

Appendix 3: Land use table assessment

A Land Use Matrix was submitted with the planning proposal and is included in the supporting documentation. Detailed consideration of each proposed zone is located below and should be read in conjunction with the matrix.

A detailed site-specific consideration of the deferred matters in HLEP 1994 and their transition to the GR LEP 2020 is located in **Appendix 4**.

A3.1 Zone R2 Low density residential

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	<p>Replaces all four local objectives with one objective:</p> <p><i>To promote a high standard of urban design and built form within a landscaped setting that enhances the local character of the suburb and achieves a high level of residential amenity.</i></p>	<p>Adds the local objective (quoted left) to the existing two mandated objectives.</p>	<p>The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPs, and new objectives that reflect the LSPPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.</p>
Permitted with consent	<p>Adds (permits):</p> <ul style="list-style-type: none"> • Early education and care facilities • Educational establishments • Emergency services facilities • Environmental facilities • Health services facilities • Home-based childcare • Jetties 	<p>Adds (permits):</p> <ul style="list-style-type: none"> • Boat sheds • Business identification signs • Early education and care facilities • Educational establishments • Emergency services facilities • Environmental facilities • Health services facilities • Home businesses • Home industries 	<ul style="list-style-type: none"> • Adhering to a general rule of permissibility retention from both existing LEPs. • Permitting boat sheds due to the significant number of R2 zoned properties on the waterfront. • Prohibiting attached dwellings to preserve the character and amenity of the R2 zone in accordance with a new residential hierarchy, with medium density restricted to R3 and high density restricted to R4 and business zones. • Prohibiting places of public worship due to their adverse amenity impact upon the R2 zone- existing premises will retain permissibility by inclusion as APUs in Schedule 1.

	<ul style="list-style-type: none"> • Public administration buildings • Seniors housing Removes (prohibits): <ul style="list-style-type: none"> • Animal boarding or training establishments • Attached dwellings • Building identification signs • Exhibition homes & villages • Flood mitigation works • Places of public worship • Recreation facilities (indoor) • Water recycling facilities & water reticulation systems 	<ul style="list-style-type: none"> • Jetties • Secondary dwellings Removes (prohibits): <ul style="list-style-type: none"> • Flood mitigation works • Places of public worship 	
Prohibited	No change	No change	N/A

Department Comments

The following issue was identified with the proposed Zone R2:

- The removal of recreation facilities (indoor) from the existing HLEP area may present existing use rights issues for facilities in operation. A Gateway condition is recommended to require Council to justify this change.

The proposed Zone R2 is considered acceptable because:

- The proposed removal of attached dwellings is consistent with Council’s proposed residential density hierarchy, which protects the amenity of dwelling houses and dual occupancies in Zone R2, while aligning attached dwellings with other medium density development in Zone R3.

- The removal of uses permitted by *SEPP No 64 – Advertising and Signage, SEPP (Educational Establishments and Child Care Facilities) 2017 and SEPP (Infrastructure) 2007* and is acceptable since they remain permissible under these other environmental planning instruments (EPs).
- The proposed removal of places of public worship from the R2 zone is considered acceptable. Listing existing premises in Schedule 1 to retain their permissibility within the LEP (rather than by existing use rights) is considered just and appropriate.
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.2 Zone R3 Medium Density Residential

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	<p>Removes the two local objectives and adds:</p> <ul style="list-style-type: none"> • The bold text to the third mandated objective: <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents and contribute to the vibrancy of the neighbourhood.</i> • <i>To promote a high standard of urban design and built form within a landscaped setting that enhances the local character of the suburb and achieves a high level of residential amenity.</i> 	<p>Adds the objectives quoted left to the existing three mandated objectives.</p>	<p>The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPS, and new objectives that reflect the LSPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.</p>
Permitted with consent	<p>Adds (permits):</p> <ul style="list-style-type: none"> • Early education and care facilities • Educational establishments • Emergency services facilities 	<p>Adds (permits):</p> <ul style="list-style-type: none"> • Business identification signs • Early education and care facilities • Educational establishments 	<ul style="list-style-type: none"> • Adhering to a general rule of permissibility retention from both existing LEPS. • Prohibiting residential flat buildings and shop top housing in order to align with a new residential density hierarchy, where high density typologies are only permissible in R4 and certain business zones. A number of precinct rezonings

	<ul style="list-style-type: none"> • Environmental facilities • Health services facilities • Jetties • Manor houses • Multi dwelling housing (terraces) • Public administration buildings <p>Removes (prohibits):</p> <ul style="list-style-type: none"> • Animal boarding or training establishments • Building identification signs • Exhibition homes • Exhibition villages • Flood mitigation works • Recreation facilities (indoor) • Residential flat buildings • Shop top housing • Water recycling facilities & water reticulation systems 	<ul style="list-style-type: none"> • Emergency services facilities • Environmental facilities • Health services facilities • Home businesses • Home industries • Jetties • Manor Houses • Multi dwelling housing (terraces) • Secondary dwellings <p>Removes (prohibits):</p> <ul style="list-style-type: none"> • Flood protection works • Hotel or motel accommodation • Residential flat buildings 	<p>from R3 to R4 are proposed to support this change - see A2.2.</p> <ul style="list-style-type: none"> • Introducing manor houses and multi dwelling housing (terraces) to the 'true' medium density R3 zone (this lacks sufficient justification- see below)
Prohibited	No change	No change	N/A

Department Comments

The following issues were identified with the proposed Zone R3:

- The introduction of land use terms from the *Low Rise Medium Density Housing Code (LRMDHC)*, manor houses and multi dwelling housing (terraces), is not adequately justified in the planning proposal. In addition, the Department considers their inclusion in the LEP

is unnecessary since *SEPP (Exempt and Complying Development Codes) 2008* (Codes SEPP) mandates their permissibility in standard instrument zones. As such, a Gateway condition requires that the developments be deleted from the proposed LEP zones.

- The removal of recreation facilities (indoor) from the existing HLEP area may present existing use rights issues for operational facilities. A Gateway condition is recommended to require Council to assess the impact of no longer permitting this development in HLEP's R3 area.
- The planning proposal does not justify or consider the impact of removing hotel or motel accommodation from KLEP's R3 area. A Gateway condition is recommended to require Council to amend the planning proposal with this justification.

The proposed Zone R3 is considered acceptable because:

- The proposed removal of an objective about home business from HLEP's R3 zone is considered to be of minor significance.
- The proposed removal of residential flat buildings and shop top housing from the former R3 zones reflects the new zoning hierarchy which restricts high density development to R4 and certain business zones. **Appendix A2.2** considers the proposed rezonings of existing R3 areas to R4 in order to support this change.
- The removal of uses permitted by *SEPP No 64 – Advertising and Signage, SEPP (Educational Establishments and Child Care Facilities) 2017* and *SEPP (Infrastructure) 2007* is acceptable since they remain permissible under these other EPIs.
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.3 Zone R4 High Density Residential

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	HLEP 2012 does not contain Zone R4.	Adds to the three mandated objectives: <ul style="list-style-type: none"> • The bold text to the third mandated objective: <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents and contribute to the vibrancy of the neighbourhood while ensuring that business centres remain the focus for business and retail activity.</i> • To encourage development that maximises public transport patronage and promotes walking and cycling. 	The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPs, and new objectives that reflect the LSPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.
Permitted with consent	HLEP 2012 does not contain Zone R4.	Adds (permits): <ul style="list-style-type: none"> • Business identification signs 	<ul style="list-style-type: none"> • Adhering to a general rule of permissibility retention from both existing LEPs

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
		<ul style="list-style-type: none"> • Dual occupancies • Dwelling houses • Early education and care facilities • Educational facilities • Emergency services facilities • Environmental facilities • Environmental protection works • Health services facilities • Hostels • Jetties • Manor houses • Multi dwelling housing (terraces) • Restaurants or cafes • Roads • Secondary dwellings • Semi-detached dwellings • Seniors housing • Shops • Small bars <p>Removes (prohibits):</p> <ul style="list-style-type: none"> • Exhibition homes • Flood mitigation works 	<ul style="list-style-type: none"> • The R4 High Density Residential zone permits hostels, hotel and motel accommodation, restaurants or cafes, serviced apartments, shops, and small bars to facilitate the creation of active places in areas with high residential density to improve the liveability of apartment living and promote social interactions. These areas are located in accessible locations that encourage walking and have the potential to become destinations for shopping, dining and meeting people.

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
		<ul style="list-style-type: none"> Tourist and visitor accommodation (but retains bed and breakfast accommodation, hotel or motel accommodation and serviced apartments) 	
Prohibited	HLEP 2012 does not contain Zone R4.	No change	N/A

Department Comments

The following issues were identified with the proposed Zone R4:

- The introduction of land use terms from the *Low Rise Medium Density Housing Code (LRMDHC)*, manor houses and multi dwelling housing (terraces), is considered in the assessment of Zone R3 above. A Gateway condition requires that the developments be deleted from the proposed LEP zones.

The proposed Zone R4 is considered acceptable because:

- The introduction of hostels, restaurants or cafes, shops and small bars to the R4 zone for the purpose of creating active places which improve liveability and promote social interaction is considered appropriate. Detailed consideration of the amenity impact of these uses upon surrounding dwellings can be carried out at the development assessment stage.
- The removal of uses permitted by *SEPP No 64 – Advertising and Signage, SEPP (Educational Establishments and Child Care Facilities) 2017 and SEPP (Infrastructure) 2007* is acceptable since they remain permissible under these other EPIs.
- The removal of backpackers' accommodation by deleting the tourist and visitor accommodation group term is considered to be consistent with the residential character of the zone .
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.4 Zone B1 Neighbourhood Centre

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	<p>Adding two local objectives to the existing mandated objective:</p> <ul style="list-style-type: none"> <i>To ensure development contributes to the vibrancy of the neighbourhood.</i> <i>To ensure residential development provides housing that meets the needs of the community.</i> 	<p>Deleting the existing local objective and adding the two local objectives quoted left.</p>	<p>The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPs, and new objectives that reflect the LSPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.</p>
Permitted with consent	Remains an open zone.	Remains an open zone.	N/A
Prohibited	<p>Adds (prohibits):</p> <ul style="list-style-type: none"> Advertising structures Agriculture Manor houses Multi dwelling housing (terraces) Port facilities Sewerage systems Wharf or boating facilities <p>Removes (permits):</p> <ul style="list-style-type: none"> Animal boarding or training establishments Commercial premises Electricity generating works 	<p>Adds (prohibits):</p> <ul style="list-style-type: none"> Advertising structures Agriculture Air transport facilities Airstrips Attached dwellings Backpackers' accommodation Boat building and repair facilities Boat launching ramps Boat sheds Camping grounds Cellar door premises Cemeteries 	<ul style="list-style-type: none"> Adhering to a general rule of permissibility retention from both existing LEPs Insufficient justification and analysis of the impact of prohibiting many new developments in the B1 area of KLEP (as compared to the existing B1 zone) is provided- see below.

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
	<ul style="list-style-type: none"> • Health services facilities • Industries (retains prohibition of general and heavy industry, but makes light industry permissible) • Information and education facilities • Mortuaries • Recreation facilities (indoor) • Residential accommodation (the effect of which is to make the following permissible: group homes, hostels, seniors housing and shop to housing) • Tourist and visitor accommodation (the effect of which is to make bed and breakfast accommodation and serviced apartments permissible) 	<ul style="list-style-type: none"> • Depots • Dual occupancies • Dwelling houses • Entertainment facilities • Exhibition homes and villages • Extractive industries • Farm buildings • Farm stay accommodation • Forestry • Freight transport facilities • Function centres • High technology industries • Highway service centres • Hotel or motel accommodation • Industrial retail outlets • Industrial training facilities • Jetties • Landscaping material supplies • Manor houses • Marinas • Mooring pens • Moorings • Multi dwelling housing (& terraces) 	

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
		<ul style="list-style-type: none"> • Open cut mining • Passenger transport facilities • Port facilities • Pubs • Recreation facilities (Major & Outdoor) • Registered clubs • Research stations • Residential flat buildings • Restricted premises • Roadside stalls • Rural industries, supplies and & workers' dwellings • Secondary dwellings • Semi-detached dwellings • Sewerage systems • Specialised retail premises • Storage premises • Timber yards • Truck depots • Vehicle repair stations • Waste or resource management facilities <p>Removes (permits):</p> <ul style="list-style-type: none"> • Electricity generating works 	

Department Comments

The following issues were identified with the proposed Zone B1:

- Although B1 will remain an open zone, the planning proposal involves prohibiting a large number of developments when compared with the former KLEP B1 zone, such as pubs and most types of residential accommodation. The planning proposal does not justify or analyse the impact of this change. A Gateway condition requires this information to be provided.
- The introduction of land use terms from the *Low Rise Medium Density Housing Code* (LRMDHC), manor houses and multi dwelling housing (terraces), is considered in the assessment of Zone R3 above. A Gateway condition requires that the developments be deleted from the proposed LEP zones.

However, the proposed Zone B1 is considered acceptable because:

- The removal of uses regulated by *SEPP No 64 – Advertising and Signage, SEPP (Educational Establishments and Child Care Facilities) 2017 and SEPP (Infrastructure) 2007* is acceptable since they remain permissible under these other EPIs.
- The permissibility of group homes, hostels and seniors housing is considered appropriate given that these developments contribute to the vibrancy of local centres and rely upon close access to services.
- The retention of open zoning for a business zone is consistent with the recommendations of the LEP Practice Note PN 11-002 as it provides flexibility in land use permissibility.
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.5 Zone B2 Local Centre

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	<p>Removing the existing local objective and adding:</p> <ul style="list-style-type: none"> • <i>To ensure development contributes to the vibrancy and economic viability of the centre.</i> • <i>To allow residential development to provide housing that meets the needs of the community.</i> 	<p>Adding the two local objectives quoted left to the existing mandated objectives.</p>	<p>The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPs, and new objectives that reflect the LSPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.</p>

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Permitted with consent	Remains an open zone.	Remains an open zone.	N/A
Prohibited	<p>Adds (prohibits):</p> <ul style="list-style-type: none"> • Manor houses • Multi dwelling housing (terraces) • Port facilities • Sewerage systems • Waste or resource management facilities • Wharf or boating facilities <p>Removes (permits):</p> <ul style="list-style-type: none"> • Amusement centres • Animal boarding or training establishments • Electricity generating works • Environmental facilities • Industries (the effect of which is to permit light industries) • Mortuaries • Residential accommodation (the effect of which is to permit: boarding houses, group homes, hostels and seniors housing). 	<p>Adds (prohibits):</p> <ul style="list-style-type: none"> • Agriculture • Air transport facilities • Airstrips • Attached dwellings • Boat building and repair facilities • Boat launching ramps • Boat sheds • Camping grounds • Cemeteries • Charter and tourism boating facilities • Correctional centres • Crematoria • Depots • Dual occupancies • Dwelling houses • Exhibition homes and villages • Extractive industries • Farm buildings • Forestry • Freight transport facilities 	<ul style="list-style-type: none"> • Adhering to a general rule of permissibility retention from both existing LEPs • Insufficient justification and analysis of the impact of prohibiting many new developments in the B2 area of KLEP (as compared to the existing B2 zone) is provided- see the assessment below.

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
		<ul style="list-style-type: none"> • High technology industries • Highway service centres • Industrial retail outlets • Industrial training facilities • Jetties • Manor houses • Marinas • Mooring pens • Moorings • Multi dwelling housing (including terraces) • Open cut mining • Port facilities • Recreation facilities (major & outdoor) • Research stations • Residential flat buildings • Rural industries • Rural workers' dwellings • Secondary dwellings • Semi-detached dwellings • Sewerage systems • Truck depots • Vehicle repair stations • Waste or resource management facilities 	

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
		<ul style="list-style-type: none"> • Water recreation structures • Water supply systems • Wharf or boating facilities Removes (permits): <ul style="list-style-type: none"> • Amusement centres • Electricity generating works 	

Department Comments

The following issues were identified with the proposed Zone B2:

- Like Zone B1, the planning proposal involves prohibiting a large number of developments when compared with the former KLEP B2 zone, including most types of residential accommodation. The planning proposal does not justify or analyse the impact of this change. A Gateway condition requires this information to be provided.
- The introduction of land use terms from the *Low Rise Medium Density Housing Code (LRMDHC)*, manor houses and multi dwelling housing (terraces), is considered in the assessment of Zone R3 above. A Gateway condition requires that the developments be deleted from the proposed LEP zones.

However, the proposed Zone B2 is considered acceptable because:

- The removal of uses regulated by *SEPP No 64 – Advertising and Signage, SEPP (Educational Establishments and Child Care Facilities) 2017 and SEPP (Infrastructure) 2007* is acceptable since they remain permissible under these other EPIs.
- The permissibility of group homes, hostels and seniors housing is considered appropriate given that these residential developments contribute to the vibrancy of local centres and rely upon close access to services.
- The retention of open zoning for a business zone is consistent with the recommendations of the LEP Practice Note PN 11-002 as it provides flexibility in land use permissibility.
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.6 Zone B3 Commercial Core

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	Adding two local objectives to the existing mandated objectives: <ul style="list-style-type: none"> • <i>To encourage a range of tourism, recreation, function and entertainment uses.</i> • <i>To strengthen the viability of existing centres through increased economic activity and employment.</i> 	KLEP does not include Zone B3	The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPs, and new objectives that reflect the LSPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.
Permitted with consent	Remains an open zone.	N/A	N/A
Prohibited	Adds (prohibits): <ul style="list-style-type: none"> • Home-based childcare • Port facilities • Recreation facilities (outdoor) • Sewerage systems • Water recreation structures Removes (permits): <ul style="list-style-type: none"> • Amusement centres • Electricity generating works • Environmental facilities • Industries (the effect of which is to permit light industries) • Mortuaries • Service stations • Telecommunications facilities 	N/A	<ul style="list-style-type: none"> • Adhering to a general rule of permissibility retention from both existing LEPs • The B3 Commercial Core zone permits tourist and visitor accommodation to accommodate the significant presence of international students and visitors staying within the Hurstville City Centre.

Department Comments

The proposed Zone B3 is considered acceptable because:

- The removal of uses regulated by *SEPP (Educational Establishments and Child Care Facilities) 2017* and *SEPP (Infrastructure) 2007* is acceptable since they remain permissible under these other EPIs.
- The retention of open zoning for a business zone is consistent with the recommendations of the LEP Practice Note PN 11-002 as it provides flexibility in land use permissibility.
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.7 Zone B4 Mixed Use

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	Removing the existing local objective and adding: <ul style="list-style-type: none"> • <i>To allow residential development that contributes to the vitality of the centre and provides housing that meets the needs of the community.</i> • <i>To encourage the provision of community facilities and public infrastructure so that all residents have reasonable access to a range of facilities and services.</i> 	Removing the three existing local objectives and adding the two local objectives quoted left to the mandated objectives.	The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPs, and new objectives that reflect the LSPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.
Permitted with consent	Remains an open zone.	Remains an open zone.	N/A
Prohibited	Adds (prohibits): <ul style="list-style-type: none"> • Manor houses 	Adds (prohibits): <ul style="list-style-type: none"> • Agriculture • Air transport facilities 	<ul style="list-style-type: none"> • Adhering to a general rule of permissibility retention from both existing LEPs

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
	<ul style="list-style-type: none"> • Multi dwelling housing (terraces) • Port facilities • Recreation facilities (outdoor) • Sewerage systems • Warehouse or distribution centres • Water recreation structures <p>Removes (permits):</p> <ul style="list-style-type: none"> • Amusement centres • Electricity generating works • Environmental facilities • Helipads • Industries (the effect of which is to permit light industries) • Mortuaries • Residential accommodation (the effect of which is to permit boarding houses, group homes, hostels, seniors housing and shop top housing) 	<ul style="list-style-type: none"> • Airstrips • Animal boarding or training establishments • Attached dwellings • Boat building and repair facilities • Boat launching ramps • Boat sheds • Camping grounds • Cemeteries • Charter and tourism boating facilities • Crematoria • Depots • Dual occupancies • Exhibition homes and villages • Extractive industries • Farm buildings • Farm stay accommodation • Forestry • Freight transport facilities • General industries • Highway service centres • Industrial retail outlets • Industrial training facilities • Jetties 	<ul style="list-style-type: none"> • The permission of helipads in Zone B4 will support the existing medical presence in the Kogarah Town Centre and Hurstville City Centre by enabling helicopters as a form of emergency transportation

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
		<ul style="list-style-type: none"> • Manor houses • Marinas • Mooring pens • Moorings • Multi dwelling housing (including terraces) • Open cut mining • Port facilities • Recreation facilities (major & outdoor) • Research stations • Residential flat buildings • Rural industries • Rural workers' dwellings • Semi-detached dwellings • Sewerage systems • Sex services premises • Truck depots • Waste or resource management facilities • Water recreation structures • Water supply systems • Wharf or boating facilities • Wholesale supplies <p>Removes (permits):</p> <ul style="list-style-type: none"> • Electricity generating works 	

Department Comments

The following issues were identified with the proposed Zone B4:

- The planning proposal involves prohibiting a large number of developments when compared with the B4 zone of KLEP, including most types of residential accommodation. The planning proposal does not justify or analyse the impact of these changes. A Gateway condition requires this information to be provided.
- The introduction of land use terms from the *Low Rise Medium Density Housing Code (LRMDHC)*, manor houses and multi dwelling housing (terraces), is considered in the assessment of Zone R3 above. A Gateway condition requires that the developments be deleted from the proposed LEP zones.

However, the proposed Zone B4 is considered acceptable because:

- The removal of uses regulated by *SEPP (Infrastructure) 2007* is acceptable since they remain permissible under these other EPIs.
- The retention of open zoning for a business zone is consistent with the recommendations of the LEP Practice Note PN 11-002 as it provides flexibility in land use permissibility.
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.8 Zone B6 Enterprise Corridor

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	HLEP 2012 does not include Zone B6	Adds two new local objectives to the existing four mandatory objectives: <ul style="list-style-type: none"> • <i>To allow residential development that contributes to the vitality of the centre and provides housing that meets the needs of the community.</i> • <i>To ensure that the access needs and traffic generated by development and their uses do not interfere with the safety and efficiency of the road network.</i> 	The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPs, and new objectives that reflect the LSPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.
Permitted with consent	N/A	Remains an open zone.	N/A

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Prohibited	N/A	<p>Adds (prohibits):</p> <ul style="list-style-type: none"> • Early education and care facilities • Farm stay accommodation • Manor houses • Multi dwelling housing (terraces) • Port facilities • Research stations • Sewerage systems • Waste or resource management facilities <p>Removes (permits):</p> <ul style="list-style-type: none"> • Correctional centres • Electricity generating works • Environmental facilities • Residential accommodation (the effect of which is to permit boarding houses, group homes, hostels, seniors housing and shop top housing) • Retail premises (the effect of which is to permit shops and all food and drink premises) • Signage 	<ul style="list-style-type: none"> • Adhering to a general rule of permissibility retention from both existing LEPs. • Permitting function centres, neighbourhood supermarkets, restaurants or cafes, and small bars to facilitate the activation within this zone.

Department Comments

The following issues were identified with the proposed Zone B6:

- The introduction of land use terms from the *Low Rise Medium Density Housing Code (LRMDHC)*, manor houses and multi dwelling housing (terraces), is considered in the assessment of Zone R3 above. A Gateway condition requires that the developments be deleted from the proposed LEP zones.

However, the proposed Zone B6 is considered acceptable because:

- The removal of uses regulated by *SEPP No 64 – Advertising and Signage* and *SEPP (Infrastructure) 2007* is acceptable since they remain permissible under these other EPIs.
- The proposed permission of boarding houses, group homes, hostels and seniors housing is appropriate in Zone B6 due to the location of the zone along a major road corridor where other intensive land uses are permitted, and transport access is reasonable.
- The retention of open zoning for a business zone is consistent with the recommendations of the LEP Practice Note PN 11-002 as it provides flexibility in land use permissibility.
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.9 Zone IN2 Light Industrial

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
Objectives	Removing the existing two local objectives.	Removing the existing local objective.	The proposed objectives for each land use zone are a combination of the core zone objectives as mandated by the SILEP, an update of the consolidated objectives from the existing LEPs, and new objectives that reflect the LSPS 2040 vision. In accordance with the LEP Practice Note PN 09-005, no more than two to three local zone objectives are proposed.
Permitted with consent	Remains an open zone.	Remains an open zone.	N/A
Prohibited	Adds (prohibits): <ul style="list-style-type: none"> • Business premises (except funeral homes) • Early education and care facilities • Home businesses • Home occupations 	Adds (prohibits): <ul style="list-style-type: none"> • Agriculture • Air transport facilities • Airstrips • Biosolids treatment facilities • Boat launching ramps 	<ul style="list-style-type: none"> • Adhering to a general rule of permissibility retention from both existing LEPs • Prohibiting business premises to ensure industrial uses remain as the primary land use in this zone. However, funeral homes are excluded from this prohibition as they are considered to be an appropriate land use due to the absence of sensitive land uses in this zone.

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
	<ul style="list-style-type: none"> • Port facilities <p>Removes (permits):</p> <ul style="list-style-type: none"> • Agricultural produce industries • Commercial premises (the effect of which is to permit office premises and many types of retail premises, excluding shops) • Crematoria • Environmental facilities • Information and education facilities • Mortuaries • Passenger transport facilities • Public administration buildings • Recreation areas • Recreation facilities (outdoor) • Research station • Water supply systems • Wholesale supplies 	<ul style="list-style-type: none"> • Boat sheds • Business premises (except for funeral homes) • Camping grounds • Caravan parks • Cellar door premises • Cemeteries • Charter and tourism boating facilities • Community facilities • Correctional centres • Early education and care facilities • Entertainment facilities • Exhibition homes and villages • Extractive industries • Farm buildings • Forestry • Health services facilities • Helipads • Highway service centres • Jetties • Marinas • Mooring pens • Moorings 	

Heading	Change from HLEP 2012	Change from KLEP 2012	Council justification
		<ul style="list-style-type: none"> • Open cut mining • Port facilities • Recreation facilities (major) • Registered clubs • Respite day care centres • Roadside stalls • Rural industries (except for agricultural produce industries) • Sewerage treatment plants • Small bars • Water recreation structures <p>Removes (permits):</p> <ul style="list-style-type: none"> • Electricity generating works • Kiosks 	

Department Comments

The following issues were identified with the proposed Zone IN2:

- Specialised retail premises (which replaced the bulky goods premises term in 2018) will become permissible in the HLEP area and will continue to be permissible in the KLEP area, which contradicts Practice Note PN 11-002's direction:

It is important that bulky goods retailing occurs in a business zone and not in an industrial zone. Such an outcome would ease pressure on employment lands. In 2011, a new objective was added to highlight that the purpose of industrial zones is to support and protect industrial land for industrial uses.

Specialised retail premises require a large footprint to operate which may reduce the land available for light industrial uses. This direction is consistent with principles for managing industrial and urban services land in Planning Priority S10 of the South District Plan.

As such, a Gateway condition is recommended to add specialised retail premises to the prohibited development of Zone IN2 in order to protect industrial employment lands.

- The planning proposal involves prohibiting a large number of developments when compared with the IN2 zone of KLEP. The planning proposal does not justify or analyse the impact of these changes. A Gateway condition requires this information to be provided.
- The impact of permitting office premises is proposed to be mitigated by the proposed clause 6.15, which limits the floor space of new office premises on land containing existing industrial activity. However, a Gateway condition removes that clause (**See Appendix 2.5.11**). As such, Council is encouraged to reconsider whether office premises should be permitted in Zone IN2. This reconsideration is required by a Gateway condition.

However, subject to the conditions above, the proposed Zone IN2 is considered acceptable because:

- Uses which are not 'light' in nature which may cause nuisance or adversely affect the surrounding amenity have been identified and prohibited, consistent with Practice Note PN 11-002.
- Prohibiting business premises, with limited exceptions, will ensure that industrial uses are the primary focus of the zone.
- The removal of uses regulated by *SEPP (Infrastructure) 2007* is acceptable since they remain permissible under these other EPIs.
- All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.10 Zone SP2 Infrastructure

The planning proposal involves permitting with consent the following non-mandatory land uses:

- Car parks;
- Centre-based child care facilities;
- Community facilities;
- Markets;
- Public administration buildings;
- Recreation areas;
- Respite day care centres; and
- Signage.

The proposed introduction of centre-based child care facilities in the SP2 Infrastructure zone is considered inconsistent with SEPP 55 (see **Section 4.5.2** of the **Gateway Report**). As such, a Gateway condition deletes this land use from the zone.

Otherwise, the proposed SP2 zone is considered acceptable since the land uses permitted with consent are all types of public infrastructure or land used for community purposes which are unlikely to change in the future (as per Practice Note PN 11-002).

Note that the planning proposal also involves rezoning land presently zoned SP2, which is considered in **A2.2**.

A3.11 Zone RE1 Public Recreation

The proposed RE1 zone involves permitting registered clubs with consent, as per the existing KLEP zone. HLEP permits registered clubs in Zone RE2 Private Recreation rather than RE1, which aligns with the directions in Practice Note PN 11-002.

Registered clubs are not necessarily open to the public, contrary to the objectives of Zone RE1. As large areas of public recreation land exist in both former LGAs, it is considered appropriate to adopt the approach of the former HLEP and Practice Note PN 11-002 to prevent a new widescale permissibility of registered clubs throughout the public spaces of the LGA.

The two existing registered clubs within the RE1 zone will be added to Schedule 1.

A Gateway condition requires Council to amend the planning proposal accordingly.

All other changes are considered appropriate and will not result in significant adverse environmental impacts.

A3.12 Zone RE2 Private Recreation

The proposed RE2 zone involves adding a number of permitted land uses which are considered appropriate and will not result in significant adverse environmental impacts.

A3.13 Zone E1 National Parks and Nature Reserves

The proposed E1 zone is considered acceptable because it is consistent with the Standard Instrument and unchanged from the existing provisions of HLEP.

A3.14 Zone E2 Environmental Conservation

The proposed E2 zone no longer permits flood mitigation works, which are permissible in KLEP, however this is acceptable since this land use is regulated by *SEPP (Infrastructure) 2007*. Otherwise, the proposed additional land uses are considered appropriate and the zone will not result in significant adverse environmental impacts.

A3.15 Zone W2 Recreational Waterways

The proposed W2 zone aligns with the existing HLEP zone. It is considered appropriate and it will not result in significant adverse environmental impacts.