



New South Wales

Kogarah Local Environmental Plan 1998 (Amendment No 29)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/00559/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 932

Clause 1 Kogarah Local Environmental Plan 1998 (Amendment No 29)

Kogarah Local Environmental Plan 1998 (Amendment No 29)

1 Name of plan

This plan is *Kogarah Local Environmental Plan 1998 (Amendment No 29)*.

2 Aims of plan

This plan aims to:

- (a) prohibit certain land uses within the Kogarah Town Square Development Precinct, and
- (b) insert in Kogarah Local Environmental Plan 1998 a reference to the most recent version of *Development Control Plan No 26—Exempt & Complying Development*.

3 Land to which plan applies

This plan applies:

- (a) in respect of the aim set out in clause 2 (a), to the Kogarah Town Square Development Precinct, as shown edged heavy black on the map marked “Kogarah Town Square Development Precinct” deposited in the office of Kogarah Municipal Council, and
- (b) in respect of the aim set out in clause 2 (b), to all land within the local government area of Kogarah.

4 Amendment of Kogarah Local Environmental Plan 1998

The *Kogarah Local Environmental Plan 1998* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 12A What is exempt and complying development?

Omit “as adopted by the Council on 23 August 1999” wherever occurring.

[2] Clause 12A (5)

Insert after clause 12A (4):

- (5) For the purpose of subclauses (1)–(3) of this clause, *Development Control Plan No 26—Exempt and Complying Development* means *Development Control Plan No 26—Exempt and Complying Development* as adopted by the Council on 23 August 1999.

[3] Clause 15A

Insert after clause 15:

15A Prohibited development for Kogarah Town Square Development Precinct

Objective of the provision

To ensure that appropriate development occurs in the Kogarah Town Square Development Precinct.

Prohibited development

For the Kogarah Town Square Development Precinct, as shown edged heavy black on the map marked “Kogarah Town Square Development Precinct” deposited in the office of Kogarah Municipal Council, development for the purpose of the following is prohibited:

adult concept stores; amusement centres; brothels; bulk stores; bulky goods establishments; caravan parks; centre based child care services; dwelling houses; generating works; hazardous industries; hazardous storage establishments; industries other than light industries; liquid fuel depots; liquidation or discount

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Schedule 1 Amendments

stores; materials recycling facilities; offensive industries; offensive storage establishments; panel beating workshops; pet shops; tattooists, transport terminals; warehouses or distribution centres; veterinary establishments.

[4] Clause 25 Dictionary

Insert in alphabetical order in clause 25 (1):

adult concept store means premises used predominantly for the purpose of the display or sale (whether by retail or by auction) of sex items (whether goods or materials) or services (other than prostitution).

BY AUTHORITY