

Appendix 6: Rezoning of KLEP Schedule 1 sites

The planning proposal involves rezoning two sites in the former Kogarah LGA to the adjoining business zone. Both sites were listed in clause 16 of Schedule 1 Additional permitted uses of KLEP to allow certain residential and business development, and both sites are to be removed from Schedule 1 in the transition to the proposed consolidated LEP.

Clause 16 of the KLEP Schedule 1 permits development for the purposes of:

- Business premises;
- Office premises;
- Residential flat buildings;
- Restaurants or cafes;
- Shops;
- Shop top housing; and
- Multi dwelling housing.

Development consent under the clause is only to be granted if:

- No more than two floors are used for that type of listed development in the clause; and
- The maximum floor space used for the purpose of business premises, office premises or shops is no more than 80sqm or the existing commercial and retail floor space, whichever is greater.

A6.1 129 Laycock Road, Hurstville Grove



Figure 1: Site context (Source: Planning Portal and Nearmap)

The site contains a corner shop development containing a pizza restaurant and an attached dwelling. The planning proposal involves:

- Rezoning the site from Zone R2 Low density residential to Zone B1 Neighbourhood centre;
- Retaining the existing building height of 9m; and
- Increasing the FSR permitted from 0.55:1 to an unspecified number (the planning proposal does not provide this information).

The planning proposal states that the changes are justified by the *draft Commercial Centres Strategy*, however this document only recommends that the site be incorporated into Zone B1. No specific reasons for the proposed changes are provided. No site-specific assessment or strategic assessment with regard to the relevant s9.1 Ministerial Directions or SEPPs is provided.

Due to the lack of explanation and justification for the proposed changes, a Gateway condition deletes all proposed changes to this property from the planning proposal. Council may prepare a planning proposal at a later date which provides this information.

A6.2 29-31 Rocky Point Road, Kogarah

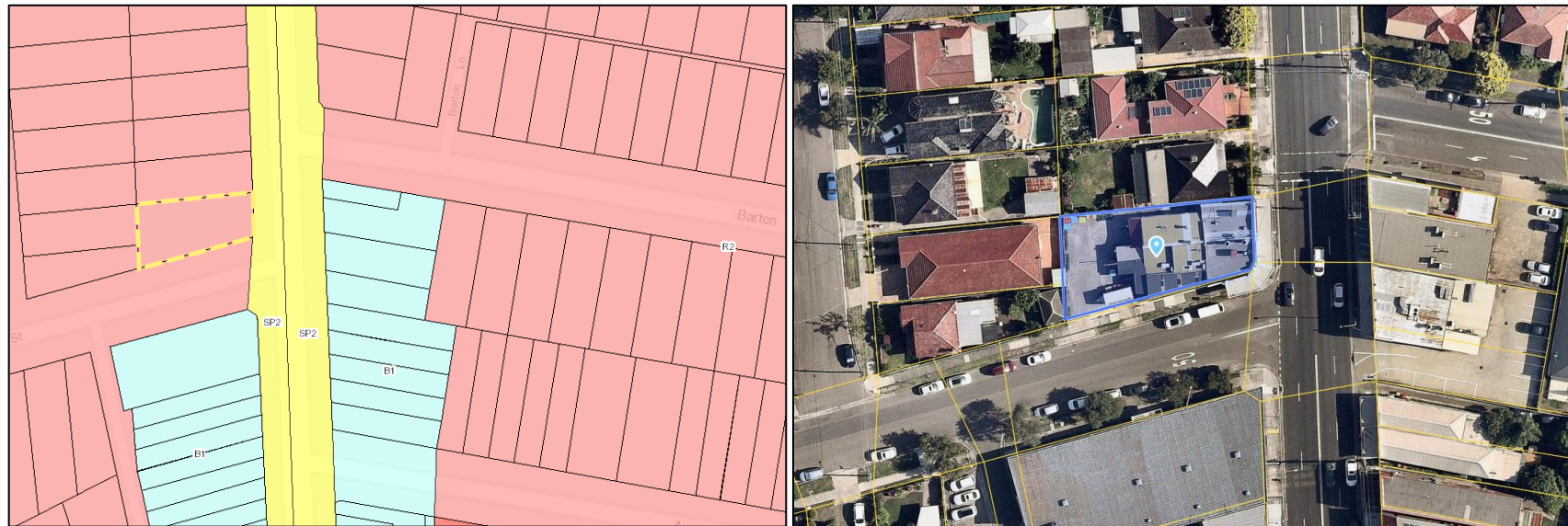


Figure 2: Site context (Source: Planning Portal and Nearmap)

The site contains a takeaway pizza shop and a take away Greek food shop. The planning proposal involves:

- Rezoning the site from Zone R2 Low density residential to Zone B1 Neighbourhood centre;
- Increasing the maximum building height control from 9m to 13m; and
- Increasing the maximum FSR control from 0.55:1 to an unspecified number.

The planning proposal states that the changes are justified by the *draft Commercial Centres Strategy*, however this document only recommends that the site be incorporated into Zone B1. No specific reasons for the changes or elaboration about the site context are provided. No site-specific assessment or strategic assessment with regard to the relevant s9.1 Ministerial Directions or SEPPs is provided.

Due to the lack of explanation and justification for the proposed changes, a Gateway condition deletes all proposed changes to this property from the planning proposal. Council is encouraged to prepare a planning proposal at a later date which provides this information.