



## **Kogarah Local Environmental Plan 1998 (Amendment No 38)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01903/S69)

BOB DEBUS, M.P.,

for Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2005 No 374

Clause 1 Kogarah Local Environmental Plan 1998 (Amendment No 38)

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# Kogarah Local Environmental Plan 1998 (Amendment No 38)

under the

Environmental Planning and Assessment Act 1979

## 1 Name of plan

This plan is *Kogarah Local Environmental Plan 1998 (Amendment No 38)*.

## 2 Aims of plan

- (1) This plan aims:
  - (a) to prohibit the carrying out of development for the purpose of housing for older people and people with a disability, and
  - (b) to allow, with the consent of Kogarah Municipal Council, the carrying out of development for the purpose of residential care facilities (being accommodation for older people),  
on the land to which this plan applies so as to maintain the amenity and low density environment of areas predominantly characterised by detached dwelling houses.
- (2) This plan is not intended to limit the carrying out of development on the land to which this plan applies under *State Environmental Planning Policy (Seniors Living) 2004* by or on behalf of the Director-General of the Department of Housing, or a local government or community housing provider.

## 3 Land to which plan applies

This plan applies to all land situated in the local government area of Kogarah within the Residential 2 (a)—Residential (Low Density) Zone under *Kogarah Local Environmental Plan 1998*.

## 4 Amendment of Kogarah Local Environmental Plan 1998

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

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 7 Zoning control table

Omit “housing for older people or people with a disability;” from Item 3 (Only with development consent) in the zoning control table to the clause in the matter relating to the Residential 2 (a)—Residential (Low Density) Zone.

### [2] Clause 7, zoning control table

Insert “; residential care facilities” in alphabetical order in Item 3 in the matter relating to the Residential 2 (a)—Residential (Low Density) Zone.