multi-dwelling housing is permitted with development consent, but only if the floor space ratio does not exceed 0.7:1</i>

Appendix 3 – Amendments to Schedule 2 Exempt Development

Schedule 2 – Exempt Development

Advertising structures and signs—Zone RE1 Public Recreation

- (1) *Must be associated with kiosks, refreshment rooms or any other approved commercial activity.*
- (2) *Must be designed to be viewed primarily from within the recreation area.*
- (3) *May include general commercial advertising not related to the use of the site.*

Advertising structures and signs—inflatable promotional signs

- (1) *Must be displayed only on the property where the promotion is to be held.*
- (2) *Must not be displayed for more than 7 consecutive days, more than 4 times a year or for a total of more than 28 days in any year, or later than 48 hours after the relevant promotion is finalised.*
- (3) *A contact telephone number for the owner of the sign must be displayed in a prominent location on or adjoining the sign.*
- (4) *The structure must not overhang any road.*

Advertising structures and signs—newsagent placards

- (1) *Must not exceed 0.6m in width.*
- (2) *Must have height of between 0.75m and 1m.*
- (3) *Must be contained in frames securely fixed to the facade of the premises.*
- (4) *Must not project more than 75mm from the building facade.*
- (5) *Must not project over windows.*

Footpaths—display of goods

- (1) *Must be associated with a lawfully established business.*
- (2) *Must comply with the Roads Act 1993 and the Local Government Act 1993.*
- (3) *Must not abut a classified road.*
- (4) *The display must be located so that the widths of travel to the public road from the exits of any premises remain clear of all obstructions.*

Private markets, fairs or fetes

- (1) *The Council must be notified of the private market, fair or fete 7 days prior to the event being undertaken.*
- (2) *The private market, fair or fete can only occur for a maximum period of 2 days (whether or not consecutive days) in any period of 12 months.*

Note: Text identified in **red** are the proposed Council changes to existing wording. Text identified in **blue** is wording as proposed by Council and/or wording contained in the Standard Instrument LEP

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows:
 - (a) to promote the efficient use of land,
 - (b) to ensure that subdivision does not prevent the orderly development of land,
 - (c) to require adequate street frontages and dimensions for standard and battle-axe lots,
 - (d) to ensure that the intensity of development is appropriate to the land's environmental capability.
 - (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
 - (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- ~~(3A) Despite subclause (3), development consent may only be granted for the subdivision of land to create a lot, if the lot will meet the following requirements:~~
- ~~(a) for land in Zone R2 Low Density Residential identified as "I" on the Lot Size Map:~~
- ~~(i) minimum lot width 15 metres, and~~
- ~~(ii) minimum lot depth 30 metres, and~~
- ~~(iii) if the lot is a battle-axe lot minimum lot size:~~
- ~~(A) 550 square metres, if the lot has a rear boundary with land in Zone RE1 Public Recreation, or~~
- ~~(B) 600 square metres, if the lot has a rear boundary with land in a residential zone or Zone E4 Environmental Living,~~
- ~~(b) for land in Zone R3 Medium Density Residential identified as "S" on the Lot Size Map:~~
- ~~(i) minimum lot width 18 metres or 27 metres, if the lot has frontage to a classified road, and~~
- ~~(ii) minimum lot depth 30 metres, and~~
- ~~(iii) if the lot is a battle-axe lot minimum lot size:~~
- ~~(A) 900 square metres, if the lot has a rear boundary with land in Zone RE1 Public Recreation, or~~
- ~~(B) 950 square metres, if the lot has a rear boundary with land in a residential zone or Zone E4 Environmental Living,~~

- ~~(c) for land in Zone E4 Environmental Living identified as “M” on the Lot Size Map:

 - ~~(i) minimum lot width 15 metres, and~~
 - ~~(ii) minimum lot depth 30 metres, and~~
 - ~~(iii) if the lot is a battle-axe lot minimum lot size:

 - ~~(A) 650 square metres, if the lot has a rear boundary with land in Zone REI Public Recreation, or~~
 - ~~(B) 700 square metres, if the lot has a rear boundary with land in a residential zone or Zone E4 Environmental Living,~~~~~~
- ~~(d) for land in Zone E4 Environmental Living identified as “Q” on the Lot Size Map:

 - ~~(i) minimum lot width 18 metres, and~~
 - ~~(ii) minimum lot depth 30 metres, and~~
 - ~~(iii) if the lot is a battle-axe lot minimum lot size:

 - ~~(A) 750 square metres, if the lot has a rear boundary with land in Zone REI Public Recreation, or~~
 - ~~(B) 800 square metres, if the lot has a rear boundary with land in a residential zone or Zone E4 Environmental Living,~~~~~~
- ~~(e) for land in Zone E4 Environmental Living identified as “R” on the Lot Size Map:

 - ~~(i) minimum lot width 18 metres, and~~
 - ~~(ii) minimum lot depth 25 metres, and~~
 - ~~(iii) if the lot is a battle-axe lot minimum lot size:

 - ~~(A) 800 square metres, if the lot has a rear boundary with land in Zone REI Public Recreation, or~~
 - ~~(B) 850 square metres, if the lot has a rear boundary with land in a residential zone or Zone E4 Environmental Living, and~~~~
 - ~~(iv) at least 500 square metres of the lot must be located above the foreshore building line.~~~~
- ~~(3B) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating:

 - ~~(a) the lot size for the purpose of subclauses (3) and (3A) (a) and (b), or~~
 - ~~(b) the lot width for the purpose of subclause (3A).~~~~
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.
- (4A) For the purpose of calculating the size of a battle-axe lot, the area of the access handle is excluded.

4.1A Minimum lot sizes for dual occupancies, multi dwelling housing, residential flat buildings and seniors housing

- (1) The objective of this clause is to achieve planned residential density in certain zones.
- (2) Development consent may be granted to development on a lot in a zone shown in Column 2 of the Table to this clause for a purpose shown in Column 1 of the Table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the Table.

Column 1	Column 2	Column 3
Dual occupancy (attached)	Zone R2 Low Density Residential	850 square metres
	Zone R3 Medium Density Residential	850 square metres
Multi dwelling housing	Zone R3 Medium Density Residential	800 square metres
Residential flat building	Zone R3 Medium Density Residential	1,000 square metres
Seniors housing	Zone R2 Low Density Residential	1,000 square metres
	Zone R3 Medium Density Residential	1,000 square metres

4.1B Minimum lot sizes for dual occupancy

- (1) The objective of this clause is to provide for housing diversity and affordability in residential zones.
- (2) Development consent must not be granted to development for the purposes of a dual occupancy on a lot unless the lot is at least the minimum lot size shown on the [Minimum Lot Sizes for Dual Occupancy Development Map](#) in relation to that lot.
- (3) Despite subclause (2), development consent must not be granted to development for the purposes of a dual occupancy (detached) unless the lot has 2 road frontages and each dwelling has a frontage to a road.

4.1C Minimum subdivision lot size for dual occupancy development

- (1) The objective of this clause is to ensure that dwellings on lots created by the subdivision of a dual occupancy development do not exceed the maximum permissible floor space ratio for the site.
- (2) Despite clauses 4.1 and 4.1B, development consent may be granted for the subdivision of land in Zone R2- Low Density Residential and Zone R3 – Medium Density Residential into lots of less than the minimum lot size shown on the Lot Size Map in relation to that land if:
 - (a) there is a dual occupancy on the land that was lawfully erected under an environmental planning instrument, and
 - (b) the lot size of each resulting lot will be at least 300 square metres, and
 - (c) the maximum floor space for development on the resulting lots does not exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

4.3 Height of buildings

- (1) The objectives of this clause are as follows:
 - (a) to establish the maximum height for buildings,
 - (b) to minimise the impact of overshadowing, visual impact, and loss of privacy on adjoining properties and open space areas.
 - (c) to provide appropriate scales and intensities of development through height controls.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

4.4 Floor space ratio

- (1) The objectives of this clause are as follows:
 - (a) to ensure the intensity of development is compatible with the desired future character and zone objectives for the land,
 - (b) to limit the bulk and scale of development.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

4.4A Exceptions to floor space ratio for residential accommodation in the R2 – Low Density Residential zone

- (1) The objectives of this clause are as follows:
- (a) to ensure that the bulk and scale of development is compatible with the size of the allotment,
 - (b) to promote good residential amenity.
- (2) This clause applies to land zoned R2 – Low Density Residential
- (3) Despite clause 4.4(2) the maximum floor space ratio for residential accommodation is not to exceed the floor space ratio applicable to the site area of the land on which the development is situated.

Site Area	Maximum Floor Space Ratio
<650 square metres	0.55:1
650- 800 square metres	$[\frac{[(\text{lot area} - 650) \times 0.3] + 357.5}{\text{lot area}}]:1$
801- 1000 square metres	$[\frac{[(\text{lot area} - 800) \times 0.2] + 402.5}{\text{lot area}}]:1$
1001-1500 square metres	$[\frac{[(\text{lot area} - 1000) \times 0.15] + 442.5}{\text{lot area}}]:1$
>1500 square metres	$[\frac{[(\text{lot area} - 1500) \times 0.1] + 517.5}{\text{lot area}}]:1$

- (4) Despite clause 4.4A(3) the maximum floor space ratio for residential accommodation for land identified as Area I on the [Floor Space Ratio Map](#) is not to exceed 0.6:1.

4.5 Calculation of floor space ratio and site area [optional]

(1) Objectives

The objectives of this clause are as follows:

- (a) to define **floor space ratio**,
- (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:
 - (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
 - (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
 - (iii) require community land and public places to be dealt with separately.

(2) Definition of “floor space ratio”

The **floor space ratio** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

(3) Site area

In determining the site area of proposed development for the purpose of applying a floor space ratio, the **site area** is taken to be:

- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
- (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.

(4) Exclusions from site area

The following land must be excluded from the site area:

- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,
- (b) community land or a public place (except as provided by subclause (7)).

(5) Strata subdivisions

The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.

(6) Only significant development to be included

The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.

(7) Certain public land to be separately considered

For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

(8) Existing buildings

The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.

(9) Covenants to prevent “double dipping”

When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

(10) Covenants affect consolidated sites

If:

- (a) a covenant of the kind referred to in subclause (9) applies to any land (***affected land***), and
- (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,

the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.

(11) Definition

In this clause, ***public place*** has the same meaning as it has in the *Local Government Act 1993*.

5.3 Development near zone boundaries

- (1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
- (2) This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres.
- (3) This clause does not apply to:
 - (a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or
 - (a1) land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, [Zone R4 High Density Residential](#), Zone B1 Neighbourhood Centre, Zone B2 Local Centre, Zone B4 Mixed Use, [Zone B6 – Enterprise Corridor](#), Zone IN2 Light Industrial, ~~Zone RE2 Private Recreation, Zone E4 Environmental Living~~ or Zone W2 Recreational Waterways, or
 - (b) land within the coastal zone, or
 - (c) land proposed to be developed for the purpose of sex services or restricted premises.

Note. When this Plan was made it did not include Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways.

- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.
- (5) This clause does not prescribe a development standard that may be varied under this Plan.

5.6 Architectural roof features [optional]

- (1) The objectives of this clause are as follows:
 - (a) to create variety in the Kogarah skyline and urban environment,
 - (b) to encourage quality roof designs that contribute to the aesthetic and environmental design and performance of the building,
 - (c) to encourage integration of the design of the roof into the overall facade, building composition and desired contextual response,
 - (d) to promote architectural design excellence.
- (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.
- (3) Development consent must not be granted to any such development unless the consent authority is satisfied that:
 - (a) the architectural roof feature:
 - (i) comprises a decorative element on the uppermost portion of a building, and
 - (ii) is not an advertising structure, and
 - (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and
 - (iv) will cause minimal overshadowing, and
 - (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

6.7 Location of sex services premises

- (1) The objective of this clause is to restrict the location of sex services premises.
- (2) Development consent must not be granted for development for the purposes of sex services premises if the premises will be located:
 - (a) on land that adjoins, or that is separated only by a road from, land in any of the following zones:
 - ~~(i) Zone E4 Environmental Living;~~
 - (i) Zone R2 Low Density Residential,
 - (ii) Zone R3 Medium Density Residential
 - (iii) Zone R4 High Density Residential, or
 - (b) on land that adjoins, or that is separated only by a road from, land that is within 50 metres (measured from the boundary of an allotment upon which the premises are proposed) from land in any of the following zones:
 - ~~(i) Zone E4 Environmental Living;~~
 - (i) Zone R2 Low Density Residential,

- (ii) Zone R3 Medium Density Residential
- (iii) Zone R4 High Density Residential, or

(c) on land that adjoins, or that is separated only by a road from, land that adjoins land used or partly used for residential purposes, or

(d) on land that adjoins, or that is separated only by a road from, land used as a place of public worship or for community or school uses or hospital, or

(e) on land that adjoins, or that is separated only by a road from, land in Zone RE1 Public Recreation or **Zone E2 – Environmental Conservation**.

- (3) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:
- (a) the impact of the proposed development on land that is frequented by children or any land referred to in subclause (2),
 - (b) whether the operation of the proposed development will be likely to cause a disturbance in the neighbourhood because of its size or the number of people working at the sex services premises,
 - (c) whether the operation of the proposed development will be likely to cause a disturbance in the neighbourhood when taking into account other sex services premises operating in the neighbourhood involving similar hours of operation,
 - (d) whether the operation of the proposed development will be likely to interfere with the amenity of the neighbourhood.

6.8 Seniors housing: self-contained dwellings

(1) The objective of this clause is to encourage seniors housing in the form of self-contained dwellings so as to increase the supply and diversity of housing that meets the needs of seniors in the R2 – Low Density Residential zone.

(2) For the purposes of this clause **Seniors** are any of the following:

- (a) people aged 55 or more years,
- (b) people who are resident at a facility at which residential care (within the meaning of the *Aged Care Act 1997* of the Commonwealth) is provided,
- (c) people who have been assessed as being eligible to occupy housing for aged persons provided by a social housing provider.

(3) Council must not consent to a development application for seniors housing in the form of self-contained dwellings in Zone R2 – Low Density Residential unless the proposed development complies with the standards specified below:

- (a) **Site size:** The size of the site for a group of self-contained dwellings must be at least 1000m²;
- (b) **Site frontage:** The site frontage must be at least 20 metres wide measured at the building line;

Appendix 5 – Reclassification of Council owned land

Proposed reclassification of Council owned land at No 1A Stuart Crescent, Blakehurst (Lot 2, DP794233)

This is a 338m² parcel of land that is an isolated foreshore lot that was acquired by Council to form a Regional Open Space Corridor that included Ray Street Reserve and adjoining private lands under the County of Cumberland Plan (1951).

The NSW Government has since abandoned the acquisition of land along this section of the foreshore for the creation of a regional open space corridor in this location and as such the property is now an isolated parcel of land with no public access, other than from the water.

The adjoining sites, which are in private ownership were previously zoned 6(b) – Regional Open Space under Kogarah LEP 1998. After consultation with the Department of Planning (the acquisition authority for these sites), the 6(b) – Regional Open Space zoning was abandoned and the adjoining sites zoned E4 – Environmental Living in the Kogarah LEP 2012.

The parcel is landlocked and is only accessible from the water. It is recommended that the parcel be rezoned to R2 – Low Density Residential, consistent with the adjoining zoning.

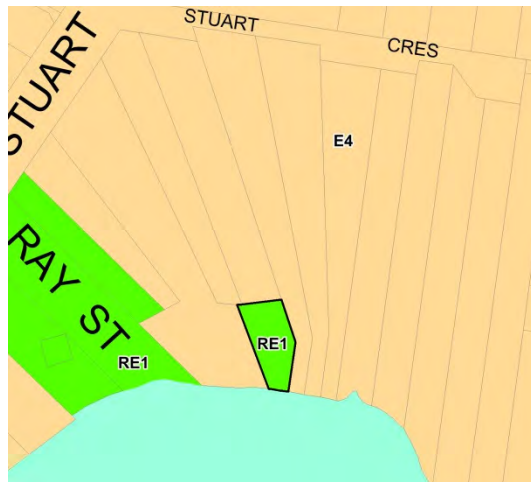
It is also recommended that Council reclassify the land from “community” to “operational” land and consider disposal of the land.



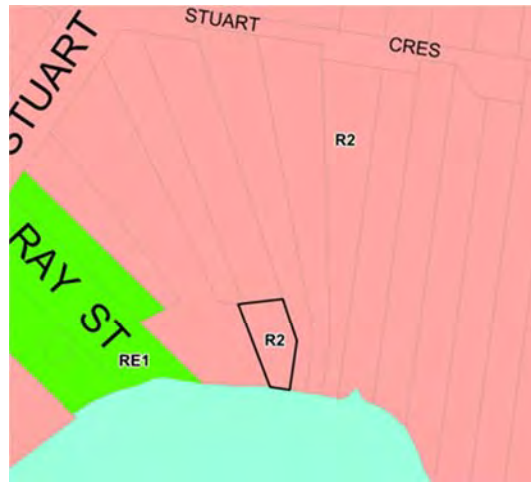
No 1A Stuart Crescent, Blakehurst

Possible future land uses

The subject site is proposed to be rezoned to R2 – Low Density Residential. It is an isolated foreshore lot which is only accessible via private property or the water. Council considers that that sites use as community land is restricted due to the lack of access to the community and potentially the site could be sold to the adjoining owner to provide waterfront access.



Existing Zoning KLEP 2012



Proposed Zoning

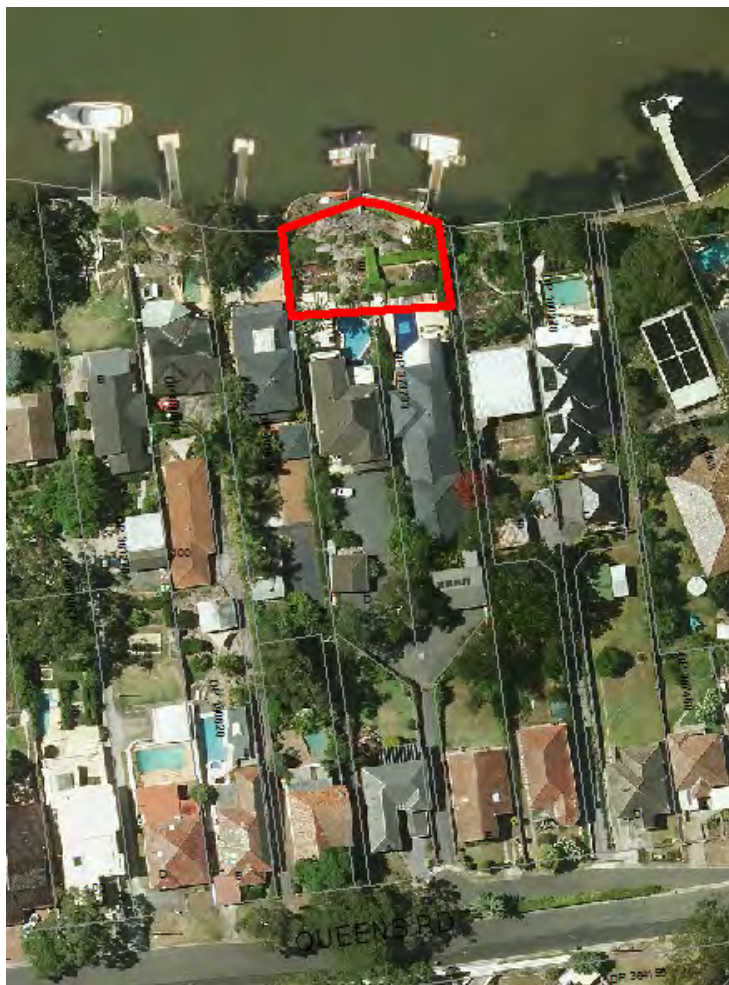
Proposed reclassification of Council owned land at No 21A Queens Road, Connells Point (Lot E, DP373733)

No 21A Queens Road, Connells Point was acquired by Council to form a foreshore link to Redin Place Reserve. The continuation of the foreshore link however has now been abandoned and the lot remains as an isolated parcel of open space, only accessible from the water.

The subject site is currently leased to the adjoining land owners at No. 15 and No. 21 Queens Road, as an extension to their private open space and provides these properties with waterfront access. The subject site contains landscaping, steps and two (2) private jetties.

The parcel is landlocked and is only accessible from the water. It is recommended that the parcel be rezoned to R2 – Low Density Residential, consistent with the adjoining zoning.

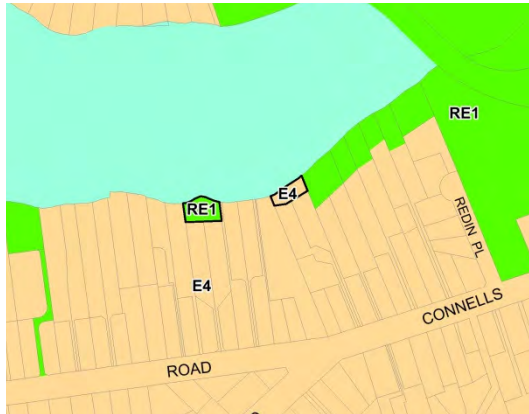
It is also recommended that Council reclassify the land from “community” to “operational” land and consider disposal of the land.



No 21A Queens Road, Connells Point

Possible future land uses

The subject site is proposed to be rezoned to R2 – Low Density Residential. It is an isolated foreshore lot which is only accessible via private property or the water. Council considers that that sites use as community land is restricted due to the lack of access to the community and potentially the site could be sold to the adjoining owner to provide waterfront access.



Existing Zoning KLEP 2012

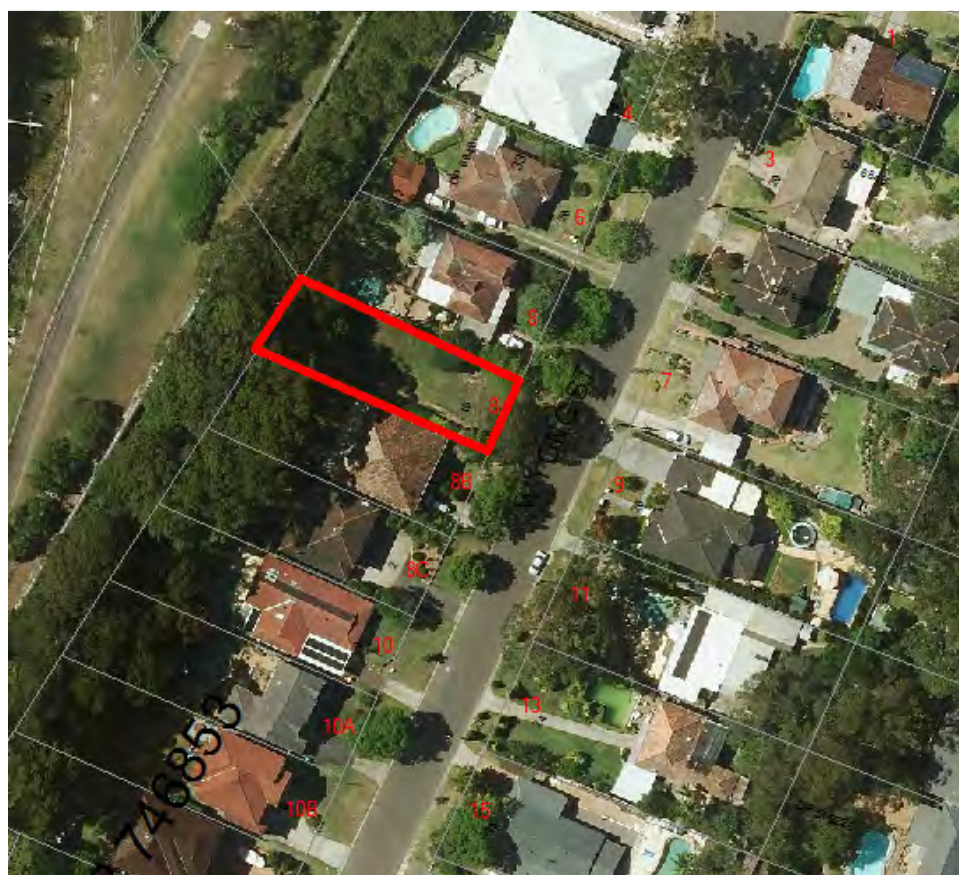


Proposed Zoning

Proposed Reclassification of Council owned land at No. 8A Wyong Street, Oatley (Lot 15, DP 746853)

No. 8A Wyong Street is open space that is situated between two dwellings and adjoins the railway reserve however there is no access from this parcel of land onto the adjoining reserve. The land previously contained playground equipment however this was removed due to its age and lack of use.

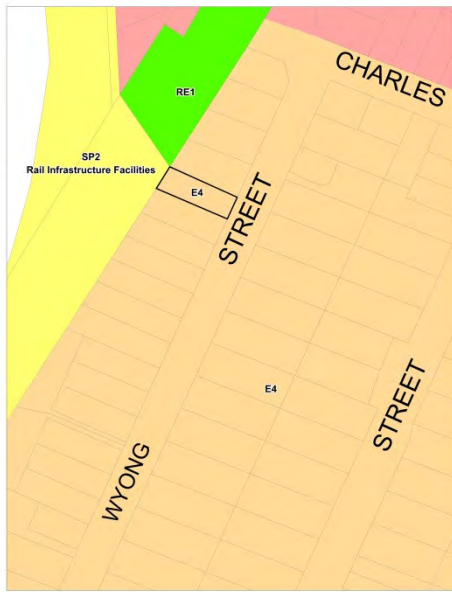
The subject site is currently zoned E4 – Environmental Living and the area has been identified as low usage as open space. Council currently maintains the site (grass mowing) and there is no equipment or furniture situated in the park.



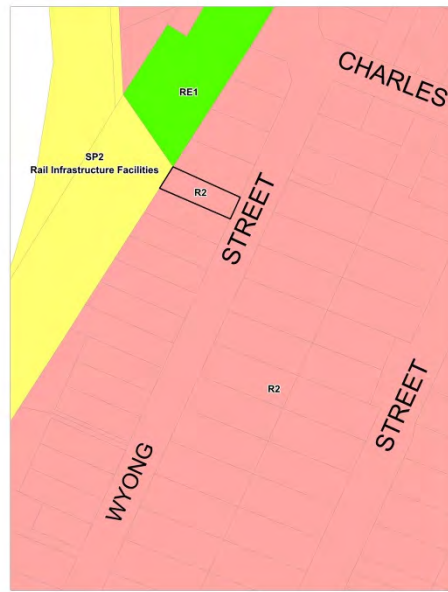
No 8A Wyong Street, Oatley

Possible future land uses

The subject site does not provide any community benefit in that it does not provide linkages to other existing open space. It is considered appropriate to convert the zoning to R2 – Low Density Residential and reclassify the parcel from “community” to “operational” land and consider disposal of the land.



Existing Zoning KLEP 2012



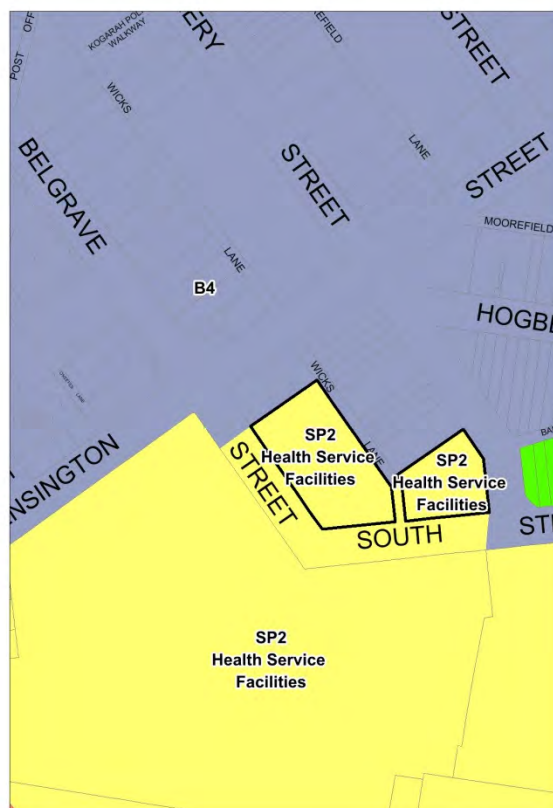
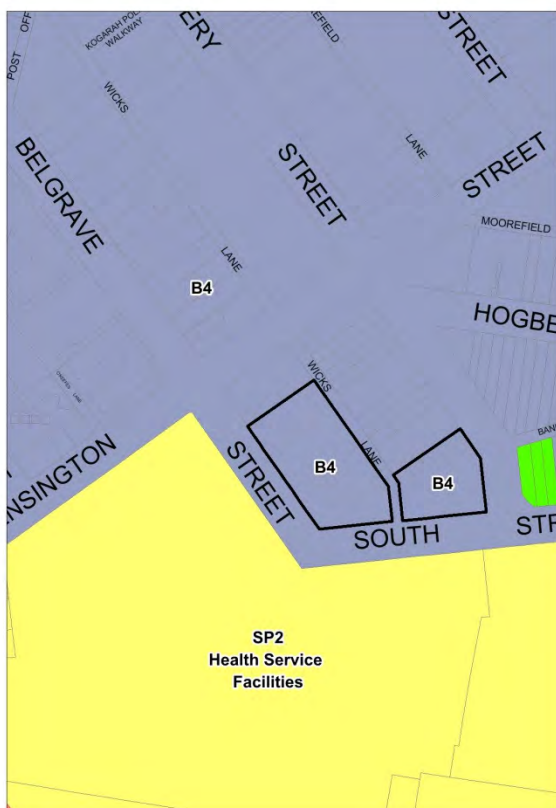
Proposed Zoning

Appendix 7 – SP2 Infrastructure Zonings

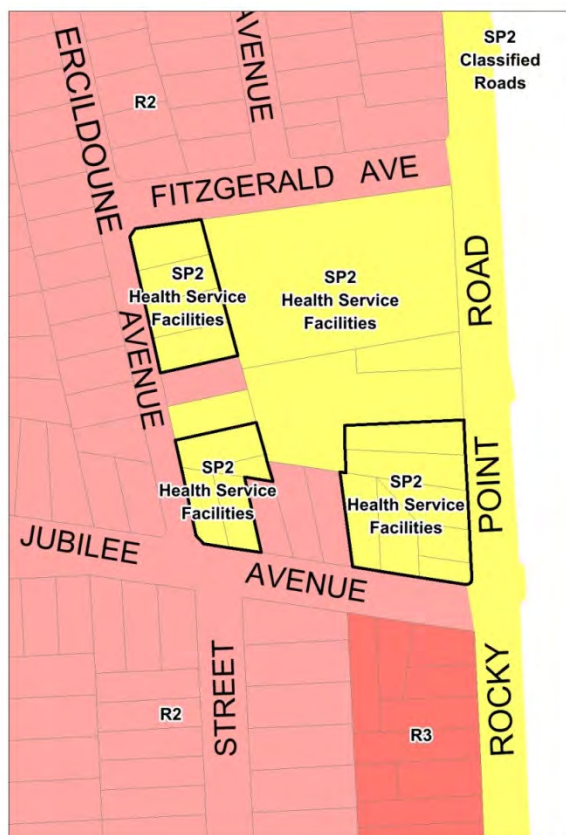
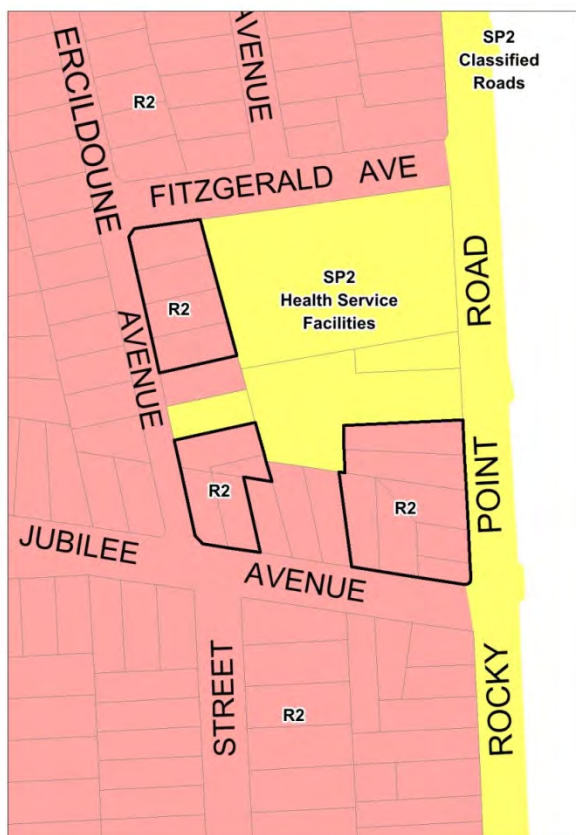
Address	Comments	Recommendation
Block bounded by Palmerston Street, Victor Street, Gladstone Street and Victoria Street, Kogarah	Land is in the ownership of Minister for Education and Training. The site is currently zoned R2 – Low Density Residential and RE1 – Public Recreation. It is proposed that the site be rezoned to reflect its ownership by the Department of Education	That the block bounded by Palmerston Street, Victor Street, Gladstone Street and Victoria Street, Kogarah be rezoned from R2 – Low Density Residential and RE1 – Public Recreation to SP2 – Educational Establishments.



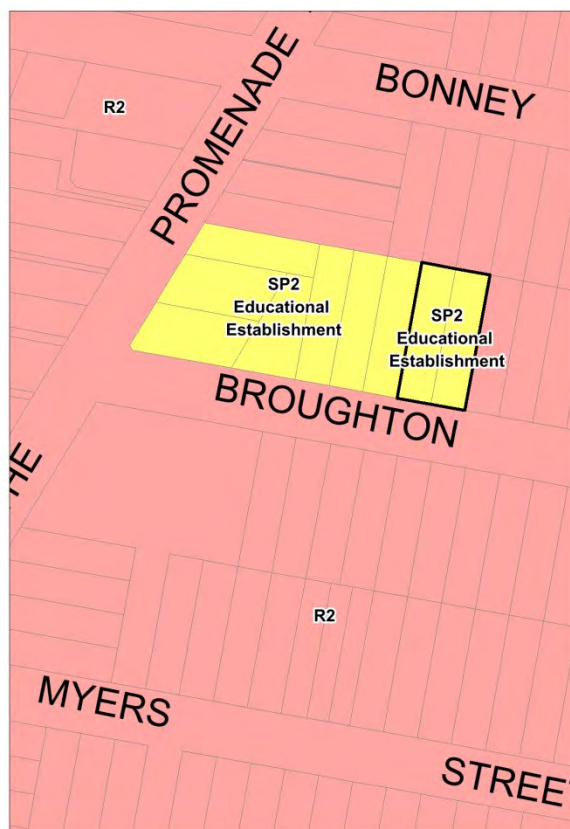
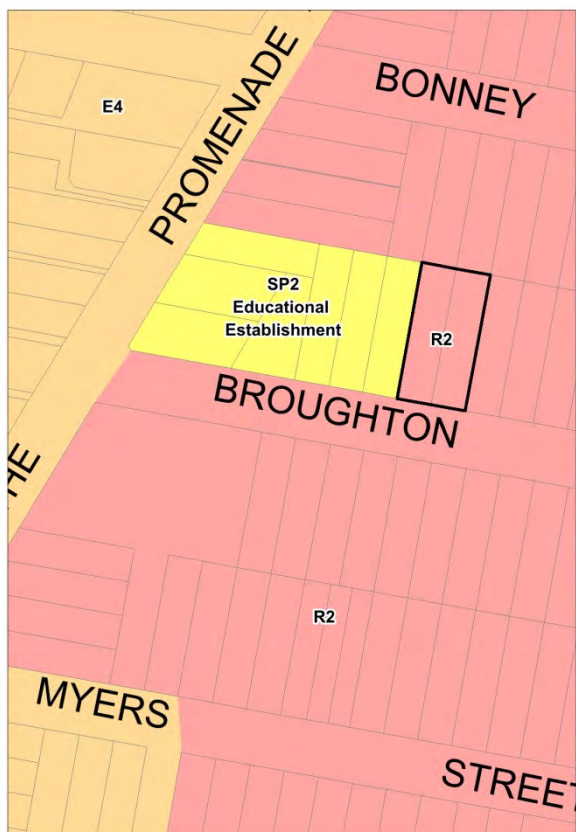
Address	Comments	Recommendation
Nos 30-38 Belgrave Street and Nos 4-10 South Street, Kogarah	Land is in the ownership of Health Administration Corporation (St George Private Hospital). The subject sites are currently zoned B4 – Mixed Use	It is recommended that the sites be rezoned to SP2 – Health Services Facilities



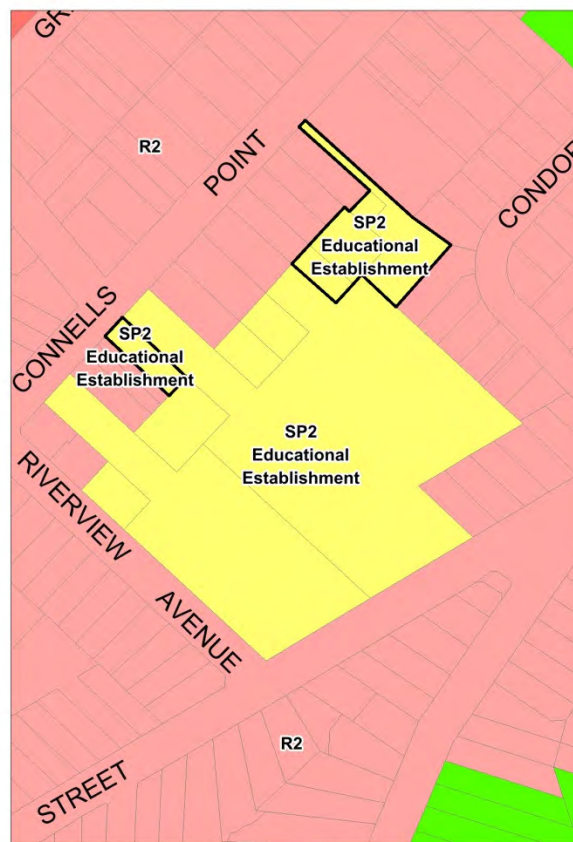
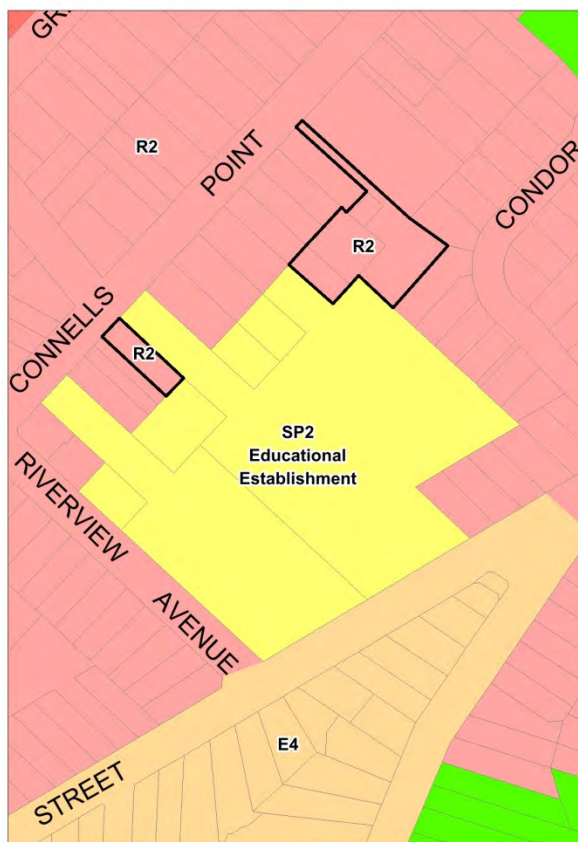
Address	Comments	Recommendation
Nos 70-72 and Nos 80-82 Jubilee Avenue, Nos 91-105 and 109-111 Rocky Point Road and 40-46 & 52 Ercildoune Avenue, Beverley Park	The land is currently in the ownership of Calvary Healthcare and is used as part of Calvary Hospital. Subject sites are currently zoned R2 – Low Density Residential.	That Nos 70-72 and Nos 80-82 Jubilee Avenue, Nos 91-105 and 109-111 Rocky Point Road and 40-46 & 52 Ercildoune Avenue, Beverley Park be rezoned from R2 – Low Density Residential to SP 2- Health Services Facility



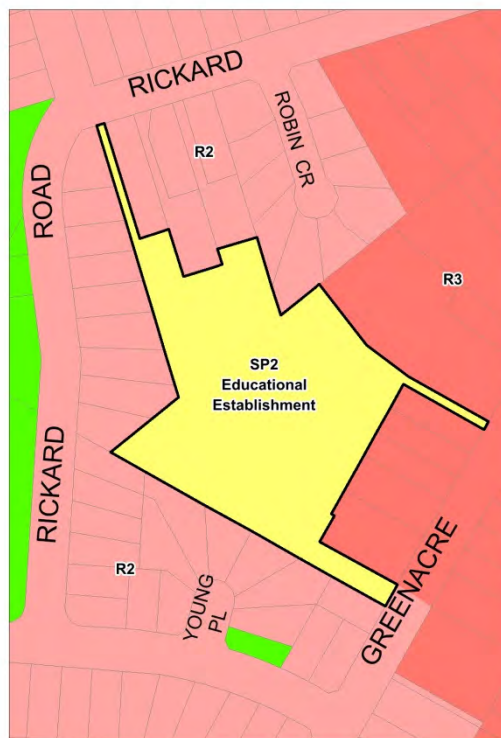
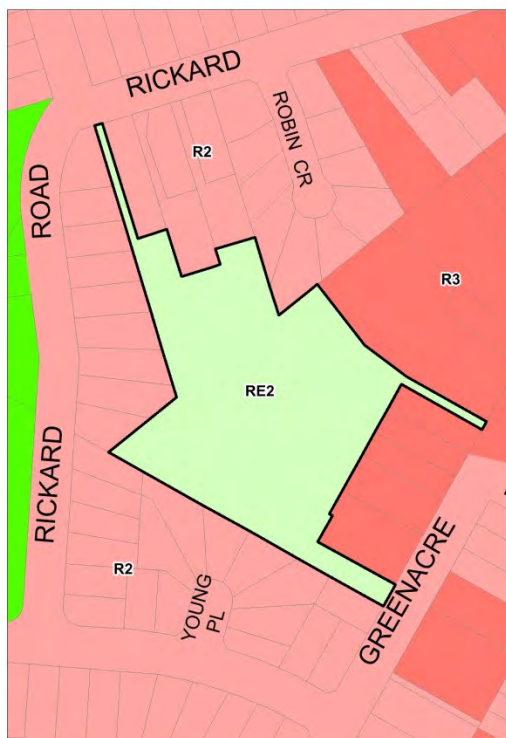
Address	Comments	Recommendation
Nos 17-19 Broughton Street, Sans Souci	Land is in the ownership of Catholic Archdiocese of Sydney and is currently utilised as part of St Finbars, Sans Souci. The subject sites are currently zoned R2 – Low Density Residential	That No 17-19 Broughton Street, Sans Souci be rezoned to SP2 – Educational Establishments.



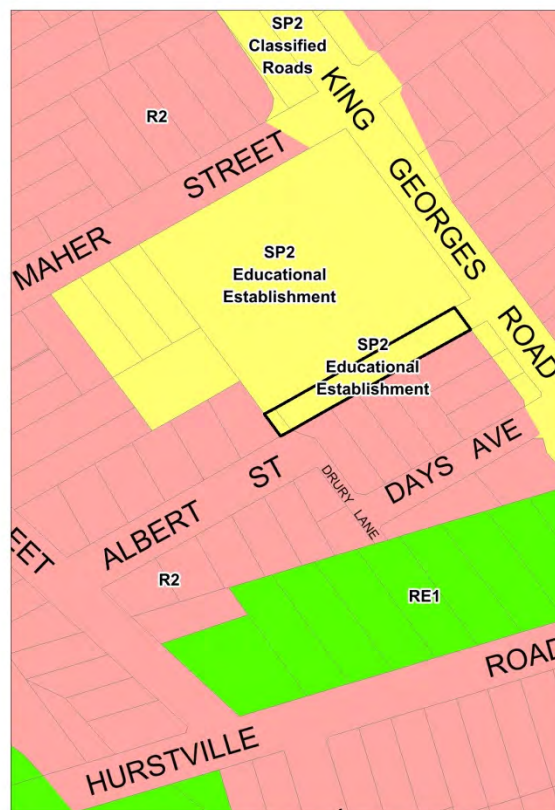
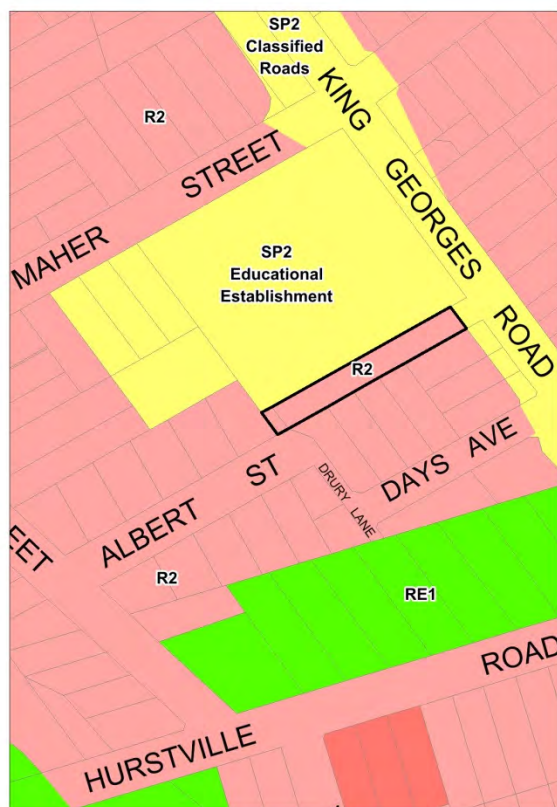
Address	Comments	Recommendation
No 170 Connells Point Road, Connells Point	Land is in the ownership of Department of Education and is currently utilised as part of Connells Point Public school. The subject site is currently zoned R2 – Low Density Residential	That No 170 Connells Point Road, Connells Point be rezoned to SP2 – Educational Establishment.



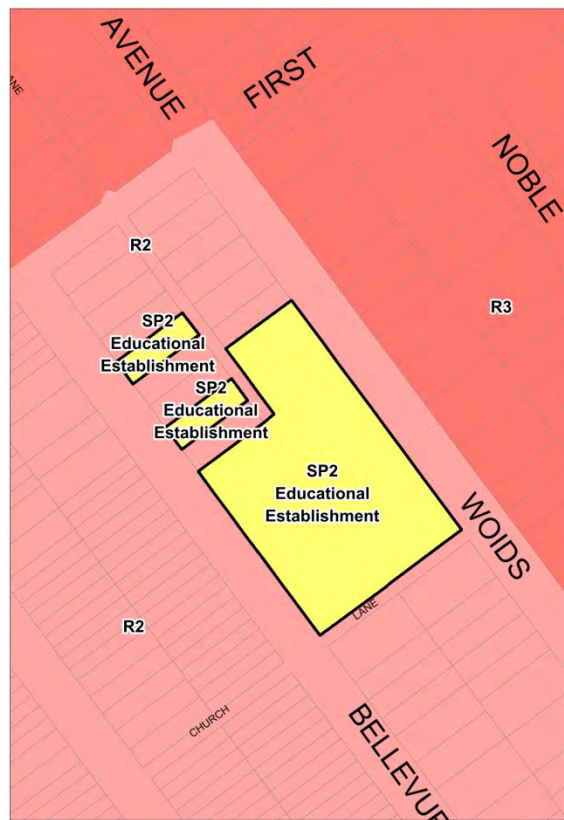
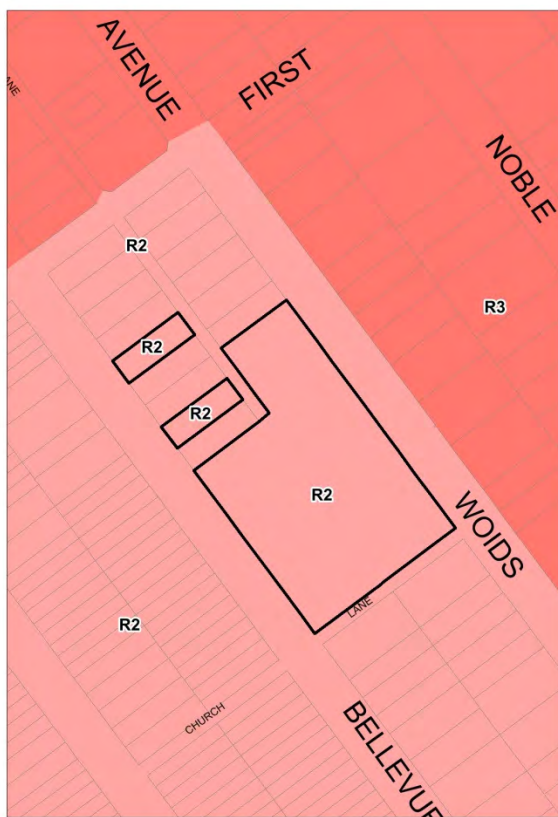
Address	Comments	Recommendation
29A Greenacre Road, South Hurstville	The subject site was previously the South Hurstville Bowling Club but has been recently sold to the Catholic Archdiocese of Sydney. It is currently zoned RE2 – Private Recreation, but is currently not being utilised as a club. It is considered that the long term use of the site will be an educational establishment and as such the zone should reflect the future use. It is recommended that the site be rezoned to SP2 – Educational Establishment.	That No 29A Greenacre Road, South Hurstville be rezoned to SP2 – Educational Establishments.



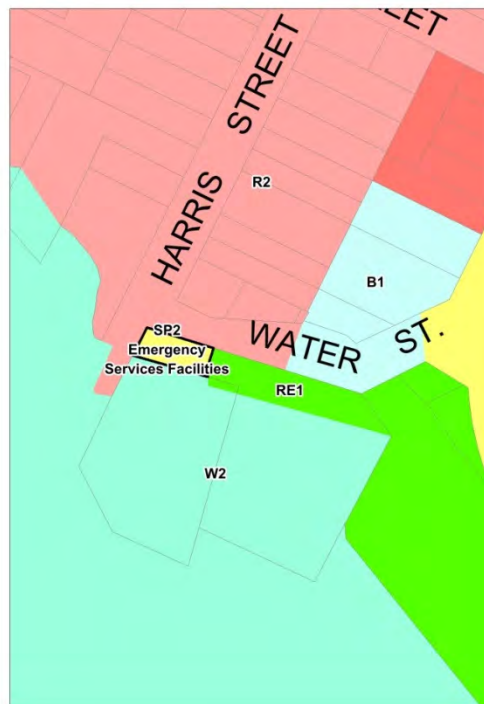
Address	Comments	Recommendation
Lot 1, DPI22877 & Lot 1, DPI22875 (known as No 30 Maher Street), Hurstville	The subject sites are currently in the ownership of the Department of Education and it appears that the sites form part of Hurstville Public School. The subject sites are currently zoned R2 – Low Density Residential.	That Lot 1, DPI22877 & Lot 1, DPI22875 (known as No 30 Maher Street), Hurstville be rezoned to SP2 – Educational Establishments



Address	Comments	Recommendation
Nos 51-69 Woids Avenue, No 50 Bellevue Parade and Nos 56-58 Bellevue Parade, Allawah	The subject sites are currently part of the St George Christian School. The current zoning is R2 – Low Density Residential. It is recommended that the sites be rezoned to reflect the school use on the site	That Nos 51-69 Woids Avenue, No 50 Bellevue Parade and Nos 56-58 Bellevue Parade, Allawah be rezoned to SP2 – Educational Establishment.



Address	Comments	Recommendation
Part of No 4 Water Street, Sans Souci	No 4 Water Street currently contains a building adjacent to Water Street, which houses the Water Police and Department of Fisheries. The remainder of the site contains a boat mooring facility and water. The site is non-Council owned land in the ownership of the Crown and is currently zoned RE1 – Public Recreation.	That part 4 Water Street, Sans Souci be rezoned to SP2 – Emergency Services Facilities



Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
State Environmental Planning Policy No. 1 – Development Standards	This SEPP does not apply to the Kogarah LGA	Not applicable
State Environmental Planning Policy No. 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	This policy allows relatively simple or minor changes of land or building use and certain types of development without the need for a development application.	Repealed on 22/2/14
State Environmental Planning Policy No. 6 – Number of storeys in a building	Sets out a method for determining the number of storeys in a building.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy No. 14 – Coastal Wetlands	The SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 15 – Rural Landsharing Communities	The SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 19 – Bushland in Urban Areas	The general aim of this Policy is to protect and preserve bushland within the urban areas. SEPP 19 applies to bushland zoned or reserved for public open space purposes and to development adjoining that land. The Policy applies to the Kogarah LGA.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy No. 21 – Caravan Parks	Requires development consent to be obtained from Council for development for the purposes of caravan parks and sets out matters to be considered before granting consent.	It is not proposed to include any provisions which would be inconsistent with the SEPP.

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
State Environmental Planning Policy No. 22 – Shops and Commercial Premises	Permits with consent a change of use within a business zone of a shop or commercial premises to another shop or commercial premises even if prohibited under another environmental planning instrument.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy No. 26 – Littoral Rainforests	There are no mapped Littoral Rainforests in the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 29 – Western Sydney Recreation Areas	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 30 – Intensive Agriculture	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land)	Under this SEPP, when preparing environmental planning instruments councils must consider whether urban land is no longer required for the purpose it is currently zoned or used and if it is suitable for redevelopment for multi-unit housing in accordance with the aims and objectives of the Policy.	The planning proposal addresses inconsistencies identified in Council's SILEP and does identify additional land for multi-unit housing, thereby increasing the availability of housing choice and affordability.
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development	Provides definitions guidelines and considerations for assessing hazardous and offensive development.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy No. 36 – Manufactured Home Estates	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 39 – Spit Island Bird Habitat	This SEPP does not apply to the Kogarah LGA.	Not applicable

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
State Environmental Planning Policy No. 41 – Casino entertainment complex	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 44 – Koala Habitat Protection	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 47 – Moore Park Showground	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 50 – Canal Estate Development	Prohibits canal estate development.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 55 – Remediation of Land	This Policy provides for a State wide planning approach to the remediation of contaminated land. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. When rezoning land (to permit a change of use), councils must consider whether the land is contaminated and if so whether it can be remediated for the purposes permitted under that zone.	The planning proposal does not propose the rezoning of known contaminated land and as such is not inconsistent with the SEPP.

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
State Environmental Planning Policy No. 59 – Central Western Sydney Regional Open Space and Residential	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 60 – Exempt and Complying Development	This SEPP does not apply to the Kogarah LGA.	Repealed on 22/2/14
State Environmental Planning Policy No. 62 – Sustainable Aquaculture	State Environmental Planning Policy No. 62 – Sustainable Aquaculture (SEPP 62) encourages sustainable aquaculture in NSW.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy No. 64 – Advertising and Signage	This Policy applies to all signage: (a) that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and (b) is visible from any public place or public reserve, except as provided by this Policy. Council must consider objectives and assessment criteria set out by the SEPP. The SEPP requires consultation with the Roads and Maritime Services where a draft LEP makes provision for signage or advertising to which this Policy applies within 250 metres of a classified road.	As the planning proposal does not introduce new provisions for signage or advertising, consultation under SEPP 64 is not required. It is not proposed to include any provisions which would be inconsistent with the SEPP.

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development	This Policy aims to improve the design quality of residential flat development in NSW and applies to the erection of a new residential flat building, substantial redevelopment or the substantial refurbishment of an existing residential flat building, and conversion of an existing building to a residential flat building. Clause 28 provides that the preparation of an environmental planning instrument, development control plan or master plan that makes provision with respect to residential flat development, should include provisions to ensure the achievement of design quality in accordance with the design quality principles and have regard to the <i>Residential Flat Design Code</i>.	The planning proposal does not introduce further provision for residential flat development and therefore is not inconsistent with the SEPP.
State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy No. 71 – Coastal Protection	This SEPP does not apply to the Kogarah LGA	Not applicable
State Environmental Planning Policy (Affordable Rental Housing) 2009	This Policy establishes a consistent planning regime for the provision of affordable rental housing. It provides incentives for new affordable rental housing, facilitates the retention of existing	It is not proposed to include any provisions which would be inconsistent with the SEPP.

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
	affordable rentals, and expands the role of not-for-profit providers.	
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	This Policy aims to ensure consistency in the implementation of the BASIX scheme (to encourage sustainable residential development) throughout the State.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Introduces state wide exempt and complying development provisions.	It is not proposed to include any provisions which would be inconsistent with the SEPP. Schedule 2 – Exempt Development in KLEP 2012 is proposed to be amended to remove duplication from the SEPP
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Encourages the provision of housing that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, make efficient use of existing infrastructure and services, and be of good design.	It is proposed to incorporate a Local Provision into KLEP 2012 to encourage additional opportunities for seniors housing in the form of self-contained dwellings without the need of meeting the locational requirements so as to increase the supply and diversity of housing that meets the needs of seniors in the R2- Low Density Residential zone. It is not considered that the incorporation of this local provision would be inconsistent with the aims and objectives of the SEPP.

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
State Environmental Planning Policy (Infrastructure) 2007	This Policy aims to facilitate the effective delivery of infrastructure across the State.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy (Major Development) 2005	Facilitates the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State.	Not applicable
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Permits mines, petroleum production and extractive industries.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy (Rural Lands) 2008	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy (Temporary Structures) 2007	Provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
State Environmental Planning Policy (Urban Renewal) 2010	This SEPP does not apply to the Kogarah LGA.	Not applicable

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
State Environmental Planning Policy (Western Sydney Employment Area) 2009	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy (Western Sydney Parklands) 2009	This SEPP does not apply to the Kogarah LGA.	Not applicable
State Environmental Planning Policy (Kurnell Peninsula) 1989	This SEPP does not apply to the Kogarah LGA.	Not applicable
Regional Environmental Plans (Deemed SEPPs)		
Greater Metropolitan REP No. 2 – Georges River Catchment	Aims to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment. The objectives of the plan are to be achieved through coordinated land use planning and development control. The Plan includes principles which must be considered when an LEP is prepared or a development application determined.	It is not proposed to include any provisions which would be inconsistent with the SEPP.
Williams River Catchment REP 1997	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Hunter REP 1989 (Heritage)	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Illawarra REP No. 1	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Illawarra REP No. 2 – Jamberoo Valley	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Jervis Bay REP 1996	This deemed SEPP does not apply to the Kogarah	Not applicable

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
	LGA.	
Lower South Coast REP No. 1	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Lower South Coast REP No. 2	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Lord Howe Island REP 2005	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
North Coast REP	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 33 – Cooks Cove	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 30 – St Marys	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 28 – Parramatta	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 20 – Hawkesbury–Nepean River (No. 2 - 1997)	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 9 – Extractive Industry (No. 2 – 1995)	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 24 – Homebush Bay Area	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 26 – City West	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 25 – Orchard Hills	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 24 –	This deemed SEPP does	Not applicable

Appendix 8 – Assessment of Consistency with SEPPs

State Environmental Planning Policy (SEPP)	Application	Statement of Consistency
Homebush Bay Area	not apply to the Kogarah LGA.	
Sydney REP No. 18 – Public Transport Corridors	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 19 – Rouse Hill Development Area	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 16 – Walsh Bay	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 11 – Penrith Lakes Scheme	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 8 – Central Coast Plateau Areas	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Sydney REP No. 5 – Chatswood Town Centre	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Willandra Lakes REP No. 1 – World Heritage Property	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Kosciuszko REP 1998 – Snowy River	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Riverina REP No. 1	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Murray REP No. 2 – Riverine Land	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable
Orana REP No. 1 – Siding Spring	This deemed SEPP does not apply to the Kogarah LGA.	Not applicable

Appendix 9 – Review of Section 117 Ministerial Directions

Direction	Application	Consistency
1. Employment and Resources		
1.1 Business and Industrial zones <i>The objectives of this direction are to:</i> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone. A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	This Planning Proposal is consistent with s117(2)1.1. The planning proposal proposes to increase the total area of Business zoned land in the Kogarah LGA, rezoning land along the Princes Highway from R2 to B6, and also along Rocky Point Road (from E4 to B1). Council is also proposing to introduce a B6 – Enterprise Corridor along the Princes Highway. This land will benefit from having broader land use provisions and is in accordance with the recommendations of the Economic Development and Employment Lands Strategy (EDELS) prepared by SGS in 2013. The Planning Proposal has also responded to the recommendations of the EDELS by making amendments to the land use tables and incorporating specific requirements, where appropriate.
1.2 Rural zones <i>The objective of this direction is to protect the agricultural production value of rural land.</i>	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed rural zone.	Not applicable There is no rural zoned land in the Kogarah LGA, hence the direction does not apply.
1.3 Mining, Petroleum Production & Extractive Industry <i>The objective of this direction is to ensure that the future</i>	This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of:	Not applicable Mining, petroleum production and extractive industries do not exist within the Kogarah

Appendix 9 – Review of Section 117 Ministerial Directions

Direction	Application	Consistency
<i>extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i>	(a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	LGA. The Planning Proposal does not propose to introduce prohibitions for mining, production of petroleum or extractive industries, nor restrict the potential development of resources of State or regional significance.
1.4 Oyster Aquaculture <i>The objectives of this direction are:</i> (a) <i>to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal,</i> (b) <i>to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</i>	(c) This direction applies to Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006) (“the Strategy”)	Not applicable There are no Priority Oyster Aquaculture Areas or other oyster aquaculture within the Kogarah LGA, hence this direction does not apply.
1.5 Rural Lands <i>The objectives of this direction are to:</i> (a) <i>protect the agricultural production value of rural land,</i> (b) <i>facilitate the orderly and economic development of</i>	The direction lists Kogarah as an LGA to which it does not apply.	Not applicable

Appendix 9 – Review of Section 117 Ministerial Directions

Direction	Application	Consistency
<i>rural lands for rural and related purposes.</i>		
2. Environment and Heritage		
2.1 Environment Protection Zones <i>The objective of this direction is to protect and conserve environmentally sensitive areas.</i>	This direction applies to all relevant planning authorities when preparing a planning proposal. The Direction states that: <i>(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</i> <i>(5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 “Rural Lands”.</i> Consistency <i>(6) A planning proposal may</i>	The Planning Proposal proposes to rezone land from E4 – Environmental Living zone to R2 – Low Density Residential The E4 – Environmental Living zone was introduced into the conversion of KLEP 1998 to the Standard Instrument LEP as a solution to identifying land previously identified under KLEP 1998 as Waterfront Scenic Protection Area (WSPA) and Foreshore Scenic Protection Area (FSPA), which prohibited dual occupancy development. The prohibition to dual occupancy development in the previous Foreshore Scenic Protection Areas (FSPA) and Waterfront Scenic Protection Areas (WSPA) was introduced in 2004 in response to previous dual occupancy development that had been undertaken in accordance with the then State Policy – Sydney Regional Environmental Plan No 12 – Dual Occupancy (SREP 12).

Appendix 9 – Review of Section 117 Ministerial Directions

Direction	Application	Consistency
	be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: b. justified by a strategy which: i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) is of minor significance	There is an increasing demand for dual occupancy development in all areas across the LGA and Council is now proposing to permit dual occupancy development in those areas which were previously classified as FSPA and WSPA (zoned E4 – Environmental Living under KLEP 2012). As a result the E4 – Environmental Living zone is proposed to be removed and replaced with the R2 – Low Density Residential zone, which permits dual occupancies, subject to sites meeting the minimum allotment requirements. It is considered that the proposed removal of the E4 – Environmental Living zone is consistent with the Direction.
2.2 Coastal Protection <i>The objective of this direction is to implement the principles in the NSW Coastal Policy.</i>	This direction applies to the coastal zone, as defined in the <i>Coastal Protection Act 1979</i>, when a relevant planning authority prepares a	Not applicable. Council does not have land within the coastal zone as defined in the <i>Coastal</i>

Appendix 9 – Review of Section 117 Ministerial Directions

Direction	Application	Consistency
	planning proposal that applies to land in the coastal zone.	<i>Protection Act 1979.</i>
2.3 Heritage Conservation <i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i>	This direction applies to all relevant planning authorities when preparing a planning proposal. <i>(4) A planning proposal must contain provisions that facilitate the conservation of:</i> <i>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</i> <i>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</i> <i>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</i>	Consistent. The Planning Proposal responds to the protection of character within Heritage Conservation Areas. Specifically, it is proposed to down zone an area within the Kogarah South Heritage Conservation Area, which contains a significant number of heritage items from R3 – Medium Density Residential to R2 – Low Density Residential. It is considered that this is not inconsistent with the Direction and is consistent with the objective of the Direction.
2.4 Recreation Vehicle Areas	This direction applies to all relevant planning authorities	Not applicable

Appendix 9 – Review of Section 117 Ministerial Directions

Direction	Application	Consistency
<i>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</i>	when preparing a planning proposal.	The planning proposal does not facilitate the development of land for the purpose of vehicle recreation areas, hence the direction is not relevant.
3. Housing, Infrastructure and Urban Development		
3.1 Residential zones <i>The objectives of this direction are:</i> <i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</i> <i>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i> <i>(c) to minimise the impact of residential development on the environment and resource lands</i>	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within: <i>(c) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),</i> <i>(d) any other zone in which significant residential development is permitted or proposed to be permitted.</i> <i>(4) A planning proposal must include provisions that encourage the provision of housing that will:</i> <i>(a) broaden the choice of building types and locations available in the housing market, and</i> <i>(b) make more efficient use of existing infrastructure and services, and</i> <i>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</i> <i>(d) be of good design.</i> <i>(5) A planning proposal must, in relation to land to which this</i>	Consistent. The Planning Proposal seeks to ensure a reasonable supply of new housing, suited to the needs of our current and future community's requirements, comes onto the market over the period from 2015 to 2031, in line with the State Government's requirements outlined in the draft Metropolitan Strategy for Sydney 2031.

Appendix 9 – Review of Section 117 Ministerial Directions

Direction	Application	Consistency
	<i>direction applies:</i> (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	
3.2 Caravan Parks and Manufactured Home Estates <i>The objectives of this direction are:</i> (a) to provide for a variety of housing types, and (b) to provide opportunities for caravan parks and manufactured home estates.	This direction applies to all relevant planning authorities when preparing a planning proposal.	Consistent. The Planning Proposal does not alter the permissibility of caravan parks within the LGA. The planning proposal is therefore consistent with this direction.
3.3 Home Occupations <i>The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</i>	This direction applies to all relevant planning authorities when preparing a planning proposal.	Consistent. The Planning Proposal does not alter the permissibility of home occupations.
3.4 Integrating Land Use and Transport <i>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i> (a) improving access to housing, jobs and services by walking,	This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	Consistent. Increasing the residential population in and around the City's centres brings more customers to local businesses. Well-designed, mixed commercial/residential apartment buildings provide opportunities for new shops, cafes, restaurants and other businesses which can

Appendix 9 – Review of Section 117 Ministerial Directions

Direction	Application	Consistency
<i>cycling and public transport, and</i> (b) <i>increasing the choice of available transport and reducing dependence on cars, and</i> (c) <i>reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i> (d) <i>supporting the efficient and viable operation of public transport services, and</i> (e) <i>providing for the efficient movement of freight.</i>		contribute to the revitalisation of centres, and allows people to access services in their local area. A 5-7 storey building form is being proposed for most of our commercial centres and for the high density residential zones immediately around those centres, close to public transport routes. The major centres of Kogarah and Hurstville are proposed to have a building scale of 9-12 storeys with existing low density areas immediately to the north of the Kogarah centre being identified for 10 storey residential flat development.
3.5 Development Near Licensed Aerodromes <i>The objectives of this direction are:</i> (a) <i>to ensure the effective and safe operation of aerodromes, and</i> (b) <i>to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</i> (c) <i>to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so</i>	This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.	Consistent. The planning proposal does not propose any development for residential purposes or human occupation on land within ANEF contours 20 and 25.

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Direction	Application	Consistency
<i>that the development is not adversely affected by aircraft noise.</i>		
3.6 Shooting Ranges <i>The objectives are:</i> (a) <i>to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</i> (b) <i>to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,</i> (c) <i>to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</i>	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	Not applicable There are no shooting ranges within the Kogarah LGA, hence the direction is not pertinent to the planning proposal.
4. Hazard and Risk		
4.1 Acid Sulphate Soils <i>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i>	This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulphate soils, as shown on Acid Sulphate Soils Planning Maps held by the Department of Planning, when preparing a planning proposal that will apply to such land.	Consistent. The Planning Proposal does not alter provisions relating to Acid Sulphate Soils. A small number of lots subject to the Planning Proposal may be affected by Acid Sulphate Soils. The majority of these lots are in Class 5 (works within 100 metres of adjacent Class 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 2, 3 or 4 land.). Where local conditions

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Direction	Application	Consistency
		dictate, further studies will be undertaken during the assessment of any development applications.
4.2 Mine Subsidence and Unstable Land <i>The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</i>	This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that: (a) is within a mine subsidence district, or (b) has been identified as unstable in a study, strategy or other assessment undertaken: (i) by or on behalf of the relevant planning authority, or (ii) by or on behalf of a public authority and provided to the relevant planning authority.	Not applicable There are no mine subsidence districts, proclaimed pursuant to section 15 of the <i>Mine Subsidence Compensation Act 1961</i>, within the Kogarah LGA nor are any known unstable sites within the LGA as identified by a strategy or assessment.
4.3 Flood Prone Land <i>The objectives of this direction are:</i> (a) <i>to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i> (b) <i>to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i>	This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA when preparing a planning proposal that creates, removes or alters a zone or a provision that affects this land.	Consistent. The Planning Proposal does not alter provisions relating to Flood Prone Land. A small number of lots subject to the Planning Proposal are affected by flooding. Lots within Kogarah LGA that are subject to flooding will have required minimum floor levels. Council endeavours to be consistent with its completed Floodplain Risk Management Plans and those which are currently being prepared. The Planning Proposal does intensify the use of some sites that are

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		affected by flooding, however the potential flooding hazard is known and can be appropriately managed.
4.4 Planning for Bushfire Protection <i>The objectives of this direction are:</i> (a) <i>to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</i> (b) <i>to encourage sound management of bush fire prone areas.</i>	This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.	Not applicable There is no bushfire prone land within the Kogarah LGA.
5. Regional Planning		
5.1 Implementation of Regional Strategies <i>The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</i>	This direction applies to land to which the following regional strategies apply: (a) Far North Coast Regional Strategy (b) Lower Hunter Regional Strategy (c) Illawarra Regional Strategy (d) South Coast Regional Strategy (e) Sydney–Canberra Corridor Regional Strategy (f) Central Coast Regional Strategy, and (g) Mid North Coast Regional Strategy.	Not applicable The listed strategies do not apply to the Kogarah LGA, hence the direction is not pertinent to the planning proposal.
5.2 Sydney Drinking Water Catchments <i>The objective of this direction</i>	This direction applies when a relevant planning authority prepares a planning proposal that applies to land within the	Not applicable Kogarah is not listed as an LGA to which the direction

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<i>is to protect water quality in the Sydney drinking water catchment.</i>	Sydney drinking water catchment.	applies, hence the direction is not pertinent to the planning proposal.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast <i>The objectives of this direction are:</i> (a) <i>to ensure that the best agricultural land will be available for current and future generations to grow food and fibre,</i> (b) <i>to provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and</i> (c) <i>to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.</i>	This direction applies to: (a) Ballina Shire Council, (b) Byron Shire Council, (c) Kyogle Shire Council, (d) Lismore City Council, (e) Richmond Valley Council, and (f) Tweed Shire Council, except within areas contained by a “town and village growth boundary” in the Far North Coast Regional Strategy.	Not applicable Kogarah is not listed as an LGA to which the direction applies, hence the direction is not pertinent to the planning proposal.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast <i>The objectives for managing commercial and retail development along the Pacific Highway are:</i> (a) <i>to protect the Pacific Highway’s function, that is to operate as the North Coast’s primary inter- and intra-regional road traffic route;</i> (b) <i>to prevent inappropriate development fronting</i>	This direction applies to those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive.	Not applicable Kogarah is not an LGA to which the direction applies, hence the direction is not pertinent to the planning proposal.

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<i>the highway</i> (c) <i>to protect public expenditure invested in the Pacific Highway,</i> (d) <i>to protect and improve highway safety and highway efficiency,</i> (e) <i>to provide for the food, vehicle service and rest needs of travellers on the highway, and</i> (f) <i>to reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.</i>		
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked	Not applicable
5.6 Sydney to Canberra Corridor	Revoked	Not applicable
5.7 Central Coast	Revoked	Not applicable
5.8 Second Sydney Airport: Badgery's Creek <i>The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.</i>	This direction applies to land shown within the boundaries of the proposed airport site and within the 20 ANEF contour as shown on the map entitled "Badgerys Creek–Australian Noise Exposure Forecast–Proposed Alignment–Worst Case Assumptions", within Fairfield City Council, Liverpool City Council, Penrith City Council and Wollondilly Shire Council local government areas.	Not applicable Kogarah is not an LGA to which the direction applies, hence the direction is not pertinent to the planning proposal.
5.9 North West Rail Link Corridor Strategy	This Direction applies to Hornsby Shire Council, The Hills Shire Council and	Not applicable

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<i>The objectives of this direction are to:</i> <i>(a) promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL)</i> <i>(b) ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.</i>	Blacktown City Council.	
6. Local Plan Making		
6.1 Approval and Referral Requirements <i>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i>	This direction applies to all relevant planning authorities when preparing a planning proposal.	Consistent. The planning proposal is consistent in that it does not propose alteration of approval or referral requirements.
6.2 Reserving Land for Public Purposes <i>The objectives of this direction are:</i> <i>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</i> <i>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition</i>	This direction applies to all relevant planning authorities when preparing a planning proposal.	Consistent. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes. The Planning Proposal is thereby consistent with this direction.
6.3 Site Specific Provisions <i>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</i>	This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.	Not applicable The Planning Proposal does not aim to facilitate a specific development.

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7. Metropolitan Planning		
7.1 Implementation of Metropolitan Plan for Sydney 2036 <i>The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.</i>	This direction applies to particular LGAs, including Kogarah, when preparing a planning proposal.	Consistent. The planning proposal is consistent with the vision, land use strategy, policies, outcomes and actions of the Metropolitan Strategy and the draft South Subregional Strategy.